

Application Number:	23/00673/FUL
Proposal:	Provision of additional warehouse and storage area and associated works.
Site:	Land at Frederick House, Dunkirk Lane, Hyde
Applicant:	Involvement 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 site relates to a 0.16 hectare parcel of land. It comprises an existing hardstanding area immediately to the north-west of Frederick House and a 2 storey office block which fronts Dukinfield Road.
- 1.2 In 2019 permission was granted for a single storey, pitched roof warehouse to be used for storage and distribution purposes (Use Class B8) (ref: 19/00327/FUL). This permission was implemented at the time.
- 1.3 To the rear of the office accommodation is warehousing which is accessed from Dunkirk Lane. Employment uses are found to the west, south and east of the site. Terraced residential properties fronting Dukinfield Road are located beyond the eastern boundary.
- 1.4 Levels across the site are flat and the site laid almost completely to hardstanding (parking) albeit for a grassed area along the western boundary. The applicant is an established local business. Their existing headquarters is within Hyde Point located on the opposite (southern) side of Dunkirk Lane to the application site. Immediately adjacent to Frederick House on the same side of Dunkirk Lane is Newton Hall which is a 14th-century grade II listed cruck-framed building.
- 1.5 The application site is in a highly accessible area on the road network with Dukinfield Road being one of the main routes into Hyde town centre from the north. The site is 3km to the east of Junction 24 of the M60, which connects it to Stockport and the A57 connecting with Manchester.

2. PROPOSAL

- 2.1 The application seeks full planning permission for the erection of a storage warehouse building. The structure would be located to the north-west of Frederick House on an area, which is currently hard surfaced used for informal open storage and occasional parking. The building will replace a single storey brick built outbuilding that is currently used for storage.
- 2.2 The building will comprise an enclosed warehouse area with a partially opened adjacent storage area with a total floor area of 1,092 square metres (sqm) gross (and 1,067 sqm internal). It will measure at a maximum 35m x 20m with an eaves height of 7.7m and a ridge height of 12.5m.

- 2.3 The building is semi-permanent with white sandwich panel walls, a PVC thermo roof also in white with a roller shutter door in anthracite on the southern elevation and a personnel door on the eastern elevation.
- 2.4 The building has been designed to enhance the storage upon the site following the success of the business and will ensure the site continues to meet its operational needs and those of its customers whilst also creating an attractive environment in which to work.
- 2.5 The applicant specialises in supplying containers across a range of industries including DIY, pharmaceutical and food. The company has four locations across the UK with its head office currently based at Hyde Point. The applicant employs in the region of 85 staff across its four branches within the UK, with approximately 50 employees currently employed between Hyde Point and Frederick House.

3. PLANNING HISTORY

- 3.1 95/00718/FUL – Extension to existing factory with two storey office block additional car parking and erection of 2m high security fence – Approved 06.07.1995
- 3.2 00/00287/ADV – Erection of illuminated signage – Approved 05.05.2000.
- 3.3 19/00327/FUL - Erection of single storey pitched roof warehouse to be used for storage and distribution purposes (Use Class B8) – Approved on 31.07.2019.

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) and the Greater Manchester Joint Waste Development Plan Document (2012).

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;
- 1.11: Conserving Built Heritage and Retaining Local Identity;
- 1.12: Ensuring an Accessible, Safe and Healthy Environment.

4.6 **Part 2 Policies**

- C1: Townscape and Urban Form
- C6: Setting of Listed Buildings
- E3: Established Employment Areas
- E6: Detailed Design of Employment Developments
- MW11: Contaminated Land
- MW12: Control of Pollution
- 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
- T10: Parking
- U3: Water Services for Developments
- U4: Flood Prevention
- U5: Energy Efficiency

4.7 **Supplementary Planning Documents**

Trees and Landscaping on Development Sites SPD adopted March 2007; and, Employment Land Supplementary Planning Document adopted January 2009.

Places for Everyone

4.8 The Places for Everyone Joint Development Plan Document was published in August 2021. It was submitted to the Secretary of State in February 2022 and inspectors have been appointed to carry out an independent examination. It is a joint plan covering nine of the ten Greater Manchester districts, including Tameside, and is intended to provide the overarching framework to strategically manage growth across the boroughs.

