

Application Number 16/00766/REM

Proposal	Erection of 35 houses - Reserved matters including access, layout, scale, appearance and landscaping
Site Location	Former Site of Carr Hill Mills Manchester Road, Mossley, Tameside
Applicant	Bowdon Homes
Recommendation	Grant Reserved Matters Consent subject to conditions
Reason for report	A Speakers Panel decision is required because the application proposes a major development, as defined by The Town and Country Planning (Development Management Procedure) (England) Order 2015.

1.0 REPORT

- 1.1 This application seeks consent for the reserved matters to redevelop the application site for a residential development comprising of 35 dwellings with detailed approval for means of access, layout, scale, appearance and landscaping.
- 1.2 A previous outline consent was granted in April 2014 on site for the development of 35 units and the proposed scheme is for 35 houses comprising of 27 no. three-bedroom and 7no. houses with four or more bedrooms.
- 1.3 The materials proposed for the properties will be buff coloured split faced stone with grey slate style roof and grey colour window surrounds and entrance doors with stone lintels and cills.
- 1.4 Vehicular access is proposed from Three Counties Road using the existing access point and the submitted plan shows private in curtilage parking for each property. A separate pedestrian access is proposed directly off Manchester Road.
- 1.5 The application has also been supported by a comprehensive suite of supporting assessments and documentation. These include: -
 - Geo-Environmental Site Assessment
 - Flood Risk Assessment
 - Sustainability Statement
 - Design and Access Statement
 - Ecological Site Assessment
 - Arboricultural Report
 - Drainage report

2.0 SITE & SURROUNDINGS

- 2.1 The application site comprises of 0.9ha of previously developed land and was formally occupied by Carr Hill Mill a former industrial mill which occupied the north east of the site and was demolished due to structural instability following a major collapse of the building in 2008.
- 2.2 Manchester Road bounds the site to the north west, there is a row of three storey terrace houses and a pond to the north of the site and the Woodend Mill complex lies to the north east of the site. The River Tame runs along the eastern edge of the site and the Three

Counties housing estate lies to the south of the site. The site is relatively flat but does contain some building remains and piles of rubble and spoil. There are trees and bushes surrounding the site which are dense and overgrown along the river bank

- 2.2 The character of the surrounding area is largely determined by its position on the fringe of Mossley Town Centre but comprising mixed residential and industrial uses with areas of open land along the river.
- 2.3 In terms of topography, the land slopes from Manchester Road down towards the River Tame the level difference being in the region of 5-6m.
- 2.4 The main access to the site is from Three Counties Road via a traffic light junction off Manchester Road.
- 2.5 The site is located within 0.6km of Mossley Railway Station providing regular intercity services to Greater Manchester and Liverpool to the west and Leeds to the east. The site is within 200m of the nearest primary school and close proximity to a wide range of shops, services and facilities.

3.0 PLANNING HISTORY

- 3.1 The site had outline planning consent granted in April 2014 by application 13/00856/OUT for Erection of 35 houses - OUTLINE (All Matters Reserved) subject to a 106 agreement of £657.32 per unit for Greenspace improvements and Education contributions of £289.23 per 1 bed, £901.74 per 2 bed, £1259.58 per 3 bed and £1381.24 for 4 (or more) bedrooms.

4.0 RELEVANT PLANNING POLICIES

Tameside Unitary Development Plan (UDP) Allocation
Development Opportunity Area

Tameside UDP

Part 1 Policies

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

Part 2 Policies

- E2(7): Development Opportunity Areas - Mossley Mills/Manchester Road, Mossley.
- H7: Mixed Use and Density.
- T1: Highway Improvement and Traffic Management.
- C1: Townscape and Urban Form
- N4: Trees and Woodland.
- N5: Trees Within Development Sites.
- N1b: National Nature Conservation Sites
- N7: Protected Species
- OL7 Potential of Water Areas
- OL9 Derelict Land Reclamation
- OL10 Landscape Quality and Character
- OL15 Openness and Appearance of River Valleys
- MW11: Contaminated Land.
- U3: Water Services for Developments

Other Policies

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

National Planning Policy Framework (NPPF)

Section 1 Delivering sustainable development
Section 4 Promoting sustainable transport
Section 6 Delivering a wide choice of high quality homes
Section 7 Requiring good design
Section 8 Promoting healthy communities
Section 10 Meeting the challenge of climate change, flooding and coastal change

Planning Practice Guidance (PPG)

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

5.0 PUBLICITY CARRIED OUT

- 5.1 As part of the planning application process 41 notification letters were sent out to neighbouring properties on 6 September 2016. A notice was also posted at the site on the 1st September and displayed in a local newspaper on 8th September 2016. Additional notification letters were sent on the 5th April 2017 following the submission of revised plans.

