

<b>Application Number:</b>	23/01063/FUL
<b>Proposal:</b>	The demolition of existing structures and erection of a mixed-use development comprising: a foodstore (Class E); a drive through coffee shop (Class E); a terrace of eight divisible employment units for flexible use within Use Classes E(g), B8 and B2 (vehicle repair garage only); a Use Class Sui Generis electric vehicle charging hub; and associated site works including land re-profiling, vehicular access, car parking, servicing areas, hard and soft landscaping, public realm and two electrical substations.
<b>Site:</b>	Land off Ashworth Lane and Stockport Road, Hattersley
<b>Applicant:</b>	Maple Grove Developments Limited and Onward Homes
<b>Recommendation:</b>	Grant planning permission, subject to conditions.
<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 planning application relates to the redevelopment of largely vacant land to the east of Stockport Road (A560), Hattersley. The site covers an area of 2.26ha and is roughly square in shape. The site is bounded by Stockport Road, Ashworth Lane (north) and to the south is Chain Bar Lane. To the east of the site is an area of undeveloped land which now falls within the updated Green Belt boundary.
- 1.2 The site was historically occupied by a residential estate served by access from Chain Bar Lane which forms a junction with Ashworth Lane. The site has now been largely cleared of all former structures albeit for areas of hardstanding, a substation and remnants of retaining structures. There are several notable piles of spoil throughout site, these along with other areas support dense scattered scrub and self-set trees.
- 1.3 National Grid pylons cross the site along a north / south axis. There are established commercial uses directly to the north of the site on the opposite side of Ashworth Lane. This includes The Hub, Hattersley Library and Tesco food store and petrol station. Several further commercial uses are located around 300 metres to the north west of the site, including a McDonald's drive through, a Premier Inn hotel, and pub. To the west of the site beyond the A560 is the location of the former District Centre. This is currently being comprehensively redeveloped for residential purposes by Onward Homes.
- 1.4 Bus services are provided along Ashworth Lane and Stockport Road. The TransPennine Trail is located to the south of the site and is accessible from Chain Bar Lane.

## **2. PROPOSAL**

- 2.1 This application seeks full planning permission for the erection of a mixed-use development comprising a foodstore (Use Class E), a drive through café (Use Class E), a terrace of eight divisible employment units for flexible use within Use Classes E(g), B8 and B2 (vehicle repair garage only); an electric vehicle charging hub (Use Class Sui Generis); and associated site

works including land reprofiling, vehicular access, car parking, servicing areas, hard and soft landscaping, public realm, and two electrical substations.

- 2.2 The site would be accessed from a new entrance onto Stockport Road. The food store would be located to the north of the entrance and the drive through café to the south. Employment units would be provided within a terrace along the eastern boundary with barrier controlled access. The central areas of the site would be laid to parking with an electric vehicle charging hub to the south. Landscaping and would be provided to all boundaries.
- 2.3 The components to the development proposals are identified below.
- 2.4 The proposed food store would be sited adjacent to the Stockport Road frontage. It would have the following features:
- Constructed as a single-storey structure with a raised parapet roof. Predominant materials comprising of cladding with facing brickwork to Ashworth Lane and Stockport Road.
  - Entrance located on the north east corner facing Ashworth Lane
  - Gross External Area (GEA) of 1,931sqm, Gross Internal Area (GIA) of 1,842 sq. m, and a net sales area of 1,344 sqm.
  - Provision of 120 car parking spaces, including 6 accessible spaces and 8 parent and child spaces, 4 dedicated electric charging points and 2 click and collect spaces.
  - 8 short-stay bicycle parking spaces for customer and internal secure cycle storage for staff.
  - Servicing via a dock levelling system at the rear of the building.
  - Opening times to be 08:00hrs to 23:00hrs Mon-Sat and 09:00hrs to 18:00 Sunday.
- 2.5 The proposed drive-through Café would also be sited adjacent to the Stockport Road frontage would have the following attributes:
- Single storey monopitch roofed standalone unit. External materials to include timber cladding, blockwork and glazing.
  - GEA of 180 sqm and a GIA of 167 sqm.
  - Provision of 20 drive-through café parking spaces including 2 accessible spaces.
  - 4 short-stay bicycle parking spaces (2 Sheffield cycle hoops) for customers of the café.
  - External seating area for customers.
  - Opening times 7 days a week 24hrs.
- 2.6 The proposed employment terrace of 8 units would have the following features:
- Single two-storey terrace with a pitched roof set behind a parapet. Facing materials to including cladding, brickwork and glazing.
  - Total GEA of 3,112 sqm and GIA of 2,978 sqm.
  - 39 vehicle parking spaces, including 8 accessible spaces and 10 van spaces.
  - 10 covered bicycle parking spaces (5 Sheffield cycle hoops).
  - Access to be taken by a controlled access barrier to the employment units.
  - 24hr operation.
- 2.7 The Electric Charging Hub would have 16 electric vehicle car parking spaces equipped with ultra-rapid Electric Vehicle Charging Points.
- 2.8 The supporting statement identifies that the development would give rise to significant economic benefits including the creation of some 125 full and part-time local jobs as well as various other indirect jobs in construction and the supply chain. It is envisaged that the development would be delivered within 18 months of obtaining planning permission.
- 2.9 The application has been supported by the following reports:
- Air Quality Assessment

- Arboricultural Impact Assessment (including Arboricultural Constraints Assessment)
- Crime Impact Statement
- Design and Access Statement
- Ecological Impact Assessment (including Biodiversity Net Gain Assessment)
- Environmental Standards Statement
- External Lighting Plan
- Flood Risk Assessment
- Geo-Environmental Assessment Phase 1 Desk Study and Preliminary Contamination Assessment
- Geo-Environmental Assessment Report
- Supplementary Ground Investigation Remediation and Enabling Works Strategy
- Noise Impact Assessment
- Planning Statement
- Statement of Community Involvement
- Surface Water Management Report
- Transport Statement (including Framework Travel Plan)

### **3. PLANNING HISTORY**

- 3.1 14/00903/OUT – Comprehensive redevelopment for a new district centre comprising class A1 foodstore, retail units (Class A1-A5), Drive-Through Cafe/Restaurant (Class A3/A5) with associated means of access (All other matters reserved), including the demolition of existing buildings and structures – Approved
- 3.2 17/00668/MATCH – Non material amendment in relation to planning application no. 14/00903/OUT to increase the gross external area of the foodstore to 1,867 square metres – approved.
- 3.3 18/00015/REM – Approval of reserved matters (appearance, landscaping, layout and scale) for a retail development on the site following grant of outline planning permission 14/00903/OUT – 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), Greater Manchester Joint Waste Development Plan Document (2012), Places for Everyone (2024).

