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## SPEAKERS PANEL (PLANNING)

**Day:** Wednesday  
**Date:** 20 March 2019  
**Time:** 10.00 am  
**Place:** Guardsman Tony Downes House, Manchester Road,  
Droylsden, M43 6SF

Item No.	AGENDA	Page No
1.	<b>APOLOGIES FOR ABSENCE</b>	
2.	<b>DECLARATIONS OF INTEREST</b> To receive any declarations of interest from Members of the Council.	
3.	<b>MINUTES</b> The Minutes of the meeting of the Speakers Panel (Planning) held on 13 February 2019 having been circulated, to be signed by the Chair as a correct record.	1 - 4
4.	<b>APPEAL DECISION NOTICES</b>	
a)	<b>APP/G4240/D/18/321654 - 4 BALMORAL AVENUE, HYDE. SK14 5HY</b>	5 - 8
b)	<b>APP/G4240/D/18/3218932 - 35 THE LINKS, HYDE. SK14 4GR</b>	9 - 14
c)	<b>APP/G4240/H/18/3206420 - UNITS 23 &amp; 24, CROWN POINT NORTH SHOPPING PARK, WORTHINGTON WAY, DENTON. M34 3JP</b>	15 - 16
d)	<b>APP/G4240/W/18/3208560 - LANE BEHIND 7A TO 31 KINDER STREET, STALYBRIDGE. SK15 1AN</b>	17 - 18
e)	<b>APP/G4240/W/18/3215638 - LAND TO REAR OF PLOTS 1 - 19 SHAKESPEARE AVENUE, STALYBRIDGE. SK15 3HD</b>	19 - 24
5.	<b>PLANNING APPLICATIONS</b> To consider the schedule of applications.	
a)	<b>18/00950/FUL - GARDENERS ARMS, 279 EDGE LANE, DROYLSDEN</b>	25 - 38
b)	<b>18/00247/FUL - FLOWERY FIELDS, OLD ROAD, HYDE</b>	39 - 62
6.	<b>FOOTPATH DIVERSION - HYDE 32</b> An update to this report was reported to the meeting of the Speakers Panel (Planning) held on 29 May 2019, correcting inaccuracies within the report considered at the meeting held on 20 March 2019.	63 - 68

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From: Democratic Services Unit – any further information may be obtained from the reporting officer or from Carolyn Eaton, Senior Democratic Services Officer, 0161 342 3050 or [carolyn.eaton@tameside.gov.uk](mailto:carolyn.eaton@tameside.gov.uk) to whom any apologies for absence should be notified.

Item No.	AGENDA	Page No
	<a href="#">Update for Footpath Diversion - Hyde 32, meeting 29 May 2019</a>	
a)	<b>18/00805/FUL - LAND ON NORTH SIDE OF MANCHESTER ROAD,, AUDENSHAW</b>	69 - 94
b)	<b>18/01078/FUL - LAND AT REAR OF 80 CURRIER LANE, ASHTON-UNDER-LYNE</b>	95 - 110
c)	<b>18/01101/FUL - TAMESIDE COLLEGE OF TECHNOLOGY, BEAUFORT ROAD, ASHTON-UNDER-LYNE. OL6 6NX</b>	111 - 134
d)	<b>18/00983/FUL - 5 BANKFIELD AVNEUE, DROYLSDEN</b>	135 - 148
7.	<b>URGENT ITEMS</b>	
	To consider any other items, which the Chair is of the opinion should be considered as a matter of urgency.	
a)	<b>18/00259/FUL - LAND PART OF DUKINFIELD GOLF COURSE, YEW TREE LANE, DUKINFIELD</b>	149 - 174

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From: Democratic Services Unit – any further information may be obtained from the reporting officer or from Carolyn Eaton, Senior Democratic Services Officer, 0161 342 3050 or [carolyn.eaton@tameside.gov.uk](mailto:carolyn.eaton@tameside.gov.uk) to whom any apologies for absence should be notified.



