

Application Number 17/00131/OUT

Proposal Detached dwelling - outline with all detailed matters reserved.

Site Holy Trinity Church Hall, 16A Higham Lane, Hyde

Applicant The Diocese Of Chester

Recommendation Grant planning permission subject to conditions

Reason for report A Speakers Panel decision is required because, in accordance with the Council's Constitution a member of the public has requested the opportunity to address the Panel before a decision is made. Accordingly, the applicant, or their agent, has been given the opportunity to speak also.

REPORT

1.0 APPLICATION DESCRIPTION

- 1.1 The application seeks outline planning consent for the development of a single dwellinghouse. All matters of details, namely the layout, appearance, scale, access and landscaping of the development, are reserved and will require subsequent consent should this outline application be granted.
- 1.2 The application is accompanied by an indicative site layout plan showing how the proposed dwellinghouse might be accommodated on the site and it is stated that it is envisaged that the new house would contain no more than two storeys and perhaps be split level due to the topography of the site. The stated intention is that the proposed dwellinghouse would provide a replacement for the existing vicarage associated with the neighbouring Holy Trinity Church.

2.0 SITE AND SURROUNDINGS

- 2.1 Located in the Gee Cross area of Hyde, the application site comprises approximately 0.1ha of land adjacent to, and comprising the curtilage of, the Church Hall of Holy Trinity Church that fronts on to Higham Lane. Holy Trinity Church is an attractive building constructed from rock-faced stone with a slate roof and is a grade II listed building, built in 1873-4 and first listed on 6 February 1986. The Church Hall is a modern, functional building finished in blockwork.
- 2.2 The application site is located on and accessed from Higham Lane, which rises steeply from west to east from the junction with Stockport Road. Vehicular access to the site is provided via a narrow lane located on the eastern side of the Church which leads to a car park for the use of visitors to the Church and Church Hall. The car park is situated between the Hall and the rear of the existing Vicarage in Higham Lane. The site of the proposed dwellinghouse is located on the eastern side of the Church Hall on land that is grassed and which falls away to the south.
- 2.3 The surrounding area is predominantly residential, including, immediately to the east, a bungalow, built in the late 1980s, behind houses in Higham Lane, but there is open, green belt land immediately to the south and east of the site that forms part of Werneth Low Country Park. A tree within the site, and others around the periphery, are protected.

2.4 The village centre at Gee Cross is located some 380m away along Stockport Road and provides a range of services. Bus routes along Stockport Road provide services to Manchester and Ashton via Hyde town centre.

3.0 PLANNING HISTORY

3.1 None relevant.

4.0 RELEVANT PLANNING POLICIES

4.1 Tameside Unitary Development Plan (UDP) Allocation
4.1.1 Unallocated

4.2 Tameside UDP

4.2.1 Part 1 Policies

1.3: Creating a Cleaner and Greener Environment.
1.10: Protecting and Enhancing the Natural Environment.
1.11: Conserving Built Heritage and Retaining Local Identity.

4.2.2 Part 2 Policies

H2: Unallocated Sites.
H9: Backland and Garden Development
H10: Detailed Design of Housing Developments.
OL4: Protected Green Space
C1: Townscape and Urban Form.
C6: Setting of Listed Buildings
N4: Trees and Woodland.
N5: Trees Within Development Sites.

4.3 Other Policies

4.3.1 Residential Design Supplementary Planning Document.

4.4 National Planning Policy Framework (NPPF)

Section 6 Delivering a wide choice of high quality homes
Section 7 Requiring good design
Section 8 Promoting healthy communities
Section 11 Conserving and enhancing the natural environment
Section 12. Conserving and enhancing the historic environment

4.5 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 notification letters were sent out on 15th March 2017 to 7 neighbouring properties in Higham Lane. A notice was posted at the site and published in a local newspaper on 30th March 2017.

6.0 RESPONSES FROM CONSULTEES

- 6.1 The Head of Environmental Services – – Highways has raised no objections to the proposal.
- 6.2 United Utilities has identified that a public sewer, which will require a buffer strip of 3m each side, crosses the site but otherwise raises no objection to the proposal.
- 6.3 The Greater Manchester Ecological Unit has raised no objections to the proposal on the basis that no trees are proposed to be removed. If that changes then a bat survey may be required. At this moment no conditions or informatives are required.

7.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- 7.1 An objection has been received from the occupier of the neighbouring bungalow, 22a Higham Lane. The reasons given for objecting are loss of privacy due to overlooking and the impact on the wider community due to location of the proposed development adjoining Werneth Low Country Park.

8.0 ANALYSIS

- 8.1 The principal issues in deciding this application are:-
- 1) The principle of the development and whether the land is considered as protected green space or a greenfield site.
 - 2) The impact on existing residential amenities.
 - 3) The impact on the setting of the listed Church
 - 4) Access to the site
 - 5) Trees and ecology

9.0 The principle of the development

- 9.1 The application site is not a functional area of open space. It does not provide for any sporting or recreational use and, given the proximity of the large areas of open space at Werneth Low Country Park, the site provides only marginal visual amenity or sense of openness in the locality. It is therefore considered that the application site does not constitute protected green space and so there is no conflict with policy OL4 of the UDP.
- 9.2 Previously-developed land is defined in the NPPF as being land which is or was occupied by a permanent structure, including the curtilage of the developed land, although it should not be assumed that the whole of the curtilage should be developed. The application site forms part of the urban area (that is, it is outside the green belt) and it is within the curtilage of the Church Hall. The land is therefore not considered a greenfield site and so is developable land.