Allocation: Ashton 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;
- 1.7: Supporting the Role of Town Centres.
- 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
- S3 New Retail Developments Outside Town Centres
- S9 Detailed Design of Retail and Leisure Developments
- E6: Detailed Design of Employment Developments
- C1: Townscape and Urban Form
- C10 Development Affecting Archaeological Sites
- 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
- N7: Protected Species
- OL10: Landscape Quality and Character
- 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

- JP-S2 Carbon & Energy
- JP-S5 Flood Risk
- JP-S6 Clean Air
- JP-S7 Resource Efficiency
- JP-J1 Supporting Long-Term Economic Growth
- JP-J2 Employment Sites and Premises
- JP-P4 New Retail and Leisure Uses in Town Centres

- JP-G8 A Net Enhancement of Biodiversity and Geodiversity
- JP-P1 Sustainable Places
- JP-C3 Public Transport
- JP-C4 The Strategic Road Network
- JP-C5 Street for All
- JP-C6 Walking and Cycling
- JP-D2 Developer Contributions

#### 4.7 Other Policies

- Tameside Retail and Leisure Study 2018
- National Design Guide (2021)
- Planning Practice Guidance (PPG)
- Tameside Inclusive Growth Plan 2021-2026

## 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 three letters of representation received in support of the proposals, these are summarised as follows:

- This needs to be built, locals need an alternative to Tesco.
- The development will be positive to the area.

## 7. RESPONSES FROM CONSULTEES (summarised)

7.1 Active Travel England – Confirm that they do not wish to comment on the proposals.

7.2 Coal Authority – No objections, the site is outside of a high risk coal mining referral area.

7.3 Cadent Gas – No Objection

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 application is the second phase of the District Centre. The first phase was Tesco, the petrol station, The Hub, the library and community rooms. This application will complete the District Centre. It has taken many years for a viable scheme to be put forward and this scheme is the result of considerable effort on behalf of all concerned. This scheme will see an unused site become economically active and add to the local economy. This scheme aligns with the Council's Corporate Plan and the Inclusive Growth Strategy.

7.6 Environment Agency – No objections, confirm that permit would be needed for any works within 8m of the culvert/bank of Hurstclough Brook.

- 7.7 Environmental Health – No objections. Recommend conditions relevant to waste storage, construction hours, trading times and details of all plant.
- 7.8 GMAAS – raises no heritage concerns. The DBA has identified that mid to later 20th century development of the site as a council estate, and activity associated with its subsequent demolition, is likely to have severely truncated or removed any significant archaeological remains.
- 7.9 Identify that it is possible that fragmentary survival of nineteenth century fabric could have survived, but identification and analysis of this could, at best, offer just a marginal contribution towards our understanding of the period. On this basis there is no reason to seek to impose any further archaeological requirements upon the applicant
- 7.10 GMEU – No objections. Confirm that the site has a relatively low ecological value which has historically been cleared. The landscaping proposals identify that a biodiversity net gain can be achieved although this is below 10%. Recommend conditions are applied relevant to landscaping and the protection of nesting birds.
- 7.11 High Peak – Confirm no objections.
- 7.12 Highways – No objections subject to conditions. The LHA comment that they are satisfied that the proposed access/egress from the development onto Stockport Road is satisfactory and meets requirements for maximum gradients and visibility splay standards have been met. The LHA are satisfied that the vehicle trips generated by the development are acceptable and the cumulative impact on the road network would not be severe.
- Accept the provision of site vehicle and cycle parking and welcome the addition of dedicated EV charging points. Recommend that a Toucan Crossing is provided on Stockport Road and bus stop upgrade/layby created to promote active travel.
- 7.13 LLFA – No objections, a condition should be applied requiring the site to be drained in accordance with the drainage hierarchy.
- 7.14 National Highways – Confirm that they do not consider that the proposed development would have an adverse impact on the safety of, or queueing on, a trunk road.
- 7.15 TfGM – No objections, the LHA should comment on the parking provision.
- 7.16 Trees Officer – Proposals are acceptable from an Arboricultural perspective. The trees to be removed to facilitate the development are predominately low value self-seeded scrub vegetation that would not be considered a constraint to development. The landscape proposal sufficiently mitigates for the losses, provides adequate screening and will enhance the visual amenity of the area
- 7.18 United Utilities – Object to current proposals commenting that the development may encroach upon United Utilities assets. Recommend that any approval is subject to a condition relevant to detailed drainage design.
- 7.18 Waste Services – No objections, the site would be served under a trade waste contract not administered by TMBC Waste Services.

## **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.

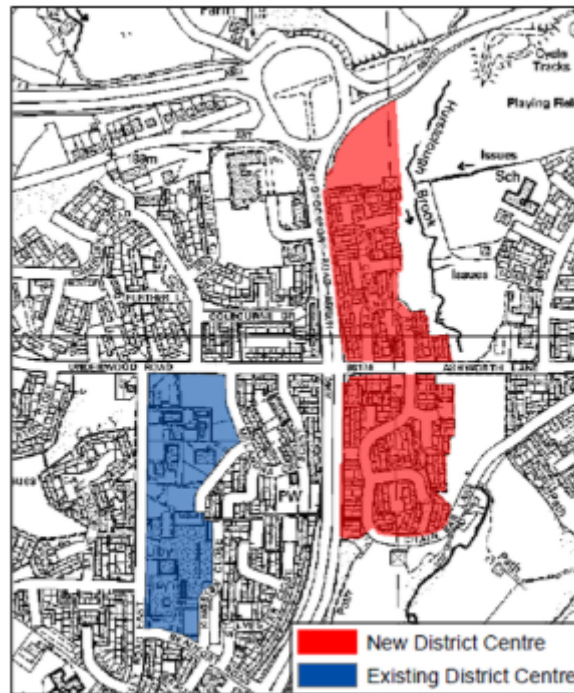
- 8.2 The current position is that the Development Plan consists of the policies and proposals maps of the Unitary Development Plan and the Greater Manchester Joint Waste Plan Development Document, Places for Everyone which was formally adopted by the Council on the 21<sup>st</sup> March 2024.
- 8.3 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 is unallocated on the UDP proposals maps. There are two key elements to the proposals, that of the retail Uses (Class E) and that of the employment uses. For planning purposes retail developments are identified as town centre uses. Both the NPPF and NPPG advocate that local planning authorities should adopt a 'town centre first' approach when assessing applications for 'main town centre uses'. This is in order that town centres remain the focus of retail, commercial and leisure activity and to ensure their continued vitality and viability. It is well documented that changes to retailing habits have had an adverse impact upon high streets with an increase in vacancies. The need to protect and enhance established centres carries significant weight to the planning assessment. Retail Development (Class E) is defined as a main town centre use within the glossary to the NPPF. The NPPF advises that proposals for such uses which are not in an existing centre and not in accordance with an up-to-date development plan should be subject to a sequential test (paragraph 91) and where the floor space is over 2,500sqm an impact assessment should be undertaken (paragraph 90). UDP Policy S3 and PfE (JP-P4) also supports the 'town-centre' first approach and the need to direct town centre uses to designated centres.
- 9.2 The principle of redevelopment of the site for retail purposes has been previously established with the granting of outline and subsequent reserved matters applications for retail/commercial development totalling 5,677sqm of floor space in 2018 i.e. much larger than that currently proposed. The applicant states that this development was not deliverable due to changes in market conditions. Within the supporting statements the applicant references that these permissions are extant having been lawfully implemented, they identify this as a 'fall-back' position of significant relevance to the planning assessment. The justification on the status of the previous planning consents is not explained or presented in any great detail and any claimed fall-back position is therefore given limited weight by officers in this planning assessment.
- 9.3 Despite any questions on the validity of the previous consents, the positive planning history is a material consideration. It is also acknowledged that the Council has had long-term aspirations for a replacement district centre on Stockport Road to replace the original Hattersley district centre, which is now at an advanced stage of redevelopment for new housing. The identification of the site as the location of the new district centre was established within the draft Hattersley and Mottram SPG (2004). This identified the new Hattersley District centre to include both the site and the land to the north of Ashworth Lane (which has since been developed to support a Tesco food store and Hub community centre). The need for an improved retention of localised convenience goods spending within

Hattersley is also identified within the Tameside Leisure and Retail Study (2018). Development of the site would be mutually beneficial to the performance of commercial uses to the north of Ashworth Lane.

