

Application Number 16/00948/OUT

Proposal	Outline application for the residential development of 1.07 hectares of land - All matters reserved including Access, Appearance, Landscaping, Layout and Scale reserved for subsequent consideration.
Site Location	Land to The West of Milverton Avenue (Site 11), Hyde, Tameside – Site 11.
Applicant	BDW Trading operating as Barratt Homes, 4 Brindley Road, City Park, Manchester.
Recommendation	Approve

REPORT

1.0 BACKGROUND INFORMATION

- 1.1 In April 2005, Manchester City Council tenants in Hattersley voted to switch their tenancies to a registered social landlord - Peak Valley Housing Group (a subsidiary of Contour Housing Group Ltd). The stock transfer signalled the start of a £40m, seven-year improvement plan for existing houses, part of an overall physical development programme that transforms the area, with combined investment estimated at £250m.
- 1.2 This programme, will includes building of approximately 830 new private houses, commercial/retail developments and community facilities commenced in March 2007 with the appointment of the Lead Development Partners. BASE, a joint venture between Barratt Homes and Artisan Property Group are taking forward the residential developments, the first phase of the programme having commenced in March 2010.
- 1.3 The Masterplan for the area shows the location of the proposed development sites in the Hattersley and Mottram area. The Masterplan was prepared on behalf of Tameside Council and partners in December 2003 and adopted as Supplementary Planning Guidance in April 2004.
- 1.4 In consultation with the local community a Development and Delivery Strategy was prepared showing individual development sites, including overarching design principles and plans for improvements to public space. Outline planning applications were submitted between November 2005 and January 2006 for all the residential development sites.
- 1.5 Overall, 25 sites were identified as residential development sites within the Hattersley estate, which are aimed at increasing the variety and mix housing offer in the neighbourhood. This planning application provides a reflection of the commitment of all stakeholders to achieve quality new development, so as to raise the quality of life, image, perception and value into the locality.

1.6 This planning application relates to one of those sites, and is referred to as site number 24.

2.0 **SITE & SURROUNDINGS**

2.1 The site that is the subject of this planning application is an area of previously developed land covering 1.07 hectares, and is located within the south west portion of the Hattersley estate. This site is identified as forming part of the Development Opportunity Site E2 (5), as identified on the Unitary Development Plan Proposals Map.

In terms of its setting within the locality, Milverton Avenue is positioned to the east, whilst open land that is also set within the development opportunity site, lies to the north, south and west of the site.

2.2 Vehicular and pedestrian access can be gained to the boundaries of the site from Milverton Avenue, which has direct access onto the main Hattersley Road West.

3. **APPLICATION DESCRIPTION**

3.1 This application is an outline application for the residential development of 1.07 hectares of previously developed land - All matters reserved including Access, Appearance, Landscaping, Layout and Scale reserved for subsequent consideration. There are no details relating to the number of dwellings at this stage, and will be fully considered at reserved matters stage.

4. **RELEVANT PLANNING HISTORY**

4.1 Application Number: 06/00150/OUT for Residential Development – Outline – All matters reserved - Access, Appearance, Landscaping, Layout and Scale - APPROVED.

4.2 Application Number: 09/00759/OUT for Residential Development – Outline - All matters reserved - Access, Appearance, Landscaping, Layout and Scale - APPROVED.

5.0 **RELEVANT PLANNING POLICY**

5.1 Tameside Unitary Development Plan (UDP) – Development Opportunity Area

5.2 **PLANNING POLICIES**

Part 1 Policies

1.3 Creating a Cleaner and Greener Environment

1.4 Providing more Choice and Quality of Homes

1.5 Following the Principles of Sustainable Development

1.6 Securing Urban Regeneration

1.8 Retaining and Improving Opportunities for Sport, Recreation and Leisure

1.12 Ensuring an Accessible, Safe and Healthy Environment

Part 2 Policies

E3 Established Employment Area

E2 (5) Godley Hill/The Thorns/Hare Hill/Mottram Road, Hyde Development Opportunity Area.

