

## **Application Number 17/00019/FUL**

<b>Proposal</b>	Hybrid planning application seeking; Full permission for ground works and remediation of entire site; Full permission for works to masonry wall and terracing of land adjacent to river bank; Full permission for the erection of a three storey block comprising 38 dwellings with associated car parking and landscaping on parcel A of the site; Outline permission with all matters reserved except from access for residential development up to 24 dwellings on Parcel B.
<b>Site Location</b>	Former Site of 10 - 12 Castle Street, Stalybridge Tameside
<b>Applicant</b>	Mosscafe Housing and Rowlinson Construction
<b>Recommendation</b>	Grant Full Planning Permission on Parcel A subject to conditions and Grant Outline Planning Permission on Parcel B subject to conditions
<b>Reason for report</b>	A Speakers Panel decision is required because the application proposes a major development, as defined by The Town and Country Planning (Development Management Procedure) (England) Order 2015.

### **1.0 REPORT**

1.1 This is a hybrid planning application which seeks both Full and Outline Planning Permission to redevelop the application site for residential development. The application seeks Full Planning Permission to remediate and regrade the application site and subsequently to redevelop part of the site with a new three storey apartment block comprising 38 homes with associated car parking and landscaping. The application also seeks outline planning permission with detailed approval for means of access on the balance of the land for additional residential development comprising up to 24 dwellings.

These proposals are now described in more detail.

1.2 In terms of the full application, the applicants seek full permission to undertake ground and engineering works to prepare the whole 0.5ha site for development following which a new 3-storey 38 home apartment block would be erected on the site identified as 'Part A' with associated car parking and landscaping.

1.3 The ground and engineering works would include works to remediate the site and undertake cut and fill operations which would create both a new river bank terrace to the River Tame and result in site levels being raised by around 1.2m to create a new development platform.

1.4 The existing masonry wall directly adjacent to the River Tame (which is the mill wall from the original mill building on the site) would be reduced in height by approximately 2m and the adjacent land terraced with soft landscaping to reflect the approach taken on the neighbouring Longlands Mill (Urban Splash) site to the west. A new surface water outfall will be constructed in the remaining wall as required by the Flood Risk Assessment.

1.5 The proposed 3-storey apartment block would be located towards in 'Part A' within the eastern part of the site and would comprise a single apartment block with a mono pitch roof measuring approximately 58m long, 18m wide and 10m high. The building would

contain 21no. one-bedroom apartments and 17no. two-bedroom apartments, along with lobby area and an integrated refuse and cycle storage.

- 1.6 The materials proposed for the building will be predominantly red/brown brickwork with grey roof covering and grey powder coated aluminum window surrounds and entrance canopy. The apartments would include Juliet balcony balustrades, window cowls, parapets and patio door panels in various opaque shades of glass. The main entrance is proposed to be set forward of the main gable elevation and would incorporate larger areas of glazing.
- 1.7 Vehicular Access is proposed from Castle Street using the existing access with the submitted plan showing car parking with 17 spaces being situated centrally within the overall site. The scheme includes a secure gated access for vehicles with a fob controlled vehicular access. A separate pedestrian access gate is proposed to the south of the site off Castle Street.
- 1.8 The Outline Planning Application seeks permission to redevelop the balance of the land (Part B) for residential development but with detailed approval for 'means of access' which reflect the same access arrangements described above in the earlier paragraph.
- 1.9 Detailed matters relating to layout, scale, appearance and landscaping are reserved for future consideration but the indicative drawings suggest that the site could be developed for up to 24 additional homes comprising a further residential block positioned on a north / south axis adjacent to, and incorporating, the engine house. This aspect is inly indicative however and would be subject to further detailed assessment a reserved matters stage.
- 1.10 For the avoidance of doubt, this application does not involve work to the grade II listed engine house. This is shown as being retained on the site but is not included in the application site edged red as it intended this will be dealt with at a later date alongside the reserved matters submission for the 'Part A' site.
- 1.11 The application has also been supported by a comprehensive suite of supporting assessments and documentation. These include: -
  - Site Investigation Report
  - Geo-Environmental Site Assessment
  - Archaeological Assessment
  - Energy Statement
  - Flood Risk Assessment Planning Statement
  - Sustainability Statement
  - Topographical Survey
  - Structural Inspection Report
  - Crime Impact Statement
  - Design and Access Statement
  - Heritage Statement
  - Ecological Site Assessment
  - Topographical Survey
  - Statement of Community Involvement
  - Castle Street Mills – Engine House Structural Inspection Report
  - Indicative Masterplan
- 1.12 The application has also been the subject of pre-application community involvement which took place in In January 2017 where Mosscares Housing, one of the applicant's, undertook a community engagement exercise the application in accordance with the Council's Statement of Community Involvement. This comprised sending newsletters to 112 homes in the locality explaining the proposals and inviting attendance to a public

exhibition. And a briefing session was also held for elected members and stakeholders to provide feedback on the proposals.