Figure 1: Location of the former and proposed district centre boundaries (Mottram and Hattersley SPG)



Source: Hattersley and Mottram SPG, Tameside MBC, April 2004

- 9.4 Notwithstanding the Council's aspirations to relocate the district centre and the guidance within the SPG, the location of the 'new' District Centre was never designated and therefore has no formal policy support. The applicant considers that the site is an edge of centre location given its proximity to the boundary of the allocated Hattersley District Centre on the UDP proposals map. The applicant's interpretation of the site as an 'edge of centre' location is reasonable insofar as the relationship of the Ashworth Lane site to that of the district centre boundary shown on the UDP proposals map. However, given that the former centre has been physically replaced with new homes it no longer functions as a centre. For this reason, the application site is considered to be an 'out of centre' site, as defined in Annex 2 of NPPF: "A location which is not in or on the edge of a centre but not necessarily outside of the urban area."

#### The Sequential test

- 9.5 The purpose of the sequential test is to take a thorough assessment of the suitability, viability and availability of locations for main town centre uses within established town and edge of centre sites. In the application site's circumstances, this would include Hyde, Stalybridge and Glossop. The applicant identifies that there are specific market and locational reasons as to why the proposed development can only be located in Hattersley. The applicant undertook a sequential test based on the nearest local centres, rather than town centres. They have not therefore demonstrated whether or not there is a sequentially preferable site in or on the edge of the towns of Hyde, Stalybridge and Glossop. The applicants have however provided a robust justification as to why market and locational reasons exist for the development, based upon the guidance within the PPG (Town Centre and Retail), Paragraph 012. This justification is summarised as follows;

- The key objective of the store/cafe is to serve Hattersley residents; this is in line with Council strategies, programmes and is supported in the Retail and Leisure Study



2018. This will improve local consumer choice, reduce need for residents to travel to access discount foodstore provision; meeting the Council's long term strategic objective for the site;

- The store is located directly South of the existing functioning 'district centre' (Tesco and Hub) and within the emerging district centre, as recommended within the Retail and Leisure Study 2018; so is in line with emerging local policy;
- The fallback position allows for a greater quantum of main town centre use floorspace to be delivered in any case, including the foodstore and drive-through uses.
- The proposed main town centre uses represent a comprehensive redevelopment of the site as envisaged as part of the Hattersley Regeneration and has lain vacant for 14 years.

9.6 Whilst the weight which can be given to the fall-back position is questioned, the applicant has provided a compelling case. Firstly, the loss of the former district centre reaffirms the need for further convenience facilities within the Hattersley Catchment area. There are considered to be specific locational requirements unique to Hattersley and surrounding villages which justify the location of a discount food retailer at the site, the emerging policy position related to the 'replacement' Hattersley district centre (supported by the Retail Study 2018); the high levels of multiple deprivation in the area (including low car ownership); low levels of convenience goods retention in the area (Hattersley residents travel to Hyde for discount convenience shopping) and the economic and regenerative benefits of the scheme.

9.7 On the basis of the above, although the requirements of the sequential test; that there are no alternative town centre or edge of centre sites suitable and available for the development, have not been demonstrated, it can be accepted that the specific 'locational' reasons for the foodstore and coffee outlet to be provided within the 'emerging' Hattersley District Centre are in line with paragraphs 91 and 92 of the NPPF.

#### The Impact Test

9.8 The size of the proposal falls slightly below the nationally set threshold of 2,500sqm gross floorspace in size (at 1991 sq m). UDP policy S3 sets a lower threshold of 1,400sqm and the applicant has undertaken a robust impact assessment on this basis. The purpose of the impact test as set out in national planning guidance is to consider the impact over time of out of centre proposals on town centre vitality and viability and investment. The impact test methodology applied appears robust and consideration has been made to all town centres and not just those closest to the proposal.

9.9 NPPF Paragraph 94 sets out the following criteria for what should be considered in a retail impact assessment as follows:

- a) the impact of the proposal on existing, committed and planned public and private sector investment in a centre or centres in the catchment area of the proposal; and
- b) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider retail catchment (as applicable to the scale and nature of the scheme).

9.10 Key assumptions raised within the applicant's assessment are as follows:

- By the test year – 2026 – the convenience turnover of the store will be £11.5M.
- Most shoppers are likely to come from Hattersley, 5% are considered to be passing trade, or car travellers on the way to the M67.
- Total turnover will be £14.2M by 2026 (of which £13.5M from residents in study area).

9.11 In relation to potential trade diversion, at present Hattersley's convenience offer is restricted to the Tesco store. Consequently the trade draw from Hattersley to surrounding centres is

relatively high requiring local residents to travel to meet their needs. The applicant identifies within their assessment, that the main impacts of the proposals would likely centre upon the existing Aldi Store at Hyde and the existing Tesco store at Hattersley, and to a much lesser extent outlets at Denton, Stalybridge and Glossop would experience some impact. In terms of the highest anticipated trade diversion this would be -2.7% from Hyde Town Centre. This is not viewed as significant.

- 9.12 The applicant's impact assessment is aligned with the findings of the Tameside's Retail Study 2018 which highlights that Hattersley residents (and those of nearby villages) spend a higher proportion of their convenience goods expenditure within Hyde than they do within Hattersley itself. This of course has social, economic and environmental implications associated with the reliance on the need of residents to travel.
- 9.13 The impact assessment has demonstrated that the proposed store will not have a significant adverse impact on Hyde or surrounding towns and will likely improve the retention of localised convenience goods spending in Hattersley. With regard to Hyde, and NPPF para 94 (a), the Council has recently progressed the Hyde Masterplan. This should provide a catalyst for investment and planned growth targeted and strengthening Hyde's vitality and viability as a centre. The development would not have an adverse impact upon the long-term aspiration of Hyde, which is consistent with previous conclusions on similar (but larger) developments on this site.
- 9.14 The impact upon Hattersley would be positive. The applicant's assessment has identified that the area would retain an additional £9.8m of resident spend in the area, reducing the need for residents to travel as a direct result of the increased local choice in convenience offer. In the context of Hattersley, as an area of high multiple deprivation and low car ownership, the proposals would help to address current social and economic inequalities, including the provisions of much needed local job opportunities, all of which are important to the social inclusion agenda and the overall planning balance.
- 9.15 With reference to paragraph 94 (b) of the NPPF the applicant states that Hyde town centre currently serves an important role within the local retail hierarchy in meeting the needs of its surrounding catchment population, with John Kennedy Road local shopping centre/parade providing a limited neighbourhood offer to residents within a highly localised catchment. It is agreed that these roles would continue irrespective of the application proposals. No conflict is therefore anticipated against the provisions Paragraph 90 (b) of the NPPF and saved Policy S3 of the Tameside UDP.
- 9.16 Therefore, in concluding on the retail elements of the proposals, the development meets the requirements of the sequential and impact tests as set out within the NPPF. Crucially it has been demonstrated that there would be no significant adverse impacts arising from the proposals. The development will address a local identified need for convenience shopping within the Hattersley Catchment area. This is in line with Council's long-term aspirations for the site and principles established on previous planning consents.

