

Application Number 17/00963/FUL

Proposal	Full planning application for the demolition of the existing buildings on the site and erection of 24 no. apartment building with associated road, parking and bin store.
Site	Site of former Frames Snooker Club, Unit 8, Mount Street, Hyde
Applicant	Armitage Construction Ltd, Manchester
Recommendation	Approve, subject to conditions and the prior completion of a Section 106 Agreement
Reason for report	A Speakers Panel decision is required because the application is a major development and a Section 106 Agreement is required.

REPORT

1. APPLICATION DESCRIPTION

- 1.1 The applicant seeks full planning permission for the demolition of the existing buildings on the site and the erection of 24 x 2 bed apartments, with associated access, parking and bin storage facilities.
- 1.2 The applicant has provided the following documents in support of the planning application:
 - Flood Risk Assessment
 - Ecological Impact Assessment
 - Ground Investigation and Coal Mining Risk Assessment
 - Crime Impact Statement
 - Design and Access Statement
 - Employment Land Statement

2. SITE & SURROUNDINGS

- 2.1 The application site is located on Mount Street in Hyde and is occupied by buildings which were last in use as a snooker club. Two buildings with brick elevations front onto Mount Street on the western boundary, from where the site is accessed. The northern most of these two buildings is 3 storeys in height, the southern-most is over 2 storeys. These buildings display the proportions and uniformity of traditional industrial development. Brick built terraced properties on Travis Street are located to the south west, more modern dwellings on Ridling Lane are located to the north east.

3. PLANNING HISTORY

- 3.1 There is no planning history on the site that is relevant to the determination of this application.

4. RELEVANT PLANNING POLICIES

- 4.1 **Tameside Unitary Development Plan (UDP) Allocation**
Not allocated, within the settlement of Hyde
- 4.2 **Part 1 Policies**
Policy 1.4: Providing More Choice and Quality Homes.
Policy 1.5: Following the Principles of Sustainable Development
Policy 1.6: Securing Urban Regeneration
Policy 1.10: Protecting and Enhancing the Natural Environment.
Policy 1.11: Conserving Built Heritage and Retaining Local Identity.
Policy 1.12: Ensuring an Accessible, Safe and Healthy Environment.
- 4.3 **Part 2 Policies**
C1: Townscape and Urban Form
H1: Housing Land Provision.
H2: Unallocated Sites (for housing)
H4: Type, size and affordability of dwellings
H5: Open Space Provision
H7: Mixed Use and Density.
H10: Detailed Design of Housing Developments
MW11: Contaminated Land
MW12: Control of Pollution
MW14 Air Quality
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.
T10: Parking
T11: Travel Plans.
U3: Water Services for Developments
U4: Flood Prevention.
U5: Energy Efficiency
- 4.4 **Other Policies**
Greater Manchester Spatial Framework - Publication Draft October 2016
Residential Design Supplementary Planning Document
Trees and Landscaping on Development Sites SPD adopted in March 2007
- 4.5 **National Planning Policy Framework (NPPF)**
Section 1 Delivering sustainable development
Section 6 Delivering a wide choice of high quality homes
Section 7 Requiring good design
Section 8 Promoting healthy communities
Section 12: Conserving and enhancing the Historic Environment
- 4.6 **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. PUBLICITY CARRIED OUT

- 5.1 Neighbour notification letters were issued in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

6. RESPONSES FROM CONSULTEES

- 6.1 Greater Manchester Archaeological Advisory Service (GMAAS) – no objections subject to the undertaking of a written scheme of investigation into potential features of archaeological significance on the site and agreement of any necessary mitigation prior to the commencement of development.
- 6.2 Borough Environmental Health Officer (EHO) – no objections subject to conditions relating to the hours of work during the construction phase of the development and the means of storage of refuse serving the proposed development to be implemented in accordance with the submitted details.
- 6.3 Greater Manchester Ecology Unit (GMEU) – no objections subject to the imposition of conditions limiting the period of demolition of the existing buildings on the site to outside of the bat and bird nesting season, the requirement that a licence be obtained from Natural England prior to the commencement of any demolition to ensure appropriate mitigation of the risk to bats and the submission and approval of a scheme of biodiversity enhancements to be incorporated within the development. An informative should also be attached to any planning permission granted to ensure that a general licence is obtained from Natural England prior to the commencement of works that could harm nesting pigeons.
- 6.4 Local Highway Authority – no objections to the proposals subject to the imposition of conditions requiring parking to be laid out as shown on the proposed plans prior to the first occupation of any part of the development and details of the measures to be put in place to secure satisfactory access to the development.
- 6.5 United Utilities - no objections, subject to the imposition of conditions requiring the submission and approval of a sustainable surface water drainage strategy and the requirement that foul and surface water are drained from the site via separate mechanisms.
- 6.6 Coal Authority – no objections raised, subject to the imposition of a condition requiring an intrusive ground investigation to be undertaken and the approval and implementation of any necessary mitigation with regard to coal mining legacy issues prior to the commencement of development.
- 6.7 Borough Tree Officer – no objections to the proposals.
- 6.8 Borough Contaminated Land Officer – no objection subject to the imposition of a condition requiring an intrusive investigation into sources of potential ground contamination on the site to be undertaken and any necessary remediation measures to be submitted and approved in writing prior to the commencement of development.
- 6.9 Greater Manchester Police (Design Out Crime Officer): No objections to the proposals subject to a condition requiring compliance with the recommendations listed in section 3.3 of the Crime Impact Statement submitted with the application.