4.9 Paragraph 48 of the NPPF sets out what needs to be taken into account when considering the weight given to emerging plans. It states that local planning authorities may give weight to relevant policies in emerging plans according to: the stage of preparation of the emerging plan (the more advanced its preparation, the greater weight may be given); the extent to which there are unresolved objections (the less significant, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

4.10 Places for Everyone has been published and submitted, where examination is on-going. The inspectors have recently issued examination document IN36, which is a 'part one' post hearing note. IN36 states that subject to a number of action points contained therein, the inspectors are satisfied at this stage of the examination that a schedule of proposed main modifications are necessary to make the plan sound and would be effective in that regard. In addition, the inspectors have indicated their position on the proposed allocations and Green Belt additions. Other than consideration of final issues on five specific allocations, or a

significant change in national policy, no further action points are likely to be issued before the main modifications are consulted on.

- 4.11 The plan is a material consideration and to date, very limited weight has been given to the policies within it, primarily due to the number of outstanding objections received as a result of previous consultations. However, following the above, it is now reasonable to give a greater degree of weight to the plan, being reasonable within the context of national planning policy.
- 4.12 Places for Everyone cannot be given full weight in planning decisions, as it does not form part of the adopted plan for Tameside. But given the stage reached, it is reasonable to give elements of the plan substantial weight, subject to the inspector's caveat that this is without prejudice to their final conclusions following consideration of responses to consultation on the main modifications later in the examination.
- 4.13 To clarify, IN36 gives a clear steer as to the wording required to make the plan sound. Substantial weight should therefore be applied to the text of the plan as amended by the schedule of main modifications, and not the published version of Places for Everyone.

Other Considerations

- 4.14 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.
- 4.15 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 letters, display of site notice, and advertisement in the local press.

6. SUMMARY OF THIRD PARTY RESPONSES

- 6.1 In response to the neighbour notification letters, there has been one letter of objection received. The concerns raised within the letters of objection are summarised below:
- Noise/Hours of Operation
 - Traffic/Parking Matters
 - The previous request was for temporary warehousing which would not include any night working.
 - The development is still there with no notification whether this is now permanent.
 - There is additional light pollution at night on numerous occasions.
 - The company land is bordered by trees which are overgrown for the area preventing light to gardens and housing.
 - The company associated with this land are extremely difficult to contact on this issue as I have tried several times.

- It is now more and more evident that the main road (Dukinfield Road) is not suitable for the size of vehicles accessing this site as now due to the weight of them houses now shake as they pass certain points on the road.
- Increased storage results in increased traffic.

7. RESPONSES FROM CONSULTEES

- 7.1 Highways – No objections subject to recommended conditions.
- 7.2 Lead Local Flood Authority (LLFA) – No objection subject to details of a sustainable surface water drainage scheme.
- 7.3 Canal & River Trusts – No objections
- 7.4 Coal Authority – No objections subject to relevant informative.
- 7.5 Contaminated Land – No objections subject to recommended conditions.
- 7.6 Environment Agency – No objections.
- 7.7 Environmental Health – No objections subject to a condition for controls on construction hours.
- 7.8 Greater Manchester Ecology Unit – No objections
- 7.9 Arboricultural Officer – No significant trees or vegetation will be affected by the proposals. Acceptable from an Arboricultural perspective.
- 7.10 Planning Policy – No comments received
- 7.11 United Utilities – No comments received

8. ANALYSIS

Principle of Development

- 8.1 Section 6 of the NPPF is entitled “Building a strong, competitive economy”. Paragraph 81 states that ‘planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.’
- 8.2 The site has a longstanding established employment allocation, along with adjoining land which follows the alignment of the Peak Forest Canal from Hyde in the south to Ashton Via Dukinfield in the north. Historical maps show that the site has been developed and served in an employment capacity since the 1970’s.
- 8.3 The Council recognises that there is, at present, a shortage in the supply/allocation of employment land within the Borough. This will be partly addressed within the emerging spatial plan, Places for Everyone. The evidence submitted as part of the Greater Manchester Spatial Framework and Places for Everyone highlights that Tameside has the lowest availability of industrial and warehousing space within Greater Manchester. Industrial and warehousing development has an important role to play in addressing the economic disparities across Greater Manchester and, in particular, to boost the competitiveness of the Borough within the northern areas. It is therefore material to the decision.