# Agenda Item 3

## SPEAKERS PANEL (PLANNING)

13 February 2019

Commenced: 10.00am

Terminated: 11.10am

**Present:** Councillor McNally (Chair)  
Councillors: Choksi, Glover, Gosling, Pearce, Ricci, Robinson  
Ward, Wild and Wills

**Apologies for absence:** Councillors Dickinson and Quinn

### 44. MINUTES

The Minutes of the proceedings of the meeting held on 16 January 2019, having been circulated, were taken as read and signed by the Chair as a correct record.

### 45. DECLARATIONS OF INTEREST

There were no declarations of interest declared by Members.

### 46. APPEAL DECISIONS

Application reference/Address of Property.	Description	Appeal Decision
APP/G42401/D/18/3214916 21 Mossley Road, Ashton-under-Lyne	Rear/side ground floor extension.	Appeal allowed
APP/G42401/D/18/2314267 29 Old Street, Ashton-under-Lyne	Conversion of first and second floor into 2 studio flats and new shop front on ground floor.	Appeal dismissed

### 47. PLANNING APPLICATIONS

The Panel gave consideration to the schedule of applications submitted and it was:-

#### RESOLVED

That the applications for planning permission be determined as detailed below:-

<b>Name and Application No:</b>	18/01117/FUL Taylor Wimpey Manchester
<b>Proposed Development:</b>	Application under section 73 of the Town and Country Planning Act 1990 to vary condition no. 6 (local of proposed access) and condition no. 9 (drainage details) applied on approved planning application 17/00719/OUT Former Hartshead High Secondary School, Greenhurst Road,

	<b>Ashton-under-Lyne</b>
<b>Speaker(s)/Late Representations:</b>	<b>Mr Clegg spoke in objection to the submitted application. Mr Wooliscroft, on behalf of the applicant, spoke in support of the submitted application.</b>
<b>Decision:</b>	<b>Approved subject to conditions as detailed within the submitted report.</b>

<b>Name and Application No</b>	<b>18/00772/FUL Mr A Rothwell</b>
<b>Proposed Development:</b>	<b>Change of use from a dwelling house (use class C3) to a 9 bed House in Multiple Occupation (Sui Generis), including minor elevation changes and the installation of a dormer window. 35 Stamford Road, Mossley</b>
<b>Speaker(s)/Late Representations:</b>	<b>Councillor Sharif spoke in objection to the submitted application. Ms Jamison spoke in objection to the submitted application Mr Winterbottom spoke in objection to the submitted application Ms Rothwell spoke in support of the submitted application</b>
<b>Decision:</b>	<b>Refused in line with officer recommendations.</b>

<b>Name and Application No</b>	<b>17/00012/OUT Mr T Mirza</b>
<b>Proposed Development:</b>	<b>Outline application (all matters reserved) for residential development comprising of up to 14 no. residential flats. Amenity area adjacent to 25 Grosvenor Street, Stalybridge</b>
<b>Speaker(s)/Late Representations:</b>	<b>Mr Konarski, on behalf of the applicant, spoke in support of the submitted application.</b>
<b>Decision:</b>	<b>Approved subject to the prior completion of a Section 106 Planning agreement to secure the following:</b> <ul style="list-style-type: none"> <li>• For open space, a contribution of £798.42 per dwelling towards playground improvement in Cheethams Park; and</li> <li>• For highways improvements, a contribution of between £347.98 and £835.16 per unit towards electrical vehicle charging points within car parks in Stalybridge; and</li> <li>• 15% affordable housing provision.</li> </ul> <b>And the conditions as set out in the report.</b> <b>The Panel further agreed that consideration be given to parking provision and requested that this be addressed at the reserved matters stage of the application, and brought before</b>

	<b>the Panel at a future meeting.</b>
<b>Name and Application No</b>	<b>17/00911/FUL</b> <b>New Charter (now Jigsaw Homes), 249 Cavendish Street, Ashton-under-Lyne</b>
<b>Proposed Development:</b>	<b>Full planning application for the redevelopment of land surrounding Cavendish Mill to create 50 no. dwellings, with associated landscaping, public space and access roads.</b> <b>Land adjacent to Cavendish Mill, Cavendish Street, Ashton-under-Lyne</b>
<b>Speaker(s)/Late Representations:</b>	<b>Jason Dugdale, on behalf of the applicant, spoke in support of the application.</b>
<b>Decision:</b>	<b>Approved subject to the prior completion of a Section 106 agreement to secure the following:</b> <ul style="list-style-type: none"> <li>• <b>Contribution of £41,579.53 towards improvements to public open space within the vicinity of the site, including enhancements to the landscaped area around Ashton Old Baths, enhancements to landscaping at the entrance to St Petersgate and improvements to the condition of the boundary walls around the public open space at Whitelands Road.</b></li> <li>• <b>Contribution of £9,875.42 towards a scheme to improve cycling and walking facilities on Hill Street.</b></li> <li>• <b>Details of the management of the surface water drainage system and public open space within the development; and</b></li> <li>• <b>15% affordable housing provision.</b></li> </ul> <b>And the conditions as set out in the report</b>