- 1.13 The statement of community involvement submitted with the application outlines the consultation and responses received which center around car parking, affordable housing and reuse of the site.

The consultation event was attended by 6 people and among other comments raised, general support was given for the overall design and pleased that the proposal wasn't over 3-storeys.

## **2.0 SITE & SURROUNDINGS**

- 2.1 The application site itself is located within Stalybridge Town Centre and lies within the Stalybridge Conservation area. It comprises of 0.5 ha of previously developed land fronting Castle Street to the south and the River Tame to the north and contains mostly cleared land and rubble. There are existing commercial properties across the river to the north and east, a large restaurant to the south and residential development to the west. The character of the surrounding area is largely determined by its position on the fringe of Stalybridge Town Centre but comprising mainly residential uses with a mix of retail, restaurants and car parking nearby.
- 2.2 The site was previously used as part of the Castle Street Mills, which have now largely been cleared with the exception of the Grade II Listed pump house which still remains and is the only current built feature on the site.
- 2.3 In terms of topography, the land slopes gently down to a retaining wall on the northern boundary with the River Tame running below. The site boundaries consist of 2m high palisade fencing along the south, east and northern edge of the site with wire mesh fencing, brick and wooden board fencing along the boundary with Pattern House to the west.
- 2.4 The sites is located within 200m of Stalybridge Bus Station offering numerous services to the whole of Tameside and Manchester and 300m of Stalybridge Train Station providing regular services to Leeds, Liverpool and the rest of Greater Manchester to the west. The site is within 300m of the nearest primary school, 200m of the nearest doctors' surgery and, given its town centre location, in close proximity to a wide range of shops, services and facilities.

## **3.0 PLANNING HISTORY**

- 3.1 The site has a long planning history but the most relevant to this application is the permission granted consent in October 2006 for a mixed use development across a larger site comprising of up to 275 dwellings, 3,000 square metres commercial floorspace (Use Classes A1, A2, A3, B1, D1 and D2) and a hotel up to 2,500 square metres and up to a maximum of 175 parking spaces.

Other permissions on the site and surrounding include:

03/01099/R3D - Realignment of Castle Street (involving exhumation of former Caroline Street Methodist Church Burial Ground), closure of redundant section of Castle Street and provision of car parking area for proposed Longlands Mill development – September 2003

04/00245/LBC - Seek Listed Building Consent for demolition of blocks E, H2 and H3 and the east part of H – Approved May 2004

04/01864/LBC - Seek Listed Building Consent for partial demolition of buildings – April 2005

05/00545/R3D - Provision of temporary car park and new boundary fencing on two side to match existing - Approved June 2005

06/00105/LBC - Listed Building Consent for a mixed use development comprising of internal and external alterations, part demolition and conversion of the grade II listed Longlands Mill buildings to create 44 residential dwellings and new buildings to provide 60 dwellings and 1750m<sup>2</sup> gross commercial floorspace to be used as either use classes A1,A2,A3,A4,B1,D1 and D2 and 267 car parking spaces, highways alterations to Castle Street and other associated works. – Approved October 2006

06/00104/FUL - Mixed use development comprising of alterations and conversion of the grade II listed Longlands Mill Buildings to create 44 residential dwellings (32 x one bed and 12 x two bed units) and new buildings to provide 60 dwellings (29 x one bed 31 x two bed units) and 1750m<sup>2</sup> gross commercial floorspace to be used as either use classes A1, A2, A3, A4, B1, D1 and D2 and 267 car parking spaces, highways alterations to Castle Street and other associated works – Approved October 2006

08/00388/FUL - 2no. additional apartments within development approved under application 06/00104/FUL and rearrangement of service space – Approved July 2007

11/00712/LBC - Brick up rear openings in ground floor rear wall – Approved October 2011

#### **4.0 RELEVANT PLANNING POLICIES**

Tameside Unitary Development Plan (UDP) Allocation  
Stalybridge Town Centre  
Stalybridge Town Centre Conservation Area

##### **Tameside UDP**

##### **Part 1 Policies**

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

##### **Part 2 Policies**

- E2 (8) Development Opportunity Areas Castle Street/ Longlands Mill
- H7: Mixed Use and Density.
- S1 Town Centre Improvement
- T1: Highway Improvement and Traffic Management. T11: Travel Plans.
- C1: Townscape and Urban Form
- C2 Conservation Areas
- C4 Development in or Adjoining Conservation Areas
- C6 Setting of Listed Buildings
- C10 Development Affecting Archaeological Sites
- N4: Trees and Woodland.
- N5: Trees Within Development Sites.
- N6 Protection and Enhancement of Waterside Areas
- N7: Protected Species