- 8.4 Policy E3 states that in Established Employment Areas, the Council will permit development for employment purposes. The supporting text of the policy clearly defines employment purposes as including B8 storage and distribution uses. The erection of the proposed building would yield direct economic outputs and the creation of the employment floor space would provide direct employment opportunities. The investment within the site is welcomed and this would compliment the wider employment offer within the established industrial/employment area off Dunkirk Lane. The investment is welcomed and it fully accords with the strategic objectives of the Council, current UDP policies and those of the emerging Places for Everyone strategic plan.
- 8.5 The principle of development is considered to be acceptable, the proposals would be compliant with the site allocation and meet the test of policy E3 'Established Employment Areas' subject to all other material considerations being satisfied which are addressed below.

9. DESIGN & LAYOUT

- 9.1 Policy E6 'Detailed Design of Employment Developments' sets out a number of design-based criteria to be applied in the consideration of new employment development. Building design and use of materials should relate well to local features and complement or enhance the character of the surrounding area.
- 9.2 Policy C1 states that *"In considering proposals for built development, the Council will expect the distinct settlement pattern, open space features, topography, townscape and landscape character of specific areas of the Borough to be understood, and the nature of the surrounding fabric to be respected. The relationship between buildings and their setting should be given particular attention in the design of any proposal for development."*
- 9.3 Paragraph 124 of the NPPF states *"Planning policies and decisions should support development that makes 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 suitable 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*
- 9.4 Paragraph 130 of the NPPF states that planning policies and decisions should ensure that developments :
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); and,*
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.*
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks."*

- 9.5 Paragraph 134 of the National Planning Policy Framework states that *“Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes”*.
- 9.6 The building is of a robust construction and it will form a permanent structure within the site whilst there remains an economic need for it. The location of the building is not viewed as being contentious. The position of the building is such that it would occupy a central location within an established employment area; as such it would be screened from public views.
- 9.7 The design is typical to that of modern warehousing units which are constructed from a steel frame and externally clad. The building would have a pitched roof and would be aligned along an orientation identical to that of employment units located adjacent to the site. The building would be of a height similar to the existing buildings on site and within the surrounding industrial estate and would not form a dominant feature either within the site or wider locality.
- 9.8 The development would comprise of a large warehouse building, with roof and wall panel cladding coloured white. No windows are proposed to the buildings.
- 9.9 The overall height and scale of the building is considered to be acceptable. Levels within the site are generally flat. The warehouse building would appear as a natural addition to the established employment character of the surrounding area. The design and scale would not result in an overbearing impact on the character of the surrounding area.
- 9.10 The design is acceptable, meeting the criteria of policies E6 and C1. The building is deemed to be complimentary to existing industrial units within the immediate area and would not detract from the appearance of the locality. The building takes a simple but functional appearance similar to that of adjacent buildings.

10. IMPACT UPON HERITAGE ASSETS

- 10.1 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 10.2 Policy C6 of the UDP states that new development, including any proposed as a result of a new use for a listed building, which fails to preserve, or detracts from, the setting of a listed building or structure will not be permitted.
- 10.3 Newton Hall is a designated heritage asset (Grade II) and is an early example of a cruck-framed building sited approximately 150metres away to the south-east. The proposals would not result in any encroachment on the setting of the Hall, recognising that it would have no visual connection with the asset, which would be segregated from view behind the existing buildings of Frederick House. The setting of the listed building will therefore be preserved.
- 10.4 In light of the above, in the absence of any undue harm to the setting of the listed building as a result of the proposed development, the application accords with the above policies and is acceptable in this regard.