#### **48. URGENT ITEMS**

The Chair advised that there were no urgent items of business for consideration by the Panel.

**CHAIR**

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## Appeal Decision

Site visit made on 11 February 2019

**by Alison Partington BA (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 27 February 2019**

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**Appeal Ref: APP/G4240/D/18/3214654**

**4 Balmoral Avenue, Hyde SK14 5HY**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Monwar Ali against the decision of Tameside Metropolitan Borough Council.
  - The application Ref 18/00421/FUL, dated 4 May 2018, was refused by notice dated 6 August 2018.
  - The development proposed is the construction of a two storey/single storey rear extension and a front porch extension.
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### Decision

1. The appeal is dismissed in so far as it relates to the two storey/ single storey rear extension. The appeal is allowed in so far as it relates to the front porch and planning permission is granted for the construction of a front porch extension at 4 Balmoral Avenue, Hyde SK14 5HY in accordance with the terms of the application, Ref 18/00421/FUL, dated 4 May 2018, subject to the following conditions:
  - 1) The development hereby permitted shall be carried out in accordance with the following approved plans in so far as relevant to that part of the development hereby permitted: Existing Layout Drawing No 1464 page 1; Proposed Layout Drawing No 1464 page 2; and Existing /Proposed Layout Drawing No 1464 page 3.

### Procedural Matters

2. The description of development given on the application form was given as a "rear two/single storey extension". The description used above is that given on both the decision notice and the appeal form, as it is clear from the plans and the other evidence submitted that the proposal also includes a front porch extension.
3. The porch and a single storey rear extension have already been built at the property. The Council have indicated that the porch, which was still under construction at the time they visited the site, was larger than shown on the plans. Whilst from what I observed this did not appear to be the case, for the avoidance of doubt I confirm that my determination of the appeal is based on the drawings as submitted.

## **Main Issue**

4. The main issue in the appeal is the effect of the proposed extension on the living conditions of nearby residents with particular regard to outlook.

## **Reasons**

5. The appeal property is a semi-detached house located in an area of similar properties. The position of the houses around the junction of Balmoral Avenue and Marlborough Road means the host property and its immediate neighbours are situated in close proximity to each other, and that their rear gardens are limited in size. In addition, the topography of the area is such that the properties to the west are at a slightly lower level.
6. Detailed guidance on extensions to dwellings is found in the *Tameside Residential Design Supplementary Planning Document (adopted March 2010)* (SPD). In particular, Policy RED2 of the SPD sets out the minimum separation distances that are required.
7. The proposed rear extension would be in close proximity to the rear elevations of Nos 2, 13 and 15, which contain a number of habitable room windows. Although these windows would not directly face windows in the proposed extension, those on No 2 face the side elevation of the extension. The Council has stated that the distances between the neighbouring houses and the proposed extension would fall short of those required in the SPD.
8. Whilst the two storey element of the extension would not project as far as the single storey element, the extension would have a significant scale and mass, and would be clearly visible over the fence around the site. Given this, the limited distances maintained to the extension, and the difference in levels, the appeal scheme would dominate the outlook from these neighbouring properties, and have an overbearing impact on them. Moreover, it would create an unneighbourly sense of enclosure to the rear gardens of the surrounding properties.
9. The appellant has highlighted that as Nos 2 and 13 are located on the corner they have a generous front garden area. Be that as it may, the rear garden provides the only private outdoor space for these houses, and the presence of seating areas in both these rear gardens, indicate that these are areas where the occupiers like to spend time. In addition, whilst the outlook for the rooms at the front of these houses may be unobstructed, this does not benefit the habitable rooms whose only windows face to the rear.
10. All in all, I consider that the proposed rear extension would unacceptably harm the living conditions of nearby residents with particular regard to outlook. It would therefore be contrary to Policies 1.3 and C1 of the *Tameside Unitary Development Plan (adopted November 2004)* which require development to have a high quality of design which has regard to the relationship between buildings. It would also conflict with the *National Planning Policy Framework* (paragraph 127) which seeks to ensure that developments, amongst other things, provide a high standard of amenity for existing and future users.
11. In support of the appeal my attention was drawn to other rear extensions in the area. I do not know the full circumstances that led to any of these cases being considered acceptable. However, I observed that the majority of those were only single storey and on those which did have a two storey element, it

