

Application Number:	23/00704/FUL
Proposal:	Erection of 2 apartment blocks (block no.1 split level part 4 & 6 storeys and block no. 2 - 5 storeys in height) containing 78No. Apartments and 4No. Commercial Units with associated landscaping and external works including construction of a riverside walk.
Site:	Cleared site of former Stalybridge Clinic, Old Street, Stalybridge
Applicant:	Mr Gerard McDermott
Recommendation:	Grant planning permission, subject to conditions.
Reason for Report:	The application constitutes a major development.
Background Papers:	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

1. SITE & SURROUNDINGS

- 1.1 The site, which is the subject of this planning application relates to land formally occupied by Stalybridge Clinic (demolished 2013) and its former Car Park is located off Old Street within the northern area of Stalybridge town centre boundary, this site is also within the conservation area.
- 1.2 The redline boundary covers an area of approximately 0.4hectares, the site is irregular in shape and extends to Stamford Street on its northern boundary down to the River Tame on its southern boundary. There is a fall in levels from north to south across the site of is up to 5 metres, this mainly consists of an embankment from Stamford Street that falls to a plateau on Old Street which includes a car park. Extending to the west is Trinity Street / Bridge and with Old Street to the East.
- 1.3 There is little evidence remaining of the former clinic, the land which it supported is currently fenced off and is covered with self-set vegetation. The former car park remains in private use serving commercial properties fronting Stamford Street. Along the southern / River Tame boundary there are numerous trees which are also covered by Tree Preservation Orders. Alongside the river there are some poorly maintained landscaped/seating areas.

2. PROPOSAL

- 2.1 This application seeks full planning permission for the comprehensive redevelopment of the former clinic site. The proposals seek to introduce a mixed use development comprising of 78no. apartments and 4no. retail units with associated access, landscaping and infrastructure works.
- 2.2 The development would be split across two blocks one fronting Stamford Street (block 1) and the other (block 2) adjacent to the River Tame boundary. Block 1 would be rectangular in shape and have a split level design to address falling ground levels. It would present 4 storeys to its front elevation onto Stamford Street and 6 storeys on its rear to Old Street, it would support 54 apartments (39 x 1b and 15 x 2b) at ground level there would be 3 retail units (65sqm, 89sqm & 59sqm), dedicated undercroft parking for 14 vehicles in addition to relevant waste and cycle storage. A total of 9 of the apartments would be served with an external balcony.

- 2.3 Block 2 would comprise 5 no. floors of development within a curved design. The block would support 24 no. 2 bed apartments, the ground floor would support a single retail unit, undercroft parking of 8 vehicles in addition to waste and cycle storage. All of the apartments would have an external balcony. Amendments have secured the addition of a green roof to the building to raise the sites biodiversity value.
- 2.4 Both apartment blocks would be served with a central lift providing accessible access to all floors. The undercroft parking spaces would provide dedicated electric charging points.
- 2.5 The apartment block would be situated within a quality public realm incorporating a range of hard and soft landscaped public areas to create a riverside walk/link to Trinity Street to the west. Access from Old Street would be retained but this would be subject to comprehensive resurfacing improvements to create a shared surfaced environment.
- 2.6 The apartment blocks would be predominately constructed from a light/buff brick and this would sit above a plinth of natural stone. The upper floors/roof would be finished with profiled standing seam zinc (or similar) cladding material. Windows/openings would be anthracite grey and all rainwater goods black uPVC. The roofs would support an array of solar panels which would be located behind a parapet.
- 2.7 The application has been supported by the following reports:
- Arboricultural Impact Assessment
 - Archaeological Assessment
 - Biodiversity Net Gain Assessment
 - Crime Impact Assessment
 - Design and Access Statement
 - Ecological Appraisal (preliminary)
 - Flood Risk Assessment and Outline Drainage Strategy
 - Full Plans Package including section and montages
 - Ground Investigation Report
 - Noise Assessment
 - Planning & Heritage Statement
 - Structural Strategy
 - Statement of Community Involvement
 - Topographical Survey
 - Transport Statement
 - Travel Plan (Interim)
 - Tree Survey

3. PLANNING HISTORY

- 3.1 06/00006/OUT - The demolition and redevelopment of the clinic to provide 44 apartments (22 x 1 bed and 22 x 2 bed), the creation of 2 commercial units (196 square metres in total) fronting Stamford Street and 36 parking spaces in a building positioned to the north west of the site. The remainder of the site to provide 25 parking spaces, associated highways works and the retention of the riverside walkway – Approved.
- 3.2 06/01226/REM - Reserved Matters application showing details of landscaping in relation to the previous Outline Consent (Ref:06/00006/OUT) for redevelopment of the site to provide 44 apartments and 2 commercial units with associated car parking and works – Approved.

4. PLANNING POLICY

National Planning Policy Framework

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

4.4 Development Plan

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

Allocation: Stalybridge Town Centre / Conservation Area

Tameside Unitary Development Plan (2004)

4.5 Part 1 Policies

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

4.6 Part 2 Policies

- S1 Town Centre Improvement
- S2 New Retail Developments in Town Centres
- S9 Detailed Design of Retail and Leisure Developments
- C1: Townscape and Urban Form
- C2 Conservation Areas
- C4 Control of Development in or adjoining Conservation Areas
- C6 Setting of Listed Buildings
- C10 development Affecting Archaeological Sites
- C11 Shop Fronts
- C12 Art in the Environment
- MW11: Contaminated Land
- MW12: Control of Pollution
- N3: Nature Conservation Factors
- N4: Trees and Woodland
- N5: Trees within Development Sites

- N6: Protection and Enhancement of Waterside Areas
- N7: Protected Species
- OL10: Landscape Quality and Character
- OL15: Openness and Appearance of River Valleys
- T1: Highway Improvement and Traffic Management
- T7: Cycling
- T8: Walking
- T10: Parking
- T11: Travel Plans
- U3: Water Services for Developments
- U4: Flood Prevention
- U5: Energy Efficiency

