

<b>Application Number:</b>	19/00962/FUL
<b>Proposal:</b>	Demolition of existing Factory and associated structures for the erection of 143 no. residential dwellings and associated works. (Amended Proposal).
<b>Site:</b>	Seafood Marketing Seafood Processing, Edge Lane, Droylsden, M43 6BA
<b>Applicant:</b>	C/O Agent NJL Consulting
<b>Recommendation:</b>	Grant planning permission, subject to conditions and completion of a section 106 agreement.
<b>Reason for Report:</b>	The application constitutes a major development.
<b>Background Papers:</b>	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

## **1. SITE & SURROUNDINGS**

- 1.1 The application relates to land occupied by employment premises operated by Seamark PLC which specialises in frozen food. The site is located with direct access from Edge Lane which links with Manchester Road (Droylsden Centre) to the North and Fairfield Road to the South. The Ashton Canal is located along the northern boundary.
- 1.2 The site measures approximately 1.9 hectares in area and is elongated in shape extending alongside the alignment of the Ashton canal. The site is dominated by two interlinked factory buildings and associated offices. These structures are built around a service yard accessed from Edge Lane in the south eastern corner. Levels are flat and the site is largely void of vegetation with the exception of a number of trees and hedges located along the boundary.
- 1.3 The site is bounded by Edge Lane on both its west and southwest boundaries, whilst on the southern boundary a row of terraced properties separates it from Edge Lane, which is also the boundary between Tameside MBC and Manchester CC. There is a footbridge crossing the Ashton Canal which connects the towpath and Edge Lane to Copperas Fields.
- 1.4 Across the northern boundary / Ashton Canal are residential properties, accessed off Waterside View and Buxton Lane. The area around Edge Lane has undergone significant change with the development of new residential proposals on former employment sites. The exception to this is a waste transfer station located across the eastern boundary, accessed via Bridge Street / Edge Lane.
- 1.5 The site is located 400m from the centre of Openshaw, 1 kilometre from the centre of Droylsden and 5 kilometres to the east of Manchester city centre. The site is located within 400m walking distance from the Edge Lane Metrolink tram stop.

## **2. PROPOSAL**

- 2.1 This application seeks planning permission for the demolition of all existing site buildings and associated structures and the erection of a residential development comprising of 143no. dwellings and apartments and their associated works.

- 2.2 The accommodation split would comprise of 72 apartments (36 x1 bed and 36 x 2 bed), 6 x 1 bed, 12 x 2 bed, 50 x 3 bed and 3 x 4 dwellings. The size of the accommodation would range from 48sqm (1 bed apartment) to 105sqm. The apartments would be accommodated across 5 blocks and there would be a total of 4 house types to include terraces and semi-detached.
- 2.3 Significant amendments have been made during the assessment of the application, these have altered the layout and house types within the development to improve the appearance and relationship to existing dwellings. The amendments are summarised as follows:
- Reduction from 225 apartments to a mixed development comprising of 143 apartments (72) and dwellings (73).
  - Reduction in scale of apartment blocks from 6 storeys to a maximum height of 4 storeys.
  - Omission of C2 Use for retirement living from the proposals and inclusion of 1, 2, 3 and 4 bedroom dwellings.
  - Revisions to the landscaping to create character area within the site.
  - Carefully considered landscape strategy that creates 5 character areas including canal linkages.
  - Inclusion of pocket parks and amenity green space to improve biodiversity.
- 2.4 Access would be provided from an improved entrance at the Edge Lane junction which currently serves the Seamark site. Provision is made within the site for 108 parking spaces with all dwellings served with private off road parking and 1 space provided for every 2 apartments. Dedicated cycle parking would be provided for all accommodation and there would be improved cycling and walking linkages to promote active travel.
- 2.5 The application is supported with the following documents:
- Air Quality Assessment
  - Arboricultural Impact Assessment;
  - Archaeology Assessment
  - Bat Survey
  - Biodiversity Impact Assessment
  - Contaminated Land Report
  - Crime Impact Assessment
  - Design and Access Statement
  - Ecological Scoping Survey
  - Energy Strategy Statement
  - Flood Risk Assessment
  - Noise Assessment
  - Planning Statement
  - Road Safety Audit
  - Statement of community involvement
  - Transport Assessment
  - Viability Assessment

### **3. PLANNING HISTORY**

- 3.1 01/00743/FUL – Erection of cold store/distribution centre and security lodge – Approved 29/11/2001

### **4. PLANNING POLICY**

#### **National Planning Policy Framework**

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

#### **Development Plan**

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

#### Tameside Unitary Development Plan (2004)

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

- 1.3: Creating a Cleaner and Greener Environment;
- 1.4: Providing More Choice and Quality of Homes;
- 1.5: Following the Principles of Sustainable Development;
- 1.6: Securing Urban Regeneration;
- 1:10: Protecting and Enhancing the Natural Environment;
- 1:11: Conserving Built Heritage and Retaining Local Identity;
- 1.12: Ensuring an Accessible, Safe and Healthy Environment.

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

- E3: Established Employment Areas
- C1: Townscape and Urban Form
- H1: Housing Land Provision
- H4: Type, Size and Affordability of Dwellings
- H5: Open Space Provision
- H6: Education and Community Facilities
- H7: Mixed Use and Density
- H10: Detailed Design of Housing Developments
- N2: Locally Designated Nature Conservation Sites
- N3: Nature Conservation Factors
- N4 Trees and Woodland
- N5: Trees Within Development Sites
- N6: Protection and Enhancement of Waterside Areas
- N7: Protected Species
- OL7: Potential of Water Areas
- OL10: Landscape Quality and Character
- MW11: Contaminated Land
- MW12: Control of Pollution

- S4: Retail Dominance and Shopping Frontages
- S9: Detailed Design of Retail and Leisure Developments
- 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 additional weight has been given to the policies within it as the examination has progressed. This is primarily due to the instructive nature of the modifications required to make the plan sound and therefore consistent with national planning policy 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 letter, display of a site notice; and advertisement in the local press.

### **6. SUMMARY OF THIRD PARTY RESPONSES**

- 6.1 In response to the publicity carried out, there have been 34 letters of objection received from 20 addresses in addition to a letter of support. These objections refer to issues with original proposals as well as subsequent amendments.