#### Employment Uses & Charging Hub

- 9.17 The proposals include the provision of an employment terrace of 8 units which would be located along the eastern boundary of the site. This element of the development is speculative with no operators identified. Permission is sought for flexible uses that could potentially include office/light industrial (Class E3(g)), B8 (storage and distribution) and B2 (vehicle repair only). These uses can be secured by a condition. The application identifies that the overall employment potential across these and the retail uses proposed in the application could be in the region of 125 full and part time positions. There would of course be further employment generated during the construction period which is envisaged to be approximately 18 months.

- 9.18 The site is not allocated within the UDP so there no immediate land use conflicts raised by this element of the proposals. The site is well served, with direct access to the strategic highway and motorway network and this will hopefully be attractive to potential employment occupiers. More generally, employment premises and opportunities within Hattersley, Mottram and Broadbottom are limited. So the potential to provide local opportunities is welcomed, particularly given the documented social and economic inequalities which are prevalent within Hattersley.
- 9.19 The comprehensive redevelopment of a brownfield site to support employment opportunities is a significant positive factor of the proposals. The provision of the employment terrace would complement the intended retail uses. The charging hub would also provide local convenience and serve a strategic function given its proximity to the motorway network. Subject to the assessment of technical matters, there are no in-principle land use issues raised. The employment uses would represent a welcome addition to the site within an accessible location. Their inclusion within the proposals are aligned to the economic development principles laid out in the NPPF which support economic growth and sustainable development.
- 9.20 There can be no guarantee that the development would give jobs or provide training opportunities to those in the highest areas of deprivation. The Aldi Store itself could potentially support up to 50 staff and they commit to recruitment within the local area. To maximise the economic benefits, it is proposed that a condition requiring labour and training agreements will help to maximise employment opportunities for local residents, in line with economic and social objectives of UDP Policy E7, PFE Policies JP-Strat 6 and JP-J1 and the aspirations of the Inclusive Growth Strategy.

## **10. DESIGN AND LAYOUT**

- 10.1 Historically the site supported housing. This has long since been demolished with only remnants of former accesses, retaining infrastructure and debris remaining. There are no current site or landscaping features of significant merit which would warrant retention. Wholesale site clearance works and redevelopment are therefore acceptable.
- 10.2 The site is highly prominent, given its central location within the Hattersley estate and relationship to the Ashworth Lane / Stockport Road junction. The aspiration was that the site would be developed previously as a local centre for Hattersley residents, but market conditions have not seen the previous approval come to fruition. The legacy of this is a neglected site that reflects poorly on local environmental quality. The lack of development also attracts antisocial behaviour and incidences of fly-tipping.
- 10.3 The NPPF places a firm emphasis on the need to secure good quality design. Paragraph 131 states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. In addition it also states that; 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'. Paragraph 135 states that developments should be visually attractive, as a result of good architecture, layout and appropriate and effective landscaping, should be sympathetic to local character and history and should establish or maintain a strong sense of place, using the arrangements of street, spaces and buildings to create attractive, welcoming places.
- 10.4 UDP Policy S9 'Detailed Design of Retail and Leisure Developments' sets out a total of 5 design based criteria to be applied in the consideration of new retail development. In summary the criteria is as follows;
- a) the need to provide suitable and safe provision for parking and servicing;
  - b) the need for the design to relate well to local features and enhance the character of the local area

- c) the need for suitable landscaping and screening and requirement to minimise the visual impact of plant, storage and service areas;
- d) the need not to impact adversely on residential amenity; and,
- e) the minimisation of opportunities for crime and anti-social behaviour.

- 10.5 Prior to the submission of the application, the applicant had engaged in pre application discussions and the proposals were also presented at local community forums where the development was well received. The proposals are broadly reflective of these discussions and the advice provided in terms of the form, layout and landscaping of the buildings within the site.
- 10.6 Clearly the principle of the site being developed and supporting a discount food store has been established. The current proposals not only differ in terms of development type, mix and quantum but also in terms of design and building hierarchy. In short, the proposals now presented offer a more welcoming and considered response to the site and local context.
- 10.7 The presence of a National Grid power lines along a central north/south axis has implications on the site layout. Ultimately this requires a central parking area flanked by the retail uses to the west and employment terrace to the east. A single point of access would be created off Stockport Road and there would be significant areas of landscaping to site boundaries, complemented by structured central landscaping to break up the internal hard surfaced areas.
- 10.8 There would be a clear hierarchy to the buildings, with the Aldi food store occupying most prominent location alongside Stockport Road, with the entrance facing Ashworth Lane/The Hub to reinforce the connection of the two sites forming part of the New District Centre and the associated uses integrating with one another. Substantial glazing across the store's northern and western elevations provides strong active frontages which would frame the highway successfully and provide desirable animation to the setting of the building. This would also be reinforced by an enhanced area of public realm/pedestrian entrance on the north-west boundary. In the main, servicing and plant areas required to serve the units are located within less prominent locations to the buildings they serve.
- 10.9 The food store would be the most dominant building within the development. The building itself would be designed with a mono-pitch roof with a parapet across the northern end to add height and prominence to the building against The Hub and Stockport Road / Ashworth Lane elevation. A mix of glazing set within vertical and horizontal cladding and feature brickwork is proposed, the materials are intending to align with the character of surrounding structures as well as providing detail to visually break up the principal elevations. These materials would also feature on the employment terrace which is of a similar scale. The materials and form would provide unity in appearance. The coffee shop would be more bespoke in terms of its design and materials. Its position would frame the site entrance and provide animation to the street scene. The provision of dedicated outside seating and landscaping would provide enhancements to the setting.
- 10.10 A comprehensive landscaping scheme has been provided which includes planting specification and boundary treatments. Significant tree planting can be achieved to the north and east (rear) boundaries of the employment terrace. This would soften their appearance and transition to the Green Belt boundary located outside the site, to the east. Hard-surfacing would comprise tarmac road surfaces, with block paved entrance paths. A comprehensive approach would be taken to the final design and finish of the boundary treatments. This would be achieved through the imposition of a condition. This can also extend to the provision of street furniture and public art within the site.
- 10.11 The design and access statement provides a thorough assessment of the design concept and overall evolution. Conditions will be applied relevant to the materials and landscaping specification but the submitted plans and accompanying CGI imagery demonstrate that a

high quality development would be achieved which accords with the provisions of the NPPF and policy S9 of the UDP.