11. RESIDENTIAL AMENITY

- 11.1 The site is bounded to the east by a warehouse building and beyond this are residential gardens of terraced properties on Dukinfield Road. A more unusual feature of these properties is that their rear gardens are separated from the dwellings by a communal access

road which severs their rear yard area from the main garden space. This creates an arrangement whereby properties are positioned over 88m away from the site boundary that also supports a tree belt that will be retained. The proposals demonstrate that full compliance is reached with SPD 'Employment Land' with regard to spacing standards.

- 11.2 The comments from a neighbouring property have been taken into account. However consultation with Environmental Health has been positive and it is not envisaged that any disturbance should occur from the site which would be harmful to levels of residential amenity noting the separation distance from the proposed building and the neighbouring properties along Dukinfield Road. Details of security lighting have, however, not been provided. In the interests of good practice it is therefore recommended that such details are requested through the imposition of a condition.
- 11.3 It is also noted that the development would have the potential to cause undue disturbance during a construction phase. A condition is recommended restricting construction work to daytime hours only.
- 11.4 Following the above assessment, the proposed development would not result in an adverse impact on the residential amenity of any surrounding neighbouring properties.

12. HIGHWAY SAFETY & ACCESSIBILITY

- 12.1 Policy T1 of the UDP states *"The Council will carry out new highway construction, highway improvement and traffic management schemes with the aims listed below. The access arrangements for development schemes must also be designed with these aims, wherever appropriate.*
- (a) improving safety for all road users,*
 - (b) encouraging the use of non car modes,*
 - (c) providing safe and convenient facilities for pedestrians and cyclists,*
 - (d) improving road and community safety especially in residential areas,*
 - (e) improving safety and the environment in town and local centres, assisting their viability and encouraging new investment,*
 - (f) assisting sustainable development,*
 - (g) safe management of congestion problems,*
 - (h) improving the efficiency and attractiveness of public transport and the convenience and safety of passengers,*
 - (i) providing for the needs of people with mobility difficulties,*
 - (j) providing for the safe use of powered two wheelers,*
 - (k) providing for the sustainable movement of freight,*
 - (l) conserving and enhancing the valued characteristics of an area through the use of appropriate design and materials.*
- 12.2 Policy T10 of the UDP states *"Proposals will be brought forward, following local consultation, for secure off-street parking where needed in residential areas and where suitable sites are available. New developments will be subject to maximum levels of parking provision, in accordance with standards to be established in association with the other Greater Manchester authorities and in line with national and regional guidance."*
- 12.3 Paragraph 111 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."*
- 12.4 The proposed building would effectively replace an area which has been used for informal open storage and occasional parking. The principle access from Dunkirk Lane would remain unchanged and vehicles would continue to access the site in a like for like manner via the

existing gated entrance. Dukinfield Road is a principle highway and the site has quick and convenient access to the motorway network via Hyde.

- 12.5 At present Frederick House has 61 parking spaces located to the front (east and south) of the building. UDP policy T10 requires that 1 parking space is provided per 100sqm of floorspace. The cumulative space of the proposed and existing floorspace equates to a total of 72 parking spaces which is a shortfall of 11 spaces. However having said that, the LHA is satisfied that there is sufficient capacity to accommodate the 11 No. additional vehicles on the highway within the vicinity of the development.
- 12.6 It is emphasised that the parking standards recommended by UDP policy T10 are maximum thresholds. It is noted that the site is within a sustainable location and that Dukinfield Road is well served with bus serves which includes the 330 service which links townships across the Borough. It is reasonable to assume that an element of employees would therefore arrive by public transport. Likewise, the proximity to established residential areas and the Peak Forest Canal provide safe and convenient walking and cycling options to staff. To promote cycling, it is recommended that additional secure cycle storage is provided along with staff changing facilities and a condition is included in the recommendation requiring this. It is considered that these measures would address the relatively minor shortfall on the maximum standards of the parking guidelines and that for the purpose of Paragraph 111 of the NPPF the impact of the development would not have an unacceptable impact upon highway safety or create a severe impact upon the highway network.
- 12.7 With this in mind, it is considered that the development provides a safe, secure and convenient access for all road users in accordance with UDP policy T1 and the NPPF.

