

Application Number 16/00085/FUL

Proposal	To erect 24 family homes with associated landscaping and parking. Mix includes: eight, 2-bed, 3-person apartments; two, 3-bed, 5-person houses; and, fourteen, 2-bed, 4-person houses.
Site	Land at Markham Street, Hyde
Applicant	New Charter Housing
Recommendation	Approve

REPORT

1.0 APPLICATION DESCRIPTION

- 1.1 The application is for full planning permission for the development of 24 dwellings for affordable occupancy on 0.37 hectares of land at the junction of Markham Street and Johnsonbrook Road in Hyde. The mix of dwellings includes:
- 2 no., 3 bedroom (5 person) houses;
 - 14 no., 2 bedroom (4 person) houses; and,
 - 8 no., 2 bedroom (3 person) apartments.
- 1.2 A row of 6 terraced, 2-bedroom (4 person) houses and a block containing 4, 2-bedroom (3 person) apartments would be situated along the north-eastern boundary of the site and face out on to Markham Street. These houses and apartments would be separated by a new access road leading in to the site from Markham Street. The access road would be a cul-de-sac terminating at a turning head. Arranged around the turning head would be three pairs of semi-detached houses; two of the pairs being 2 bedroom (4 person houses) and the other being a pair of 3 bedroom (5 person) houses. The remaining dwellings, comprising two pairs of 2 bedroom (4 person) semi-detached houses and a second block of 4, 2-bedroom (3 person) apartments, would be situated along the site's north-western boundary and face out on to Johnsonbrook Road.
- 1.3 Each house would have a rear garden. All but one of the houses would be provided with one car parking space in front (in one case at the side) and the other would have two spaces. Eight parking spaces would be provided to serve the adjacent apartment blocks. Four visitor spaces would be provided. In addition to serving the three pairs of semi-detached houses, the new road would provide access to 8 car parking spaces for the apartment blocks. A bicycle store with 8 spaces would be situated behind the apartment block that would face on to Johnsonbrook Road and be accessed via the new road. The car parking spaces in front of the houses facing on to Markham Street and Johnsonbrook Road, and 4 spaces serving the apartments facing on to Johnsonbrook Road, would be accessed directly from the existing roads.
- 1.4 All of the buildings would be 2-storey rising to a height of 5.6m at eaves level and 8.7m at roof ridge. All would be brick-built, including feature brick banding, with grey, slate-effect, tiled roofs.
- 1.5 Space for the discrete storage of refuse bins would be provided behind each of the houses and bin storage facilities, which, as would the bicycle store, would be fully enclosed and lockable.

- 1.6 The development would result in the loss of all but one of the existing trees in the site.

2.0 SITE & SURROUNDINGS

- 2.1 The site is currently open grassland that includes a number of mature trees around its periphery, in the Newton area of Hyde approximately 2.5km north of the town centre. Johnsonbrook Road forms the site's north-western boundary and Markham Street its north-eastern boundary. Beyond the site's south-western boundary there is a steep, wooded embankment beyond which is publically-accessible open space that continues for approximately another 195m along Johnsonbrook Road until reaching the factory at Johnsonbrook Works before the railway bridge. At its most southerly point, the site's south-western western boundary abuts the garden of the house at 10 Pimlott Grove. The site's south-eastern boundary is formed by the edge of a footpath that links Markham Street with Pimlott Grove and which abuts the side of the neighbouring house at 65 Markham Street.
- 2.2 The site level rises between 3.4m and 3.8m from south to north but is relatively flat from east to west. A culverted watercourse crosses the site.
- 2.3 Other than the open land to the west, the site is situated in an established and predominantly residential area. The railway station at Hyde North is located less than 300m along Johnsonbrook Road to the west of the site. St Mary's Primary School and Oakdale Primary School are situated approximately 330m to the north-east of the site.

3.0 RELEVANT PLANNING POLICIES

- 3.1 Tameside Unitary Development Plan (UDP) Allocation
3.1.1 Allocated as Protected Green Space

3.2 Tameside UDP

3.2.1 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
- 1.10: Protecting and Enhancing the Natural Environment.
- 1.12: Ensuring an Accessible, Safe and Healthy Environment.