Places for Everyone

- 4.7 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 are 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.
- 4.8 Paragraph 48 of the NPPF 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).
- 4.9 Places for Everyone has been published, submitted and the examination is on-going. The inspectors have most recently issued examination document IN39, which is the latest in a series of post hearing notes. IN39 states that the inspectors are satisfied at this stage of the examination that all of the proposed main modifications are necessary to make the plan sound and/or legally compliant, and would be effective in that regard. The inspectors also concluded that the GMCA should publish the modification documents for public consultation and that this process should reflect the nature and duration of the consultation held under regulation 19. The inspectors were also clear that the scope of the consultation should only be about the proposed modifications, changes to the policies map, and updated sustainability appraisal and habitat regulations assessment report.
- 4.10 Consultation on the modifications took place between 11 October and 6 December 2023 and the responses to this have been published. The GMCA has now submitted the required documents summarising the consultation responses, the GMCA response to these, and a schedule of further proposed modifications to the inspectors.
- 4.11 As the inspectors set out in IN39 these will all be considered before their report is finalised.
- 4.12 The plan is a material consideration and growing weight has been given to the policies within it. This is primarily due to the instructive nature of the modifications required to make the plan sound and therefore consistent with national planning policy as the examination has progressed and the reducing number and nature of outstanding objections received through consultation.
- 4.13 Places for Everyone cannot be given full weight in planning decisions, as it does not yet form part of the adopted plan for Tameside. However, given the stage reached, it is reasonable to give the plan very substantial weight, subject to the inspector's caveat that this is without

prejudice to their final conclusions following consideration of responses to the consultation on the main modifications now received and summarised.

- 4.14 To clarify, IN39 gives a clear indication that the inspectors considered that all the proposed modifications to date are necessary to make the plan sound. Very 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

- 4.15 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.
- 4.16 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 There have been four letters of representation received:
- 6.2 In Support
- The plans look really good and will enhance the area
 - Supportive to the reinstatement of the riverside walkway
- 6.3 In objection
- Concerns about disturbance during construction.
 - Displacement of parking from Old Street
 - Increased Noise
 - Loss of tranquillity near the river
 - Increased density will heighten opportunity for crime
 - The owner will profit from other people disruption
 - Existing residents should be compensated
 - Disturbance during construction to nearby therapy centre / loss of earnings / impact on business viability

7. RESPONSES FROM CONSULTEES (SUMMARISED)

- 7.1 Active Travel England – Confirm that they do not wish to comment on the proposals.
- 7.2 Canal & River Trust – Confirm that they do not wish to comment on the proposals which would not impact upon assets within their ownership.

- 7.3 Coal Authority – No objections. The application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.
- 7.4 Contaminated Land – Based on the information currently known about the site, they have no objection to the development proposal from a contaminated land perspective. Recommend conditions are applied relevant to further site investigations being undertaken.
- 7.5 Economic Growth – Support the application. Comment that the opportunity to bring forward this full planning application for a high quality residential development on this key town centre site is welcomed. It is considered that the design, scale and mass and its relationship to the townscape are appropriate and the inclusion of the river walkway and active river frontage is a positive part of the plans.
- 7.6 Education – No comments received.
- 7.7 Environment Agency – Confirm that amended details have addressed initial concerns on flood risk and waterside biodiversity management. Based on the updated FRA, and site plan, which now shows an 8m easement to the river bank. Recommend informatives relevant to Environmental Permitting relevant to works taking place near a main river.
- 7.8 Environmental Health – No objections. Recommend conditions relevant to waste storage, extraction units, acoustic glazing and the control of construction hours.
- 7.9 GMAAS – Agree with the findings of the submitted DBA which recommends an archaeological evaluation should be undertaken to determine the presence, extent and condition of any archaeological remains that might survive in-situ. Recommend that this be addressed by way of a planning condition.
- 7.10 GMEU – No objections. Confirm that the site has been adequately assessed for protected species, with buildings and trees assessed as having negligible bat roosting potential, more detailed bird surveys finding no evidence of kingfisher nearby, with all other species reasonably discounted owing to a lack of suitable habitat on the site or nearby. Agree with recommendations of the submitted report relevant to protection of the River Tame throughout construction, details to be secured by condition. Further conditions recommended in relation to lighting, timeframes to undertake works to trees, measures to address invasive species and securing BNG.
- 7.11 GMP – Reviewed the Crime Impact Statement request the inclusion of a planning condition requiring the development to achieve Secured by Design accreditation.
- 7.12 Green Spaces Manager – No objections, supportive of the proposals to provide the riverside walkway and enhanced area of public realm.
- 7.13 Highways – No objections subject to conditions. The LHA comment that they are satisfied that the proposed access/egress from the development onto Old Street and Stamford Street is satisfactory and meets requirements for max gradients and visibility splay standards from the development have been met.

The LHA are satisfied that the vehicle trips generated by the development are acceptable based on comparable TRICS database examples and the cumulative impact on the road network would not be severe.

Whilst parking is below maximum standards this can be supported given the site's central location with immediate access to public transport.

A Section 278 agreement is required for this development, inclusive of the proposed stairs to the western elevation of the development, with a requirement that all highway surfacing is consistent with the existing materials. The access should be designed to incorporate footways, tactile paving and dropped kerbs.

- 7.14 Housing Growth – Comment that they do not believe that any affordable housing within the accommodation would be suitable for a registered provider as part of a block owned/managed by another landlord, confirm that they would accept a commuted sum in lieu of affordable housing on this site equivalent to 7% of the GDV of the whole site.
- 7.15 LLFA – No objections, a condition should be applied requiring the site to be drained in accordance with the drainage hierarchy.
- 7.16 Network Rail – No objections.
- 7.17 Sustrans – No comments received.
- 7.18 TfGM – No comments
- 7.19 Tree Officer – A number of moderate value category B trees are to be removed to facilitate the development. However, in the main these are category B trees as a group and many of the trees are lower value and in poor condition as individuals. There are 3 Maples that are category B and of higher value, but these are adequately mitigated for in the landscape schedule. The higher value trees bordering the river and the war memorial are to be retained and should be protected to BS5837 during all works.
- 7.20 United Utilities – No objections, recommend a condition relevant to full details of foul and surface water drainage in addition protection of UU assets within the site.
- 7.21 Waste Services – No objections, recommend that secure bin storage is provided as per TMBC standards.