## **11. RESIDENTIAL AMENITY**

- 11.1 The central location within the Hattersley Estate dictates that the site is highly accessible to existing residents. Previous planning consents have established the principle of the site's development and the acceptability of such proposals to existing residents. There have been no significant changes to site conditions since the last approvals, with the proposals being broadly similar to that of the previous schemes.
- 11.2 The nearest residential properties are located approximately 40m away on the opposite side of Stockport Road. The relationship of the development would be largely similar to that of properties located further north along Stockport Road, that face onto the Hub and Tesco food store. The buildings would be no greater than 2 storeys in height which, taken with separation distance (across highway), prevents any unreasonable impact in terms of overshadowing or loss of privacy on those properties. The separation distance to properties on Chain Bar Lane and Ashworth Lane is even greater. This further confirms no adverse impacts are likely to arise.
- 11.3 The Noise Impact Assessment has identified no issues arising from the development. It states that noise from deliveries, at any time of the day or night, is predicted to have a negligible impact upon the nearest noise sensitive receptors. Locally there are precedents for 24hr operations of commercial uses, including that associated with the nearby McDonalds restaurant. The applicant has requested flexibility on the operational and delivery hours to be as follows:

### Aldi

- Opening hours: 08:00 hours to 23:00 hours – Mondays to Saturdays; and 09:00 hours to 18:00 hours – Sundays (retail can only trade for 6 consecutive hours on a Sunday)
- Delivery/servicing hours: 06:00 hours to 23:00 hours – Mondays to Saturdays; and 08:00 hours to 18:00 hours – Sundays.

### Costa

- Opening hours: Unrestricted opening hours.
- Delivery/servicing hours: Unrestricted delivery hours.

### Employment Terrace

- Operational hours: Unrestricted operational hours.
- Delivery/servicing hours: Unrestricted delivery hours.

- 11.4 In response to the applicant's request to flexible arrangements there are no objections, this on the basis of the proposed uses, the site's relative isolation to residential properties and the findings of the noise assessment. However, it is considered prudent to request a condition requiring the details of any fixed plant to be approved prior to installation.
- 11.5 An appropriate Air Quality Assessment has been prepared in support of the planning application. The assessment considers the impacts of the development both during the operational and construction phase of the proposed development, including consideration of odour emissions from the coffee shop use and the effect of vehicles associated with the proposed development on local pollution levels. The assessment identifies that the residual effect of the proposed development during both the construction and operational phases on air quality is not significant. Having reviewed the submitted reports and the site conditions, it is not anticipated that there will be any significant impact upon existing residents.

- 11.6 Furthermore, in terms of residential amenity, a lighting scheme has been prepared to limit any light spill from the development. Subject to its implementation this will ensure that nearby properties are not unduly impacted.
- 11.7 On the basis of the above assessment, the relationship of the development to local residential properties would be acceptable and conditions will ensure that the site operates within acceptable environmental standards with regard to residential amenity.

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

- 12.1. The NPPF identifies that where development would have a significant impact upon the transport network, or highway safety, such impacts should be appropriately mitigated. UDP policy T1 (Highway Improvement and Traffic Management) provides the main framework for assessing highway impacts relevant to capacity, safety and design, policy S3 (New retail development outside Town Centres) states that development should not result in an unacceptable increase in congestion on the surrounding highway network. Paragraph 115 of the NPPF states that; 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.
- 12.2 One of the significant benefits associated with the proposals relate to its central and accessible location. This has formed part of the rationale behind the Council's long-term aspirations of creating a new District Centre at the site. As identified within the Tameside Retail and Leisure Study, residents within the Hattersley catchment are currently having to travel outside of the area to meet their convenience needs. As well as being conveniently located close to a large number of properties, the site has good cycle connections and is directly on a bus route served with frequent services. As such, the site falls within a highly accessible location and the construction of the food store along with employment uses will address local deficiencies which will in turn reduce the need to travel for residents of Hattersley, Mottram and Broadbottom to travel, reducing demands on the existing highway network.
- 12.3 A new vehicle access to serve the whole of the development would be created onto Stockport Road. From within the site, access to the retail uses would be unrestricted and vehicle access to the employment units would be controlled via a barrier controlled entrance which would be in use outside of trading hours.
- 12.4 The LHA are satisfied that the proposed access/egress arrangements from the development onto Stockport Rd is satisfactory and would achieve a suitable gradient and visibility splay. All vehicles entering the site can manoeuvre within the site and leave in a forward gear. Further to this dedicated pedestrian entrances will be created on the northern boundary to Ashworth Lane which will provide direct access to existing bus stops and crossing points.
- 12.5 At the request of the LHA the applicant has provided updated analysis on the trip rates and trip distribution and further commented on the methodology behind the predicted outcomes. It is therefore considered by the LHA that the analysis contained within the Transport Statement provides a robust consideration of the potential impact of the proposals. It anticipates two way vehicle movements to be 40 (28 arrival/12 depart) during the weekday AM peak, 167 (77 arrival/90depart) in the PM peak and 463 (232 arrival/231 depart) in the Saturday Peak. These figures are considered robust and lower than the previously consented schemes. The impact that these flows will have on the local network would be acceptable as identified by LHA, TfGM and National Highways.
- 12.6 A total of 193 parking spaces would be provided across the site to the satisfaction of the LHA. The parking provision would be broken down as follows:

- Food store 118 spaces (including 6 disabled, 5 parent & child 4 EV)
- Employment Terrace 39 spaces (including 6 disabled) & 10 Covered cycling
- Costa 20 spaces (including 2 disabled)
- EV HUB 16 spaces

- 12.7 The LHA has requested improvements to crossing facilities and a Bus Stop on Stockport Road to promote active travel and in the interest of safety. The crossing facility would be in the form of a Toucan Crossing (cycle & pedestrian) located within the vicinity of the former underpass and the link to the former district centre (now being developed by Onward Homes). The crossing would serve as a link for a considerable number of properties located to the west and south west of Stockport Road. The crossing would also provide a link/improved connectivity to the TransPennine Trail (NCN62) route. The Bus stop improvement would include the provision of a dedicated layby on the eastern (site side) of Stockport Road. These provisions would be secured by a condition with infrastructure provided prior to opening of the site or within a timeframe to be agreed between the developer and LPA/LHA.
- 12.8 With regard to servicing and waste management matters, commercial sites are managed privately. The plans show that all of the units would have appropriate levels of dedicated storage. The provision of waste bins along with a site management strategy can be conditioned.
- 12.9 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 UDP policies T1, T7, T8 and T10 and PfE policies JP-C6 and JP-C8 by providing safe, secure and convenient access for all road users.

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

- 13.1 The site is in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. The site has historically been developed for housing with remnants of the former use still remaining. Hurstclough Brook is located to the east of the site but is culverted for significant sections before re-surfacing to the south east of the site.
- 13.2 The submitted Surface Water Management Report details how surface water runoff from the redeveloped site can be sustainably managed. It is proposed to drain the site through an attenuation system which includes a swale and retention pond located to the south of the site. Connections would be made to the existing watercourse with flows controlled at greenfield rates. Foul drainage would be addressed under a separate system and this will be addressed as part of a condition. Taking all of the above into account, it is considered that the site can be suitably drained in accordance with PfE policy JP-S5 and UDP policy U4.