7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED

7.1 1 letter of objection was received to the original scheme which raised the following concerns:

- The design of the proposed replacement building is considered not to be of sufficient quality to reflect the character of the existing buildings on the site or the character of the surrounding area. The proposals would therefore not comply with the principles set out in the Supplementary Planning Document (SPD) for Hyde, adopted in 2011.

7.2 Nb. For the avoidance of doubt, Mount Street and the application site lie to the east of the area defined as Hyde town centre in the above quoted SPD. Therefore, whilst the matter of design is a material consideration, the application is not being assessed against the content of the SPD, which relates to development within the defined boundaries of the town centre.

8. ANALYSIS

8.1 The issue to be assessed in the determination of this planning application are:

- 1) The principle of development
- 2) The impact on the character of the site and the surrounding area
- 3) The impact upon the residential amenity of neighbouring properties
- 4) The impact on highway safety
- 5) The impact on ecology
- 6) The impact on flood risk and environmental health
- 7) Other matters

9. PRINCIPLE OF DEVELOPMENT

9.1 This section of the report considers the principle of the change of use of the land and the principle of the loss of the existing buildings on the site. These matters are considered in turn below.

Potential employment site:

9.2 The proposal would involve the demolition of the existing buildings on the site and change of use of the land from a snooker hall (use class D2) to 24 x 2 bed residential units (use class C3). The existing use is considered not to be an employment use (which would fall within B1, B2 or B8 of the Use Classes Order 1987). The applicant has provided an Employment Land Statement in support of the planning application in any case.

9.3 Policy E3 of the UDP requires the retention of employment sites unless it is considered that the need for housing and the regeneration benefits of such development outweigh the need to retain the site for employment purposes. The policy states that, in making this assessment, the following factors should be considered:

- (a) The quality and type of employment sites and premises available in the area
- (b) Evidence of demand for employment sites and premises in the area

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

9.4 The employment land statement submitted with the application refers to the conclusion of the 2016 Housing and Employment Land Availability Assessment that, at that time, there was a supply of 45.55 hectares of employment land in the Borough, even once a number of protected employment sites were allocated for housing as part of that review. Whilst the site might be suitable for some commercial uses, the close proximity of a number of neighbouring dwellings does provide a significant constraint given the noise and the nature of deliveries associated with employment uses. Whilst offices could be incorporated as part of a less intensive use, such uses are considered to be town centre uses. As this site is on the edge of the town centre, a sequential test would be required to demonstrate that more central sites were not available within Hyde town centre prior to such uses being approved on this site.

9.5 There are considered to be more appropriate locations for new employment development in Hyde which do not face the same constraints as the application site. At the time that the application was submitted, there was office space available at Orient House on Newton Street, space within a converted mill on Alexandra Street and a converted warehouse with parking on Manchester Road, all within Hyde. There are extensive areas of land allocated for employment use in Godley to the north of Hyde and there is an allocated Development Opportunity Area along Manchester Road, where policy E2 (6) indicates that light industrial and office uses would be appropriate. These sites represent more appropriate locations for commercial development and indicate that there is a reasonable supply of alternative locations for employment uses in Hyde.

9.6 In addition to the above factors, the 2016 Assessment concluded that even with the uplift in numbers through developments of a number of former employment sites for residential use, the projections still fall short of a five year supply of housing land. There is still therefore a requirement to boost the supply of housing within the Borough on the basis of the most up to date evidence and the recycling of brownfield land in sustainable locations for residential use is supported in principle by the NPPF.

9.7 On that basis of the above assessment, it is considered that the proposed change of use of the site to residential would not result in conflict with the criteria of policy E3 quoted in paragraph 9.3 above.