13. DRAINAGE AND FLOOD RISK

- 13.1 Paragraph 167 of the NPPF states *“When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.*
- 13.2 Policy U4 of the councils UDP states *“When considering proposals for development the Council will apply a risk based approach to the assessment of possible flooding.*

In a sequential test taking into account the nature and scale of the development proposed, priority will be given to development in areas of little or no risk of flooding, over areas of low to medium risk, over areas of high risk. Within high risk areas, priority will be given to previously developed land, over undeveloped land, over functional flood plains.

The Council will consider, among other things, whether the development would be at direct risk of flooding, likely to increase the risk of flooding elsewhere, likely to obstruct the flow of flood waters, or likely to interfere with the integrity of existing flood defences.

Where, exceptionally, development is permitted in areas liable to flooding, appropriate flood protection and mitigation measures will be required as part of the development. Where practical, areas adjacent to watercourses will be preserved or created to allow access for maintenance purposes.”

- 13.3 The site lies within flood zone 1, and therefore at the least risk of flooding.
- 13.4 Recognising that the site will be located on an area of existing hardstanding there would not be an increase in impermeable surfaces which would influence rates of surface water runoff. Planning Practice Guidance refers to the DEFRA Technical Standards for Sustainable Drainage Systems which states that for developments on previously developed land, runoff flows and volumes must be close to as reasonably practicable to green field runoff rates, but

should never exceed the rate of discharge from the development prior to redevelopment for that event.

- 13.5 The Environment Agency has no objections to the proposed development however they note that the development site appears to have been the subject of past industrial activity which poses a medium risk of pollution to controlled waters. They recommend a condition requiring that no drainage systems for the infiltration of surface water to the ground are permitted other than those consented by the Local Planning Authority, and that any proposals for such systems should be supported by an assessment of the risks to controlled waters. The condition recommended as above, requiring details of a surface water drainage scheme to be submitted, is considered appropriate and the details will be shared with the Environment Agency at that stage to ensure they are satisfied with the submitted drainage details.
- 13.6 Subject to the above referenced condition, it is considered that the proposals are acceptable in this regard.

14. GROUND CONDITIONS / MINING LEGACY

- 14.1 The site falls within the Coal Authority's defined Development High Risk Area. The Coal Authority has reviewed the submitted information they do not consider that any further information is necessary, and do not raise any objections to the proposal subject to the inclusion of a recommended informative note.
- 14.2 Information submitted by the applicant confirms that from the earliest available historical Ordnance Survey map of 1881, the site comprised undeveloped green field land. The site appears relatively unchanged on subsequent maps until the 1970s, when it was developed into Shepley works with an electricity sub-station. By the 1980s, the building on site had been designated as a works. The chemical store within the north-west portion of the site is shown as present from 1999 onwards. The site appears unchanged on subsequent maps to the latest available map of 2018. In addition, anecdotal information suggests that the Kaman Corporation have occupied the space from 1996 until recently.
- 14.3 A ground investigation was undertaken at the site and this identified that made ground was found within all boreholes to a maximum depth of 1.00m below current ground level (bcgl). They advised that this generally comprised a sub-base of yellow sandy sandstone gravel. However, they stated that within 7 of the boreholes, a made ground comprising grey sandy gravel including red brick, sandstone and concrete was identified. Underlying the made ground they confirmed that Natural Devensian Till deposits were identified within the windowless sampling boreholes generally comprising firm to very stiff brown slightly sandy slightly gravelly clay to a maximum depth of 5.45m bcgl. In addition, Anthesis advised that rotary drilling encountered Devensian Till Deposits to a maximum depth of between 16.70m and 18.9m bcgl, underlain by solid deposits of the Pennine Middle Coal Measures Formation largely comprising grey sandstone, siltstone and mudstone to a maximum proven depth of 50.00m bcgl.
- 14.4 In relation to contamination, the applicant states that no visual or olfactory evidence of contamination was identified during the site investigation. In addition, no elevated concentrations of potential contaminants of concern were recorded within any of the soil samples screened. However, Chrysotile asbestos fibres have been identified within 3 of the 15 samples submitted for analysis, which were identified under hardstanding which is located in the proposed area of the extension. Slight organic exceedances were noted within 3No. leachability samples from the made ground, when compared against the overly conservative controlled waters assessment criteria. However, they confirmed that these are therefore not considered of concern. Ground gas monitoring installations were placed within exploratory locations during the investigations and they were intended to be monitored on six occasions. At the time of completing the phase II Geo-Environmental report, only one monitoring round

had been undertaken on 16 January 2018. They advised that the final results will be provided in a gas addendum. In addition, they advised that based on the findings of the Coal Mining Risk Assessment, the site is not considered to be at risk from former coal mining activity and no further intrusive investigation works were deemed to be necessary.