OL7 Potential of Water Areas  
OL9 Derelict Land Reclamation  
OL10 Landscape Quality and Character  
OL15 Openness and Appearance of River Valleys  
MW11: Contaminated Land.  
U3: Water Services for Developments

### **Other Policies**

The Greater Manchester Joint Waste Development Plan Document April 2012  
The Greater Manchester Joint Minerals Development Plan Document April 2013  
Residential Design Supplementary Planning Document  
Trees and Landscaping on Development Sites SPD adopted in March 2007.

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

Section 1 Delivering sustainable development  
Section 2 Ensuring the vitality of town centres  
Section 4 Promoting sustainable transport  
Section 6 Delivering a wide choice of high quality homes  
Section 7 Requiring good design  
Section 8 Promoting healthy communities  
Section 10 Meeting the challenge of climate change, flooding and coastal change  
Section 12: Conserving and enhancing the historic environment

### **Planning Practice Guidance (PPG)**

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

## **5.0 PUBLICITY CARRIED OUT**

- 5.1 As part of the planning application process 216 notification letters were sent out to neighbouring properties on 17th January 2017 a notice was also posted at the site on the 18th January and displayed in a local newspaper on 26th January 2016.

## **6.0 RESPONSES FROM CONSULTEES**

### **Arboricultural Officer**

The trees within the site are of low amenity value. A landscape design should include suitable planting.

### **United Utilities**

No objection to the proposed development subject to conditions requiring details of foul and surface water drainage are attached to any approval.

### **Greater Manchester Ecology Unit**

This previously developed site does not have substantive ecological value, therefore no overall objections to the scheme on ecological grounds. The submitted Ecological assessment recommends further surveys for Water Voles and Otters but a site visit has confirmed this is not required as no likelihood of these being present on site. Suggest conditions requiring the submission of a lighting strategies to accommodate Bats and additional measures to improve biodiversity on the site.

**Greater Manchester Archaeological Advisory Service**

No Objections subject to a scheme of trial trenching, targeted excavation, and a watching brief being secured by condition

**Heritage England**

No objection on heritage grounds

**Environment Agency**

Initially objected due to the absence of an acceptable Flood Risk Assessment (FRA) and potential contamination risk on the site. The submission of additional documents has overcome both areas of objection and suggested mitigation is acceptable, subject to detailed conditions.

**Greater Manchester Police Design For Security**

No objections subject to the proposed development being designed and constructed in accordance with the recommendations contained within the submitted Crime Impact Statement

**Head of Environmental Services - Environmental Health**

Contaminated Land: recommend that a standard contaminated land condition is attached to any planning approval granted for residential development at the site. The information provided to date will go some way towards satisfying the requirements of this planning condition.

**Head of Environmental Services - Highways**

In Highways terms the site is in a sustainable location within the town centre accessible by both bus and rail, therefore the level of car parking suggested is acceptable and raise no objections subject to conditions.

**6.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED**

In response to the original notifications 2 objections have been received from households both from Pattern House. The grounds given for objecting are:

**Amenity**

Loss of views and light to properties in Pattern House.

Disruption from building / construction traffic.

Noise Disruption of ongoing building works.

Loss of privacy due to the close proximity of the proposed building.

**Crime / Disorder**

Access / paths provided by previous development have led to break-ins.

Previous developments used piled foundations which led to damage to surrounding properties

A high density of social housing promotes the possibility of anti-social behaviour.

**Financial**

The development would have a detrimental impact on landlords in the neighbouring development since the new development will be at reduced rent and would constitute unfair competition.

Devalue Surrounding Properties.

## 7.0 ASSESSMENT

The principal issues in determining this application are:

- o Principle of Development
- o Conservation Area and Listed Buildings
- o Layout and Design
- o Amenity
- o Highway Safety and Accessibility o
- o Ground Conditions
- o Ecology
- o Trees and Landscaping
- o Drainage, Flood Risk
- o Environmental Health
- o Planning Obligations
- o Other Matters

## 8.0 PRINCIPLE OF DEVELOPMENT

- 8.1 In overall terms, your officers are satisfied that the delivery of new homes in this location would accord with the aims and policy objectives of the adopted UDP and that the proposals would fall to be considered as sustainable development having particular regard to the guidance contained within the NPPF and Practice Guidance and should be supported.
- 8.2 In this respect, the proposed development would bring about the redevelopment of a site long-identified for residential use as a 'Development Opportunity Area' under policy E2 (8) of the UDP and would secure the beneficial re-use of a large, derelict and contaminated site within Stalybridge Town Centre and which presently detracts from the Stalybridge Conservation Area. The location would also residents with excellent access to a wide range of shops and services within the town centre as well as the public transport network via the bus interchange and rail station that provides good access to both Greater Manchester and Yorkshire.
- 8.3 The proposals would also make a valuable contribution to housing land supply within the borough and would provide a mix of one and two bed homes in a well-designed scheme. There are however a number of detailed matters which also need to be considered and which are now discussed in more detail below.