- Leylandii on the site provide habitat for bats.
- Overlooking from high-rise apartments
- Loss of privacy would be contrary to UDP policy C1 and H10 of the Tameside Unitary Development Plan and RED2 of the Tameside Residential Design Supplementary Planning Document.
- Loss of sunlight to Waterside properties located on the opposite side of the Ashton Canal
- The proposed height of the development 6 – 7 Storeys high – is too high. -
- Probable increased noise.
- Greater strain on increasingly busy, unsuitable local road networks.
- With the development adjacent to Bradford Garage – Waters Edge - and now this – the impact and population in such a small area is going to be dramatic.
- Dispute over the findings of the Transport Assessment.
- Traffic Lights at the junction of Edge Lane and Waterside do not work properly, additional vehicle movements will increase the safety risk.
- Design is not in-keeping
- Burden on health and education infrastructure
- Concerns about rise in anti-social behaviour
- Supportive of new housing but the proposals represent an overdevelopment. The scale of the development should be reduced.
- Impact upon wildlife.
- Residents were told that the development would be no larger than four storeys in height the current proposals are significantly higher than this.
- Don't believe there is demand for further housing

- Development should be limited to 3 storeys in height
- A reduction of the block height to 4 storeys and no higher than the existing Seamark building with evidence this will not cast shadows and reduce light onto the existing properties land, on Waterside View.
- The development should across an accessible footbridge for the canal
- Impact upon residents from dust.

Representations on most recent amendments:

- Revised plans have the same failings of the previous proposals with blocks overlooking Waterside View
- Plans are not accurate
- Concerns about overlooking especially from the apartment blocks
- Concerns about damage to existing properties on Edge Lane
- Impact upon wildlife including bats.
- Level of parking to the apartments in not adequate
- Level of EV charging points in not adequate
- Apartment block I is an eyesore
- Increased pollution
- Concerns that the development might require piling
- Development should Mirror Waterside View properties.
- Welcome the demolition and loss the factory which has caused noise disturbance
- Concerns about the length of time to make a decision

6.2 One letter of support has been submitted. The main points raised within that letter is summarised below:

- The development and believe it will be a fantastic use of the space.

## **7. RESPONSES FROM CONSULTEES**

7.1 Canal & River Trust – No objections subject to conditions - including a risk assessment and method statement for working alongside the canal. Provide positive comments on the design noting that it provides positive frontage and interaction to the canal which improves passive surveillance and overlooking of the waterway. Support the design materiality of the development along with landscaping to the canal frontage and improved access to the towpath (exact details to be conditioned).

7.2 Coal Authority – No Objections - site is located outside of a high risk mining referral area.

7.3 Contaminated Land – No objections subject to conditions – requiring submission of a site investigation strategy, followed by options appraisal and remediation strategy to address the site prolonged industrial use.

7.4 Education – Commented that contributions should be against DfE school place scorecards. Their response has not identified any specific requirements within local schools to address CIL compliance.

7.5 Environment Agency – No objections - the historic use of the proposed development site as a rubber works and a paint factory presents a Medium Risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are sensitive in this area since the site is underlain by a principal aquifer and is located adjacent to the Ashton Canal and Peak Forest Canal. Recommend conditions relevant to addressing contamination (along with subsequent verification report) as well as detailed drainage scheme for the site.

- 7.6 Environmental Health – No objections subject to conditions – requiring restrictions on construction working hours, full details of bin storage provision to all dwellings, implementation of noise mitigation measures and provision of electric vehicle charging. Confirmed that noise complaints continue to be investigated in relation to the operations of the Seamark factory.
- 7.7 Greater Manchester Archaeology Advisory Service – No objections - the archaeological desk-based assessment report concludes that there is negligible potential for the application area to retain any below-ground remains of archaeological interest, given the impact of the clearance and redevelopment of the site for the construction of the present buildings from the 1980s. Having reviewed records, GMAAS confirm no objections and advise in this instance that archaeological matters do not require any further consideration or investigation.
- 7.8 Greater Manchester Ecology Unit – No objections - Bats – content with the result of the initial bat survey although note that with passage of time the condition of the building may have altered. Recommend that a condition is applied to re-survey the buildings prior to demolition.
- 7.9 Green Spaces – Recommend that any section 106 monies secured on the development are allocated to improvements to Copperas Fields located immediately to the north of the site.
- 7.10 Housing Growth – Aware of the site’s challenging viability and the applicants offer to provide 10% of the dwellings on an affordable basis. Recommend the following split of accommodation:
- 5 x 3 Bedroom 5 Person houses, Shared Ownership
  - 3 x 3 Bedroom 5 Person houses, Social Rent
  - 6 x 4 Bedroom 6 Person houses, Social Rent
- TMBC to have 100% nomination rights on the Social Rented properties, and there would be a local connection ring-fence on the Shared Ownership homes.
- 7.11 HSE – No objections - consultation confirms that the site does not lie within the consultation distance of a major accident hazard pipeline.
- 7.12 Lead Local Flood Authority – No objections - recommends a condition requiring that foul and surface water is drained on separate systems and that full details of the surface water drainage scheme to be submitted for approval.
- 7.13 Local Highway Authority (LHA) – No objections subject to conditions - requiring a condition survey of highways to be used for construction traffic; car parking and cycle parking to be implemented; a surface water drainage scheme; submission of a construction environmental management plan; submission of a travel plan; provision of visibility splays to be maintained; and provision of a lighting scheme.
- 7.14 Natural England – no objections - do not wish to comment on the specifics of the proposals.
- 7.15 Transport for Greater Manchester – No objections - provides guidance regarding access to the site, visibility splays and travel plan contents. Accept the findings of the TA and identify no adverse impact upon the existing highway network.
- 7.16 Tree Officer – No objections - the development will mean the removal of a number of individual and groups of low to moderate amenity value trees. There is the potential within the landscape strategy submitted to mitigate these losses.
- 7.17 United Utilities – Recommends a condition requiring a surface water drainage scheme to be submitted for approval.

7.18 Waste Management – No objections.

## **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, the Greater Manchester Joint Waste Development Plan Document and the Greater Manchester Joint Minerals Development Plan 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 application has been under assessment for a considerable time, attributed to significant amendments to the proposals, a requirement to address technical issues and review of the sites financial viability.

9.2 The site forms part of a wider designated Established Employment Area in the UDP. The proposals must therefore be considered against the criteria of policy E3.

9.3 The policy states that the conversion of such sites to residential or mixed use development will not be permitted unless it is considered that the need for housing and the regeneration benefits of such development outweigh the need to retain the site for employment purposes. The policy states that, in making this assessment, the following factors should be considered:

- (a) The quality and type of employment sites and premises available in the area
- (b) Evidence of demand for employment sites and premises in the area
- (c) The suitability of the site for further employment use in terms of size, physical characteristics, access, traffic impact, and sensitivity of surrounding land uses
- (d) The opportunity which may be presented for new forms of employment as part of a mixed use scheme.