Loss of the existing buildings on the site:

9.8 The existing buildings on the site are vacant and the lack of use is clearly having a detrimental impact on the condition of the buildings. The two main brick built structures fronting on to Mount Street do however retain the character of traditional industrial buildings in terms of the scale and massing, proportion and design of the windows and the utilitarian character of the elevations. For these reasons, the buildings are considered to be non-designated heritage assets.

9.9 In assessing proposals affecting such assets, the NPPF advises at paragraph 135 that 'in weighing applications that affect directly.....non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the asset.' The buildings have been modified by unsympathetic additions, including a prominent mono-pitched roof extension to the side of the 3 storey building, which detracts from the character of the traditional

buildings. Signage and paraphernalia associated with the previous use of the building does also detract from the significance of the buildings.

- 9.10 The unsympathetic modifications that have been undertaken to the building are considered to reduce the level of harm arising from the loss of the non-designated heritage asset. This harm must be balanced against the requirement of Section 6 of the NPPF to boost significantly the supply of housing, particularly given the existing shortfall in the Borough.
- 9.11 The site is located within a 10 minute walk of the services and facilities in Hyde town centre and Hyde Bus Station and is 1km from Hyde Central train station, which operates a regular service to and from Manchester during the week. The site is therefore considered to be in a sustainable location, with access to services, facilities and employment via means other than the private car.
- 9.12 On the basis that the replacement building is of sufficient quality in design terms (discussed in detail later in this report), it is considered that the benefits of the redevelopment of this brownfield site in a sustainable location would outweigh the limited harm arising from the loss of the non-designated heritage asset.
- 9.13 Taken as a whole, the principle of development is therefore considered to be acceptable, subject to all other material considerations being satisfied.

10. CHARACTER OF THE SITE AND SURROUNDING AREA.

- 10.1 The scheme has been amended to improve the design of the proposed development, following concerns expressed by officers in relation to the original submission. The original scheme proposed a modern development with a deep hipped roof form. The fenestration details indicated relatively small square openings, with larger openings only provided to serve Juliette balconies. The treatment of the elevations included metal cladding. These design elements were considered to result in a development that was considered inappropriate given the character of the buildings that occupy the site at present.
- 10.2 The existing buildings present a strong frontage to Mount Street, with the regular formation and size to the openings on the elevations being a dominant characteristic, emphasising the industrial character of the site. The original submission was considered not to replicate this uniformity in terms of size and the hipped gable to the north western corner failed to recognise the significance of the utilitarian form of the building that it would replace.
- 10.3 Following discussions with the applicant, the scheme has been amended to propose a development with a uniform ridge height fronting onto Mount Street, a pitched roof design with a consistency to the design of the gables, and taller window openings with a uniformity in terms of size and fenestration details. These amendments have significantly improved the design quality of the proposed development and this is considered to reduce the level of harm to be attributed to the loss of the existing buildings to an acceptable degree. A gable would be incorporated on the front elevation to break up the massing of the long span of the pitched roof.
- 10.4 There would still be modern elements to the design of the scheme, including glazed panels extending the height of the elevation above the entrances to the building on the northern and southern elevations and the use of obscure blanking panelling as

part of these features, along with canopies to define these entrances. These features would be not however be of a siting or scale that would detract from the characteristics described above, which would provide a strong definition to the development. The proposal would therefore include positive references to the existing buildings on the site and would contribute positively to the character of the streetscene and the surrounding area.

- 10.5 The applicant has agreed to the use of natural slate in the construction of the roof of the development. This requirement can be incorporated into the condition requiring the submission and approval of all external construction materials. Following the above assessment, it is considered that the amended proposals would reflect the character of the site and the surrounding area.