- 9.3 Given the limited amount of built development that is proposed within the curtilage of the Church Hall it is considered that the principle of the development is acceptable and in compliance with OL4 of the UDP and Section 8 of the NPPF.

10.0 Impact on existing residential amenities

- 10.1 The possible location of the proposed dwellinghouse is illustrated on the submitted indicative plan. Although indicative only, this plan shows there being a distance of more than 35m between the proposed dwellinghouse and the nearest existing neighbouring dwelling, the bungalow at no. 22A Higham Lane. In the arrangement shown on the indicative plan, if there were habitable room windows in the side of the proposed dwellinghouse that face towards the existing bungalow, the Council's normal spacing standards, which are designed to prevent undue over-looking and over-shadowing of neighbouring properties, would require that a distance of 18m be maintained. If there were no habitable room windows in this side of the proposed dwellinghouse the distance would reduce to 11m.
- 10.2 The proposed indicative layout demonstrates that the proposed development can be accommodated on the site without impinging unduly on the amenity of existing residents whilst providing an appropriate residential environment for future residents and so is considered appropriate and in compliance with both the SPD and policy H10 of the UDP.

11.0 Impact on the setting of the listed Church

- 11.1 In relation to the listed Church the proposed dwellinghouse would be located on the far side of the Church Hall. In this location the impact on the setting of the listed building would be minimal. The impact that the development would have on the setting of the listed building is therefore considered to be acceptable and so policies 1.11 and C6 of the UDP and Section 12 of the NPPF are satisfied.

12.0 Access to the site

- 12.1 The application site includes the lane located on the eastern side of the Church leading to the existing car park. The indicative layout that has been submitted shows the route an access road might take from the existing car park to the site of the proposed dwellinghouse. Access would therefore be taken from along the existing lane, through the car park and then on to the proposed dwellinghouse. These arrangements, constituting in effect a private driveway, are considered adequate to serve a single dwellinghouse and in compliance with both the SPD and policy H10 of the UDP.

13.0 Trees and ecology

- 13.1 It is demonstrated on the submitted indicative layout plan that the route an access road might take from the existing car park to the proposed dwellinghouse would not require any existing trees to be removed or be otherwise affected by the development. Given the retention of the existing trees, which would form part of the landscaping proposals held in reserve, the site has been assessed by the local ecologist and it is confirmed that there are no significant ecological constraints, the

only impact being the loss of some grassland. The proposal is therefore considered compliant with policies N4 and N5 of the UDP and Section 11 of the NPPF.

14.0 CONCLUSION

- 14.1 Without impinging unduly on any existing amenities, it is considered that the proposed development constitutes a sustainable development that conforms to the relevant requirements of the Residential Design SPD, the UDP and the NPPF. The recommendation is therefore for approval.

RECOMMENDATION

Grant planning permission subject to the following conditions.

1. Before any development is commenced approval shall first be obtained from the local planning authority with respect to the reserved matters, namely the layout, scale, appearance, access and landscaping of the development.
2. Application for approval of reserved matters must be made not later than the expiry of three years beginning with the date of this permission and the development must be begun not later than the expiry of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
3. The plans and particulars to be submitted with the reserved matters shall include full details of both hard and soft landscape works, inclusive of existing vegetation cover. These details shall include:-
 - a) hard - existing and proposed finished levels or contours, means of enclosure, car parking layouts, other vehicle and pedestrian access and circulation areas, hard surfacing materials, minor artefacts and structures [eg: furniture, play equipment, refuse or other storage units, signs, lighting etc], proposed and existing functional services above and below ground [eg; drainage, power, communications cables, pipelines etc indicating lines, manholes, supports etc], retained historic landscape features, proposals for restoration),
 - b) soft - planting plans, written specifications [including cultivation and other operations associated with plant and grass establishment], schedule of plants [noting species, plant sizes and proposed numbers/densities where appropriate], implementation programme).
4. The plans and particulars to be submitted with the reserved matters shall include details of the existing and proposed ground levels for the whole site, and the proposed finished floor levels of the dwellinghouse. The development shall then be implemented in accordance with such details as approved.
5. No works other than the excavation of the foundations and/or piling works for the development shall be undertaken at the site until the CLS2A Contaminated Land Screening Form has been submitted to, and approved in writing by, the Councils Environmental Protection Unit (EPU). Where necessary, a scheme to deal with any contamination / potential contamination shall be submitted to, and approved in writing by the EPU. The scheme shall be appropriately implemented and a completion report demonstrating this and that the site is suitable for its intended use will be approved in writing by the EPU prior to occupation. The discharge of this planning condition will be given in writing by the Local Planning Authority (LPA) on completion of the

development and once all information specified in this condition has been provided to the satisfaction of the EPU.

6. Prior to the commencement of any development, 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.
7. 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.

Foul and surface water shall be drained on separate systems.

The development shall be completed in accordance with the approved details.

8. The development shall not commence until details of the wheel cleaning facilities, temporary access, vehicle parking and turning facilities to be provided during the construction period, has been submitted to and approved in writing by the local planning authority. These measures shall be implemented and retained in operation through the duration of the building works.
15. During demolition and 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.
16. The development hereby permitted shall be carried out in accordance with the following approved plans: the Location Plan, received on 13th March 2017.