The reports produced to date are useful although, the following further information is required:

- The reports appear to be produced solely for Arics Properties Ltd. Therefore, the applicant will need to ensure that they have the correct permissions in place to be able to rely on the data and risk assessments included in these reports.
- The Landmark Information Group Envirocheck regulatory database search report and associated set of historical map extracts does not appear to be included with the reports. Similarly, reference is made to a Coal Authority Report. However, this was also not provided with the reports.
- The reports are produced more for environmental due diligence and do not specifically comment on the proposed development.
- The Phase II Geo-Environmental Site Investigation and Risk Assessment is only in a draft format.
- Ground gas monitoring rounds are incomplete

14.5 Based on the information provided, the Council's Contaminated Land team have no objections to the proposed development subject to recommended conditions. The conditions recommended by the Contaminated Land team are considered reasonable and necessary to ensure that future users of the proposed development would not be exposed to potential risks caused by contamination at the site, and subject to its imposition the application is thereby considered acceptable in this regard.

15. LANDSCAPING & ECOLOGY

15.1 Paragraph 133 of the NPPF states that *"Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users."*

15.2 Paragraph 174 of NPPF states that *"Planning policies and decisions should contribute to and enhance the natural and local environment by:*
a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;"

15.3 Policy N4 of the UDP states that *"The Council will not permit the felling of protected trees and woodlands, or other trees of amenity value, unless:*
a) the removal of a tree has been considered appropriate in connection with an approved development, or

- b) good arboricultural practice requires that the tree should be felled, or*
 - c) the condition or safety of structures is conclusively proven to be adversely affected by the presence or growth of a tree, or*
 - d) a serious risk to public safety is presented by the tree.*
- Where a tree is removed the Council will require appropriate replacement planting.*

15.4 Policy N5 of the UDP states that “*Where the quality and location of existing trees, whether individually, in groups or in woodlands, are of significant value to the appearance and amenity of a site, the Council will not permit development proposals which would:*

- (a) result in unnecessary loss of, or damage to, such existing trees, or*
- (b) not allow for successful retention of such existing trees, or*
- (c) not make adequate provision for replacement planting.*

Where a development proposal affects a site containing trees or woodlands, the Council will require a full arboricultural impact assessment, survey and method statement to be undertaken and submitted with the planning application, to enable the value of the trees and the effect of the proposal on the trees to be properly assessed and proposals made for the best of the trees to be accommodated within the scheme.

15.5 Consultation with the Tree Officer confirms that existing trees and vegetation located towards the site boundaries can be retained and no significant trees or vegetation will be affected by the proposals.

15.6 Greater Manchester Ecology Unit (GMEU) has reviewed the submitted information, and raise no objections, noting that there does not appear to be any ecological issues associated with the proposal.

15.7 As referenced above Paragraph 174 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment. It is expected that the scheme will provide biodiversity enhancements and provide a net gain for biodiversity at the site, in line with the requirements of the National Planning Policy Framework. These conditions are considered to be necessary to encourages enhancements and net gains for biodiversity to be delivered through the planning system, therefore physical features such as bird and bat boxes are required. As a result the impact on ecology and trees is acceptable.

16. CONCLUSION

16.1 The application proposes the erection of development that will generate employment on a site which is allocated for employment uses in the Unitary Development Plan. The economic benefits associated with investment and subsequent employment opportunities carry significant weight and the principle of the development is acceptable.

16.2 The development would be viewed within the context of the existing industrial estate and the buildings adjacent to the proposal. The application has adequately demonstrated that the site is of an appropriate size to accommodate the scale of the employment development proposed and it would not unduly impact upon the character of the area.