Further detail and guidance as to the application of UDP policy E3 is also provided within the Employment Land Supplementary Planning Document.

9.4 It also relevant to consider that the NPPF contains specific guidance on change of use applications. The Framework supports the Government's objective of a 'brownfield' first approach by way of maximising previously-developed land to safeguard the environment and ensure high-quality living conditions. Paragraph 126 states that: "Planning policies and decisions need to reflect changes in the demand for land. They should be informed by regular reviews of both the land allocated for development in plans, and of land availability. Where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in the plan



- a) They should, as part of plan updates, reallocate the land for a more deliverable use that can help to address identified needs (or, if appropriate, deallocate a site which is undeveloped); and
- b) In the interim, prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.”

- 9.5 The site’s boundary falls within a much larger employment designation of approximately 6.3 hectares identified on the UDP proposals map. Since the adoption of the plan the local environment has changed significantly and many sites within the employment designation have since been repurposed and now are in residential use. The situation is also similar on the opposite side of Edge Lane within the Manchester CC boundary where new housing has replaced former employment sites as part of the wider regeneration of Openshaw. The redevelopment of this site for residential use would follow that of previous applications for residential development within the locality. The cumulative impact of these developments has resulted in significant change in the environment along Edge Lane, from that of being primarily in employment use, to a modern residential environment.
- 9.6 Seamark Ltd are intending to relocate to new premises elsewhere within east Manchester (Miles Platting). The relocation of the business would be assisted by the redevelopment of the Edge Lane site. It is understood that jobs would be transferred as part of this process and it is suggested that the number of staff employed by Seamark PLC within the Greater Manchester area would increase in the long term.
- 9.7 The planning statement and accompanying marketing report have provided a justification for the loss of employment use and redevelopment for residential purposes. The report falls short of a marketing exercise, although it identifies that the current building has been extended and altered significantly over the years; the subdivision into smaller units would not be feasible; and the site/buildings are classed as being overdeveloped due to the limited circulation space around them. The report goes on to consider the close proximity of residential areas being undesirable to potential occupiers. Indeed, the Environmental Health team confirms that there have been complaints received, and a noise abatement notice served in relation to disturbance to residential properties arising from the daily Seamark operations. With the growing residential offer within the locality, it is clear that compatibility issues could and do arise with continued employment land uses.
- 9.8 The site’s potential for residential development is identified within the Tameside Strategic Housing and Economic Land availability assessment (SHELAA). The SHELAA identifies the site as brownfield with an indicative development potential of around 170 apartments. The reference within the SHELAA is a recognition of the site’s redevelopment potential. However, this does not mean that planning permission should be granted as it is based on a high level assessment of the site for the purposes of determining housing land supply only.
- 9.9 It is established that the Council cannot demonstrate a deliverable five year supply of housing land. It is therefore recognised that the NPPF is a material consideration that carries substantial weight in the decision making process. Assuming the development is considered sustainable, the NPPF is clear that where no five year supply can be demonstrated, the presumption in favour of sustainable development identified at paragraph 11 of the NPPF should be used to determine planning applications. The opportunity to develop the site for 143 dwellings would make a positive contribution to housing land supply, this should be apportioned due weight in the decision making process.
- 9.10 The site is located within a highly accessible area. Openshaw and Droylsden centres are immediately accessible and provides a hub of local amenities, public transport, services and employment uses. In terms of the assessment against the sustainability criteria identified within paragraph 11 of the NPPF (economic, social & environmental) there are the following

observations. In terms of economic objectives, the loss of the site's current employment function would be partly mitigated by the relocation of jobs within the east Manchester area, construction jobs created directly by the development and increased local spend. The social role would be fulfilled with the commitment to housing. On the matter of the environmental impact and the sustainable credentials, the redevelopment of PDL carries significant weight along with the locational factors relating to access to services and transport, appropriate levels of ecological mitigation can be secured and the houses would be designed to reduce energy/carbon dioxide emissions. The overall sustainable credentials are not questioned, and the proposals are considered to achieve the three dimensions of sustainable development through the contribution to the supply of housing within an accessible location.

- 9.11 Residential development is considered to be an efficient and appropriate use of the site, which has been a long term vacancy, the principle of securing the sites stewardship aligned to the Council's housing land supply is welcomed. The development would be compatible with adjacent uses and contribute toward the broader regeneration of the area between Droylsden and Openshaw which has occurred at pace over recent years. Further, the location close to associated amenities around both Droylsden and Openshaw dictates that it is a sustainable location for planning purposes.
- 9.12 In concluding the issue of the principle of development, following the above assessment it is recognised in this instance that the need to boost the supply of housing in a sustainable location outweighs the loss of the employment land in this case. Whilst the lack of a marketing exercise is a shortcoming in the assessment of alternative employment uses, other material factors are considered to outweigh this. The precedents established on applications locally, contribution toward a broader programme of regeneration, the building and sites constraints, relationship to residential properties and the identification with the SHELAA and positive land supply benefits for development all weigh in favour of the proposals.. On this basis, the principle of development is considered to be acceptable, subject to all other material considerations being satisfied.

## **10. DESIGN & LAYOUT**

- 10.1 Policies within the UDP, NPPF and the adopted Residential Design Guide SPD are clear in their expectations of achieving high quality development that enhances a locality and contributes to place making objectives. The NPPF emphasises that development should be refused where it fails to take opportunities available to improve the character and quality of an area and the way that it functions (para. 139).
- 10.2 Policy RD22 of the adopted SPD applies specifically to infill development it advises that:
- Plot and boundary widths should align with the surrounding street.
  - Scale and mass of dwellings should align with their surroundings.
  - Architectural styles and materials should generally align with the existing.
  - Development must follow an existing building line and orientation, particularly at road frontage.
  - Ensuring privacy distances are achieved.
  - Proposals should not land lock other potential development sites.
  - Development should provide appropriate outdoor amenity space, parking & access.
- 10.3 Policies C1 and H10 of the UDP seeks to ensure that developments are designed to respect their surroundings and contribute positively to the character of the area, having particular regard to the layout, density, design, scale, height, massing, appearance, materials and landscaping prevalent in the area. New development should be compatible with the local character and encourage local distinctiveness through the use of appropriate and high-quality building materials, architectural detailing and boundary treatment.