### **HERITAGE ASSETS: CONSERVATION AREA AND LISTED BUILDING**

- 8.4 The principles within SPD policy RD2 aligns with UDP policy C1 and C2 require development to respect the distinct settlement pattern and townscape of the area.
- 8.5 In this respect, the proposed massing and north/south orientation of the apartment block is reminiscent of the industrial/mill buildings which once occupied this site and the apartment block has also been designed to align with the neighbouring residential development at Pattern House and Longlands Mill to reinforce this character. Furthermore, the proposed transition in scale from the five storey Pattern Houses to the existing 19<sup>th</sup> century, three storey buildings along Melbourne Street to the east is also considered to be acceptable and would also help to integrate the development with the properties on the adjacent river bank along Market Street.
- 8.6 The approach also helps to ensure that the setting of the listed engine house also retains prominence from the street and is better placed to form an integral part of any future

redevelopment scheme proposed under the outline planning application.

- 8.7 Moving onto external appearance, it is considered that the design of the proposed apartment block is acceptable and would result in a new addition to the conservation area which is both sympathetic to the special historic character of the conservation area and its historic buildings and yet which incorporates contemporary features to ensure a scheme which adds to the character and quality of the area by assisting with the transition between old (Melbourne Street) and new (Pattern House). This is achieved through the use of a traditional brick construction but with inclusion of a range of contemporary features including window cowls, balcony's, coloured glazing, and a mono pitched roof rather than simply replicating entirely traditional building materials and styles including stone detailing and pitched slate roofs found within the wider conservation area.
- 8.8 Taking into account the above, it is considered that the proposed development would enhance the special character of the conservation area and would preserve and enhance the setting and appearance of the listed building. Subject to conditions to secure full details of the proposed materials, it is considered that the proposal would therefore accord with UDP Policies C1, C2, C4 and C6 and that an acceptable scheme at reserved matters stage could be achieved.

### **LAYOUT AND DESIGN**

- 8.9 In terms of layout and design of the scheme more generally, your officers are also satisfied that the proposals are acceptable taking into account the site characteristics and relationships with neighbouring buildings.
- 8.10 Fundamentally, the proposed layout of the scheme around a central court yard means that the both sides of the proposed apartment block would benefit from some degree of solar gain and allow for a strong entrance feature to be presented to Castle Street. Furthermore, long views through the site to the river cutting can also be maintained. Perhaps importantly, the approach to layout also has the benefit of allowing the remainder of the site subject to the outline planning application (identified as 'Part B') to be made available for future development.
- 8.11 In terms of scale and mass, it is also considered that the development is acceptable and would fit within the surrounding area and assisting with the transition between surrounding properties from Pattern House to those properties to the east and opposite side of the river bank.
- 8.12 As set out in the previous section, the proposed palette of materials using red brick and grey details to the roof, fenestration and windows coupled with areas of glazing with coloured sections would also result in a building which is sympathetic and compatible with the character of the locality but with interesting design features that would complement the character and appearance of the area in accordance with UDP and SPD policies and is acceptable.
- 8.13 At this stage, the proposals shown for parcel B are indicative only and will be subject of reserved matters applications should the scheme be approved but the details clearly show that a good scheme which has an acceptable relationship with Pattern House, the proposed apartment block and the listed engine house can be achieved.
- 8.14 In overall terms therefore, your officers are satisfied that the proposals would comply with the design and conservation based policies in the UDP, SPD and would accord with the guidance contained within the NPPF and PPG.