8. ANALYSIS

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

9. PRINCIPLE OF DEVELOPMENT

- 9.1 The site lies wholly within the Stalybridge Town Centre Conservation Area boundary, as identified within the Tameside Unitary Development Plan (UDP). Policy S4 of the UDP states that outside of the primary shopping areas of the town centres (as shown on the Proposals Map), the Council will permit a diversity of uses which contribute to the overall appeal of the town centre, help to minimise the extent of empty properties, and improve the appearance of the centre.
- 9.2 The principle of the sites redevelopment has been established previously with granting of planning application 06/00006/OUT for a mixed use development comprising of 44 apartments and 2 commercial units within a 4 storey development. Since this approval the clinic has been demolished but no further development has progressed, the site has since been an unfortunate vacancy within the town centre, the introduction of security fencing has also severed pedestrian access from Old Street alongside the river to Trinity Street. Despite being undeveloped for a long period of time there is no dispute that the site constitutes Previously Developed (Brownfield) Land.
- 9.3 In terms of planning policy, since the previous planning approval the NPPF has been introduced and PFE is also at an advanced stage. Amongst other things the NPPF promotes developments for new housing, it also strongly advocates the efficient reuse of brownfield sites within central sustainable locations. The sites area is approximately 0.4ha, this equates to a density of 195 dwellings per hectare (dph). Whilst this is significant, it demonstrates the high levels of sustainability/efficiency that can be achieved from the development of land for apartments, it also accords with emerging PFE policy JP-H4 (Density of New Housing) which aspires for new developments within town centres to achieve a minimum density of 120dph. Consequently, from a housing perspective the proposals are supported by the current planning policy framework.
- 9.4 Maximising the use of urban sites is of further importance given that the Council cannot currently demonstrate a 5 year supply of housing sites. The proposals would therefore make a valuable contribution to addressing the current housing shortfall. This along with the associated regeneration benefits should carry significant weight in the determination of this application.
- 9.5 Given the location on a prominent junction within the Stalybridge Conservation Area it represents an unfortunate 'gap site' within the town, the principle of redevelopment to address this is firmly supported. It is recognised that development of this site could make an important contribution to the on-going regeneration of Stalybridge Town Centre which is subject to renewed focus following the adoption of the Stalybridge Town Centre Action Plan. Residential development would be wholly compatible with the aspirations of raising the residential population within the town centre, the associated increase in footfall and local spend from the development would contribute positively to the overall vitality and viability of the town.
- 9.6 The Stalybridge Town Centre Action Plan (Our Place Our Plan) provides a regeneration framework for the future development of the town. Amongst other objectives the plan focuses upon the following areas of development:
- Population - increasing the number of people living, visiting and working in the town which will support existing local shop, services and facilities and ultimately encourage new shops and services to open;
 - Housing - improving choice and quality to provide a better range of options for choice to existing residents and to attract more people to choose to live within the town. This will more homes for families and those looking to retire/downsizing, a mix of homes for sale, rent and shared ownership. The strategy supports the Greater Manchester aspiration to deliver more homes on brownfield sites and not within the green belt;

- Make more of the water - harness and enhance the river and canal and their setting within the town;
- Healthier Lifestyles - encourage local residents to live healthier lifestyles by encouraging people to walk and cycle more and by providing good quality health care support;
- Celebrate local heritage and bring underutilised and vacant buildings back into use - utilise, redevelop and improve existing buildings and sites such as art the gallery, police station, old town hall, civic hall, train station, clinic buildings introducing new and better uses into the buildings to create more reasons for people to visit the town

9.7 The site is specifically identified within the Action Plan as being suited to housing. It also remains that there is an aspirations to improve pedestrian connectivity through the site via a riverside walkway from Old Street to Trinity Street.

9.8 In terms of the proposed retail/commercial (Use Class E) elements of the development then these uses would be compatible with the town centre location. Such central sites are sequentially most preferred location for new town centre uses, this is identified by both UDP S2 and paragraph 91 of the NPPF. There is therefore policy support for new retail development in this location. The proposed retail units will provide active frontage to the riverside area which will enhance the proposed public realm planned as part of the development.

9.9 It is concluded that the proposals are consistent with long-term aspiration to re-purpose the site for residential use. The proposals concern the development of a longstanding brownfield site at a 'gateway' location into the Town Centre. The opportunity to secure the comprehensive development of the site including land off Old Street is deemed to be an appropriate use of the land with would complement the overall vitality of the Town Centre. The location is highly sustainable given the immediate access to public transport, location to employment opportunities and local amenities at hand within the Town Centre. The redevelopment of the site therefore adheres to the spatial strategy of the Development Plan, NPPF and polices contained within the emerging Places for Everyone Development Plan.

10. DESIGN & HERITAGE

10.1 The site is located within the Stalybridge Town Centre Conservation Area which was created in 1991. In addition to this there are several listed buildings and structures within the locality of the site, these include; Stalybridge War Memorial designated Grade II*, former Town Hall, Victoria Bridge and Post Office which are all designated Grade II.

10.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 confirms that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority should 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. Section 72 of the Act states that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

10.3 Policy C2 of the UDP states that the character and appearance of the Borough's Conservation Areas will be preserved or enhanced through the control of development, the promotion of improvement measures, or both.

10.4 Paragraph 205 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

- 10.5 Paragraph 206 states that any harm to, or total loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 10.6 Paragraph 208 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 10.7 The Stalybridge Conservation Area is supported by an appraisal and management document (Stalybridge Town Centre Conservation Area Appraisal and Management Proposals) which was adopted in 2013. The appraisal sets out the background of the town and its historical development, it provides an assessment of the Conservation Area by analysing its built form, historical context and natural setting to define the special interest of the area. It also identifies key positive and negative impacts, erosion of character and potential threats. The document makes recommendations for future policy and action by the Council to preserve and/or enhance the area's special character.
- 10.8 The appraisal identifies character areas within the Conservation Areas boundary, this includes the Tame/Riverside area which the site is located within. The appraisal identifies pressures within the Conservation Area, in terms of the site and River Tame corridor it recommends that; *'future development to be strictly controlled to preserve the character of the Conservation Area and enhance access to the riverside, particularly as the Tame Riverside area provides significant views of the listed buildings on Trinity Street to the west.* There is a direct reference within the document to the site and its prominent position adjacent to the River Tame, the lapsed planning history is acknowledged and reference is made to anticipated redevelopment within the near future.
- 10.9 There would be no demolition as part of the proposals but there would be associated site clearance works undertaken including that of the former car park. The present contribution of the site to the overall character of the Conservation Area is negative. The redevelopment proposed would address this positively, with a significant enhancement to this gateway location, with prominent views from Stamford Street, Trinity Street and the wider riverside setting.
- 10.10 Policies C1, H10 and the guidance within the Residential Design Guide seek to ensure that development is designed and landscaped to the highest standard, paying high regard to the built and/or natural environment within which it is sited. Proposals should respond to the townscape and landscape character of the local area, reinforcing or creating local identity and distinctiveness in terms of layout, scale and appearance, and should consider the need to deliver low carbon housing. Good standards of amenity, privacy, safety/security and open space should be provided for the occupants of new housing.
- 10.11 The site's location within the Stalybridge Conservation Area also affords greater scrutiny of the overall design credentials. Policy C4 identifies that developments should preserve and enhance the character and appearance of the area. The Residential Guide advises that proposals need to be in keeping with the scale, mass and detailing of the existing area, including the use of sympathetic materials.
- 10.12 There are established building lines both along Stamford Street and the River Tame corridor which are framed by buildings of varying heights and styles. The proposed buildings would essentially present themselves as an infill within an established frontage and building line. The building would be 'dual' fronted providing active frontage to both Stamford Street/Old Street and Old Street and the River Tame. Block 1 would be split level in design being 4 storeys on the Stamford Street frontage and 6 storeys to Old Street. Block 2 would be 5 storeys. The buildings would be complemented by an enhanced area of public realm which would also include a new riverside walkway linkage to Trinity Street. The provision of