H1 Housing Land Provision

H1 (13) Godley Hill/The Thorns/Hare Hill/Mottram Road, Hyde Development Opportunity Area

H1(14) Other sites to be made available in accordance with strategic masterplan for the regeneration of the Hattersley area.

H4 Type, Size and Affordability of Dwellings

H5 Open Space Provision

H6 Education and Community Facilities

H10 Detailed Design of Housing Developments

T1 Highway Improvement and Traffic management

OL4 Protected Green Space

N2 Locally Designated Nature Conservation Sites

N4 Trees and Woodland

N5 Trees within Development Sites

MW11 Contaminated Land

Other Policies

National Planning Policy Framework Section 6 - Delivering a wide choice of high quality homes.

National Planning Policy Framework Section 7 - Requiring good design
Trees and Landscaping on Development Sites SPD

Residential Design SPD

Hattersley and Mottram SPG

5.4 National Planning Policy Framework (NPPF)

5.4.1 Section 2 Achieving Sustainable Development

Section 6 Delivering a wide choice of high quality homes

Section 7 Requiring good design

Section 11 Conserving and enhancing the natural environment

5.5 Planning Practice Guidance (PPG)

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

6.0 PUBLICITY CARRIED OUT

6.1 As part of the planning application process, notification letters were sent out to neighbouring properties on 4th November 2016, with a notice being displayed at the site on the 8th November 2016 and advertised in a local newspaper on 8th November 2016.

7.0 RESPONSES FROM CONSULTEES

- 7.1 Head of Environmental Services – Highways has raised no objections to the proposals.
- 7.2 Head of Environmental Services – Environmental Protection has raised no objections to the proposals, subject to suitable planning conditions.
- 7.3 Head of Environmental Services - Operations and Greenspace - no objections to the proposal.
- 7.5 United Utilities has no objection to the proposal and has requested conditions to be added to any approval.
- 7.6 National Grid – No objections received
- 7.7 Environment Agency – No objections received.
- 7.8 Greater Manchester Ecology Unit raise no objections to the proposal, subject to a suitable planning condition.
- 7.9 The Environment Agency – No objections

8.0 THIRD PARTY RESPONSES RECEIVED

- 8.1 Third party objections have been received from 7 local residents, who have representations relating to:-
- Outdated & none compliance with planning policies;
 - Parking/traffic flow, road safety and disruption during the construction process;
 - Overlooking and separation distance;
 - The loss of greenspace;
 - Ecology and;
 - Drainage.

9.0 ANALYSIS

- 9.1 The principle of the development has already been considered and approved, through outline applications 06/00154/OUT and 09/00762/OUT/OUT. Given the outline (all matters reserved) nature of this application, the key issues attached to this application are:-
- 1) Principle of the development
 - 2) Good Design
 - 3) Highway matters
 - 4) Overlooking & Separation
 - 5) The loss of Greenspace
 - 6) Drainage

- 7) Designing out Crime
- 8) Ecology

9.2 **The Principle of Development (Sustainable Development)**

Section 38 of the Planning and Compulsory Purchase Act 2004, states that applications should be determined in accordance with the development plan unless material planning considerations indicate otherwise. In addition, consideration will also be given to the appropriate weight that can be attached to the development plan (The Tameside UDP) following the publication of the National Planning Policy Framework.

In this context, paragraphs 208 - 219 of the NPPF sets out how its policies should be implemented and the weight which should be attributed to relevant UDP policies. Paragraph 215 confirms that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. At the heart of the NPPF is the presumption in favour of sustainable development. Furthermore, paragraph 49 of the NPPF advises that housing applications should be considered in the context of the presumption in favour of sustainable development.