## **RESIDENTIAL AMENITY**

- 8.15 In protecting the amenities of both future and existing occupiers of residential properties, minimum separation distances are required between buildings to help achieve this. Separation distances are considered to be necessary in cases where it is appropriate to ensure privacy due to overlooking of windows and gardens might be significant.
- 8.16 The minimum separation distances are set out in SPD policy RD5 which also makes allowances for degree of angle, height of buildings and differences in site levels.
- 8.17 The policy confirms a minimum separation distance between habitable room windows on two storey developments of 21 metres where habitable room windows directly overlook. Added to this should be 3 metres for every additional storey and 1m for every 1m difference in ground level.
- 8.18 The proposed west elevations of the building will maintain a 54m separation to the elevation of in Pattern House and an average of 21m from the rear of properties on Melbourne Street to the east. Taking into account the number of stories and difference in site levels, the proposed development would meet the requirements of this policy which should ensure there is no significant impact on the occupiers of neighbouring properties
- 8.19 In terms of the outline site, the indicative layouts shown for the outline proposals show that the additional indicative blocks proposed could also meet the requirements for separation distances in the Residential design SPD as part of any future reserved matters application and so could also be acceptable in terms of protecting residential amenity.
- 8.20 The site layout also shows that sufficient spaces exists around the blocks for residential amenity for the proposed dwellings and this is in line with the councils requirements in the SPD.
- 8.21 Whilst neighbours have commented on the likely impact of the development on neighbouring properties in relation to loss of views and privacy what should be considered is the proposed scheme is a three storey block (ground, 1st and 2nd floor) whilst the neighbouring Pattern house is substantially higher sitting above a ground floor level car park deck. With the separation distance achieved it is not considered that there will be any loss of amenity to these residents. Furthermore, the site was always identified for further future development both at earlier planning application stage and also as part of the UDP allocation under E2 (8).

## **HIGHWAY SAFETY AND ACCESSIBILITY**

- 8.22 The site is located in a highly accessible location within the town centre and close to the train station, bus interchange, local shops and two national supermarkets whilst also providing safe and secure cycle parking provision. Consequently the proposed car parking provision of 50% is considered to be entirely acceptable in this location. As a result of this, it is not predicted that the amount of development proposed would have any significant impact on the local highway network. Likewise, the low volume of traffic expected and good accessibility also means that a travel plan condition is not required.
- 8.23 In terms of highway safety, the proposed vehicular access from Castle Street will utilise an existing access point and is considered to be safe and satisfactory by the Head of Environmental Services – Highways.
- 8.24 Taking these factors into account, 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 4 of the NPPF.

## **GROUND CONDITIONS**

- 8.25 The application is supported by a contaminated land risk assessment which has been reviewed by Environmental Health. Whilst there are some issues still to be addressed, no objections have been raised with regards to contaminated land in respects of human health subject to a contaminated land condition requiring further investigations to be undertaken and a detailed remediation strategy to be prepared.
- 8.26 During the course of the application however, the Environment Agency initially objected due to concerns about the risks from contamination to controlled waters as a result of the previous use of the site as mills, engineering works and printing works which present a *high* risk of contamination being mobilised during construction which would pollute controlled waters. Following further discussions however, and acceptance on the part of the applicant that further investigatory and work to develop a mitigation strategy is required, the Environment Agency have withdrawn their objection subject to the imposition of a condition requiring further work to be undertaken prior to the commencement of development.
- 8.27 Subject to these conditions, officers are satisfied that the requirements of the NPPF in terms of contaminated land can be addressed and the site developed without any unacceptable impacts on human health or controlled waters.
- 8.28 In this instance, the site is not in an area at risk from former coal workings and the development is acceptable in accordance with policy MW11: Contaminated Land.

## **ECOLOGY**

- 8.29 The application is accompanied by an Ecological assessment which has been considered by GMEU who agree that the site has no substantive ecological value and do not object to the scheme on ecological grounds. Both the assessment and GMEU recognise and highlight however the opportunity for improving the natural habitat in this area which can be secured by condition.
- 8.30 Whilst the submitted Ecological assessment by TEP recommended that further surveys for Water Voles and Otters was undertaken if the works to the river bank were proposed, the GMEU have confirmed following a site inspection that this is not required as there is no evidence of these creatures being present on site and conditions on site would make the river bank meaning it would not be a suitable habitat. In terms of bats, precautions are also needed to ensure that the river corridor is not affected by light pollution. All these matters can be dealt with satisfactorily by condition and are therefore proposed as part of the recommendation to members. An opportunity does however exist to improve the habitat along the river side edge as part of the scheme and it is therefore proposed that an additional condition will be added to secure further details as to how this will be achieved.
- 8.31 The proposals would not therefore have any adverse effect upon protected species and are thus in accordance with policy N7: Protected Species and the guidance contained within the NPPF and PPG.

## **TREES AND LANDSCAPING**

- 8.32 The Council's tree officer has been consulted and comments that the application site currently contains no trees of any amenity value.

- 8.33 The key features of the submitted landscape plan include;
- Row of proposed trees along site boundary with Back Melbourne Street;
  - Improvements and creation of terraced bank along the site frontage with the River Tame;
  - Tree planting within car parking area
  - Garden with street trees to southern edge of the site to create green buffer;
  - Communal garden predominantly lawn to provide amenity space;
  - Different coloured surfaces around footpaths and car parking areas within the site.
- 8.34 The inclusion of the line of trees along the eastern boundary will benefit the site and area generally and it is considered the proposed development and landscape proposals will enhance both the development and character of the area area and would comply with UDP policies N4 and N5.