3.2.2 Part 2 Policies

- H1: Housing Land Provision
- H4: Type, Size and Affordability of Dwellings.
- H10: Detailed Design of Housing Developments
- OL4: Protected Green Space
- T1: Highway Improvement and Traffic Management.
- T7: Cycling
- T10: Parking
- N4: Trees and Woodland.
- N5: Trees Within Development Sites
- MW11 Contaminated Land.

3.3 Other Policies

3.3.1 Residential Design SPD

3.3.2 Tameside Open Space Study Final Assessment Report (2010)

3.4 National Planning Policy Framework (NPPF)

3.4.1 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

3.5 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.

4.0 PUBLICITY CARRIED OUT

4.1 Prior to the application being submitted the proposals were presented to a public meeting held in a mobile suite at the site on the 21st January 2016.

4.2 As part of the planning application process, 35 notification letters were sent out to neighbouring properties on 18th March 2016 and a notice was posted at the site and in a local newspaper on 24th March 2016.

5.0 RESPONSES FROM CONSULTEES

5.1 Head of Environmental Services – Highways has raised no objections to the proposals and has requested conditions to be added to any approval.

5.2 Head of Environmental Services – Environmental Protection has raised no objections to the proposals and has requested a condition. to be added to any approval.

5.3 The GM Police Design for Security Unit has no objection and has requested a condition to be added to any approval.

5.4 United Utilities has no objection to the proposal and has requested conditions to be added to any approval.

6.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED

6.1 Objections have been received from 13 households; one being anonymous, 7 from addresses in Markham Street, 2 from Johnsonbrook Road, and one each from Talbot Road, Southfield and Cheetham Hill Road. The reasons given for objecting are:

- the loss of the green space, including the trees;
- that the increase in traffic generated would exacerbate existing problems of congestion and highway safety where Johnsonbrook Road is used as a rat run;

- the development would have a negative impact on house prices;
- over-looking and loss of privacy;
- potential for flooding due to the loss of the grassed area;
- a lack of local school places to cater for the increased demand;
- the new residents may cause social problems in the locality;
- disturbance during the period of construction; and
- the remaining open space beyond the site's western boundary is less accessible and more secluded and so less usable.

7.0 ANALYSIS

7.1 The principal issues in deciding this application are:-

- 1) The principle of the development,
- 2) The layout and design/residential amenity,
- 3) Loss of existing trees,
- 4) Highway safety and accessibility and
- 5) Car parking

8.0 Principle of Development

- 8.1 Section 38 of the Planning and Compulsory Purchase Act 2004, states that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Consideration will also be necessary to the appropriate weight to be afforded to the development plan following the publication of the National Planning Policy Framework. Paragraphs 208 - 219 of the NPPF sets out how its policies should be implemented and the weight which should be attributed to the UDP policies. Paragraph 215 confirms that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. At the heart of the NPPF is the presumption in favour of sustainable development and would support the delivery of a wide choice of quality homes with housing applications being considered in the context of a presumption in favour of sustainable development.
- 8.2 The site is designated as a Protected Green Space on the UDP Proposals Map and so the principle of the development must therefore be considered against the policies of Section 8 of the NPPF and UDP policy OL4 and whether built development is acceptable on these areas of Protected Open Space.
- 8.3 The site constitutes informal amenity space but with no specific function. It provides informal recreational opportunities and a visual break in the built-up area of Hyde. The main beneficiaries of this are occupiers of properties on Markham Street and Pimlott Grove.
- 8.4 A Planning and Open Space Statement has been submitted in support of the application. In this document it is demonstrated, with reference to the Council's Tameside Open Space Study Final Assessment Report (2010) that there are several

alternative open spaces within 10 minutes walking distance (440m) of the proposed development sites, which is the recommended walking distance threshold for Tameside. These alternative open spaces include the land immediately adjacent to the site, the woodland corridor to the north of Johnsonbrook Road (40m), the playing field at Leigh Fold (375m), as well as the formal parks and gardens at Hyde Park (750m) and playing fields and sports facilities at Dukinfield Astley High School (700m).