11. RESIDENTIAL AMENITY

- 11.1 The western end of the northern elevation of the building would be approximately 20 metres from the rear elevation of the neighbouring properties at 42 and 44 Ridling Lane to the north east of the site. There would be a small windows on each floor in that gable elevation of the proposed building, each would be secondary windows to kitchen/dining/living area (to flats 3, 11 and 19 respectively).
- 11.2 These windows could therefore be obscurely glazed without unreasonably impacting upon the residential amenity of the future occupants of the development. Subject to that requirement being secured by condition, no unreasonable overlooking would result from the development into the rear elevation of those neighbouring properties, as the glazing associated with the entrance to the development (east of units 3, 11 and 19) could also be obscurely glazed.
- 11.3 The western most windows serving units 5, 13 and 21 would be 21 metres from the rear elevation the neighbouring properties at 42-44 Ridling Lane. The separation distance would exceed the minimum separation distances required by the Residential Design Guide, due to the offset nature of the line of sight between the windows in the corresponding elevations. The separation distance from apartment 21 on the second floor would fall 2 metres short of the distance required by the design guide given the slightly oblique nature of the relationship.
- 11.4 However, the northern elevation of the proposed development would be 11 metres from the common boundary between the properties. The existing 3 storey building on the site extends right up to this boundary, with the separation distance to the rear elevations of the neighbouring properties being 10 metres. Given this situation, the proposed development would significantly improve the impact of development on the site in terms of overshadowing of the rear elevation and garden areas of those neighbouring properties.
- 11.5 The degree of improvement in terms of overshadowing is considered to outweigh the harm associated with the relatively minor deficit in the separation distance between those properties and the second floor windows in the proposed development. On that basis, it is considered that the proposals would not result in an adverse impact on the residential amenity of those neighbouring properties.
- 11.6 Units 7, 15 and 23 at the eastern end of the development would be located to the rear of no. 46 and 48 Ridling Lane. The only windows in the northern elevation of those units would be secondary windows to kitchen/diner/living areas within those

units. These could reasonably be obscurely glazed and on that basis no unreasonable overlooking could occur into those neighbouring properties. The separation distances to be retained between the corresponding elevations would meet the requirements of the Residential Design Guide for this relationship.

- 11.7 In relation to the impact on the properties to the south west of the site on Travis Street, a separation distance of 24 metres would be retained between the habitable room windows in the south western elevation of the development and the corresponding elevations of those neighbouring properties, meeting the requirements of the Residential Design Guide where habitable rooms face each other.
- 11.8 The south western corner of the development would be approximately 17 metres from the rear elevation of the property at 33 Travis Street. That gable of the proposed building would be blank on all 3 levels and therefore the separation distance to be retained would be sufficient to prevent unreasonable overshadowing of that neighbouring property, according with the guidelines in the Residential Design Guide.
- 11.9 Sufficient separation would be retained between the rear elevation of the proposed development and properties on Ridling Lane to the south east of the site to avoid any unreasonable impact in terms of overlooking into or overshadowing of those properties.
- 11.10 A single storey unit at 4 Mount Street Hyde is located in close proximity to south eastern boundary of the site and access to that commercial use would be retained through the application site, leading from the access road serving the development. Given that a staircase to access each floor of the development would be sited at the south eastern end of the development, it is considered that there would be no unreasonable impact on the residential amenity of the future occupants of the development arising from the activity on that neighbouring site. This assessment is corroborated by the lack of objection from the EHO who has not suggested that a noise attenuation scheme is necessary to mitigate the impact of the adjacent use.
- 11.11 In terms of the size of the units of accommodation to be provided, each apartment would be 61 square metres in floor area. This would meet the requirements of the nationally set Technical Housing Standards for apartments of this size to be occupied by 3 people. This is considered to indicate that the level of accommodation to be provided would be sufficient to preserve the residential amenity of future occupants of the development.
- 11.12 Following the above assessment, it is considered that the proposals would not result in an adverse impact on the residential amenity of any of the neighbouring properties, subject to conditions requiring certain openings to be obscurely glazed as referred to above.

12. HIGHWAY SAFETY

- 12.1 On the basis of standard TRICS modelling, a scheme of 24 dwellings would result in approximately 130 vehicle movements on a daily basis. During the AM peak period (0800 to 1000), 32 movements to and from the site are anticipated, with 41 trips anticipated in the PM peak period (1600 to 1800). Given the relatively close proximity of the site to Hyde town centre it is considered that the anticipated number of trips by private car could be reduced as a proportion of the total due to the close proximity of services and facilities. The Local Highway Authority has not raised any concerns in

relation to traffic movements associated with the development, which must be considered within the context of the extant use. It is considered that the volume of traffic generated by the proposals would not result in a severe impact on the capacity of the highway network as a result.