#### **FLOOD RISK AND DRAINAGE.**

- 8.35 As the application site falls within draft flood zone 2, it must be assessed against the requirements of the NPPF which aims to ensure that inappropriate development is avoided in areas at risk of flooding which has been demonstrated through this process.
- 8.36 In this regard, whilst the Environment Agency initially objected to the proposals as a result of concerns that the drainage system would cause flooding on site when the outfall is submerged by high river levels in the Tame, the applicants have now subsequently provided additional information and updated assessments which have resulted in the Environment Agency withdrawing their objection.
- 8.37 In terms of the site drainage, United Utilities state they have no objection to the proposed development subject to conditions requiring further details of the foul and surface water drainage. No concerns have been raised regarding sewer capacity in the area.
- 8.38 In the absence of any technical objection the proposal is now considered to accord with policy U3 and the guidance contained within the NPPF and PPG subject to satisfactory compliance with conditions.

#### **CONSTRUCTION NOISE**

- 8.39 Comments have been received from neighbours regarding the potential for disruption at construction stage whilst the development is undertaken and built out. Unfortunately, some degree of disruption is an inevitable consequence of development and this cannot be used as a reason to resist planning proposals; however, the local authority can impose conditions to assist with mitigating some of the impacts including agreeing a site construction management plan with the developers and also restricting the hours in which construction works can be carried out.

#### **DEVELOPER OBLIGATIONS**

- 8.40 The application site is located on Council owned land and therefore there is no requirement for any S106 obligations in this instance.

#### **OTHER MATTERS**

- 8.41 Objections received regarding the tenure of the proposed properties and fact that the objectors believe that the proposals have the potential to devalue the existing

neighbouring properties in the area. Officers would advise members that these concerns are not material to the determination of the application under planning legislation and case law.

## **9.0 CONCLUSION**

- 9.1 At the heart of the NPPF is a presumption in favour of sustainable development, this requires planning applications that accord with the development plan to be approved without delay and where the development plan is absent, silent or out of date granting permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the framework as a whole or specific policies in the framework indicate that development should be restricted.

In this instance, the application site is designated for residential use under UDP Policy E2 (8) and as the redevelopment of the site would bring about a range of benefits including re-use of a prominent and redundant town centre/ conservation area site; visual amenity improvements; additional planting / ecological improvements; contribution to delivery of new homes; and additional expenditure in the local shops and services. There are no significant factors which outweigh these benefits and so the proposal is therefore recommended for approval subject to the conditions.

## **10.0 RECOMMENDATION**

**Grant Full Planning Permission for ground works and remediation of the entire site; works to masonry wall and terracing of land adjacent to river bank and the erection of a three storey block comprising 38 dwellings with associated car parking and landscaping on parcel A of the site subject to the following conditions:**

- 1 The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. No development, other than work to undertake site clearance, remediation and ground engineering works, shall take until such time until samples and/or a full specification of materials to be used externally on the hereby-approved apartment block have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials including window frames and balcony detailing. The development shall be constructed in accordance with the approved details.
3. Prior to first occupation, precise details of the type, siting, design and materials of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatments shall be fully completed in accordance with the approved details prior to first occupation of any of the hereby approved residential units.
4. No part of the development shall be occupied until details of all hard and soft landscaping including hard surfacing materials, planting plans and schedule of plants and trees including dimensions, maturity and proposed numbers/densities and where appropriate an implementation programme have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.
5. The approved scheme of landscaping scheme shall be implemented before the

development is first occupied or in accordance with a programme agreed previously with the local planning authority. Any newly planted trees or plants forming part of the approved scheme which, within a period of 5 years from the completion of the planting, are removed, damaged, destroyed or die shall be replaced in the next appropriate planting season with others of similar size and species by the developer unless the local planning authority gives written consent to any variation

6. No development, other than work to undertake site clearance and remediation shall take place until such time as the precise details of existing and proposed ground levels for the whole site and proposed finished floor levels for the hereby approved apartment block have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved site levels and finished floor levels.
7. No development shall take place, other than site clearance and site compound set up, until the implementation of a programme of archaeological works in accordance with a Written Schemes of Investigation (WSI) submitted to and approved in writing by the Local Planning Authority. The WSIs shall cover the following:
  - i phased programme and methodology of investigation and recording to include: evaluation trenching; detailed archaeological excavation (informed by trenching); an archaeological watching brief
  - ii A programme for post investigation assessment to include: analysis of the site investigation records and finds; production of a final report on the significance of the archaeological and historical interest represented.
  - iii A scheme to commemorate the site's industrial heritage
  - iv Dissemination of the results commensurate with their significance.
  - v Provision for archive deposition of the report and records of the site investigation.
  - vi Nomination of a competent person or persons/organisation to undertake the works