### **14. LANDSCAPING & ECOLOGY**

- 14.1 Section 180 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment. PfE policy JP-G7 (Trees and Woodland) seeks for the replacement of any removed trees on a 2 to 1 basis or other measures which result in a net enhancement in the quality and character of tree cover. Policy JP-G8 also seeks a net enhancement of biodiversity and geodiversity.
- 14.2 There are no protected trees within the site. The Arboricultural impact Assessment has identified a total of 71 individual and groups of trees across the site. The majority of these trees are of a low quality self-set specimen (category C). There are however a total of 13 category B and a single category A tree which have been surveyed. To facilitate the

development the majority (60) trees would need to be removed of which 58 are of a Category C. The majority of the higher quality specimens can be retained and these would be enhanced by approximately 51 new trees to be planted across the site. The applicant highlights that retained and proposed trees will be suitably managed to allow them to mature and with this there will be a long-term qualitative enhancement of tree cover within the site. This position is supported by the arboricultural officer who agrees that the landscape proposals sufficiently mitigate for proposed tree losses and would provide adequate screening that will enhance the visual amenity of the area in the long-term.

- 14.3 The Ecological Impact Assessment establishes that the proximity of the site to three nature conservation designations is a constraint. This includes Hurst Clough Local Nature Reserve/Site of Biological Importance (SBI), which is located 40m south west of the site, Clough at Hattersley SBI located 51m west, and Great Wood SBI located 69m south of the site. Potential impacts on these non-priority sites during the construction phase can be mitigated through the implementation of an appropriate CEMP in line with best practice to limit dust and pollution run-off to avoid potential impacts to retained site and offsite habitats. No adverse impacts are expected on any other designated sites.
- 14.4 The assessment has identified the presence of no protected species within the site boundary. The current biodiversity value of the site is relatively low comprising of largely scattered scrub, semi improved grass land and trees of varying maturity. The sites ecology value has established as a matter of consequence of the site being left derelict/undeveloped for so long. The application was submitted before BNG (10%) became mandatory. GMEU agree that the landscaping proposals would result in an overall net gain being achieved at the site although this would not equate to 10%. Subject to landscaping proposals being conditioned and further enhanced with dedicated bird and bat box provision, there are no objections raised. Subject to this requirement, the proposals are considered to be in accordance with the requirements of UDP policies N4, N5 and PfE policy JP-G7.

## **15. GROUND CONDITIONS & ARCHAEOLOGY**

- 15.1 The site falls within the Coal Authority's defined Development Low Risk Area and no objections have been raised by the Coal Authority within their consultation response.
- 15.2 The Environmental Protection Unit (EPU) has identified that there is on site contamination as a result of historic uses of the site. Subject to a condition requiring further site investigations and remediation (if necessary), there are no objections raised to the development of the site.
- 15.3 GMAAS have confirmed their support to the assessment which has been undertaken. They confirm that the potential for finding anything of archaeological significance is low due to disturbance associated with the construction of the Hattersley Estate. On this basis, there seems no reason to seek to impose further archaeological requirements on the applicant.

## **16. SUSTAINABILITY**

- 16.1 PfE policy JP-S2 (Carbon and Energy) ultimately seeks to reduce the carbon footprint of development via reducing energy demand and maximising efficiency. The development of a brownfield site, within an accessible location, that is designed to reduce the need to travel is considered to be inherently sustainable. The provision of dedicated EV charging points both within the hub and food store car parks is also welcomed in terms of promoting clean travel and reducing air quality impacts.
- 16.2 In terms of energy efficiency in the construction and operation of the development this is addressed within the accompanying energy statement. The statement demonstrates that the scheme will deliver a high-quality energy-efficient and sustainable development. Both the



food store and employment terrace will be constructed with PV panels within their roofscapes to reduce energy requirements. Overall the key conclusions include that the scheme is expected to achieve a BREEAM 'Very Good' Rating as a minimum (food store & coffee shop), with an aspiration for BREEAM 'Excellent' for the employment units.

- 16.3 There are no issues raised on sustainability grounds, the proposals being deemed an efficient and appropriate development of the site with proposals aspiring to the objectives of PfE policy JP-S2.

## **17. OTHER MATTERS**

- 17.1 The application has been accompanied with a Crime Impact Statement. This identifies that the proposed development has been well designed with good levels of passive surveillance to public areas and overall levels of security throughout the site, for example store entrances are within prominent and highly visible locations and boundaries and entrances would be suitably secure. The principal recommendations of the CIS are as follows:

- Appointment on a security guard in the foodstore;
- Inclusion of suitable boundary fencing and secure gate;
- Installing security rated entrance and escape doors, glazing and shutters;
- Securing the staff welfare area and manager's office; and,
- Installing appropriate lighting, CCTV and intruder alarm systems.

- 17.2 The application site is not within a designated Air Quality Management Area. The highly sustainable nature of the location ensures that it is realistic to assume that a significant proportion of trips generated by the development would be via cycle and pedestrian connections to public transport. Further mitigation would be provided via the inclusion of electrical vehicle charging points.

- 17.3 Digital connectivity is a requirement of PfE policy JP-C2 which strives to ensure that all new development is served with full fibre access. This would be clearly be advantageous to the marketing and operation of the employment units. No details have been provided on this matter but compliance can be secured by a planning condition.

## **18. CONCLUSION**

- 18.1 The development of the site for largely retail purposes has been a long-term aspiration of the Council. The proposals form part of the on-going regeneration initiatives across the Hattersley estate aimed at addressing inequalities and improving economic, social and environmental conditions of the area. Whilst located outside of a designated centre there are considered to be specific locational factors for the development to be located at the site in line with paragraphs 91 and 92 of the NPPF.

- 18.2 The proposal would result in the positive re-use of previously developed land resulting in significant environmental improvements to the area. The retail development is within an area the Council has historically earmarked as a replacement district centre to serve the Hattersley community. Given the subsequent redevelopment of the former centre the need for additional retail development to serve the community is demonstrable.

- 18.3 The principle of development has been established under previous consents. The proposals are broadly consistent with these approvals. The combined uses would create jobs resulting in direct economic benefits within the locality and employment opportunities for local residents. The proposed employment uses would add to the diversity of the local economy.

- 18.4 The location of the store within a central and highly accessible location will help to reduce vehicle trips, with residents no-longer dependent on travelling outside Hattersley to meet their convenience retail needs.
- 18.5 The development would not cause undue impacts to highway safety and it can be safely accessed and serviced from the established highway network and overall levels of parking would be appropriate for the intended use.
- 18.6 The relationship between the site and its proposed uses to that of existing residential properties would be acceptable.
- 18.7 Assessments have identified that there are no significant constraints at the site. There are no drainage or ecological issues of note and the development can be delivered within a sustainable manner with minimal environmental impact.
- 18.8 There are no objections from statutory consultees in relation to the proposals which are considered to be an efficient use of the site.
- 18.9 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 and policies 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:**