- 12.2 In terms of the safety of the proposed access, Mount Street affords good visibility in both a north easterly and south westerly direction due to the straight nature of the highway. Therefore, the Local Highway Authority has no concerns from a safety point of view in terms of vehicles accessing and egressing the proposed development from Mount Street.
- 12.3 In relation to parking, 1 car parking space would be provided per dwelling. Policy RD8 of the Residential Design Guide (RDG) indicates a maximum provision of 2 parking spaces for 2 bedroom dwellings in locations such as this. However, as stated previously, the site is considered to be in accessible location. The site is within close proximity of realistic alternative modes of transport to the private car to access locations with a wide range of services, facilities and employment therefore. In addition, the weight that can be applied to maximum standards is severely reduced by the fact that this does not conform to national planning guidance, which has been revised since the publication of the UDP and the RDG. On that basis, it is considered that the harm to highway safety arising from the level of parking proposed would not be severe.
- 12.4 The Local Highway Authority has not raised any objections to the proposals, subject to the imposition of conditions requiring the proposed car parking arrangement to be laid out prior to the first occupation of the dwellings and details of the road works necessary to secure safe access to the development. The former is considered to be reasonable and necessary to ensure adequate parking to serve the development is provided prior to occupation. The latter is considered not to be necessary as this would duplicate powers held by the Council under the Highways Act. A condition requiring the submission and approval of an environment management plan for the construction phase of the development is considered to be reasonable and is attached to the recommendation.
- 12.5 Following the above assessment, it is considered that the proposals would not result in a severe impact upon highway safety and in accordance with the guidance contained within paragraph 32 of the NPPF, should not be refused on that basis.

13. FLOOD RISK/DRAINAGE

- 13.1 The applicant has submitted a Flood Risk Assessment in support of the planning application. The report confirms that the site is located within Flood Zone 1 and is therefore considered to be at a lower risk of flooding. There are no watercourses or rivers within close proximity of the site and the ground level is 118 metres above sea level. The report concludes that there is sufficient capacity within the sewerage network within the vicinity of the site to accommodate the additional demands of the proposed development and that there is a negligible risk of flooding from ground water and any other sources. In relation to flood risk beyond the site, the report indicates that United Utilities would require a restriction limiting the discharge of surface water to 5 litres per second and that this will require underground storage to be incorporated into the development.

- 13.2 United Utilities has not objected to the application, subject to the imposition of conditions requiring the submission and approval of a sustainable surface water drainage strategy and the requirement that foul and surface water are drained from the site via separate mechanisms. Given the scale of the development, it is considered reasonable to require the developer to investigate sustainable means of drainage prior to the connection to the mains sewer. Both requirements can be combined into one condition which attached to the recommendation. On that basis, the impact of the development in relation to flood risk can be mitigated to an acceptable degree.

14. ECOLOGY AND TREES

- 14.1 In relation to ecology, the applicant has submitted an Impact Assessment in this regard in support of the planning application. An assessment into potential bat activity on the site was undertaken in October 2016 and due to the presence of potential roosting features, further surveys were recommended. An update of this survey was undertaken in September 2017. The survey comprised an internal and external inspection of the 8 buildings on site. Some evidence of recent activity by a small number of bats was found on the exterior of building 4. Further surveys were undertaken in the form of dusk emergence and dawn re-entry surveys. During the survey periods only low numbers of Common Pipistrelle bats were recorded and activity was generally low. Two bats were found to be roosting separately within the buildings on site, one in building 3 and the other in building 4. It was considered unlikely that the buildings would be used for hibernation or maternity purposes, and no evidence was found to suggest that this is the case.
- 14.2 On the basis of the submitted information, GMEU have raised no objections to the proposals, subject to a number of conditions. The recommended conditions would limit the period of demolition of the existing buildings on the site to outside of the bat and bird nesting season, require that a licence be obtained from Natural England prior to the commencement of any demolition to ensure appropriate mitigation of the risk to bats and the approval of a scheme of biodiversity enhancements to be incorporated within the development.
- 14.3 The Impact Assessment indicates that bird boxes could be incorporated into the development as suitable compensation for the potential impacts of the development. It is considered reasonable to condition details of the mitigation measures to be put in place during the demolition and construction phases of the development to ensure that the harm to protected species is avoided, which would include application for appropriate licenses prior to the commencement of works. Further details of the biodiversity enhancements to be incorporated is also considered necessary to ensure that these are delivered as part of the development, in accordance with the guidance within paragraph 118 of the NPPF.
- 14.4 In relation to the impact on trees, the Borough Tree Officer considers that the proposed development would not result in an adverse impact on any trees. There are no trees within the development site and no protected trees within close proximity of the site that could potentially be impacted by the proposed development. Details of a proposed landscaping scheme can be secured by condition.