6.0 RESPONSES FROM CONSULTEES

Arboricultural Officer

Proposals indicate a number of good amenity value trees to be removed. The proposed plans indicate adequate replacement planting to be incorporated into the scheme. A detailed landscape plan and schedule should be submitted for approval.

Environment Agency

Initially objected due to lack of satisfactory FRA but the submitted revised details are satisfactory and objection removed subject to conditions as detailed in the mitigation measures as set out in the Flood Risk Assessment (FRA) Technical notes dated 24th April 2017 being secured by way of conditions relating to site levels, finished floor levels, permitted development rights, surface water drainage and details of biodiversity along the river buffer zone.

United Utilities

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

Greater Manchester Ecology Unit

The submitted Ecology report Habitat Survey was undertaken within the optimum period for such a survey to be carried out. The best practice measures recommended must be carried and out and recommend conditions and informatives on the following matters, protection of bat roosts, no tree felling in bird nesting season, control of invasive species and biodiversity enhancement.

Head of Environmental Services - Environmental Health

Contaminated Land: recommend that a standard contaminated land condition is attached to any planning approval granted for residential development at the site and recommend standard conditions about hours of working.

Head of Environmental Services - Highways

Raise no objections subject to conditions.

6.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED

Mossley Town Council

Whilst not formally objecting to the proposed development, the Town Council express serious concern about the effect this and increasing residential development in the Mossley area in general will have on the existing infrastructure in the Town. The Town Council expressed particular concern that additional residential development will exacerbate the existing shortage of education provision in the Town.

In response to the original notifications 1 objection has been received from a neighbouring property and no additional letter was received as a result of the re-consultation process. The following comments were raised.

It has concerns regarding the entrance to this new site, and feel that it needs its own separate entrance off Manchester Road rather than using the entrance that was designed and created for the development on Three Counties Road. This entrance (built by Barrett's 10 years ago) has also since been used for a further development off Three Counties Road and is the only entrance for all of the properties on the Waters Edge estate (via Three Counties Road) for which the traffic is already very high at peak times. This is a family area and creating traffic congestion is not desirable. There does appear to be an opportunity to make the entrance for this development to be directly off Manchester Road in its own right.

7.0 ASSESSMENT

The principal issues in determining this application are:

- o Principle of Development
- o Layout and Design
- o Amenity
- o Highway Safety and Accessibility
- o Ground Conditions and Retaining Structures
- o Ecology
- o Trees and Landscaping
- o Drainage, Flood Risk
- o Environmental Health
- o Other Matters

8.0 PRINCIPLE OF DEVELOPMENT

8.1 The outline planning permission granted in 2014 remains extant and therefore the principle of residential development of this site has already been established. This application for reserved matters accords with the details in the outline consent.

8.2 The application is now therefore seeking detailed approval for the reserved matters. The issues relating to these reserved matters are discussed in more detail below.