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

8. The developer shall afford access at all reasonable times to any archaeologist nominated by the Local Planning Authority, and shall allow them to observe the excavations and record items of interest.
9. No development, other than site clearance and site compound set up, shall commence until such time as the following information has been submitted in writing and written permission at each stage has been granted by the Local Planning Authority.
  - i) A preliminary risk assessment to determine the potential for the site to be contaminated shall be undertaken and approved by the Local Planning Authority. Prior to any physical site investigation, a methodology shall be approved by the Local Planning Authority. This shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration.
  - ii) Where necessary a scheme of remediation to remove any unacceptable risk to human health, buildings and the environment (including controlled waters) shall be approved by the Local Planning Authority prior to implementation.
  - iii) Any additional or unforeseen contamination encountered during development shall be notified to the Local Planning Authority as soon as practicably possible and a remedial scheme to deal with this approved by the Local Planning Authority.
  - iv) Upon completion of any approved remediation schemes, and prior to occupation, a completion report demonstrating that the scheme has been appropriately implemented and the site is suitable for its intended end use shall be approved in writing by the Local

Planning Authority.

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

10. Prior to first occupation of the hereby approved development, the hereby-approved vehicular access from Castle Street (as shown on the layout plan) shall be fully constructed and be available for use in accordance with the approved plans.
11. No development shall commence until such time as a Construction Environment Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of:
  - Wheel wash facilities for construction vehicles;
  - Arrangements for temporary construction access;
  - Contractor and construction worker car parking;
  - Turning facilities during the remediation and construction phases;
  - Details of on-site storage facilities;

The development shall be carried out in accordance with the approved Construction Environmental Management Plan.
12. Prior to first occupation of any residential unit, the hereby approved car parking and circulation areas indicated on approved plan (insert planning ref) shall be fully constructed, drained, marked out and be available for use and thereafter kept unobstructed and available for its intended purpose.
13. Prior to occupation, the cycle parking Indicated on the approved plan (insert plan ref) shall be fully completed and be available for use and thereafter kept unobstructed and available for its intended purpose. The area shall be maintained and kept available for the parking of cycles at all times.
14. 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.
15. Foul and surface water shall be drained on separate systems.
16. No development, other than site clearance, remediation and cut and fill operations, shall commence until a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions, shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed in accordance with the approved drainage scheme.
17. Prior to occupation of the development a sustainable drainage management and

maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

A: Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and

B: Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

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

18. During demolition, ground engineering and construction periods, no works (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.
19. No development, other than site clearance, remediation and cut and fill shall take place until a lighting plan (for both construction and post development phases) taking into account the feeding and commuting behaviour of bats around the River Tame shall be submitted to the local planning authority and agreed in writing. The development shall be carried out in accordance with the approved lighting scheme.
20. Prior to occupation of the development a scheme for lighting to be installed on the building and elsewhere on the site shall be submitted to and approved in writing by the Local Planning Authority.
21. No works to trees or vegetation removal shall take place during the optimum period for bird nesting (March to July inclusive) unless birds are found to be absent, by a suitably qualified person and details submitted to and agreed in writing by the local planning authority.
22. No development, other than site clearance, remediation and cut and fill shall take place until full details of biodiversity enhancement measures for the site including: bat bricks and/or tubes within the new development, Bat boxes, Bird boxes, Native tree and shrub planting and use of green trellising and including a timetable for implementation has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
23. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) from Atkinson Peck (Ref KM/C19236 Rev A 11/01/2017), Addendum to FRA (Ref KM/C19236 23/02/2017) and the following mitigation measures detailed within the FRA:
  - i. The internal and external levels are set in accordance with Section 6 and 14 of the FRA. The finished floor levels are set at least at 108.85 mAOD.
  - ii. External ground levels are set to provide an overland flood flow route as per drawing C19236/02 Rev C and C19236/03 rev A.
24. Prior to *each phase of development being occupied/ brought into use* a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