was not as wide as proposed here. In addition, the host properties in these cases did not appear to have the same juxtaposition with neighbouring properties as is found with the appeal property. As such they do not represent a direct parallel with the appeal scheme.

*Other matters*

12. The Council have not raised any concerns with the front porch as shown on the plans. The porch would be a proportionate and sympathetic addition to the front elevation, and so I agree with the Council's conclusion. As this element is clearly severable from the proposed extension to the rear, I consider this element can be allowed on its own.
13. I note the personal circumstances of the appellant, and in particular the need for additional living accommodation for the household. However, personal circumstances will seldom outweigh more general planning considerations, and it is likely that the extension would remain long after the current personal circumstances cease to be material.

**Conclusion and Conditions**

14. For the reasons set out above, I conclude the appeal should be allowed in respect of the front porch extension, but dismissed in respect of the two storey/ single storey rear extension. As the porch has already been constructed, the only condition I consider is necessary is one specifying the relevant plans as this provides certainty.

*Alison Partington*

INSPECTOR

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## Appeal Decision

Site visit made on 24 January 2019

by **S J Lee BA(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15<sup>th</sup> February 2019

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**Appeal Ref: APP/G4240/D/18/3218932**

**35 The Links, Hyde SK14 4GR**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Darran Smith against the decision of Tameside Metropolitan Borough Council.
  - The application Ref 18/00813/FUL, dated 6 September 2018, was refused by notice dated 7 November 2018.
  - The development proposed is side/rear first floor extension with hipped roof above, alterations to roof of bay window and other external alterations, including new roof lights to east and west facing elevations, Juliet balcony to west facing elevation and timber cladding to north and west facing elevations.
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### Decision

1. The appeal is allowed and planning permission is granted for side/rear first floor extension with hipped roof above, alterations to roof of bay window and other external alterations, including new roof lights to east and west facing elevations at 35 The Links, Hyde SK14 4GR in accordance with the terms of the application, Ref 18/00813/FUL, dated 6 September 2018, subject to the conditions in the attached schedule.

### Preliminary Matters

2. The description in the header above is taken from Part E of the appeal form. This reflects a change in the original description of development agreed with the Council. However, amended plans were submitted to the Council during the consideration of the application. It is these plans on which the Council made their decision and which are before me. These do not include either the timber cladding to the north and west facing elevations or the Juliet balcony. For this reason, I have amended the description in my formal decision to better reflect what is now proposed.

### Main Issues

3. The main issues are the effect of the development on:
  - the character and appearance of the area; and
  - the living conditions of occupants at 37 The Links, with particular regard to outlook.