16.3 The setting of the adjacent Grade II heritage asset has been considered. Due to existing development and the prevailing nature of the immediate area, it is considered that there is an established industrial character and the addition of a similar industrial building would not cause further harm to the asset.

16.4 Its location within an established employment area with good access to links to public transport and the motorway network means that it is ideally located in relation to the strategic

highway network. The development would not cause undue impacts to highway safety, and would be considered acceptable subject to the imposition of conditions.

- 16.5 The proposal would not be significantly detrimental to residential amenity, given the considerable distance from any neighbouring properties and intervening development.
- 16.6 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 allocated site.
- 16.7 The proposal therefore complies with relevant development plan policies as well as those contained within the NPPF and is considered acceptable when taking into account other material planning considerations.

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:

Location Plan - Dwg no: 23007-1000-A

Existing Site Plan - Dwg no: 23007-1001-B

Proposed Site Plan - Dwg no: 23007-1003-F

Existing and Proposed Car Parking Plans - Dwg no : 23007-1006

Proposed Floor Plan - Dwg no: 23007-1004

Proposed Elevation Plans - Dwg no: 23007-1005

Covering Letter dated 18th July 2023

Environmental Due Diligence Assessment by Anthesis dated August 2018

Phase II Geo-Environmental Site Investigation and Risk Assessment by Anthesis dated January 2019 (including coal mining assessment)

For the avoidance of doubt and to ensure that the development complies with the following saved Policies of the adopted Tameside Unitary Development Plan :

Policy C1: Townscape and Urban Form

Policy C6: Setting of Listed Buildings

Policy E3: Established Employment Areas

Policy E6: Detailed Design of Employment Developments

Policy MW11: Contaminated Land

Policy MW12: Control of Pollution

Policy N4: Trees and Woodland

Policy N5: Trees within Development Sites

Policy N7: Protected Species

Policy OL10: Landscape Quality and Character

Policy T1: Highway Improvement and Traffic Management

Policy T7: Cycling

Policy T10: Parking

Policy U3: Water Services for Developments

Policy U4: Flood Prevention

Policy U5: Energy Efficiency and the National Planning Policy Framework (NPPF).

- 3) The materials of external construction shall be identical in appearance to those specified on the submitted application form and plans. The development shall be carried out in accordance with the approved details. Unless otherwise approved in writing by the local planning authority.

Reason: To ensure that the appearance of the development reflects the character of the surrounding area.

- 4) The car parking spaces to serve the development hereby approved (Drw.Number 23007-1006) shall be laid out as shown on the approved site plan prior to the first occupation of that development and shall be retained free from obstruction for their intended use thereafter.

Reason: To mitigate the highway impacts of the development in the interests of highway safety and convenience in accordance with UDP policy T1.

- 5) No part of the development hereby approved shall be occupied until details of the secured cycle storage provision to serve the development, along with suitable changing facilities, 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 units and shall be retained as such thereafter.

Reason: To encourage sustainable forms of travel in accordance with UDP policy T1 and T7.

- 6) Prior to occupation of the building/commencement of the use, full details of 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: In the interests of the amenities of local residents to ensure that no undue disturbance will occur.

- 7) Prior to the commencement of the development hereby approved, 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 shall 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 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 be retained as such thereafter.

Reason: To ensure proper drainage of the area, in accordance with Policy U3 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

- 8) 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) will be 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 184 of the National Planning Policy Framework.

- 9) 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.

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 184 of the National Planning Policy Framework.

- 10) No development above ground level shall commence until details of Biodiversity enhancement measures to be installed as part of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The details shall include a specification of the installations and scaled plans showing their location within the development. The approved enhancement measures shall be installed in accordance with the approved details, prior to the first occupation of the dwelling and shall be retained as such thereafter.

Reason: To ensure that biodiversity enhancements are secured to mitigate the environmental impacts of the scheme in accordance with paragraph 174 of the National Planning Policy Framework.

11) 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: In order to protect the amenities of nearby residents in accordance with Unitary Development Plan policies 1.12 and E6.