LAYOUT AND DESIGN

- 8.3 In terms of layout and design of the scheme the proposals are considered to be acceptable taking into account the site characteristics and relationships with surroundings. Fundamentally, the proposed layout of the scheme with a mixture of detached and semi-detached dwellings using the existing access point and a central access road, with areas of landscaping shown throughout the site and a buffer zone adjacent to the river means that the development of the site can be maximized whilst maintaining the floor levels and flood prevention measures required by the Environment Agency.
- 8.4 The density of housing delivered, approximately 39 dwellings per hectare, would accord with Policy RD5 of the Residential Design Guide SPD, which requires a minimum 30 dwellings per hectare.
- 8.5 In terms of scale and mass, it is also considered that the development is acceptable and would fit within the surrounding area, both the traditional properties on Manchester Road and the modern developments on the rest of the Three Counties Road estate.
- 8.6 The plans detail that the existing boundary retaining wall will be retained on the Manchester Road frontage, with a fence line behind the existing structure and then a retaining wall for the new properties within the proposed garden areas. Plans have been received showing a section with these levels on across the site. A condition is proposed requiring further detail of the existing boundary walls to ensure that the details of the proposed levels and retaining structure are adequately considered during the construction stage.
- 8.6 As set out in the previous section, the proposed palette of materials using buff coloured split faced stone with grey slate style roof and grey colour window surrounds and entrance doors with stone lintels and cills to create a modern property style would also result in a development which is sympathetic and compatible with the character of the locality but with interesting design features that would complement the character and appearance of the area in accordance with UDP and SPD policies and is acceptable.
- 8.7 In overall terms therefore, officers are satisfied that the proposals would complement the character and appearance of the area and comply with the design based policies C1 in the UDP and SPD and would accord with the relevant guidance contained within the NPPF and PPG.

RESIDENTIAL AMENITY

- 8.8 In protecting the amenities of both future and existing occupiers of residential properties, minimum separation distances are required between buildings to help achieve this. Separation distances are considered to be necessary in cases where it is appropriate to ensure privacy due to overlooking of windows and gardens. The minimum separation distances are set out in SPD policy RD5 which also makes allowances for degree of angle, height of buildings and differences in site levels.
- 8.9 The policy confirms a minimum separation distance between habitable room windows on two storey developments of 21 metres where habitable room windows directly overlook. Added to this should be 3 metres for every additional storey and 1m for every 1m difference in ground level.
- 8.10 The closest residential properties are those on Manchester Road specifically 309 Manchester Road which has residential windows in the rear of the property overlooking the site. The nearest plot on the proposed site is no.24 and this is located some 5.5m from the existing property boundary. The blank 2 storey gable of plot 24 is proposed to be

10m from the rear windows of 309 Manchester Road, at an oblique angle away from the existing property. As such the position of the proposed dwelling accords with the requirements of policy RD5 of the adopted Residential Design SPD. The impact of the proposed dwellings should also be considered against the previous situation that the original Carrhill Mill building was at least 5 stories high in this part of the site with a significant bulk and Mass in close proximity to the Manchester Road properties and in consideration the proposed development represents a significant improvement in overshadowing and amenity then the previous mill complex to the occupants of neighbouring dwellings.

HIGHWAY SAFETY AND ACCESSIBILITY

- 8.11 The site is located in an accessible location close to bus routes, the train station and local shops. The indicative layout shows 200% car parking provision across the site which is considered to be appropriate in this location given the mix of house types. As a result of this, it is not predicted that the amount of development proposed would have any significant impact on the local highway network. As the proposed layout is made of detached and semi-detached properties bin storage is able to be provided within the private curtilage of each property as they all benefit from direct access to the highway for collection.
- 8.12 In terms of highway safety, the proposed vehicular access via Three Counties Road will utilise an existing access point and is considered to be safe and satisfactory by the Head of Environmental Services – Highways.
- 8.13 Objections have been raised regarding the entrance to this new site and that the site should benefit from its own separate entrance off Manchester Road rather than using the entrance that was designed and created for the development on Three Counties Road as that it already takes enough traffic at peak times. When Three Counties Road development was first created the layout included the site entrance into the proposed site. The junction onto Manchester Road is traffic light controlled and the Councils highways engineers do not feel that the addition of 35 additional units would take the junction over capacity. It is also considered that an additional junction off Manchester Road in close proximity to the Three Counties Road junction would cause a danger to other road users.
- 8.14 Taking these factors into account, it is considered that the proposed development is acceptable in terms of access, highway safety and parking provision and the development complies with UDP Policies T1, T7, T10 and T11 as well as Section 4 of the NPPF.