- 8.5 The application site forms part of a swathe of open land, stretching from Hyde North station to Markham Street, the majority of the which (1.6 Ha) will be retained and continue to contribute to the visual amenity of local residents and provide for informal recreation. Additionally there are several alternative open spaces within close proximity.
- 8.6 The retention of the site solely for the purpose of limited amenity value for residents immediately adjacent would represent the inefficient use of land within the urban area and would not comply with the Core Principles of NPPF. In addition, UDP policy OL4 allows for development on Protected Open Space where it can be demonstrated, by means of a suitable supply and demand study that the retention of a site is not necessary and the site has no special significance to the interests of sport and recreation.
- 8.7 The development is therefore considered compliant with paragraph 77 of the NPPF and policy OL4 of the UDP and therefore acceptable in principle.

9.0 Layout and Design/Residential Amenity

- 9.1 The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that “it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.” Whilst the NPPF confirms any decision should not attempt to impose architectural styles or particular tastes and not stifle innovation but adds it is proper to promote or reinforce local distinction.
- 9.2 The majority of the new dwellings would face on to existing roads and so would provide active frontages to the roads. The creation of the new road, opening onto Markham Street, would provide access to the new inner blocks creating a more private location where the larger, family houses are proposed.
- 9.3 The apartment blocks would anchor the proposal on the corner of Johnsonbrook Road and Markham Street and the dual aspect affords natural surveillance both to the car parking area behind and out on to roads in front.
- 9.4 There is a consistent design of the various blocks so as to create a unified development. A consistent palette of external finishes would be used throughout the development so as to achieve a cohesive scheme that acknowledges the character of the locality within which it is set whilst remaining identifiably contemporary. Being consistently 2-storey, the scale of the proposed buildings is appropriate within the existing context they would be set.
- 9.5 Within the development the spacing between proposed houses is less than that normally required. This is between the rear of two of the proposed terraced houses

that would face on to Markham Street and the side of a house behind, and between the rear of one of the semi-detached houses that would face onto Johnsonbrook Road and the side of the house behind. In these instances a distance of 14m is normally required but the distances achieved are 11m and 12m, respectively. This shortfall is considered acceptable in the context of the development and would not impinge on the amenities of existing residents. In relation to existing houses the development complies with the usual spacing requirements so that there would be no undue over-looking or over-shadowing between the proposed dwellings and those existing.

- 9.6 All of the proposed dwellings achieve National Space Standard requirements for minimum gross internal floor area and built in storage.
- 9.7 The layout and design of the development are high quality and would not impinge unduly on the amenity of existing residents whilst providing an appropriate residential environment for future residents.
- 9.8 It is considered that the design, appearance and layout of the development conforms to the requirements of the Residential Design SPD, UDP Policy H10 and Sections 1, 6 and 7 of the NPPF and is therefore acceptable.

10.0 Loss of Existing Trees

- 10.1 Whilst the existing trees clearly have an amenity value the loss of the trees will be necessary to accommodate the development. In order to compensate for the loss it is proposed that 22 new trees would be planted within the development. This compensatory re-planting constitutes a one-to-one replacement and as such is considered acceptable. Moreover, the applicant has undertaken to provide a further 22 new trees off-site in locations agreed with the Council.
- 10.2 The site has been assessed by the GM Ecology Unit and found not to be of substantive nature conservation value. It is however suggested that any tree felling be restricted to outside the bird nesting season (March to July, inclusive).
- 10.3 The loss and proposed replacement of the existing trees conforms to the requirements of UDP policies N4 and N5 and Section 11 of the NPPF and is therefore acceptable.

11.0 Highway Safety and Accessibility

- 11.1 The site is well located for public transport. There are regular bus routes close to the site along Dukinfield Road and Ashton Road. Hyde North railway station is located less than 300m along Johnsonbrook Road to the west of the site and this serves as a regular connection to Manchester Piccadilly station.
- 11.2 Satisfactory visibility splays would be provided at the junction of each driveway, where these meet the highway, and at the junction of the new road with Markham Street so that highway safety would not be jeopardised.