It is considered that this proposal would provide a contribution towards the provision of new housing in the Borough, and is considered to represent a sustainable form of development, given its accessible location and as part of the wider regeneration master plan for Hattersley

Further to the above, outline planning permission has previously been granted for the residential development of this site, and it is considered that the principles attached to the residential development of this site are robust in this particular case.

9.3 **Good Design**

This is an outline planning application with all matters reserved as do detailed design reserved for future consideration. However, planning permission 09/00762/OUT identified the importance of design principles, to apply best practice and the highest quality standards, so as to ensure that the development addresses Policy H10 of the UDP.

The Design & Access Statement that was submitted with this application updates the importance of good design, identifying that paragraphs 56 and 57 of the NPPF advises that this is a key aspect of sustainable development. Further to this, good design is indivisible from good planning, and should contribute positively to making places better for people. This updated information addresses the concerns expressed by one local resident regarding the relevance of the submitted information, and will be promoted through any subsequent reserved matters application.

Further to the above, it is essential that the Local Planning Authority secure a high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. Therefore, it is recommended that a condition be attached to ensure that any reserved matters

applications are in accordance with the design principles set out in the Design & Access Statement.

- 9.4 **Highway matters:-** The highways engineer was consulted as part of the planning application process, and no objections in principle have been raised to the proposed development.

However, representations received from local residents have highlighted common concerns attached to the residential development of this site and other similar sites. In particular, they have identified that the development will create locally based problems relating to the disruption and free flow of traffic due to construction vehicles, along with hazards caused by mud on the road.

As with many other development sites, the concerns expressed by residents relate to are normally only for a relatively short period of time. Once the development of sites has been completed, to a stage where the main internal road is laid out, traffic management and flow arrangements, along with nearby highway conditions return to normal. However, it is important that the Local Planning Authority retain control over day to day site operations and the movement of construction traffic, so as to ensure that long term residential amenity is not compromised.

So as to deal with these concerns properly, planning conditions have been attached to this recommendation, so as to mitigate against the potential for highway and pedestrian disruption during the development of this site. This includes the provision of site wheel wash facilities, which are designed to prevent adverse road conditions surrounding the development site.

- 9.5 **The Loss of Greenspace**

This development site forms part of the wider Development Opportunity Site E2 (5), and whilst it is green in its current context, the land is not allocated as formal greenspace. As such, there is no loss of formal greenspace.

- 9.6 **Overlooking and Separation**

Overlooking and separation distances have been raised as a concern, particularly because the development site falls away in a westerly direction from Milverton Avenue. In this case, the topographical change is not severe and it is considered that land levels and the setting out of any proposed dwellings, can be properly and positively considered as part of any reserved matters application.

As such, a planning condition has been added to this recommendation that requires the submission of land level details for the consideration of the Local Planning Authority.

- 9.7 **Drainage**

United Utilities have raised no objections to the proposals, subject to the imposition of standard drainage conditions to deal with surface and foul drainage.

9.8 **Designing Crime**

Greater Manchester Police have raised no objections in principle to the development, although they have recommended that a full Crime Impact Statement (CIS) report should be submitted when the layout is to be considered, so as to show how crime has been considered for the proposal and the surrounding area.

9.9 **Ecology & Trees**

Ecological matters attached to the proposals for the site have been considered and, no objections were received from the Greater Manchester Ecology Unit, and subject to the imposition of a suitably worded planning conditions requiring a Landscape Plan to be prepared for the development, and that no tree felling or vegetation clearance required to facilitate the scheme take place during the optimum period for bird nesting (March to July inclusive).

Further to the above, a tree survey and constraints report has been provided by the developer, which identifies trees that are within the development site and trees that provide some screening towards existing dwellings along Milverton Avenue. As such, it is recommended that a planning condition be attached to any forthcoming planning permission, which ensures the protection of trees that are to be retained on and around the development site.