26. No infiltration of surface water drainage into ground *affected by contamination* is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.
27. Prior to commencement of development, precise details of the scheme for River Tame bank profile within the application site boundary shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include: details of how the river wall will be removed to low water level along the site; details of native riparian planting at the toe of the new bank and details of landscaping within the 8m buffer zone. This shall be solely of native species. The development shall be constructed in accordance with the approved bank profiles and scheme.
28. Prior to first occupation of the development, a scheme for any television / radio aerial / satellite dish or other form of antenna for the proposed development shall be submitted to and approved in writing by the local planning authority. The development shall be constructed with such approved details.
29. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no television / radio aerial / satellite dish or other form of antenna shall be installed / affixed on the exterior of any building forming part of the development hereby permitted.
30. The development hereby permitted shall be carried out in accordance with the following approved plans: 4654\_1000, 4654\_1001, 4654\_1002, 4654\_1003, 4654\_1004, AP\_C19236\_02B\_External works GA – surface water & foul drainage, 5751.05.002 Ecological Assessment V2, 16-0932, 11-493-r1-Rev A – Phase I Report, 11-493-r2-RevA-Phase II Site Investigation – Castle Street, AP\_C19236\_03A\_External Works GA – Falls and Levels, Planning Statement, C19236 – Floor Risk Assessment – Rev A

**Grant Outline Planning Permission with all matters reserved except from access for residential development up to 24 dwellings on Parcel B subject to the following conditions:**

1. Application(s) for approval of reserved matters must be made within two years of the date of this permission and the development must be started not later than the expiration of three 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. 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. The landscaping proposals shall be carried out before the buildings are occupied or at such time as the approved proposals may provide, and shall be subsequently maintained to the satisfaction of the Local Planning Authority.
3. Details of the existing and proposed ground levels for the whole site and the proposed finished floor levels shall be submitted with the Reserved Matters application. The development shall be carried out in accordance with the approved details
4. No development shall take place, other than site clearance until the implementation of a programme of archaeological works in accordance with a Written Schemes of Investigation (WSI) submitted to and approved in writing by the Local Planning Authority. The WSIs shall cover the following:
  - i phased programme and methodology of investigation and recording to include: evaluation trenching; detailed archaeological excavation (informed by trenching); an



- ii archaeological watching brief
- ii A programme for post investigation assessment to include: analysis of the site investigation records and finds; production of a final report on the significance of the archaeological and historical interest represented.
- iii A scheme to commemorate the site's industrial heritage
- iv Dissemination of the results commensurate with their significance.
- v Provision for archive deposition of the report and records of the site investigation.
- vi Nomination of a competent person or persons/organisation to undertake the works

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

5. The developer shall afford access at all reasonable times to any archaeologist nominated by the Local Planning Authority, and shall allow them to observe the excavations and record items of interest.

6. No development, other than site clearance and site compound set up, shall commence until such time as the following information has been submitted in writing and written permission at each stage has been granted by the Local Planning Authority.

i) A preliminary risk assessment to determine the potential for the site to be contaminated shall be undertaken and approved by the Local Planning Authority. Prior to any physical site investigation, a methodology shall be approved by the Local Planning Authority. This shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration.

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

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

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

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

7. Prior to first occupation of the hereby approved development, the hereby-approved vehicular access from Castle Street (as shown on the approved plan) shall be fully constructed and be available for use in accordance with the approved plans.

8. No development shall commence until such time as a Construction Environment Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of:

Wheel wash facilities for construction vehicles;  
Arrangements for temporary construction access;  
Contractor and construction worker car parking;  
Turning facilities during the remediation and construction phases;

Details of on-site storage facilities;

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

9. 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. (CRIME)
10. No works to trees or vegetation removal shall take place during the optimum period for bird nesting (March to July inclusive) unless birds are found to be absent, by a suitably qualified person and details submitted to the local planning authority and agreed in writing.
11. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) from Atkinson Peck (Ref KM/C19236 Rev A 11/01/2017), Addendum to FRA (Ref KM/C19236 23/02/2017) and the following mitigation measures detailed within the FRA:
  - i. The internal and external levels are set in accordance with Section 6 and 14 of the FRA. The finished floor levels are set at least at 108.85 mAOD.
  - ii. External ground levels are set to provide an overland flood flow route as per drawing C19236/02 Rev C and C19236/03 rev A.
12. No infiltration of surface water drainage into ground *affected by contamination* is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.
13. The development hereby permitted shall be carried out in accordance with the following approved plans: 4654\_1000, 4654\_1001, 4654\_1002, 4654\_1003, 4654\_1004, AP\_C19236\_02B\_External works GA – surface water & foul drainage, 5751.05.002 Ecological Assessment V2, 16-0932, 11-493-r1-Rev A – Phase I Report, 11-493-r2-RevA-Phase II Site Investigation – Castle Street, AP\_C19236\_03A\_External Works GA – Falls and Levels, Planning Statement, C19236 – Floor Risk Assessment – Rev A.
14. Prior to first occupation of the development, a scheme for any television / radio aerial / satellite dish or other form of antenna for the proposed development shall be submitted to and approved in writing by the local planning authority. The development shall be constructed with such approved details.