commercial units within at ground floor level present a desirable opportunity to support a mix of retail uses.

- 10.13 The supporting Design and Access statement provides a contextual assessment of the locality and the response of the design proposals. The development adopts a bespoke design which has several contemporary elements. The choice of materials reference the established vernacular of the Conservation Area and reinforces an element of compatibility with existing buildings within the locality. Overall the elevations are very detailed and the structured approach to materials would give a high quality finish to the appearance of the buildings. The floors consist of predominantly facing buff brick complemented with reveals to windows which sit upon a stone plinth along the ground and lower ground floors. The most interesting element of the design is the addition of the seam metal cladding across the upper floors, this picks upon window detailing and provides texture as well as contrast to the lighter coloured buff brick and stone. To moderate the overall effect of the larger Block 1, upper floors would be flat-roofed and setback from the building's façade. This feature, while different to the conventional slated ridge roofs prevalent in the Conservation Area, is not dissimilar to the proportions of typical mills found within the locality.
- 10.14 The design responds to the locality not by mimicking an existing style or design, but through the choice of materials, attention to detail and consideration of scale. The development would incorporate a sympathetic choice of materials (stone, buff brick, zinc), reflecting that of the historic buildings within the locality. The addition of a green roof to the riverside (Block 2) apartment is a welcome addition. This will provide biodiversity benefits as well as soften the appearance of the development when viewed from elevated views in the wider townscape.
- 10.15 Due to the location of the apartment blocks and the green buffer in the form of a riverside walk it is considered that the proposed development will not detract from the setting of listed buildings located nearby, thus leading to no harm to the significance of those designated heritage assets in the locality (NPPF paragraph 207 and UDP Policy C6).
- 10.16 The overall height and scale of the building is comparable with other buildings within the town, including apartment buildings along the Huddersfield Canal. There is sufficient capacity for the site to accommodate the scale of the development and the buildings would form a welcome addition to the overall townscape. The modern appearance and contemporary approach to the design of the development is considered to complement many of the historic buildings within the Town Centre. Accordingly, it is considered that the proposed development would preserve and enhance the character or appearance of the conservation area. A number of conditions would be required, these would principally cover all external materials in addition the detail of boundary treatments and landscaping to all area within the demise of the buildings. In recognition of the above, there are no objections raised and the impact upon the heritage assets and Conservation Area is acceptable in accordance with Core Strategy policies C1, C4 and H10.

11. RESIDENTIAL AMENITY

- 11.1 There would be a compromise on the separation distances recommended within the Tameside Residential Design Guide. This would apply to apartment block 2 and the relationship to numbers 8 and 10 Old Street which would be located opposite to the building. These properties would appear to be in mixed use comprising of commercial uses across the ground and lower floors with residential above. At its closest the block would be positioned 9.2m away which is below the recommended 14m of the SPD. The SPD recognises that the distances can be reduced in certain circumstances, this would be particularly applicable within central town centre environment which are built to higher densities. The relationship between the buildings is typical to that seen across Stalybridge town centre, and the proposal would align with character and density of comparable developments within the town centre. In recognition of Old Street providing a clear separation between the development and

existing properties and the fact that this is principal (public) frontage as opposed to private rear garden area it is considered reasonable to afford flexibility and the building would not give rise to unacceptable levels of overlooking.

- 11.2 Internally the accommodation is reasonably proportioned with apartments exceeding the minimum National Described Space Standards (NDSS). The 1 bed apartments would measure 50sqm and the 2 bed apartments would range from 61 to 79sqm. The Accommodation would allow for separate living, sleeping and kitchen areas in addition to dedicated storage provision and number of the apartments would also have dedicated balconies and there would be internal lifts to address accessibility issues.
- 11.3 Aside from the apartments served with a balcony there would be no dedicated private outdoor space. However, the public realm works around the buildings would serve both public and residents interests, the town centres amenities are also directly on-hand along with accessible greenspaces and the immediate access to the public right of way and cycling network.

12. HIGHWAY SAFETY & ACCESSIBILITY

- 12.1. In a town centre location the site is inherently sustainable and is easily accessed by public transport, foot or bicycle. The LHA have reviewed the proposals and raise no objection. It is noted that existing (private) surface car park would be lost and that off street car parking is provide for up to 30 vehicles, this is dictated by the constraints of the site and has also been established on previous consents. The majority of the parking spaces would be provided within the ground floor of the buildings therefore screened from public view. As with other development within the town centre, the access to services and public transport network adequately mitigates for a reduction in maximum parking standards.
- 12.2 Improvements to the existing footways and carriageway of Old Street would be secured by a condition. This would then link to a shared surfaced are aof public realm which would provide pedestrian connectivity along the riverside to Trinity Street. The pedestrian route would be a significant benefit to the town, it would help to open up access to the riverside environment which is a long-term objective. The access would link to established pedestrian routes to the north of Stamford Street which extend along the river and also up to Cocker Hill. These elements of the proposals would fully meet the objectives of UDP polices T1, T7 and T8 it is also aligned with national guidance on promoting active travel.
- 12.3 The central location of the building on a busy thoroughfare presents a challenging environment for construction works to be undertaken. Strict adherence to the provision of a Construction method Statement (to be conditioned) to ensure that the interests of nearby commercial premises, highways traffic and pedestrians are not unduly prejudiced.
- 12.4 With regard to servicing and waste management matters the apartments and commercial units would be serviced from dedicated bin stores accommodated within each of the buildings. The design of these would meet with relative access requirements.
- 12.5 To conclude, the access and parking arrangements have been assessed as being acceptable. The site is within a sustainable location which benefits from immediate access to services and transport options. As such in the absence of any demonstrable adverse impacts, and subject to recommended conditions, the development is considered to adhere to the provisions of policies T1, T7, T8 and T10 by providing safe, secure and convenient access for all road users.