11.0 Car Parking

- 11.1 Car parking spaces would be accessed almost equally from the new road and from existing roads, with driveways on to both. 100% parking provision is proposed for the dwellings with additional visitor parking. The amount of parking that would be provided is considered satisfactory. A secure cycle store would be provided to serve the apartments.
- 11.2 The parking arrangements and access are therefore considered acceptable and in compliance with UDP Policy H10 and T10 and the Residential Design SPD.

12.0 Other Issues

- 12.1 The existing culverted watercourse would be diverted so as avoid running under any buildings or roads.
- 12.2 Metal railings are proposed around the perimeter of the apartments fronting on to Markham Street and around the sides of the front gardens of the end-terrace houses fronting on to Markham Street and hit-and-miss timber fences are proposed between rear gardens and around the remainder of the site's periphery. New low level planting would be provided along the frontages in order to soften the elevations along Markham Street and Johnsonbrook Road.
- 12.3 In order to ensure compliance with the NPPF and PPG, it is recommended that any permission is conditional, among other things, upon the site being drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.
- 12.4 The sites are Council-owned and so no financial contribution, by way of a Section 106 agreement, to compensate for the impact of the development will be required. It is therefore considered that there are no local finance considerations that are material to the application.
- 12.5 As members will be aware, concerns relating to loss of property value do not fall to be considered as material considerations in the determination of the application

RECOMMENDATION

To grant planning permission subject to: A) the prior signing of a Unilateral Undertaking and B) the following conditions.

- A) Unilateral Undertaking to provide a further 22 new trees off-site in locations agreed with the Council
- B) the conditions set out below:
1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
 2. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and/or a full specification of materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

3. The development hereby permitted shall be carried out in accordance with the following approved plans: those ref. 1549 L.01, 1549 L.02, 1549 L.03, 1549 L.04 (each received 01/02/16), 1549 L.05 E, 1549 L.06, 1549 L.07, 1549 L.10, 1549 L.11, 1549 L.12, 1549 L.13, 1549 L.14, 1549 L.15, 1549 L.16, 1549 L.20, 1549 L.21, 1549 L.22 (each received 09/08/16), 1549 L.30 A (received 12/08/16), 1549 L.34, 1549 L.35 (both received 11/08/16), D5872.001A (received 12/08/16), 6994 E10 (received 09/08/16) and the Crime Impact Statement (dated 03/02/2016 – URN: 2015/1119/CIS/01 Version A).
4. The approved scheme of landscaping, including all boundary treatments, shall be implemented before the development is brought in to use 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 by the developer unless the local planning authority gives written consent to any variation
5. The car parking as shown on the approved plan, ref. 1549 L.05 E, shall be provided prior to the first occupation of the development and thereafter kept unobstructed and available for its intended purpose at all times.
6. 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 to the full satisfaction of the Local Planning Authority and retained in operation through the duration of the building works.
7. A clear view shall be provided on both sides of any site access where it meets the back of footway. It shall measure 2.4metres along the edge of the site access and 2.4 metres along the footway. It must be clear of anything higher than 600mm above the access, except for vertical iron railings to a design that includes rails of not greater than 15mm diameter spaced at not less than 100mm intervals.
8. Foul and surface water shall be drained on separate systems.
9. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the 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 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 details.

10. Development shall not commence until 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 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 shall be approved by the Local Planning Authority prior to implementation.
- iii) Any additional or unforeseen contamination 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, unless otherwise agreed by the Local Planning Authority.

- 11. 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.
- 12. The development hereby approved shall not be first occupied unless and until the bin and bicycle storage facilities for the apartment blocks have been provided and each dwelling has been provided with adequate facilities and receptacles for the storage and collection of refuse and recyclable materials.
- 13. Prior to first occupation of the development, a scheme for any television / radio aerial / satellite dish or other form of antenna shall be submitted to and approved in writing by the local planning authority. The development shall be constructed with such approved details.
- 14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no television / radio aerial / satellite dish or other form of antenna shall be installed / affixed on the exterior of any building forming part of the development hereby permitted.