- 10.4 The current buildings at the site comprise of a series of interlinked steel clad warehouses in addition to a brick built office block. The buildings occupy the majority of the site with circulation areas (yard space) limited to peripheral areas. The demolition of the buildings is not considered to an issue, they are of a utilitarian appearance, and their overall scale dominates the locality. Their loss can be tolerated and would not have an adverse impact upon the general character or amenity of the locality.
- 10.5 As identified the surrounding area has undergone significant redevelopment within recent years. There are now modern housing developments located to the north, south, and east of the site, this includes a varied mixture of two and three storey dwellings which comprises of terraces, semi's & detached, in addition to 4 storey apartment blocks built to reasonably high densities. These developments sit alongside examples of the 19th/20<sup>th</sup> century traditional redbrick terraces. The proposed development seeks to similarly replicate the modern housing and apartments which has come to characterise the area, this includes larger blocks being positioned at key vistas within the site.
- 10.6 Negotiations with the applicant have secured significant amendments to the proposed layout and overall scale of the development resulting in a reduction of 82 units. The proposals now being for a more blended development of apartments and dwellings reflective of local character and constraints. This has also included a reduction to the height of the largest apartment blocks from 6 stories to a height of four stories, improved interaction of dwellings to public spaces and better integration of parking areas and landscaping throughout the development. The street and property layout allows for the provision of structured tree planting to garden frontages, this detail, align with the wider landscaping would be a matter to be conditioned but does align to the aspirations of paragraph 136 of the NPPF. This arrangement also improves the relationship between the proposed dwellings and existing properties outside of the site.
- 10.7 The properties within the development would observe a traditional layout which is based upon perimeter block principles. The buildings would be sited to ensure that active frontage to the highway carriageway and the Ashton Canal would be maintained. The internal carriageway would be designed as a cul-de-sac with a series of raised tables provided and key interfaces, this would be designed to provide a pedestrian friendly, traffic calmed, environment. The layout and form is similar to that of the recent modern developments within the area, which includes clearly defined linear streets and also includes 4 storey accommodation.
- 10.8 Whilst there have been objections raised relevant to the design and scale of the development the proposals are considered to be acceptable. The loss of the large utilitarian structure in replacement of good quality housing development would be an improvement for the locality and contribute positively to the on-going regeneration. The range of accommodation and design adds visual interest, the location of the apartment blocks sit comfortably within the site, the curved façade to block A would also provide a welcomed feature of the development and its relationship to both Edge Lane and the Ashton Canal.
- 10.9 The housing mix would comprise of 5 apartment blocks in addition to 5 different house types within a semi-detached and terrace format. This would range from 2 to 4 storeys in height providing a range of 1 and 4 bed accommodation. The design and finish of the properties would take a contemporary form, a welcomed feature is the strong vertical emphasis provided to elevations as a result of extended openings. Properties located on corner plots would be dual aspect which reinforces engagement to the street. Feature windows and internal balconies within the elevations provide a more contemporary finish and there would be structured landscaping throughout. Overall the layout would observe established urban design principles relevant to good design and place making.
- 10.10 There would be a series of pocket park and amenity green space area provided along the northern / canal boundary, these would be linked to new pedestrian and cycle links to provide connectivity between the site and the canal network which also links to the beeline cycle

network and Copperas Field to the north (accessed via Canal Bridge). These green spaces will significantly enhance both the setting of the development and the character of the canal corridor. It also provides an opportunity to secure ecological benefits through the associated landscaping.

- 10.11 The Canal and River Trust have been equally supportive of the design and its positive influence on the setting of the Ashton Canal. The layout engages positively with the canal and its towpath, increasing passive surveillance and overlooking to the waterway. The design and location of the dwellings provide a strong edge and the scale and materials is befitting of a waterside location. The proposals represent a stark improvement to the visual and operational dominance of the existing Seamark building upon the canal corridor.
- 10.12 The layout and property types have also been designed so that properties observe spacing standards to properties located to the north of the site (Waterside View & Buxton Lane). Equally the development would be positioned 21.15m from the Edge Lane properties to the south, this would be an improvement upon the location of the existing Seamark building which is located approximately 13m away at its closest. The interface distance would be within the tolerance of separation distances to existing dwellings. Garden sizes to the new accommodation would all be well proportioned across all properties.
- 10.13 The scale of the development would equate to a density of approximately 75 dwellings per hectare, this driven by the efficient use of terraces and apartments. This is considered to be a highly efficient use of the land which is aligned to sustainable principles of development within accessible urban areas. The density also accords with policy H7 of the UDP and policy JP-H4 of Places for Everyone, which advocates higher densities within accessible locations. While the 143 new homes proposed is less than is advocated by the SHELAA (170 homes), overall, the scale of the development, both in terms of the numbers and building heights, is appropriate to the local context and reflective of local housing market and site-specific considerations.
- 10.14 With regard to parking arrangements, the layout does not appear to be overly car dominated, parking is provided both in front and to the side of dwellings or within private parking courts, where the impact is offset by soft landscaping within front gardens as well as communal planting areas. The highway geometry ensures that there is sufficient capacity within the carriageway to accommodate a significant level of visitor parking. All of the properties are served with front to rear access which will allow for the storage of bins outside of the public domain and therefore not interfering with the street scene.
- 10.15 Boundary treatments have not been defined, it is proposed that this can appropriately conditioned, the desire would be to see a mixture of treatments with all public facing boundaries being of a suitably quality design i.e. not timber panels. The aim would be to create private defensible space and also to provide a suitable finish to public areas. Where space allows, frontages would support planting in the form of trees and shrubs, this in turn provides a visual benefit by softening the site's overall appearance.
- 10.16 Having full consideration to the design merits of the proposal and the layout of the scheme, it is considered that the development would deliver an attractive residential environment which would enhance the existing area. The scale and density of the development is reflective to that of modern housing within the locality. Overall, the design and layout should successfully assimilate with the existing housing stock, whilst providing good quality housing suitable for a cross section of needs. The proposal adheres to the objectives of UDP policy H10 and the adopted SPD which stress the importance of residential development being of an appropriate design, scale, density and layout.