15. OTHER MATTERS

- 15.1 In relation to environmental health, the EHO has not raised any objections subject to conditions relating to the hours of work during the construction phase of the development and the means of storage of refuse serving the proposed development to be implemented in accordance with the submitted details. These conditions are considered to be necessary and are attached to the recommendation.
- 15.2 The site is considered to be located in a high risk area in relation to coal mining legacy. Following the submission of additional information, the Coal Authority has withdrawn its initial objection, subject to the imposition of a condition requiring an intrusive ground investigation to be completed and the approval of any necessary remediation prior to the commencement of development. This condition is considered to be necessary and is attached to the recommendation.
- 15.3 The Borough Contaminated Land Officer has not raised any objections to the proposals, subject to securing a detailed investigation into potential sources of contamination on the site by condition. The recommended condition would require any necessary remediation measures to be agreed and implemented prior to the commencement of development. This is considered to be reasonable given the brownfield nature of the site.
- 15.4 Greater Manchester Police have not raised any objections to the proposals. Positive elements of the design in terms of reducing the risk of crime include presenting an active frontage to Mount Street and the lack of deep recesses to the entrances. It is acknowledged that the proposal would result in a development that is open around the edges of the site. However, the car parking areas within the development and the entrances to the building would be well surveyed. It is considered appropriate to ensure that the applicant achieves Secured by Design accreditation prior to the occupation of the development, to ensure that all reasonable measures to reduce the risk of crime are implemented. This requirement can be secured by condition.
- 15.5 In relation to the potential impact of the development on features of archaeological importance, GMAAS has indicated that the industrial history of the site gives it some significance in this regard. The first industrial works were established in 1870, one of the first mechanized hatting firms in Hyde and part of the diversification of industries which took place as a result of the cotton famine of 1861-5. Much of the original 19th Century historic building fabric survives. The site is considered to be of high local archaeological and historic significance, representing an increasingly rare survival of the historic hatting industry focused on the Hyde, Denton and Ashton areas. The current buildings should be subject to a full historic building survey prior to demolition or alteration, to create a record for archive and research purposes. There should also be provision for an intra-demolition archaeological watching brief to be maintained to identify and record any currently concealed significant structural or functional evidence. The submission and approval of this information prior to the commencement of development can be secured by condition.
- 15.6 In relation to financial contributions required to mitigate the impact of the development, the applicant will be required to make a contribution to the provision of open space within the local area, in accordance with policy H5 of the adopted UDP. A contribution of up to £9,574.44 is to be sought from the applicant in this regard. Details of the scheme to which this money will contribute will be provided at the Panel meeting.

- 15.7 To mitigate the impact of the additional traffic generated by the proposed development, a contribution of £18,447.47 is to be secured to improve the traffic signalling facilities in Hyde town centre.
- 15.8 In relation to other infrastructure, the scheme would be below 25 dwellings and therefore a contribution towards education and community infrastructure is not required, in accordance with policy H6 of the UDP.
- 15.9 These contributions are considered to meet the CIL regulations in that they are necessary to make the development acceptable in planning terms (given the lack of amenity space to be provided on site and the additional traffic to be generated by the development), directly related to the development (as the close proximity ensures that residents are likely to use these facilities) and proportionate in that the sum is based on the size of the development.

16. CONCLUSION

- 16.1 The principle of the proposed development is considered to be acceptable. There are alternative locations for employment development within and in close proximity of Hyde, including sites protected by allocation in the UDP. The close proximity of neighbouring residential properties to the application site also presents a constraint in terms of the suitability of the site for employment use. The proposals are considered to accord with the provisions of policy E3 of the UDP as a result and in any case, the proposal would not result in the loss of a current employment site, with the established use being a snooker hall.
- 16.2 Although the existing buildings on the Mount Street frontage are considered to be non-designated heritage assets, they have been unsympathetically modified and conversion of those buildings to residential use would likely compromise the amenity of the neighbouring properties on Ridling Lane to the north east of the site. On that basis, the amended proposed development is considered to be of a design quality that would outweigh the harm resulting from the loss of the existing traditional building on the site. This assessment is also made within the context of the need to boost the supply of housing within the Borough, particularly in sustainable locations such as this.
- 16.3 The amended proposals are considered to preserve the character of the site and the surrounding area and the residential amenity of neighbouring properties. There are no objections from the statutory consultees and the proposals are considered not to result in a detrimental impact on highway safety, ecology, trees, environmental health, or in relation to any of the other material considerations.
- 16.4 In weighing up all of the material planning considerations, officers consider that the proposals accord with the relevant national and local planning policies quoted above.