Dwg Ref: 17870-XX-XX-DR-A-1090\_P02 - Site Location Plan  
Dwg Ref: 17870-XX-XX-DR-A-1091\_P02 - Existing Site Plan  
Dwg Ref: 17870-XX-XX-DR-A-1092\_P02 - Existing Site Sections  
Dwg Ref: 17870-XX-XX-DR-A-1093\_P02 - Demolition Plan  
Dwg Ref: 17870-XX-XX-DR-A-1100\_P08 – Proposed Site Plan  
Dwg Ref: 17870-XX-XX-DR-A-1101\_P06 - Proposed Site Plan - Tree Survey Overlay  
Dwg Ref: 17870-XX-XX-DR-A-1102\_P03 - Proposed Site Sections  
Dwg Ref: 17870-XX-XX-DR-A-1103\_P06 - Boundary Treatment Plan  
Dwg Ref: 17870-XX-XX-DR-A-1104\_P05 - Cycle & Bin Store Details  
Dwg Ref: 17870-XX-XX-DR-A-1110\_P04 - Unit A GA Plan  
Dwg Ref: 17870-XX-XX-DR-A-1111\_P04 - Unit A Elevations  
Dwg Ref: 17870-XX-XX-DR-A-1112\_P02 - Unit A Roof Plan  
Dwg Ref: 17870-XX-XX-DR-A-1120\_P02 - Unit B GA Plan  
Dwg Ref: 17870-XX-XX-DR-A-1121\_P02 - Unit B Roof Plan  
Dwg Ref: 17870-XX-XX-DR-A-1122\_P02 - Unit B Elevations  
Dwg Ref: 17870-XX-XX-DR-A-1130\_P06 - Unit C Proposed Plans  
Dwg ref: 17870-XX-XX-DR-A-1131\_P04 - Unit C Proposed Sections  
Dwg Ref: 17870-XX-XX-DR-A-1132\_P05 – Unit C Proposed Elevations

Dwg Ref: 17870-XX-XX-DR-A-1133\_P05 - Unit C Proposed Detail Elevations  
Dwg Ref: 17870-VL\_L01 Rev H - Landscape Plan\_A0 [PLANNING]

#### REPORTS:

Air Quality Assessment prepared by Hilson Moran Partnership Limited (22 Sept 2023)  
Arboricultural Impact Assessment (including Arboricultural Constraints Assessment) prepared by Tyler Grange Group Limited (28 Nov 2023)  
Archaeological Desk-Based Assessment prepared by Orion Heritage Limited (January 2024)  
Crime Impact Statement prepared by Greater Manchester Police (24 July 2023)  
Design and Access Statement prepared by The Harris Partnership (24 Nov 2023) ;  
Ecological Impact Assessment (including Biodiversity Net Gain Assessment) by Tyler Grange Group Limited (29 Nov 2023)  
Environmental Standards Statement by Element Sustainability Limited (29 Nov 2023)  
External Lighting Plan prepared by Crookes Walker Consulting (2813-CWC-XX-00-DR-EX-6301 P4 - Lighting Plan (27 Nov 23))  
Flood Risk Assessment prepared by ICIS Design Limited (Sept 2023)  
Geo-Environmental Assessment Phase 1 Desk Study and Preliminary Contamination Assessment prepared by Waterman Energy, Environmental and Design Limited (September 2014)  
Geo-Environmental Assessment Report prepared by Brownfield Solutions Limited (July 2016)  
Supplementary Ground Investigation Remediation and Enabling Works Strategy by E3P (November 2023)  
Noise Impact Assessment prepared by Noise Solutions Limited (24 November 2023)  
Planning and Retail Statement by Avison Young (UK) Limited (November 2023)  
Statement of Community Involvement prepared by Cavendish Consulting (Oct 2023);  
Surface Water Management Report prepared by ICIS Design Limited (24 Nov 2023)  
Transport Statement (including Framework Travel Plan) prepared by Eddisons Commercial Limited (Sept 2023)

Reason: In the interests of the visual amenities of the locality and in accordance with policies of the adopted PfE and 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, the finishes to all external hard-surfaces are required to have been submitted to, and approved in writing by, the local planning authority prior to their construction/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 policies H10: Detailed Design of Housing Developments, OL10: Landscape Quality and Character and C1: Townscape and Urban Form

- 4) The net sales area of the Class E food store hereby approved shall not exceed 1,842 square metres in floor area, as per drawing no.17870-XX-XX-DR-A-1110\_P04 - Unit A GA Plan and the area for the sale of non-food goods within the food store shall not exceed 20% of the net sales area (368 square metres).

Reason: In the interests of retail policy to ensure no undue impact upon the vitality and viability of existing centres in accordance with UDP policy S3

- 5) Prior to the commencement of use/first occupation of any of the uses hereby approved full proposals of the design and location of all onsite street furniture, to include, but not limited to; signage, lighting columns, benches, public art work, bollards and litter bins shall be

submitted to the Local Planning Authority for approval in writing. The approved details shall be implemented prior to any of the uses trading to the general public or in accordance with a timetable to be agreed with the Local Planning Authority.

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.

- 6) Upon completion of any approved remediation scheme(s), and prior to use, a verification / completion report demonstrating all remedial works and measures detailed in the scheme(s) have been fully implemented shall be submitted to, and approved in writing by, the LPA. The report shall also include full details of the arrangements for any long term monitoring and maintenance as identified in the approved verification plan. The long term monitoring and maintenance shall be undertaken as approved.

If, during development, contamination not previously identified is encountered, then the Local Planning Authority (LPA) shall be informed and no further development (unless otherwise agreed in writing with the LPA, shall be undertaken at the site until a remediation strategy detailing how this contamination will be appropriately addressed and the remedial works verified has been submitted to, and approved in writing by the LPA. The remediation strategy shall be fully implemented and verified as approved.

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 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.

- 7) With the exception of site clearance work, demolition, compound construction and initial ground works no construction on any of the approved buildings shall take place until details of a sustainable surface water drainage scheme and a foul water drainage scheme have been 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) (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) (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
  - (iv) (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
  - (v) (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 in accordance with PfE policy JP-S4.

- 8) 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 PolicyT1: Highway Improvement and Traffic Management.

- 9) 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, parking areas and footways.
3. 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.
4. 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.
5. Details of carriageway markings and signage.
6. 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.

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 interests of highway safety in accordance with policy T1 Highway Improvement.

- 10) Prior to the first occupation of the development hereby approved, a scheme and programme of implementation relevant to the provision of a Toucan Crossing at the agreed location on Stockport Road to the south west of the development, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- General arrangements, based on topographical surveys, demonstrating the existing and proposed roads, all pedestrian and cycle facilities, verges and visibility splays, together with existing and proposed levels;
  - Details of how the scheme interfaces with the existing highway alignment, details of the carriageway markings and lane destinations, typical highway cross-sections, showing a specification for each type of carriageway, footway, footpath and cycle track;
  - Full details of the surface water drainage proposals;
  - Full signing and lighting details;
  - Details of traffic signals and traffic signal information;
  - Details of Traffic Regulation Orders;
  - Confirmation of full compliance with current Departmental Standards (DMRB) and Policies (or approved relaxations/departures from standards);

- An independent Stage 2 Road Safety Audit (taking account of any Stage 1 Road Safety Audit recommendations) carried out in accordance with current Departmental Standards (DMRB) and Advice Notes.

The approved scheme and highway works shall be implemented in full accordance with the approved details and an agreed timetable, and shall be retained as such thereafter.