## Reasons

### *Character and appearance*

4. The appeal relates to a relatively large modern detached dwelling located in a small cul-de-sac with three other dwellings of different designs. The host dwelling is L-shaped, with a single storey projection running at 90 degrees to the main house. The overall form mirrors that of No 33, but the single storey element of that building is a double garage, whereas it forms habitable space in the appeal dwelling.
5. The development would not lead to an increase in the footprint of the building. It would however see an increase in the height of the single storey element. The extension would clearly add to the overall scale and mass of the building. However, the effect of this would be mitigated to a significant extent by the fact No 35 sits at a lower level than No 33. As such, the extension would be only marginally taller than the single storey element of that building. Moreover, it would still be substantially below the ridge height of the main part of the dwelling. It would therefore retain a degree of subordination and would thus not be an overly dominant feature in the cul-de-sac.
6. The lack of symmetry between the new master bedroom window and those below does not in my view rise to the standard of poor design or incongruity, but is rather an architectural choice which has a neutral overall impact. The very moderate projection of this window and its gable roof profile would also serve to add articulation to the first-floor elevation which would help to break up its mass. As the extension extends perpendicular to the main dwelling, the differences in roof pitch would also be less pronounced and would not appear awkward as a result.
7. There is already a high degree of variety of designs in both The Links itself and the wider estate. The area is also of a generally high density of development. In this context, I see nothing in the design of the extension, or the resulting form of the dwelling, that would appear out of keeping with either this cul-de-sac or the wider area. The development would merely serve to add an additional element of variety to the street scene.
8. The development would also be mainly visible from the private views of residents of neighbours. From elsewhere, it would be seen in glimpsed or obscured views through the entrance to the cul-de-sac or from the public right of way that runs behind the dwelling. Consequently, any visual impact would also be relatively localised in nature and not unduly harmful.
9. I therefore find that the development would not cause unacceptable harm to the character and appearance of either the host dwelling or the area. Accordingly, there would be no conflict with Tameside Unitary Development Plan (UDP)(2004) policies C1 and H10 which seek, amongst other things, to ensure development respects and complements the character and appearance of the surrounding area.
10. I have noted the Council's reference to the Tameside Residential Design Supplementary Planning Document (RDSPD)(2010). While this identifies 'policies', they do not form part of the development plan and act as guidance only. In terms of RED1, it is inevitable that the development will add to the scale and mass of the building. However, I am satisfied that the development

would remain subordinate to the original building and thus there is no conflict with the guidance in this respect. There would also be no conflict with RED9 which seeks to ensure development does not disrupt the existing building line, aligns with its surroundings, would not dominate the building's façade and would not detract from the street scene.

*Living conditions*

11. The development would run perpendicular to the front elevation of No 37. The nearest windows to No 35 are bay windows and thus one of the narrow side panes is angled toward the development. The outlook from this pane at both ground and first floor level would clearly be altered by the development. However, this view will make up only a small part of the outlook from these rooms and thus I do not consider the development would have a particularly overbearing effect. There is some dispute between parties as to whether the extension would fall within the 45-degree line advocated by the RDSPD. However, from the main front facing windows any breach of this line would be very limited in extent and would be mitigated by the distance between properties.
12. I am therefore satisfied that the additional storey would not have an unduly oppressive or intrusive effect on occupants of these rooms. Even when viewed through the side panel of the bay window nearest to the development, this is unlikely to result in a sense of confinement or enclosure sufficient to harm the living conditions of occupants. On a cul-de-sac such as this, it would clearly not be unusual to be able to see the upper floors of other dwellings from living rooms or bedrooms.
13. Although not referred to in the decision notice, the officer report highlights a concern about potential overlooking into No 37. The RDSPD makes provision for reduced distances between buildings where development is at an oblique angle. This would be the case here in terms of the main part of the bay windows of No 37 and thus I have no concerns over this relationship in terms of privacy.
14. Notwithstanding this, I acknowledge there might be some concerns relating to the relationship between the new first floor window and the panes which angle toward the site. However, the relative size of these windows and the distance between them and the appeal site suggests there would be little direct material loss of privacy. In coming to this conclusion, I have again been mindful of the relatively high density nature of the estate and the existing relationship between dwellings. The resulting relationship between buildings would not therefore be particularly unusual.
15. The Council raised no objections to the relationship between the development and No 33 and I have seen nothing that would lead me to a different conclusion. As a result of the relative heights of the buildings and the distances between them, I am satisfied the development would not have an overbearing impact on the outlook of that property. The only additional window facing No 33 would serve a landing and would provide the same outlook as existing windows. The site is also too far from the rear gardens or windows of properties either side of the access to the cul-de-sac to realistically cause any harm to their outlook.

16. Taking all relevant matters into account, I am satisfied that the development would not result in unacceptable harm to the living conditions of existing residents. As such, there would be no conflict with UDP policies 1.3, C1 or H10 or the RDSPD which seek, amongst other things, to ensure there would be no unacceptable impact on the amenity of neighbours.