17. RECOMMENDATION

Grant planning permission, subject to the completion of a Section 106 Agreement to secure the following contributions:

Green Space – £9,574.44 (details of the scheme to which this funding will contribute will be confirmed verbally at the Panel meeting)

Highway works - £18,447.47 towards improvements to the traffic signalling facilities in Hyde town centre

Management and maintenance of public space within the development and the surface water drainage system to be installed

and the following conditions:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. The development hereby approved shall be carried out in accordance with the following approved plans/details:

1:1250 site location plan

Proposed site plan (drawing no. 105 Rev. 13)

Amended proposed floor plans (drawing no. 106 Rev. 8)

Amended proposed elevations plans (drawing no. 110 Rev. 9)

3. No development, other than site clearance and site compound set up, shall commence until such time as the following information has been submitted in writing and written permission at each stage has been granted by the Local Planning Authority.

i) A preliminary risk assessment to determine the potential for the site to be contaminated and/or affected by coal mining legacy issues shall be undertaken and approved by the Local Planning Authority. Prior to any physical site investigation, a methodology shall be approved by the Local Planning Authority. This shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration.

ii) Where necessary a scheme of remediation to remove any unacceptable risk to human health, buildings and the environment (including controlled waters) shall be approved by the Local Planning Authority prior to implementation.

iii) Any additional or unforeseen contamination and/or coal mining legacy issues encountered during development shall be notified to the Local Planning Authority as soon as practicably possible and a remedial scheme to deal with this approved by the Local Planning Authority.

iv) Upon completion of any approved remediation schemes, and prior to occupation, a completion report demonstrating that the scheme has been appropriately implemented and the site is suitable for its intended end use shall be approved in writing by the Local Planning Authority.

The discharge of this planning condition will be given in writing by the Local Planning Authority on completion of the development and once all information specified within this condition and other requested information have been provided to the satisfaction of the Local Planning Authority and occupation/use of the development shall not commence until this time.

4. Notwithstanding any description of materials in the application and detailed on the approved plans, no above ground construction works shall take place until samples and/or full specification of materials to be used: externally on the building (including natural slate as the roof covering); in the construction of all

boundary walls, fences and railings; and, in the finishes to all external hard-surfaces have been submitted to, and approved in writing by, the local planning authority. 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. .

5. No development shall commence until plans at a scale of 1:10 (including cross sections and the extent of the reveal from the outer surface of the building) of the window frames to be installed within the openings of the building hereby approved have been submitted to and approved on writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained as such thereafter.
6. The car parking spaces to serve the development hereby approved shall be laid out as shown on the approved proposed site plan (drawing no. 105 Rev. 13), prior to the first occupation of any of the dwellings hereby approved and shall be retained free from obstruction for their intended use thereafter.
7. Prior to the first occupation of the dwellings hereby approved, details (including scaled elevation and location plans and details of the construction material and finish) of the boundary treatments to be fully installed as part of the development (including the means of enclosure of the refuse and cycle storage areas) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans of the treatments and details of the construction material and the finish to be applied. The boundary treatments for each dwelling shall be installed in accordance with the approved details prior to the first occupation of that dwelling.
8. 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.
9. The bin storage arrangements to serve the development hereby approved shall be implemented in accordance with the details shown the approved site plan (drawing no. 105 Rev. 13) prior to the occupation of any part of the development and shall be retained as such thereafter.
10. Notwithstanding the details submitted with the planning application, no above ground development shall commence until full details of a scheme of hard and soft landscaping to be incorporated into the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following specific measures:

- A plan showing the location of all trees/hedges/shrubs to be planted, details of the species mix, the number of specimens to be planted, spacing between them and their height on planting
- A plan showing the location and construction material of all hard surfacing.

The landscaping scheme shall be implemented in accordance with the approved details prior to the first occupation of any of the dwellings hereby approved.

11. The approved scheme of landscaping scheme shall be implemented before the first occupation of any part of the development or in accordance with a programme agreed previously with the local planning authority. Any newly planted trees or plants forming part of the approved scheme which, within a period of 5 years from the completion of the planting, are removed, damaged, destroyed or die shall be replaced in the next appropriate planting season with others of similar size and species.
12. 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. 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. Foul and surface water shall be drained on separate systems and in the event of surface water draining to the public surface water sewer, details of the flow rate and means of control shall be submitted. The scheme shall include details of on-going management and maintenance of the surface water drainage system to be installed. The development shall be completed in accordance with the approved details and retained and maintained as such thereafter.
13. Prior to the first occupation of any of the dwellings hereby approved, details of a scheme for external lighting to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a scale plan indicating the location of the lighting to be installed, a LUX contour plan indicating the levels of light spillage and scaled elevations of lighting columns/supporting structures. The external lighting scheme shall be implemented in accordance with the approved details prior to the first occupation of any of the dwellings and shall be retained as such thereafter.
14. No development shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with Written Scheme of Investigation (WSI) submitted to and approved in writing by Tameside Planning Authority.