10.0 **Conclusion**

10.1 This site has been through outline stage on two separate occasions, and it is considered that the details that are set out in this planning application are commensurate with the planning principles that have already been considered and approved.

10.2 Overall, there are no planning objections to the proposals, and it is considered the application complies with both development plan policy and national guidance. In addition, it is felt that there is no significant harm resulting from the proposals in terms of traffic impact, impact on neighbours or character of the area.

Furthermore, It is considered the scheme will also provide a contribution towards assisting in the Borough meeting its 5 year housing supply.

RECOMMENDATION

To grant planning permission subject to the conditions set out below:

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: the location plan, in so far as it relates to the development site.
 3. Before any development is commenced approval shall first be obtained from the local planning authority with respect to the reserved matters, namely the access, layout, scale, appearance, landscaping of the development, and also include details of the existing and proposed ground levels for the whole site, along with the proposed finished floor levels of the dwellings
 4. The reserved matters application submitted pursuant to this consent shall follow the principles included in the Amended Design Statement submitted with this application unless otherwise agreed in writing by the Local Planning Authority.
 5. The reserved matters application shall include a full Crime Impact Statement (CIS) report to show how crime has been considered for the proposed development site and the surrounding area and explain how the design has responded to these issues.
 6. Development shall not commence until the following information has been submitted in writing and written permission at each stage has been granted by the Local Planning Authority.
 - i) A preliminary risk assessment to determine the potential for the site to be contaminated shall be undertaken and approved by the Local Planning Authority. Prior to any physical site investigation, a methodology shall be approved by the Local Planning Authority. This shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration.
 - ii) Where necessary a scheme of remediation to remove any unacceptable risk to human health, buildings and the environment shall be approved by the Local Planning Authority prior to implementation.
 - iii) Any additional or unforeseen contamination encountered during development shall be notified to the Local Planning Authority as soon as practicably possible and a remedial scheme to deal with this approved by the Local Planning Authority.
 - iv) Upon completion of any approved remediation schemes, and prior to occupation, a completion report demonstrating that the scheme has been appropriately implemented and the site is suitable for its intended end use shall be approved in writing by the Local Planning Authority.
- The discharge of this planning condition will be given in writing by the Local Planning Authority on completion of the development and once all information specified within this condition and other requested information have been provided to the satisfaction of the Local Planning Authority and occupation/use of the development shall not commence until this time, unless otherwise agreed by the Local Planning Authority.
7. No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. The fencing shall be retained throughout the period of

construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

8. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall be discharged to the public sewerage system either directly or indirectly unless specifically otherwise agreed in writing. Foul and surface water shall be drained on separate systems unless otherwise agreed in writing and in the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public sewer must be restricted to 24 l/s. The development shall be completed in accordance with the approved details
9. Foul and surface water shall be drained on separate systems.
10. The development shall not commence until details of the wheel cleaning facilities, temporary access, vehicle parking and turning facilities to be provided during the construction period, has been submitted to and approved in writing by the Local Planning Authority. These measures shall be implemented and retained in operation through the duration of the building works.
11. During demolition and construction no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.
12. Each phase of the development hereby approved shall not be brought into use unless and until details of facilities for the storage of refuse and waste materials associated with the use of the scheme have been submitted to and approved by the Local Planning Authority and implemented in accordance with the approved scheme.
13. The gradient of driveways shall not be steeper than 1 in 15.
14. Prior to any occupation of any part details of all external lighting to be installed on any buildings or elsewhere on the site unless a scheme for such lighting has first been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be fully implemented.
15. No tree felling or vegetation clearance required to facilitate the scheme take place during the optimum period for bird nesting (March to July inclusive). All nesting birds their eggs and young are specially protected under the terms of the wildlife and Countryside Act 1981 (as amended).
16. Unless otherwise first agreed in writing by the Local Planning Authority all trees within and surrounding the development site that are shown as being retained on the

reserved matters landscape plan, shall be suitably protected during the course of the development.