13. DRAINAGE AND FLOOD RISK

- 13.1 The river Tame is designated by the Environment Agency (EA) as a main river. The site is located partially within Flood Zone 1 and 2 on the Environment Agencies Flood risk Map. Understandably Flood Zone 2 extends along the lower part of the site which borders the River Tame, it would be retail uses and not residential that would be located within Flood Zone 2, residents would not be exposed to flood risk and the sloping topography of Old Street dictates that safe egress would be maintained from the apartment blocks.
- 13.2 An 8m easement would be observed between the buildings and the river bank of the Tame. This has been agreed in consultation with the EA. whilst there would be an increase in hard surfacing to the site this would be linked to an attenuated drainage system which would collect and manage surface to greenfield rates. The immediate proximity to the river allows an outfall to be achieved from this system.
- 13.3 The indicative drainage strategy has been reviewed as acceptable in the review undertaken by the LLFA, EA and United Utilities. As such, it is considered that the proposals would not result in a detrimental impact on flood risk or drainage capacity.

14. GROUND CONDITIONS & ARCHAEOLOGY

- 14.1 The site falls outside of the Coal Authority's defined Development High Risk Area. As such, a Coal Mining Risk Assessment is not required. The Coal Authority have however advised that their standing advice should be followed, in the interests of public health and safety. An informative is recommended advising the applicant of this.
- 14.2 The Environmental Protection Unit (EPU) has identified that there is on site contamination as a result of historic industrial processes including a presence of a mill up until the early 20th century, the site was then substantially redeveloped as a clinic.
- 14.3 A phase 1 assessment has accompanied the application and this has been reviewed by the contaminated land officer. The assessment recommends the carrying out of a Phase 2 Ground Intrusive Investigation and Risk Assessment to identify, and assess for the presence of any contaminants, this would in turn determine appropriate remediation and / or mitigation measures. In the event that contamination is revealed, a remediation strategy should be submitted and approved together with a Verification Report confirming that the remediation measures have been carried out. The Contaminated Land Officer is satisfied with this approach and recommends appropriate conditions.
- 14.5 GMAAS have confirmed their support to the recommendations of the desk based assessment which has been prepared. It is understood that any features present within the Site are unlikely to comprise remains of the highest significance (i.e. equivalent to Scheduled Monuments) and that they would not require preservation in-situ. However, further assessment and evaluation is required and it is recommended that archaeological works are secured by a condition.
- 14.6 The apartment block fronting Stamford Street straddles a steep embankment, the lower section of the building would abut this slope. The accompanying structural strategy states that to address levels a new retaining wall would be constructed as part of the foundation/buildings design. The approach is deemed to be acceptable and no objections are raised in principle.

15. LANDSCAPING & ECOLOGY

- 15.1 The site has been assessed for ecology potential and the submission is supported by an ecology assessment, BNG assessment and arboriculture assessment which has been reviewed by both GMEU and EA advisors.

- 15.2 Trees within the site are subject to a preservation order would be retained. A total of 44no. trees are proposed for removal, the majority of which are of low quality. These are considered unavoidable and compensatory tree planting will be provided on the site. The removal will result in a temporary reduction in overall canopy cover, however, through replacement planting and management of retained trees, the long tree cover across the site will adequately compensate for the associated short term loss.
- 15.3 The Tree Officer recognises that the retention of the majority of the boundary trees and the replacement of those removed allows for the proposed development to be set within a well-treed environment. The collective visual amenity the trees provide to area will be preserved and therefore the proposal is not considered harmful to the character of the Conservation Area or natural riverside with the objectives of local UDP Policies N4 and N5. The landscaping proposals includes the addition of approximately 31 new trees which would fall under the management of the development, conditions relevant to landscaping can ensure that these are of a suitable species which achieves the highest biodiversity and amenity values.
- 15.4 Section 180 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment. The site generally has a very low ecological value, however a biodiversity net gain assessment (BNG) still indicates a loss, primarily due to the requirement to remove trees from the site. The gross loss is however relatively low 0.24 biodiversity units (BU), with 0.34 required to achieve 10% net gain. Amendment's to the design have included the addition of a green roof to the riverside apartment block, this taken with replacement planting, and the provision of bird and bat boxes would ensure that net gain can be achieved.

16. DEVELOPER CONTRIBUTIONS

- 16.1 Policy compliant in decision making means that the development fully complies with up to date Development Plan policies. Section 106 obligations may be challenged where it can be suitably demonstrated that they would undermine delivery of a site. The NPPF is clear that significant weight should be attributed to delivery of housing particularly during periods of under-supply. It remains that the Authority cannot demonstrate a 5 year supply of housing.
- 16.2 In relation to developer contributions, any requirements in this regard must satisfy the following tests (as stated in paragraph 57 of the NPPF):
- a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development.
- 16.3 Commensurate to the scale of the development there is a policy requirement to address affordable housing, public open space, highway and education contributions where there is demonstrated need arising. The onsite public realm improvements including substantial landscaping address public open space requirements. Similarly, the package of improvement including the provision of the riverside walkway upgrading to Old Street would encourage active travel which would address highway requirements. The provision of 1 and 2 bedroom accommodation is not orientated towards family housing and accordingly it cannot be demonstrated that there is a need for an education contribution.
- 16.4 The affordable housing policy position is to secure 15% on an affordable basis. Housing Growth have confirmed a preference for a financial contribution in lieu of affordable housing equivalent to 7% of the GDV of the whole site.