### **Other matters**

17. The cul-de-sac is relatively small, with little room for off-street parking or storage. However, this does not mean that development could not take place without undue harm to the living conditions of neighbours. I am satisfied that reasonable solutions can be found and that any temporary effects arising during the construction of the development could be adequately mitigated through the imposition of a suitable condition requiring the agreement of a Construction Method Statement prior to works commencing. In addition, any issues relating to previous works on the building, or disputes between neighbours, are outside the scope of this appeal and have had no bearing on my decision.

18. The issue of the impact on property values has been raised. It is a well-founded principle that the planning system does not exist to protect private interests such as the value of land or property. Similarly, as I have concluded there would be no undue harm to the outlook of existing residents, any effect on private views is not a matter that has attracted weight in my decision.

### **Conditions**

19. I have considered the suggested conditions from the Council in accordance with the guidance contained in the Planning Practice Guidance (PPG). In addition to the standard condition which limits the lifespan of the planning permission, I have imposed a condition specifying the relevant drawings as this provides certainty. I have also imposed a condition requiring matching materials in the interests of the character and appearance of the area.

20. There is limited space within the cul-de-sac for off-street parking and the storing of materials. For this reason, and to ensure the living conditions of other occupants are not unduly affected, I have imposed a condition requiring the agreement of a Construction Method Statement. This is by necessity a pre-commencement condition to ensure construction takes place in accordance with the approved details. The appellant has confirmed that he accepts this condition.

### **Conclusion**

21. For the reasons given above I conclude that the appeal should be allowed.

*S J Lee*

INSPECTOR

### **Schedule of Conditions**

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) Other than as required by condition 3, the development hereby permitted shall be carried out in accordance with the following approved plans:  
18-0035-00-001 P1; 18-0035-00-002 P1; 18-0035-00-101 P1;  
18-0035-20-002 P2; 18-0035-20-101 P2.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
- 4) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
  - i) the parking of vehicles of site operatives and visitors;
  - ii) loading and unloading of plant and materials;
  - iii) storage of plant and materials used in constructing the development;
  - iv) delivery, demolition and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

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## Appeal Decision

Site visit made on 4 February 2019

**by S R G Baird BA (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11<sup>th</sup> February 2019

**Appeal Ref: APP/G4240/H/18/3206420**

**Units 23 & 24, Crown Point North Shopping Park, Worthinton Way, Denton, Tameside M34 3JP**

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
- The appeal is made by Sportsdirect.com Retail Limited against the decision of Tameside Metropolitan Borough Council.
- The application Ref 18/00346/ADV, dated 11 April 2018, was refused by notice dated 6 June 2018.
- The advertisement proposed is Sign 3: Sports Direct 3D Linear Sign (100mm deep), proposed built-up aluminium 3D letters with opal acrylic faces and white aluminium returns (mounted to existing louvres); LED static illumination 800CD/M2; "Sports" and ".Com" – Blue RAL 5002 "Direct" – Red RAL 3020Y (Sign Size 13840x2150mm / Text Height 860mm and 585mm).

### Decision

1. The appeal is allowed, and express consent is granted for the display of Sign 3: Sports Direct 3D Linear Sign (100mm deep), proposed built-up aluminium 3D letters with opal acrylic faces and white aluminium returns (mounted to existing louvres); LED static illumination 800CD/M2; "Sports" and ".Com" – Blue RAL 5002 "Direct" – Red RAL 3020Y (Sign Size 13840x2150mm / Text Height 860mm and 585mm as applied for and shown on Drawing No. CPS16-153 015 D. The consent is for 5 years from the date of this decision and is subject to the 5 standard conditions set out in the Regulations.

### Main Issue

2. The effect on amenity.

### Reasons

3. Located at the top of an elevated colonnade that sits proud of the store, Sign 3 would replace the corporate logo of the retail park and a SportsDirect.com sign. On the approach from the south, the combined width of Ashton Road (4 lanes) and the crossing of the M67 creates a significant degree of openness. In this context, although the proposed sign would span almost the full width of the colonnade it would not appear obtrusive or dominant in the street scene. The sign would not unacceptably affect the amenity of the area and the appeal is allowed.