## **11. RESIDENTIAL AMENITY**

- 11.1 Environmental Health confirm that they continue to investigate noise complaints arising from the operations of the Seamark factory. The principle cause/issue relates to noise emitting from the refrigeration units at the site, this being a particular issue during the summer months when demand is greatest. The site is one of the last remaining employment sites within an area which has undergone significant transformation in recent years. The redevelopment for residential purposes would address on-going complaints by introducing a compatible land use to what has become the prevailing residential character of the area.
- 11.2 The adopted policies within the Council's Residential Design Guide Supplementary Planning Document strive to raise design standards; they should be applied along with the criteria of Building for Life (BFL). Good design is aligned to the delivery of high residential amenity standards. This should reflect equally on the environment of existing residents as well as that of future residents. Paragraph 135(f) of the NPPF states that development should seek to provide a high standard of amenity for existing and future users alike. This is reflected in policy H10 and the recommendations of the Residential Design Guide SPD, which seek to ensure that all development has regard to the amenity of existing and proposed properties.
- 11.3 The nearest properties to the development are the existing terraces which front Edge Lane across the southern boundary. This boundary would be shared with 18 properties within the development, including two parking courts, the majority of these properties (11) would stand at 2 storeys in height, with the remaining 7 being 3 storeys. The properties would be positioned 21.5m from the rear elevation of Edge Lane terraces which is compliant to the expected spacing standards on 2 storey development. The 2<sup>nd</sup> floor of the 3 storey dwelling includes an ensuite on the rear elevation, the expectation would be that the windows at this level would be obscurely glazed to address overlooking issues. The site layout including breaks within the building line, where parking courts, would be provided would provide an improved and greater sense of openness than that of the current relationship of the factory to the Edge Lane properties.
- 11.4 The building line along the northern boundary would include 4 separate apartment blocks and several runs of terraced dwellings. This line would be broken up by landscaped connections leading to the boundary of the Ashton Canals towpath. The properties located across the Ashton Canal include those on Waterside View and Buxton Lane. The arrangement of these properties is such that some present their principal elevation to the canal, whereas on others it is their rear or side elevation.
- 11.5 There have been concerns relevant to the scale of the development and interaction to the properties located to the north of the canal. To address this amendments have been made which have reduced the overall scale significantly with the reduction in height to the apartment block and introduction of dwelling houses along the frontage. The dwellings are orientated so that their principal elevation overlooks the canal. The adopted Residential Design Guide SPD advocates a 21m separation distance between habitable rooms, it recommends a 14m separation on street frontages, which could also apply to the canal frontage. It also states that on infill developments standards a variation to guidelines can be tolerated where existing spacing standards can be taken into account. The spacing standards which would be achieved would range from 22 (habitable to gable) up to 28.9 m (apartment block to principal elevation) this would be in the acceptance of the guidelines advocated by policy RD5. Notwithstanding this as a result of the building form and layout there would be considerable betterment to existing properties associated with the removal of the existing factory (and its associated dominance) to that of the proposed residential development.
- 11.6 Disruption from the development would be mainly attributable to the construction phase. A construction environment management plan (CEMP) could be secured by planning condition to ensure best practice measures are employed and overall disturbance is kept to a minimum. Environmental Health have no objections to the proposals in their consultation.

- 11.7 With regard to the amenity which will be afforded to the residents of the development, it is of note that each of the properties meets with the technical housing standards. To address potential disturbance from employment activities across the south eastern boundary of the site an acoustic fence would be installed along with enhanced glazing, details of which can be secured by condition. More generally the close proximity of the site to Droylsden and Manchester City centre, existing areas of open space, transport links, nearby local amenities and employment opportunities means that residents would also benefit from an acceptable standard of access to local services.
- 11.8 In light of the above, the development is acceptable in this regard, ensuring a reasonable level of amenity for future occupiers, retaining a good standard of amenity for existing neighbouring residents, and not causing undue noise and disturbance to residential uses.

## **12. HIGHWAY SAFETY & ACCESSIBILITY**

- 12.1 Policy T1 requires all developments to be designed to improve the safety for all road users. Likewise paragraph 111 of the NPPF confirms that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 12.2 The site is situated in a sustainable location, close to Droylsden town centre and therefore within walking distance of shops, services and public transport provision operating close to the site. The Ashton Canal corridor provides a further attractive active travel route for cycling and walking, it is reasonable to assume that sustainable travel represents a genuine and attractive alternative to the use of the private car for residents within the locality.
- 12.3 The site already has an established (gated) vehicle entrance, a small spur road which is located directly off Edge Lane to the south. The entrance would extend from this access and would comprise a traditional 5.5m wide carriageway served by 2m wide footways, this would then taper down within the site with inclusion of some paved margins. The road would terminate as a cul-de-sac. Visibility from the existing entrance onto Edge land would be improved by a buildout area within the carriageway, this along with the removal of industrial traffic would secure improvements for existing highway users.
- 12.4 Levels across the site are flat, this would be favourable and a gradient of 1:14 could be easily achieved. These levels are conducive to meeting accessibility requirements for vehicles and pedestrian users alike. This detail would be secured by condition.
- 12.5 In reviewing the proposals both the LHA and TfGM have raised no objections. Vehicle trips generated from the development would not be significant, it is anticipated that there would be 57 two-way trips in the AM and 71 two way trips in the PM peaks, this would be a net increase 12 (AM) and 37 (Pm) trips above current conditions. The LHA confirm that traffic can be accommodated on the local highway network without any detrimental impact to safety.
- 12.6 The LHA also comment that the access arrangements are suitable to protect all road users. The highway within the development would be designed to ensure that vehicle speeds are low. Adopted roads within the development would be treated with tarmac with raised tables delineated in a contrasting material. In line with the maximum standards of the adopted SPD on parking, there would be a total of 253 parking spaces split between the apartments and dwellings (100% for houses and 50% for apartments), the accessible location with immediate access to public transport provides further mitigation.
- 12.7 A planning condition is proposed to secure carriageway improvement to the sites access on Edge Lane, this would include the resurfacing of the carriageway and footways in addition to any TRO's where appropriate. To help encourage bus travel it is also recommended that upgrades are secured to two bus stops on Edge Lane.

- 12.8 The proposal has appropriately demonstrated that safe and convenient access can be achieved to meet all highway users' requirements. The disruption associated with traffic during the construction period can be managed to ensure minimal disruption would occur during the temporary construction period. Once operational, the associated traffic movements from the site would not be significant and there would remain appropriate capacity on the local network. Safety would not be compromised, and future residents would have direct access to public transport. The proposals would be in compliance with the requirements of T1, T7, T10 and T11 and NPPF paragraph 111.