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

11) No development (including demolition or site clearance) shall commence until a construction and environmental management plan (CEMP) has been submitted to and approved by the local planning authority. The CEMP must cover the following issues and any other matters the local planning authority reasonably requires:

- Hours of construction work and deliveries;
- Phasing of the development;
- Location of site compound/offices which shall be located to minimise disturbance to the amenity of existing residents outside of the site;
- 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 (off ground), contractor parking arrangements and measures to prevent the discharge of detritus from the site during construction works;
- Wheel washing facilities;
- Measures to control the emission of dust and dirt during construction;
- Measures to control noise levels during construction;
- Measures to control run-off and protect nearby watercourses (Hurst Clough);
- Include measures to locate, clear, remediate and permanently seal any existing drains within the application site that may discharge into the Hurst Clough or be hydrologically connected;
- Details of any public relations measures e.g. Considerate Constructors Scheme;
- Risk Assessment and Method Statement (RAMS) for the protection of protected species; and
- Arrangements for monitoring compliance with the above requirements.

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

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

12) 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:

- Long-stay cycle parking (a covered and secure cycle store/s) for a minimum of 11 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.

- 13) 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.

- 14) A clear view shall be provided at the junction of the proposed access road into the development with Stockport Road. Its area shall measure 2.4m metres along the centre of the proposed access and 43 metres along the edge of the roadway in Stockport Road. It must be kept clear of anything higher than 0.6 metre/s above the edge of the adjoining roadway or access.

Reason: In the interests of highway safety to allow users of proposed junction to the development and Stockport Road to see each other approaching.

- 15) The development hereby approved, shall not commence until details of a Construction Training and Employment Management Plan (CT&EMP) relevant to the development has been submitted to, and approved in writing by, the Local Planning Authority. The CT&EMP will aim to promote training and employment opportunities for local people and include:

- Measures to ensure the owner and contractors work directly with local employment and training agencies;
- Targets for employing local labour;
- Targets for work experience opportunities;
- Measures to provide training opportunities in respect of any new jobs created; and
- Requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority.

The development shall be carried out in accordance with the agreed CT&EMP and any amendments to the CT&EMP shall be agreed in writing with the Local Planning Authority.

Reason: To ensure that opportunities are provided to residents of Tameside, in accordance with policy E7 of the adopted Tameside Unitary Development Plan (2004).

- 16) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas within the site, shall be submitted to and approved by the Local Planning Authority prior to the first 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.

- 17) 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 , OL10 Landscape Quality and Character.

- 18) No development shall take place until a method statement detailing the reasonable avoidance measures to be put in place to avoid and/or minimise any impacts on mammals, reptiles and amphibians during the construction period has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall be carried out in full accordance with the reasonable avoidance measures identified in the approved method statement.

Reason: In the interests of protected species and nature conservation in accordance with in accordance with policy N3 of the adopted Tameside Unitary Development Plan (2004).

- 19) All tree work must be to BS3998 (2010) with any tree or hedgerow removal being in accordance with the details submitted within the Arboricultural Impact Assessment prepared by Tyler Grange Group Limited (28 Nov 2023), with no felling taking place between the period 1st March to 1st September unless a report prepared by a suitably qualified ecologist or ornithologist which demonstrates that there are no breeding birds present in any areas of trees, woodland and scrub has been submitted to and agreed in writing with the Local Planning Authority.

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

- 20) The development hereby approved shall not be brought into use until a Biodiversity Enhancement Plan (BEP) for the development has been submitted to and approved in writing by the Local Planning Authority. The BEP shall be based upon the enhancement measures identified within the landscape plan ref 17870-VL\_L01 Rev H and include the incorporation of the following biodiversity enhancement measures, including details of their number, location and specification, into the development and a timetable for their provision:
- a) The installation of bat boxes.
  - b) The installation of bird boxes.
  - c) The introduction of native tree planting as part of the soft landscaping scheme
  - d) Opportunities for invertebrates.
  - e) Hedgehog friendly development.

The duly approved BEP shall thereafter be implemented in full accordance with the approved details and approved timetable.

Reason: In the interests of biodiversity net gain in accordance with UDP policy N3: Nature Conservation Factors and PfE policy JP-G8 A Net Enhancement of Biodiversity and Geodiversity

- 21) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, 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

- 22) Prior to any earthworks taking place, a survey for invasive plant species including but not limited to Japanese Knotweed and Himalayan Balsam shall be undertaken, and the findings submitted to and approved in writing by the Local Planning Authority. If any invasive species are present, a method statement detailing avoidance, control and eradication measures shall



also be supplied to and agreed in writing by the Local Planning Authority, prior to any earthworks taking place. The development shall then be carried out in accordance with the method statement.

Reason: In the interests of biodiversity and environmental protection.

- 23) 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 first installation in order to demonstrate compliance with the plant noise limits specified in Planning Noise Assessment Report by Noise Solutions Ltd, reference 91539, Revision 02. Plant and machinery shall be installed in accordance with the agreed measures which shall be maintained thereafter.

Reason: To reduce potential noise and safeguard the general amenity of the area in accordance with UDP policy 1.12.

- 24) 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.

- 25) The food store unit hereby approved shall not be open for trade outside of the following hours:
- Monday to Saturday 08:00hrs to 23:00hrs
  - Sundays 10:00hrs to 18:00hrs

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

- 26) Deliveries, servicing and collections, including waste collections, shall not take place outside of the following hours at the food store unit hereby approved:
- Monday to Saturday 06:00hrs to 23:00 hrs
  - Sundays 08:00hrs to 18:00hrs

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

- 27) The development shall not commence until details of a lighting strategy have been submitted for approval in writing the Local Planning Authority. The strategy shall address:
- How and where lighting will be installed to include a isolux contour plan
  - 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

- 28) Prior to the first opening, a scheme to include, but not limited to, the management of litter picking, provision of waste bins in suitable locations close to pedestrian / cyclist access and egress points, and arrangements for emptying the bins on a regular basis, shall be submitted to and approved in writing by the Local Planning Authority. Any litter bins or other facilities provided pursuant to the requirements of this condition shall be retained and maintained for

the duration of the development and the use shall operate in complete accordance with the approved scheme.

Reason: To minimise pollution in the interests of environmental quality in accordance with UDP policy MW12 Control of Pollution.

- 29) Details of which recommendations contained within the submitted Crime Impact Statement dated (2023/0311/CIS/01 Version A 24/07/23) have been implemented at the site shall be submitted to and approved in writing by the Local Planning Authority prior to the uses approved coming into operation.

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

- 30) All units within the development hereby approved shall be serviced with full digital fibre connectivity. A statement confirming this shall be submitted to the Local Planning Authority prior to the first occupation of the development.

Reason: To ensure that the employment uses are digitally connected in accordance PfE policies JP-C2 (Digital Connectivity).

- 31) The buildings hereby approved shall strive to achieve a BREEAM “excellent standard but be constructed to a “very good standard” as a minimum. Prior to the construction of the buildings, details of measures to secure compliance with this condition shall be submitted to and approved in writing by the Local Planning Authority. The Development shall be constructed in accordance with the approved details.

Reason: in the interests of sustainable development in accordance with PfE policy JP-S2 Carbon and Energy.

- 32) The employment uses hereby approved within Unit C shall be restricted to Use Classes E(g) B8 and B2, whereby any B2 use shall be limited to vehicle repairs/garage only.

Reason: In the interest of amenity to protect the amenities of occupants of nearby properties in accordance with UDP policies 1.12 and E6.