GROUND CONDITIONS

- 8.15 The submission has been reviewed by the Environmental Health - Contaminated Land team. Whilst there are some issues still to be addressed, no objections have been raised with regards to contaminated land subject to a contaminated land condition requiring further investigations to be undertaken and a detailed remediation strategy to be prepared.
- 8.17 Subject to these conditions, officers are satisfied that the requirements of the NPPF in terms of contaminated land can be addressed and the site developed without any unacceptable impacts on human health or controlled waters.
- 8.18 In this instance, the site is not in an area at risk from former coal workings and the development is acceptable in accordance with policy MW11: Contaminated Land.

ECOLOGY

- 8.19 The application is accompanied by an Ecological assessment (undertaken in 2016) which has been considered as part of this application by the Greater Manchester Ecology Unit (GMEU) who agree that the assessment is appropriate in terms of the timings when it was carried out, the impact on the site and do not object to the scheme on ecological grounds. Both the assessment and GMEU however, recognise and highlight the opportunity for improving the natural habitat in this area which can be secured by condition.
- 8.20 The submitted Ecological assessment recommended that work is carried out in accordance with the submitted assessment in order to protect any birds and hedgehogs within the site and that lighting is specifically design so as not to affect the river tame corridor as a foraging and commuting route for bats. GMEU have confirmed these matters can be dealt with satisfactorily by condition and cover the requirements of the Wildlife and Countryside Act. Appropriate conditions are therefore proposed as part of the recommendation to members.
- 8.21 The proposals would not therefore have any adverse effect upon protected species and are thus in accordance with policy N7: Protected Species and the relevant guidance contained within the NPPF and PPG.

TREES AND LANDSCAPING

- 8.22 The Council's tree officer has been consulted and comments that the proposals indicate a number of good amenity value trees to be removed. However as per the Arboricultural Report submitted, development would not be practical with all the trees retained.
- 8.23 The proposed plans indicate adequate replacement planting both within the site and along the site frontages to be incorporated into the scheme. It is considered that the submission of a detailed landscape plan and schedule should be agreed by condition to mitigate losses and ensure that the development accords with the requirements of policies N4 and N5.

FLOOD RISK AND DRAINAGE.

- 8.24 As the application site falls within both draft flood zone 2 and 3 which is land having between 1 in 1000 and 1 in 100 greater annual probability of river flooding, it must be assessed against the requirements of the NPPF and the guidance regarding peak flow rates which aims to ensure that inappropriate development is avoided in areas at risk of flooding which has been demonstrated through this process.
- 8.25 In this regard, the Environment Agency objected to the proposals as the Flood Risk Assessment (FRA) initially submitted with the application did not comply with the requirements set out within the National Planning Policy Framework and associated guidance and also failed to take the impacts of climate change into account in setting finished floor levels or to consider appropriate mitigation measures to mitigate against fluvial and pluvial flooding. The Environment Agency also requested additional cross-sections to demonstrate that the proposed properties boundary fence is located outside the 8 metres easement from the top of the bank.
- 8.26 The applicants have now subsequently provided the additional information and updated assessments and calculations, these along with reducing the ground levels within the easement and removing any development from within the 8m easement along the River Tame (which will act as a water storage area in the result of a flood) and have resulted in

the Environment Agency withdrawing their objection subject to conditions including the removal of permitted development rights from within the area in flood zone 3 (plots 25-34).

- 8.27 In terms of the site drainage, United Utilities state they have no objection to the proposed development subject to conditions requiring further details of the foul and surface water drainage. No concerns have been raised regarding sewer capacity in the area.
- 8.28 In the absence of any technical objection the proposal is now considered to accord with policy U3 and the relevant guidance contained within the NPPF and PPG subject to satisfactory compliance with conditions.

OTHER MATTERS

- 8.31 The Town Council raised concerns about the effect of this and other residential developments in the Mossley area on the existing infrastructure in the Town. It raised particular concern that additional residential development will exacerbate the existing shortage of education provision in the Town. The developer obligation is intended to overcome this by requiring monies towards education facilities in the local area.

9.0 CONCLUSION

- 9.1 Outline planning permission was approved in 2014 and the application seeks approval of the reserved matters. These have been assessed and found to be acceptable it is therefore recommended that they are approved subject to the conditions.

10.0 RECOMMENDATION

Grant planning permission subject to the following conditions.