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

- 13.1 The site lies within flood zone 1, at the least risk of flooding. With exception of vegetation along peripheral areas the site is almost completely laid to hard surfacing. The level of runoff would reduce significantly with introduction of garden areas and soft landscaping.
- 13.2 The accompanying drainage strategy proposes a network of new SUDS and drainage features which connect to attenuation features to achieve a 100 year + 45% storm event scenario. This would represent a significant improvement upon the site's current drainage methodology.
- 13.3 In light of the comments from drainage bodies, it is appropriate to recommend a condition which requires the full details of the sustainable drainage scheme to be submitted for approval prior to commencement of development.
- 13.4 Subject to imposition of the condition as set out above, the proposals would be adequately drained, subject to an acceptable scheme being agreed. The proposals would therefore not result in a detrimental impact upon flood risk or drainage capacity, in line with the provisions of national and local planning policy.

### **14. GROUND CONDITIONS**

- 14.1 Paragraph 190 of the NPPF states; 'Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner'.
- 14.2 The EPU have reviewed the submitted information. Potential sources of contamination could be present as a result of the site's industrial legacy, this is as identified within the preliminary risk assessment undertaken. No objections are raised but it is recommended that conditions are applied relevant to further site investigations being undertaken with an appropriate verification of any remediation works once completed. The condition recommended by the EPU is considered reasonable and necessary to ensure that future users of the proposed development would not be exposed to potential risks caused by contamination at the site, and subject to its imposition the application is thereby considered acceptable in this regard.
- 14.3 The Coal Authority have been consulted and confirmed that the site is not at risk from any land stability issues relevant to historic mining activities.
- 14.4 Levels across the site are flat and in this regard land conditions are stable. There should be no requirements for any significant engineering works relevant to land stability or retaining structures. The Canal and River Trust has advised on conditions relevant to works within the vicinity of the canal tow path to ensure the structural integrity of it and the canal channel are protected during construction.

14.5 In terms of archaeological potential this has been assessed as being negligible as a result of disturbance associated with industrial development of the site. GMAAS are satisfied that no further investigations at the site are required.

## **15. ECOLOGY & TREES**

15.1 Paragraph 186 of the NPPF states that the planning system should contribute to and enhance the natural and local environment. Ecological surveys have been undertaken and indicative landscaping proposals prepared. Collectively these provide a comprehensive assessment of the site's conditions. The scope of the surveys are deemed acceptable as identified in the consultation responses from Greater Manchester Ecology Unit, Natural England and the Council's Arboricultural Officer.

15.2 Consultation has taken place with Greater Manchester Ecology Unit, who have confirmed that they have no objections to the proposed development. They note that the site has a low overall biodiversity value given the extent of built form. The industrial unit has previously been assessed as being inappropriate to support bat roosts and GMEU support this conclusion, they however, recommend that an updated survey is undertaken prior to demolition to account for any potential changes in circumstances during the intervening period.

15.3 Trees within the site are generally contained to peripheral areas, they have been assessed as having a low amenity value. Generally, all existing vegetation will be removed in lieu of replacement planting of native and ornamental species, removal will include the leylandii hedge along the northern canal boundary, which dominates the canal corridor. Notwithstanding the submitted details it is recommended that landscaping details are conditioned, this would ensure that tree cover within the site can be significantly improved.

15.4 The requirement of a detailed Construction Environmental Management Plan (CEMP), to be conditioned, will ensure the protection of the Ashton Canal and any other retained habitats during the construction period.

15.5 It has been demonstrated that a suitable level of assessment has been undertaken, and there is no evidence of any adverse effect upon protected species and the proposals are in accordance with policy N7: Protected Species of the UDP. The proposals will deliver ecological enhancement through habitat creation that will support biodiversity in accordance with Local and National Policy. Conditions could control the overall level of planting across the site, as well as the provision of any habitat creation through landscaping and bat and bird boxes. Subject to this requirement, the proposals are considered to be in accordance with the requirements of policy N4, N5 and NPPF paragraph 186.

## **16. DEVELOPMENT CONTRIBUTIONS**

16.1 The proposal is a major development, where there is a requirement to meet affordable housing (15%), education, green space and highways requirements as per policies H4, H5 and T13 of the UDP.

16.2 NPPF Paragraph 57 advises that planning obligations must only be sought where they meet all of the following tests:

- 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 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.

16.4 The applicant has submitted a viability report which has been reviewed over a lengthy period to provide an objective assessment. Assessment identifies that the sites financial viability is challenging, this is compounded further by present challenging market conditions along with site specific abnormal works relating to ground conditions and demolition costs associated with the sites prolonged industrial use. The viability is considered to be a material consideration and it is accepted that meeting the 15% affordable housing provision would undermine the viability of the development.

16.5 Following lengthy negotiations the applicant has agreed to provide 10% affordable housing on site along with a financial contribution of £25k towards off site public open space improvements at Copperas Fields, these matters would be secured within a section 106 agreement. The affordable housing would secure 14 of the dwelling houses (not apartments) on site, in agreement with housing officer this would comprise of the following house types and tenures:

5 x 3 Bedroom 5 Person houses, Shared Ownership  
3 x 3 Bedroom 5 Person houses, Social Rent  
6 x 4 Bedroom 6 Person houses, Social Rent

The provision of the above would make a positive contribution to affordable housing land supply in Tameside, this should be afforded significant weight in the decision-making process.

16.6 The £25k to be secured for Copperas Fields will help to fund access, public realm and planting improvements. The location of this well used green space is well connected to the site, the associated benefits would reach across the local community.

16.7 It has been confirmed that the developers offer to meet with infrastructure requirements and provide 10% affordable units is reasonable and cannot be improved without undermining the delivery of the development. The above contributions are considered to meet the CIL Regulations in that they are necessary to make the development acceptable in planning terms, directly related to the development and proportionate in that the sum is based on the size of the development.

## **17. OTHER MATTERS**

17.1 Noise – A suitable survey has been undertaken of the local environment and this has established that the dominant source of noise is from the waste transfer station located to the east of the site the operations of which would only be experienced by a limited number of plots. Subject to an agreed glazing specification there are no objections. For the majority of the site the main source of noise is from traffic on Edge Lane which is not substantial. The loss of the factory would address longstanding complaints raised about its operations.

17.2 Air Quality – Whilst outside of an AQMA the applicant has undertaken an air quality assessment. The report also found the scheme to have a negligible impact on local air quality within the locality. Main issues are likely to be that relating to the construction period which will be mitigated as part of the CEMP.

17.3 Heritage – There are no designated assets within or adjacent to the site boundary. The influence upon the adjacent Ashton Canal would be positive.