- 16.5 NPPF Paragraph 58 advises: 'It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force.
- 16.6 The applicant has submitted a viability report which has been reviewed by the Estates department to provide an objective assessment. The report provides comment on the sites financial viability taking into account current challenging market conditions, the lack of the sites development since previous planning approval is reflective of the economic challenges. The result of this exercise has identified that viability is a material consideration. There are site specific abnormal works relating to site levels, ground conditions and drainage. The independent assessment has concluded that a full commitment to affordable housing requirements would undermine the deliverability of the site.
- 16.7 It is considered that the viability case has been evidenced and that no affordable housing can be secured based on the economic case presented and reviewed. Development of the site is a priority and would complement the ongoing regeneration of the town whilst additionally providing public and environmental benefits associated with the creation of a riverside walkway.

17. NOISE & DISTURBANCE

- 17.1 A noise survey has been undertaken of the local environment and this has established that the dominant source of noise is from the highway (Stamford Street). To mitigate against associated noise it is proposed to introduce acoustic glazing in addition to mechanical ventilation of the units, this would also seek to address any potential transference of noise from ground floor commercial units. This mitigation along with the details of any extraction and plant equipment required for the operation of the commercial units is recommended to be conditioned.

18. SUSTAINABILITY

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

19. OTHER MATTERS

- 19.1 The application has been accompanied with a Crime Impact Statement. This has been reviewed by the Greater Manchester Police Designing Out Crime Officer, who has concluded that the contents of the statement are sufficient. The Crime Officer recommends that physical security measures are implemented, in order to achieve good levels of security and reduce the fear of crime for future users of the development and for members of the public. The design and layout of the development itself would ensure that good levels of surveillance are achieved across public areas including the riverside walkway.

20. CONCLUSION

- 20.1 The application proposes the erection of a mixed use development within the heart of the town centre. The site is previously developed, brownfield land, and is not allocated for other purposes. The opportunity to see the sites redevelopment would addressing a longstanding gap site within the Conservation Area, this would be positive to the overall character and appearance of the area.
- 20.2 A viability appraisal has been provided by the applicant and this has been subject to a full and independent assessment. This process has been undertaken in accordance with National Policy Guidance. It has been identified that viability is a material consideration. There are site specific abnormal works relating to ground conditions and site infrastructure. The assessment has concluded that a contribution towards affordable housing would undermine the deliverability of the site, other policy objectives relevant to section 106 matters would address the identified need.
- 20.3 The design and scale of the development is considered to be acceptable and would be a welcome addition to the Stalybridge townscape. The development would reintroduce the riverside walkway within an area of enhanced public realm that would complement similar works within the town centre. The design and materials are appropriate and will sit comfortably within the context of nearby buildings enhancing the general area.
- 20.4 The relationship between the development and surrounding heritage assets would be acceptable with no harm to designated heritage assets. The proposals would improve the site, and would complement other modern developments within this area of the town centre.
- 20.5 The site is located within a highly sustainable location as demonstrated by its central location with access to town centre amenities, employment opportunities and public transport services. Precedents have been established on previous approvals, it is considered that there are significant regeneration benefits associated with the redevelopment of a prominent long-term vacant site within the Stalybridge Conservation Area.
- 20.6 The proposal is considered not to be detrimental to residential amenity, with the relationship between the building and those surrounding acceptable and reflective of that of developments across the town which are generally built to higher densities.
- 20.7 The development would not cause undue impacts to highway safety, it can be safely accessed and serviced from the established highway network and overall levels of parking would be appropriate to a town centre location.
- 20.8 There are no objections to the proposals from the statutory consultees in relation to the proposals which is considered to be an efficient use of an existing site.
- 20.9 The proposals would represent a highly sustainable and efficient use of the site. It would secure economic benefits such as jobs associated with construction and increased spend in the local area that would have a positive impact on the ongoing regeneration of Stalybridge town centre. In particular, this development alongside other residential housing schemes within the town will contribute favourably to raising the residential population and widening the overall accommodation offer within the town. This is also particularly advantageous given the Council's current position on housing supply.
- 20.10 Overall, when considering the proposal against the policies of the NPPF as a whole the collective benefits associated with the proposal are positive. The development would accord with the main aims and objectives of the development plan and represent sustainable development. There have been no negative economic, social, or environmental impacts identified from the development. The proposal would therefore result in sustainable development in accordance with the development plan and the NPPF.

RECOMMENDATION

Grant planning permission subject to the following conditions:

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

PLANS:

WS-PL-700-01 THE LOCATION PLAN
WS-PL-700-02 REV C BLOCK PLAN OF THE SITE
0677-PLI-XX-XX-DR-L-0120 LANDSCAPE PLAN
0677-PLI-XX-XX-DR-L-0140 RIVER EDGE LANDSCAPE STRATEGY SECTIONS
0677-PLI-XX-XX-DR-L-0200 HARD LANDSCAPE STRATEGY
0677-PLI-XX-XX-DR-L-0300 SOFT LANDSCAPE STRATEGY
15680_P01B TREE CONSTRAINTS PLAN
15680_P02 TREE RETENTION AND REMOVAL PLAN
2493-B1-DR-200-01 Rev C BLOCK 1 - GROUND FLOOR PLAN C
2493-B1-DR-200-02 Rev C BLOCK 1 - FIRST FLOOR PLAN C
2493-B1-DR-200-03 Rev C BLOCK 1 - SECOND FLOOR PLAN C
2493-B1-DR-200-04 Rev C BLOCK 1 - THIRD FLOOR PLAN C
2493-B1-DR-200-05 Rev C BLOCK 1 - FOURTH FLOOR PLAN C
2493-B1-DR-200-06 Rev C BLOCK 1 - FIFTH FLOOR PLAN C
2493-B1-DR-200-07 Rev C BLOCK 1 - SIXTH FLOOR PLAN AND ROOF PLAN
2493-B1-DR-210-01 Rev C BLOCK 1 - SOUTH - RIVERSIDE PROPOSED ELEVATIONS
2493-B1-DR-210-02 Rev C BLOCK 1 - EAST AND WBLOCK 1 - NORTH
2493-B1-DR-210-03 Rev C BLOCK 1 - EAST AND WEST SIDE PROPOSED ELEVATION
2493-B1-SE-200-01 Rev C BLOCK 1 - GENERAL PROPOSED SECTION 1
2493-B1-SE-200-02 Rev C BLOCK 1 - GENERAL PROPOSED SECTION 2
2493-B2-DR-200-01 Rev C BLOCK 2 - GROUND FLOOR PLAN C
2493-B2-DR-200-02 Rev C BLOCK 2 - FIRST FLOOR PLAN C
2493-B2-DR-200-03 Rev C BLOCK 2 - SECOND FLOOR PLAN C
2493-B2-DR-200-04 Rev C BLOCK 2 - THIRD FLOOR PLAN C
2493-B2-DR-200-05 Rev C BLOCK 2 - FOURTH FLOOR PLAN C
2493-B2-DR-200-06 Rev C BLOCK 2 - FIFTH FLOOR PLAN AND ROOF C
2493-B2-DR-210-01 Rev C BLOCK 2 - SOUTH - RIVERSIDE ELEVATION
2493-B2-DR-210-02 Rev C BLOCK 2 - NORTH - OLD STREET ELEVATION
2493-B2-DR-210-03 Rev C BLOCK 2 - EAST AND WEST SIDE ELEVATIONS
2493-B2-SE-200-01 Rev C BLOCK 2 - GENERAL PROPOSED SECTION 1 C
2493-B2-SE-200-02 Rev C BLOCK 2 - GENERAL PROPOSED SECTION 2 C