1. No development, other than site clearance and site compound set up, shall be undertaken until such time until samples and/or a full specification of materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.
2. No development, other than site clearance and site compound set up shall be undertaken until precise details of the type, siting, design and materials of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatments shall be fully completed in accordance with the approved details prior to first occupation of any of the hereby approved residential units.
3. No development, other than site clearance and site compound set up, shall be undertaken until such time as the precise details of existing and proposed levels for the whole site and proposed finished floor levels for the hereby approved properties have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved site levels and finished floor levels.
4. Prior to first occupation of any residential unit, the vehicular access from Three Counties Road (as shown on the layout plan 650.15-p100 rev J) shall be fully constructed and be available for use in accordance with the approved plans.
5. No development shall commence until such time as a Construction Environment Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of:
Wheel wash facilities for construction vehicles;
Arrangements for temporary construction access;

Contractor and construction worker car parking;
Turning facilities during the remediation and construction phases;
Details of on-site storage facilities;
The development shall be carried out in accordance with the approved Construction Environmental Management Plan.

6. Prior to first occupation of each residential unit, the hereby approved car parking for that plot indicated on approved plan (650.15-P100 rev J) shall be fully constructed, drained, marked out and be available for use and thereafter kept unobstructed and available for its intended purpose.
7. No development, other than site clearance and site compound set up, shall be undertaken until a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions, shall be submitted to and approved in writing by the Local Planning Authority. Foul and surface water shall be drained on separate systems. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed in accordance with the approved drainage scheme.
8. No development, other than site clearance and site compound set up, shall be undertaken until a surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to and approved in writing by the local planning authority. The total surface water run-off rate shall be limited to 50% of the existing rate and on site attenuation storage provided. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include: details of exceedance event up to a 1 in 100 year including climate change allowance and details of how the scheme shall be maintained and managed after completion
9. No development, other than site clearance and site compound set up, shall be undertaken until a sustainable drainage management and maintenance plan for the lifetime of the development has been submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum: A: Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and B: Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime. The development shall be carried out in accordance with the approved details.
10. During demolition, ground engineering and construction periods, no works (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.
11. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) Technical notes from JBA (Ref 2017s5794-S-N001-1 dated 4th April 2017 and Ref 2017s5794-S-N002-1 dated 24th April 2017) and the following mitigation measures:
 - i The external garden levels are set at 136.55 mAOD and properties finished floor levels are set at least at 137.92 mAOD for plots 25-28 and at least at 137.72 mAOD for plots 29-34 and
 - ii Permitted development rights are removed for plots 25-34 to ensure floodplain volume is retained.

12. No development, other than site clearance and site compound set up, shall be undertaken until precise details of the buffer zone alongside the River Tame shall be submitted to and approved in writing by the Local Planning Authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include: the extent and layout of the buffer zone, details of any proposed planting scheme (for example, native species), details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan and details of any proposed footpaths, fencing, lighting. Plots 25-34 shall not be occupied until the buffer zone has been constructed in accordance with the approved details and the area shall thereafter be so maintained.
13. No development, other than site clearance shall take place until a lighting plan (for both construction and post development phases) taking into account the feeding and commuting behaviour of bats around the River Tame shall be submitted to the local planning authority and agreed in writing. The development shall be constructed in accordance with the approved lighting scheme.
14. Works to trees or vegetation clearance on site shall be carried out in accordance with the best practice guidance submitted in the Extended Phase 1 Habitat Survey Report (The Tyrer Partnership, 20th May 2016),.
15. No development, other than site clearance and site compound set up shall take place until full details of all existing and proposed boundary walls, retaining walls and structures have been submitted to and approved in writing by the local Planning Authority. The development shall be carried out in accordance with such details and thereafter so maintained.
16. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 and any subsequent amendments express planning consent shall be required for any development referred to in schedule 2 part 1 Class A, E and F of that order.
17. The development hereby permitted shall be carried out in accordance with the following approved plans: 650.15-P100 rev J, 650.15-P103, Flood Risk Assessment (FRA) Technical notes from JBA (Ref 2017s5794-S-N001-1 dated 4th April 2017 and Ref 2017s5794-S-N002-1