- 17.4 Sustainability – The energy strategy statement submitted with the application committee to a 10% improvement on Part L of the Building Regulations. It suggests measures such as:
- Improving the envelope on thermal performance;
  - Introduction of Solar PV for green energy generation;
  - Efficient heat recovery with the central ventilation system;
  - Reducing thermal bridging constructive details to limit heat loss and maximise air tightness; and
  - Adopting simple measures through a fabric first approach such as sealing around services, using proprietary seals and collars, ensuring blockwork is sealed to further improve air tightness.

These measures are welcomed and will be further explored by way of a planning condition.

## **18. CONCLUSION**

- 18.1 At the heart of the NPPF is a presumption in favour of sustainable development, this requires planning applications that accord with the adopted development plan to be approved without delay, and where the development plan is absent, silent or out of date, planning permission should be granted 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.
- 18.2 The lack of a 5 year housing supply confirms that as a brownfield site, there would be no conflict with UDP policy H1. The provision of both open market and 10% affordable housing would be significant benefits of the proposals.
- 18.3 The loss of the employment site to residential use can be tolerated. The locality has undergone significant transformation in recent years with former employment sites redeveloped for housing. The site would contribute positively to the on-going regeneration of the locality, including that of Droyslden town centre whilst also helping to address the boroughs housing land supply. The site's location with immediate access to services, public transport and various other amenities makes it a highly desirable location for residential development. The overall housing/regeneration benefits associated with the development are considered to be persuasive against the requirements of policy E3 of the UDP.
- 18.4 Redeveloping industrial (brownfield) sites is difficult and subject abnormal to costs which makes such development more expensive. It has been identified that viability is a material consideration. There are site specific abnormal works relating to ground conditions and removal of site infrastructure. The applicant's commitment to 10% onsite affordable housing and a £25k contribution to off-site public open space is considered a reasonable and proportionate response to meeting policy objectives.
- 18.5 There are no objections to the proposals from the statutory consultees in relation to the proposals which is considered to be an efficient use of a brownfield site.
- 18.6 The proposal is considered not to be detrimental to residential amenity, there would be significant improvement with removal of the existing factor, the relationship between the building and those surrounding acceptable meets the tolerance of policy expectations and is reflective of that of modern developments within the vicinity.
- 18.7 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

That Members resolve that they would be MINDED TO GRANT planning permission for the development subject to the following:

- (i) To complete a suitable legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) to secure onsite provision of 14 affordable dwellings the tenure/mix being as listed within the report and payment of £25,000 towards offsite public open space improvements at Copperas Fields to the satisfaction of the Borough Solicitor;
- (ii) To have discretion to refuse the application appropriately in the circumstances where a S106 agreement has not been completed within six months of the resolution to grant planning permission; and,
- (iii) That upon satisfactory completion of the above legal agreement that planning permission be GRANTED subject to the recommended 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:

Site Layout M4772\_PL01 – Rev - F  
Landscape Strategy 3895 101\_B  
Block B Floor Plans M4772 - (PL)04- Rev A  
Block B Elevations M4772 - (PL)05- Rev A  
Block C Floor Plans M4772 - (PL)06- Rev A  
Block C Elevations M4772 - (PL)07- Rev A  
House Type D M4772 - (PL)08 - Rev B  
House Type E M4772 - (PL)09 - Rev B  
House Type F M4772 - (PL)10- Rev B  
House Type G M4772 - (PL)11- Rev B  
Block I Floor Plans M4772 - (PL)12 - Rev C  
Block I Elevations M4772 - (PL)13 - Rev C  
Block A Floor Plans M4772 - (PL)14 - Rev A  
Block A Elevations M4772 - (PL)15 - Rev A  
Block H Floor Plans M4772 - (PL)16 - Rev A  
Block H Elevations M4772 - (PL)17 - Rev A  
Street Scenes Elevations M4772 - (PL)19 - Rev C  
M4772 - (PL)20 - Rev B  
Swept Path Analysis SCP/220606/ATR03

Reports:

Planning Note NJL Consulting  
Design and Access Statement Nicol Thomas  
Biodiversity Impact Assessment Rachel Hacking Ecology  
Crime Statement Design for Security  
Viability Report Roger Hannah  
Air Quality Assessment Hydrock  
Flood Risk Assessment & Drainage Strategy Hydrock  
Transport Assessment SCP  
Energy Strategy Statement Briary Energy

## Noise Impact Assessment Dragonfly Consulting

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

- 3) Notwithstanding any description of materials in the application form and shown within the Design & Access Statement no above ground works shall take place until samples and/or full specification of materials to be used externally on the buildings 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.

Reason: In the interests of the visual amenities of the locality, in accordance with policies 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 reconnaissance, including photographic log, identifying all potential point sources / areas of contamination at the site and within influencing distance of it. 2. A site investigation strategy, based on the site reconnaissance in (1) and 'Hydrock's Ground Condition Desk Study for Seamark House, Edge Lane, Droylsden, dated May 2023 (Ref: R/C08676-C/001 Rev: P03), detailing all investigations including sampling, analysis and monitoring that will be undertaken at the site in order to enable the nature and extent of any contamination to be determined and a detailed assessment of the risks posed to be carried out. The strategy shall be approved in writing by the LPA prior to any investigation works commencing at the site. 3. The findings of the site investigation and detailed risk assessments referred to in point (2) including all relevant soil / water analysis and ground gas / groundwater monitoring data. 4. Based on the site investigation and detailed risk assessment referred to in point (3) an options appraisal and remediation strategy setting out full details of the remediation works and measures required to address any unacceptable risks posed by contamination and how they are to be implemented. 5. A verification plan detailing the information that will be obtained in order to demonstrate the works and measures set out in the remediation strategy in (4) have been fully implemented including any requirements for long term monitoring and maintenance.

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

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

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

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

- 6) Prior to the commencement of the development hereby approved, 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 shall 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). In the event of surface water discharging to the public combined sewer, the rate of discharge shall be restricted to 5 l/s;
  - (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 where applicable; and
  - (v) Foul and surface water shall drain on separate systems.

The schemes shall be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage.

The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.

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

- 7) Prior to the first occupation of the apartments hereby approved, details of secured cycle storage to be installed to serve the apartments shall be submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans showing the location of storage and details of the means of enclosure. The secured cycle storage shall be installed in accordance with the approved details prior to the first occupation of the apartments and shall be retained as such thereafter.