REPORTS:

Arboricultural Impact Assessment ref 15680_R01_WS_XX
Archaeological Assessment V1.0 ref 21658
Biodiversity Net Gain Assessment – Helen Hamilton Ecology 28th June 2023
Crime Impact Assessment ref 2023/0269/CIS/01
Design and Access Statement Millson Group May 2023
Ecological Appraisal (preliminary) Helen Hamilton Ecology dated 6th April 2023
Flood Risk Assessment and Outline Drainage Strategy ref PGC 412 – RP – 001 Issue 2
Ground Investigation Report ref STV5986-R01 Rev B dated May 2023
Noise Assessment ref R2203-REP01-JW dated 22nd June 2023
Planning & Heritage Statement Seymour Planning dated August 2023

Structural Strategy ref 10837 dated 31st May 2023
Statement of Community Involvement Millson Group dated May 2023
Topographical Survey
Transport Statement ref 3430-01-TS01A dated August 2023
Travel Plan (Interim) ref 3430-01-ITP01A dated August 2023
Tree Survey ref 15680_TSS01a

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

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

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

- 4) 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 site investigation strategy, based on the Soiltechnics Ground Investigation Report (reference: STV5986-R01 Rev B) 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.
 2. The findings of the site investigation and detailed risk assessments referred to in point (1) including all relevant soil / water analysis and ground gas / groundwater monitoring data.
 3. Based on the site investigation and detailed risk assessment referred to in point (2) 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.
 4. 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 (3) 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 183 of the National Planning Policy Framework.

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

detailing how this contamination will be appropriately addressed and the remedial works verified has been submitted to, and approved in writing by the LPA. The remediation strategy shall be fully implemented and verified as approved.

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

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

- 6) Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:
- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
 - (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
 - (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
 - (iv) Incorporate mitigation measures to manage the risk of sewer surcharge if identified as necessary;
 - (v) Foul and surface water shall drain on separate systems;
- The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

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

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

- 7) No development shall commence (including demolition, site clearance and any earthworks) until details of the means of ensuring the surface water sewers that are laid within the site boundary are protected from damage as a result of the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include a survey that identifies the exact location of the assets, the potential impacts on the assets from construction activities (including any construction compounds), the potential impacts post completion of the development and identify mitigation measures, including a timetable for implementation, to protect and prevent any damage to the assets both during construction and post completion of the development. The details shall include a pre-construction condition surveys. Any mitigation measures shall be implemented in full prior to commencement of development in accordance with the approved details and timetable and shall be retained thereafter for the lifetime of the development.

In the event that a build over agreement is required, the developer shall submit evidence to the Local Planning Authority that a build over agreement has been reached with the relevant statutory undertaker and that the approved works have been undertaken prior to commencement of development. Upon completion of the works, a post completion condition survey shall be submitted to and approved by the Local Planning Authority in writing.

Reason: In the interest of public health and to ensure protection of the public sewer system.

- 8) The parking/manoeuvring facilities, indicated on the approved plan ref Dwg. WS-PL700-02C, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.

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

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

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

- 10) No work shall take place in respect to the construction of the new and existing carriageways/footways, as indicated on the approved site plan, until a scheme relevant to highway construction and improvements has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of:-

- Phasing plan of highway works
- Surface (to match existing surface materials) and drainage details of all carriageways and footways.
- Details of the works to the reinstatement of any redundant vehicle access points as continuous footway to adoptable standards following the completion of the construction phase.
- Details of private street lighting
- Details of any wayfinding signage
- Details of the areas of the highway network within the site to be constructed to adoptable standards and the specification of the construction of these areas.
- Approval in Principle must be obtained for proposed highway structures within the development including temporary retaining structures required for the proposed site be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, (This does not define adoption of the asset but merely the design constraints should they be approved by the LHA.)
- Details of carriageway markings and signage.

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

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

- 11) No development shall take place (except for site clearance, remediation and any ground remodelling that may be agreed with the Local Planning Authority) until full design and construction details, including all footways, footpaths, cycle tracks, verges, of the required pedestrian/cyclists footpath linking Old St and Trinity St, as outlined on the approved drawing WS-PL-700-02C.

Details to be submitted of approval shall include:

1. General arrangements, based on a topographical surveys, showing all pedestrian and cycle facilities, verges and visibility splays, together with existing and proposed levels;
2. Details of how the scheme interfaces with the existing highway alignment, details of the carriageway markings and lane destinations Typical cross-sections, showing a specification for the footpath and cycle track;
3. Full details of the surface water drainage proposals
4. Full advanced signing details
5. Street lighting details
6. Details of structures affecting the River Tame.
7. Details of street furniture.
8. Landscaping details (including details of vegetation / tree removal and replacement)
9. Confirmation of full compliance with current Departmental Standards and Policies (or approved relaxations/departures from standards); and

The approved works shall be completed to the satisfaction of the Local Planning Authority prior to the first occupation of the development or otherwise in accordance with a phasing plan to be agreed in writing with the Local Planning Authority.