The WSI shall cover the following:

1. An archaeological desk based assessment.
2. A phased programme and methodology of site investigation and recording to include:
 - archaeological evaluation through trial trenching (subject to a new WSI).
 - dependent on the results from the evaluation trenches, a targeted more detailed area excavation and recording (subject to a new WSI)

3. A programme for post investigation assessment to include:
 - production of a final report on the significance of the below-ground archaeological interest.
 4. Deposition of the final report with the Greater Manchester Historic Environment Record.
 5. Dissemination of the results of the archaeological investigations commensurate with their significance.
 6. Provision for archive deposition of the report and records of the site investigation.
 7. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.
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15. No development shall commence until details of the mitigation measures to be employed to prevent harm to protected species during the demolition phase of the development hereby approved have been submitted to any approved in writing by the Local Planning Authority. The measures shall include timescales for when applications will be made for licences from Natural England and when the demolition works will be undertaken. The development shall be carried out in accordance with the approved details and retained as such thereafter.
 16. No demolition works, tree felling or vegetation removal shall take place during the optimum period for bat and bird nesting (March to September inclusive) unless otherwise agreed in writing with the Local Planning Authority.
 17. Prior to the occupation of any part of the development hereby approved, visibility splays shall be provided on both sides of the site access where it meets the footway. The visibility splays shall measure 2.4 metres along the edge of the site access and 2.4 metres along the footway. It must be clear of anything higher than 600mm above ground level. The visibility splays shall be retained as such thereafter.
 18. No development above ground level shall commence until details of Biodiversity enhancement measures to be installed as part of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The details shall include a specification of the installations and scaled plans showing their location within the development. The approved enhancement measures shall be installed in accordance with the approved details, prior to the first occupation of any of the dwellings and shall be retained as such thereafter.
 19. No development above ground level shall commence until details of renewable energy generation measures to be incorporated into the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The details shall include the specifications of the measures to be installed and information demonstrating the extent of the energy requirements of the development that will be provided by renewable sources. The renewable energy generation measures shall be installed in accordance with the approved details prior to the first occupation of any part of the development and shall be retained as such thereafter.

20. 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.
21. None of the dwellings hereby approved shall be occupied until details indicating that the development shall achieve Secured By Design status have been submitted to and approved in writing by the Local Planning Authority. The crime prevention measures shall be implemented in accordance with the approved details, prior to the first occupation of any of the dwellings and the development shall be retained as such thereafter.
22. The windows to be installed in the following locations as part of the development hereby approved shall be fitted with obscured glazing (to meet Pilkington level 3 in obscurity as a minimum) and shall be non-opening below 1.7 metres above the internal floor level of the room that they serve:
 - Windows serving the living/dining/kitchen areas on the northern elevations of apartments 3, 11 and 19
 - Windows serving the living/dining/kitchen areas on the northern elevations of apartments 7, 15 and 23
 - Glazing above the entrance to the building on the northern elevation.

The development shall be retained as such thereafter.

Reasons for conditions:

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004
2. For the avoidance of doubt.
3. To ensure that the site is suitable for its intended end use and to remove any unacceptable risk to people/buildings/environment from contaminated land and land stability as per paragraph 121 of the National Planning Policy Framework.
4. To ensure that the appearance of the development reflects the character of the surrounding area.
5. To ensure that the appearance of the development reflects the character of the surrounding area.
6. To ensure that the development is served by adequate parking provision.
7. To ensure that the appearance of the development reflects the character of the surrounding area.
8. To ensure that the impact of the construction phase of the development would be contained within the site and would not have a detrimental impact on highway safety or the residential amenity of neighbouring properties.

9. To safeguard the general amenity of the area in accordance with UDP policy 1.12/1.13/H10.
10. To ensure appropriate landscaping of the development.
11. To ensure that the soft landscaping scheme would be adequately maintained.
12. To secure a satisfactory system of drainage and to prevent pollution of the water environment in accordance with the National Planning Policy Framework.
13. To ensure that adequate lighting is provided to public areas and that any lighting scheme would not have an adverse impact on the biodiversity value of the Canal.
14. To record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible, in accordance with NPPF Section 12, Paragraph 141.
15. To ensure that any risk of harm to protected species during the demolition phase of the development is appropriately mitigated.
16. In order to prevent any habitat disturbance to protected species, in accordance with the National Planning Policy Framework.
17. To ensure that the development maintains highway safety.
18. To ensure biodiversity enhancements are secured to mitigate the environmental impacts of the scheme.
19. To ensure that the reliance on non-renewable sources of energy is reduced in order for the development to meet the environmental element of the definition of sustainable development as set out in the NPPF.
20. To ensure that the residential amenity of the future occupiers of the development is preserved, in accordance with policy H10 of the Tameside UDP and the NPPF.
21. To ensure that the development is designed to minimise opportunities for crime.
22. To preserve the residential amenity of neighbouring properties.