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

- 8) Prior to the first occupation of the development hereby approved, full details of the refuse and recycling storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The developer shall ensure that each property is served bins in accordance with TMBC guidance. The approved facilities shall be implemented in conjunction with the approved method statement prior to the first use or occupation of the development and shall be retained as such thereafter.

Reason: In the interests of encouraging recycling and visual amenity in accordance with Policies C1 and H10 of the adopted Tameside Unitary Development Plan and the National Planning Policy for Waste.

- 9) 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 and 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.

Reason: In the interest of residential amenity in accordance with Policy H10 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

- 10) No dwelling or apartment shall be occupied until full design details of the mitigation measures recommended in Dragonfly Consulting's Noise Impact Assessment, reference DC3599-NR1, dated October 2022, have been submitted to and approved in writing by the Local Planning Authority. The design details shall include:

Scaled plans showing the location of windows to be treated with high specification glazing and ventilation, the specifications of the glazing to be used and the type and specification of the acoustic ventilation to be fitted.

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.

- 11) 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 exact location and elevations of the acoustic fencing to be installed along the south eastern boundary of the site and a manufacturers specification of the fencing;

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.

- 12) No development shall commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of:-

- Arrangements for temporary construction access;
- Construction traffic management measures including details of access arrangements, turning and manoeuvring facilities, material deliveries, vehicle routing to and from the site, traffic management, signage, hoardings, scaffolding, where materials will be loaded, unloaded and stored, contractor parking arrangements and measures to prevent the discharge of detritus from the site during construction works;
- Location and specification of wheel washing facilities;
- 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

- Steps to be taken to prevent the discharge of silt-laden run-off, construction site drainage, materials or dust or any accidental spillages entering the Ashton Canal;
- Details of the environmental pollution incident emergency response;
- Include measures to locate, clear, remediate and permanently seal any existing drains or culverts or waterway infrastructure within the application site that may discharge into the Ashton Canal or be hydrologically connected;
- Details of specifying how the waterway corridor and its users would be protected during the works and include any details of proposed protective fencing/netting to be erected to safeguard the Ashton canal waterway infrastructure during site clearance / construction
- Details of on-site cabins and security lighting

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

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

- 13) 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.

- 14) No work shall take place in respect to the construction of the approved highway to the Development, as indicated on the approved site plan, until a scheme relevant to highway construction has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of:
1. Phasing plan of highway works.
  2. Surface and drainage details of all carriageways and footways.
  3. Surface and drainage details of the proposed Emergency Access from the site onto Edge Lane.
  4. Details of the works to the reinstatement of redundant vehicle access points as continuous footway to adoptable standards following the completion of the construction phase.
  5. 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.
  6. Details of carriageway markings and signage.
  7. Details of a lighting scheme to provide street lighting (to an adoptable standard), to the shared private driveway and pedestrian/cycle pathways have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how the lighting will be funded for both electricity supply and future maintenance.
  8. Details of any highway retaining structures.

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, to ensure safe and adequate access is achieved in accordance with UDP Policy T1: Highway Improvement and Traffic Management.

- 15) 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:
- 1) Long-stay cycle parking (a covered and secure cycle store/s) for a minimum of 146 cycles.

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

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

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

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

- 17) A clear view shall be provided at the junction of the proposed access road into the development with Edge Lane. Its area shall measure 2.4m metres along the centre of the proposed access and 43 metres along the edge of the roadway in Edge Lane. It must be kept clear of anything higher than 0.6 metre/s above the edge of the adjoining roadway or access, on land which you control.

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

- 18) Details of a scheme to provide bus stops improvements on Edge Lane to Transport for Greater Manchester's 'Quality Bus Corridor' standard shall be submitted to and approved in writing by the Local Planning Authority. The upgraded bus stop/s shall have a raised boarding platform, carriageway markings, crossing point and bus shelter, unless otherwise agreed. No part of the development shall be occupied until the bus stops have been provided in accordance with the approved details/timetable.

Reason: To ensure that the development is accessible by public transport and occupiers and visitors to the development are encouraged to use public transport in accordance with UDP policy T1: Highway Improvement and Traffic Management

- 19) No development shall commence within 15m of the canal towpath until a Risk Assessment and Method Statement (RAMS) outlining all works to be carried out



adjacent to the canal has been submitted to and approved in writing by the Local Planning Authority. The details shall:

- Demonstrate that additional loads from the permanent or any temporary works, plant and machinery or storage of materials would not harm the structural integrity of the canal infrastructure;
- Provide cross sections showing the written distance and level details from the canal to the access road and proposed buildings and along the canal corridor and any cut/fill next to the canal;
- Include the design, depth and means of construction of the foundations of the buildings along the canal corridor, together with any other proposed earthmoving and excavation works required in connection with demolition or construction of the buildings;
- Details specifying how the canal will be protected during the works and include any details of proposed protective fencing to be erected to safeguard the waterway infrastructure during construction and include an appropriate exclusion zone to the canal towpath were no plant or machinery will track or materials placed;

The development shall only be carried out in strict accordance with the agreed Risk Assessment and

Reason: To protect the structural stability of the canal infrastructure which could be adversely affected by the development and to accord with the advice and guidance relating to land stability contained in Paragraphs 174 and 183 of the National Planning Policy Framework 2021.

- 20) Prior to the development hereby permitted being built above slab level full details of the proposed access points to the towpath to be constructed shall be submitted to and agreed in writing by the Local Planning Authority and carried out in accordance with the agreed details. The details shall include cross sections; the materials to be used including the surfacing finish; and set out any stability works required and set out the future maintenance provisions for the accesses.

Reason: In order to ensure that the integrity of the waterway infrastructure is not compromised, future maintenance provision of the access has been identified and agreed and the proposed access does not have a detrimental impact on the appearance of the canal corridor.

- 21) Notwithstanding the findings of the extended phase 1 habitat survey and daytime bat survey (July 2021) prior to any demolition works being undertaken at the site a further bat and post emergence survey shall be undertaken of the building. Should any bat roosts be found to be present within the site suitable mitigation shall be agreed in writing with Local Planning Authority. The mitigation shall be undertaken in accordance with the approved details prior to any demolition occurring.

Reason: In the interests of protected species in accordance with UDP policy N7 Protected Species

- 22) 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.

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

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

- 24) No development shall commence until a lighting scheme to provide lighting on the driveways and car parking and servicing areas off the adopted highway has been submitted to and approved in writing by the Local Planning Authority. The approved lighting scheme shall be completed prior to first occupation of the development.

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

- 25) 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.

- 26) 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.

- 27) 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.

- 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.