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

- 12) No development shall take place in respect to each phase of the approved development until a method statement detailing how that phase of the development will be constructed (including demolition, site clearance, levelling and earth moving operations) has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include:

- A detailed construction phase layout plan for that phase / element of works
- A development / construction timetable
- Details of access and parking arrangements for construction vehicles including loading / unloading areas and turning /manoeuvring facilities to be provided
- Details of vehicle movements, vehicle routing and traffic management arrangements
- Details of temporary road and footpath closures / diversions
- Details of parking requirements and provision for contractors / site staff
- Details of the location of site cabins, welfare facilities and temporary buildings
- Details of the construction site boundary treatment, including hoardings, temporary fencing and gates
- Details of where materials will be loaded, unloaded and stored
- Details of measures to be implemented to prevent mud and other debris being deposited on the public highway (including details of wheel wash facilities and road sweeping measures)
- Measures to control the emission of dust and dirt during construction
- Measures to control noise levels during construction
- Details of any public relations measures e.g. Considerate Constructors Scheme
- Measures to protect water quality and embankment to the River Tame
- Details for the prevention of surface water runoff from the development during the construction phase onto existing highway/footpaths within the vicinity of the development.

Each phase of the approved development shall not proceed except in accordance with the approved method statement for that phase of the development. 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.

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

- 13) The Cycle storage facilities as shown on drawings BR-DR-200-02 Rev C shall be provided prior to the first occupation of the development and retained thereafter.

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

- 14) No work shall take place in respect to the provision of cycle parking within the site until details of proposals to provide the following cycle parking facilities within the site have been submitted to and approved in writing by the Local Planning Authority details of Short-stay cycle parking (Sheffield stands, or similar) for a minimum of 10 cycles
The development shall not be occupied until the cycle parking facilities have been provided in accordance with the approved details or timetable. The cycle parking facilities shall then be retained and shall remain available for use at all times thereafter.

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

- 15) The development shall not commence until details of a lighting strategy has been submitted for approval in writing the Local Planning Authority. The strategy shall address:
- How and where lighting will be installed and through appropriate isolux contour plans demonstrated clearly that any impacts on the River Tame as a dark corridor for wildlife are negligible;
 - Specify frequency and duration of use.
 - Details of how the lighting will be funded for both electricity supply and future maintenance.

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

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

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

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

- 17) Prior to first occupation / use, the operating hours of the commercial / retail / leisure units shall be agreed with, in writing, by the Local Planning Authority, the units shall then operate in accordance with approved hours thereafter.

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

- 18) Prior to the first use of the commercial / retail / leisure units, no hot food preparation equipment shall be brought into use unless and until a scheme for the effective deodorising and degreasing and dispersal of emissions has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented to the satisfaction of the Local Planning Authority and shall be retained and used thereafter.

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

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

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

- 20) No development shall take place unless and until a scheme to soundproof the party floors / walls between the commercial / retail / leisure units and the residential apartments has been submitted to and approved in writing by the Local Planning Authority. The premises shall not be brought into use unless and until the approved scheme has been implemented in full, and it shall be retained thereafter.

Reason: To protect the amenities of the occupants of adjoining property/or to protect the amenity of future occupants in accordance with UDP policy 1.12.

- 21) No development shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:

- scaled plans showing the location of windows to be treated with acoustic glazing and acoustic mechanical ventilation and the manufacturers specifications of each of the noise mitigation measures to be installed.

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

Reason: To protect the amenities of future occupants from external noise in accordance with UDP policy H10

- 22) No development shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by the local planning authority. The WSI shall cover the following:

1. Informed by the North West Historic Environment Research Framework, a phased programme and methodology of investigation and recording to include:

i - archaeological evaluation trenching

ii - informed by the above, more detailed targeted excavation (subject of a new WSI).

2. A programme for post investigation assessment to include:

i - analysis of the site investigations records and finds

ii - production of a final report on the investigation results.

3. Deposition of the final report with the Greater Manchester Historic Environment Record.

4. Dissemination of the results commensurate with their significance.

5. Provision for archive deposition of the report and records of the site investigation.

6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason: In accordance with NPPF Section 16, Paragraph 205 - To record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

- 23) Prior to commencement of development details of tree protection fencing shall be submitted to and approved in writing by the Local Planning Authority. The approved fencing shall be installed before machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off

in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

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

- 24) No works to trees or shrubs shall occur between the 1 March and 31 August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.

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

- 25) Prior to any earthworks being undertaken at the site a management strategy for the treatment of invasive species including but not limited to Japanese knotweed and Himalayan balsam should be supplied to and agreed in writing to the Local Planning Authority. The agreed management strategy shall be adhered to and implemented in full unless otherwise agreed in writing by the LPA.

Reason: In the interests of biodiversity and environmental protection.

- 26) No development, site clearance, earth moving shall take place or material or machinery brought on site until a method statement to protect the River Tame from accidental spillages, dust and debris has been supplied to and agreed by the LPA. All measure will be implemented and maintained for the duration of the construction period in accordance with the approved details.

Reason: In the interests of biodiversity and environmental protection.

- 27) Notwithstanding any submitted details, no development, other than site clearance and site compound set up, shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both hard and soft landscaping works:

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

The approved hard landscaping details shall be implemented prior to the occupation of the building(s) or in accordance with a timetable to be agreed in writing with the Local Planning Authority.

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

- 28) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which

die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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

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

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

- 30) The development hereby approved should be constructed in accordance with the recommendations contained within the submitted Crime Impact Statement dated (2023/0269/CIS/01 Version A) details of which shall be submitted to and approved in writing by the Local Planning Authority, the approved works shall be carried out prior to the first residential occupation of the development.

Reason:

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

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

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

- 32) A scheme for the Biodiversity Enhancement and Mitigation Measures including the planting of native trees and the provisions of bird and bat boxes shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall first be agreed in writing with the local planning authority) and shall be retained thereafter

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

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

Reason: To reduce the proliferation of satellite dishes in the interests of the appearance of the development and the character of the Stalybridge Conversation Area

- 34) No installation of any externally mounted plant equipment (including utility meter boxes, flues, ventilation extracts, soil pipe vents, roof vents, lighting, security cameras, alarm boxes, television aerials) shall take place until details (including the location, design, method of support, materials and finishes) have been submitted to and approved in writing by the local

planning authority. Such plant and other equipment shall not be installed other than in accordance with the approved details and thereafter maintained as such.

Reason: In the interests of the appearance of the development and the character of the Stalybridge Conservation Area

- 35) A specification of the glazing and opening arrangements to all windows to the side (Eastern) elevation of apartment Block 1 shall be submitted for approval in writing to the local planning authority. The glazing shall be installed in accordance with approved details and thereafter maintained prior to the first occupation of the building. .

Reason: In there interest of residential amenity to address potential issues of overlooking.