*George Baird*

Inspector

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## Appeal Decision

Site visit made on 4 February 2019

by **S R G Baird BA (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11<sup>th</sup> February 2019

**Appeal Ref: APP/G4240/W/18/3208560**

**Land behind 7A to 31 Kinder Street, Stalybridge, Cheshire SK15 1AN**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr C Jewitt against the decision of Tameside Metropolitan Borough Council.
- The application Ref 17/00951/FUL, dated 6 November 2017, was refused by notice dated 6 April 2018.
- The development proposed is the construction of one bungalow – resubmission of 17/00236/FUL.

### Decision

1. The appeal is dismissed.

### Main Issues

2. These are: the effect on the appearance of the area and the implications for neighbours' living conditions with reference to overlooking.

### Reasons

Character and Appearance

3. Development Plan<sup>1</sup> Policy OL4 seeks to protect areas of green space, whether publicly or privately owned, that perform a local amenity function. Policy OL4 does provide for exceptions, which do not apply if the land provides a valued sense of openness in the street scene. Policies 1.3, C1 and H10 seek to protect the character, appearance and amenity of an area. The objective of these policies is broadly in accord with the National Planning Policy Framework (Framework).
4. Formerly occupied by a row of terraced houses, the site was landscaped and maintained by the Council until it was sold to the appellant. The fact that the of the site is now in a poor condition is not, on its own, a reason to allow development. To do so would encourage owners seeking a beneficial permission not to maintain their land. Kinder Street, which has a narrow carriageway, and the site sit higher than Wakefield Street to the south and there are extensive open views across the site to woodland on the south side of the valley. In this context, the site, despite the removal of several trees and a lack of maintenance, provides a degree of openness that contributes significantly to the character and quality of the area.

<sup>1</sup> The Tameside Unitary Development Plan November 2004 (UDP).

5. Whilst the appellant could fence the site to prevent public access, the value and role of this site is not as an informal recreational area. Rather, its value is in its openness and the contribution this makes to the character and appearance of the area. Moreover, the height of fencing that could be erected without planning permission would be restricted and would not materially reduce the openness/spaciousness of the area.
6. The wider area has dwellings of varying ages, types and styles and a bungalow would not, in itself, be harmful. However, the depth of the site is shallow, and the proposed dwelling would sit close to the front and rear boundaries of the site. Here, given the narrowness of Kinder Street, the development with its extensive roofscape would appear cramped, dominating the plot and the street. As such the development would be an unacceptable and incongruous feature in the street scene. On this issue, I conclude that the development would unacceptably affect the character and appearance of the area and conflict with the objectives of UDP Policies OL4, 1.3, C1 and H10.

#### Living Conditions

7. UDP Policy H10 and Policy RD5 of the Tameside Residential Design Guide, March 2010 seek to ensure that development does not have an unacceptable effect on neighbours through a loss of privacy. Policy RD5 sets out recommended interface distances albeit this guidance is to be applied flexibly having regard to the location and nature of the site. Neither the planning officer's report nor the submissions by the appellant indicate the degree of separation that would be achieved between the dwellings on the north side of Kinder Street and the front elevation of the proposed bungalow. That said, given the narrowness of the carriageway it is unlikely that the recommended interface distance could be achieved. In the absence of this information, I have used my professional judgement and experience to determine whether the degree of separation in this case would be acceptable.
8. The dwellings on the north side of Kinder Street are set above the level of the footpath and look down on the proposed dwelling. Given the difference in levels and the nature of the rooms that would face each other, I consider the degree of separation would, in this case, be acceptable. Accordingly, the development would not result in an unacceptable loss of privacy.

#### Conclusions

9. Notwithstanding my conclusion on the second issue, this does not outweigh the harm to the character and appearance of the area and the conflict with the Framework and development plan when read as a whole. Accordingly, and having taken all other matters into consideration, this appeal is dismissed.

*George Baird*

Inspector

## Appeal Decision

Site visit made on 11 February 2019

**by Alison Partington BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 8<sup>th</sup> March 2019

**Appeal Ref: APP/G4240/W/18/3215638**

**Land to rear of plots 1-19 Shakespeare Avenue, Stalybridge SK15 3HD**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Peter Bacon (Jigsaw Homes Group) against the decision of Tameside Metropolitan Borough Council.
- The application Ref 18/00516/FUL, dated 31 May 2018, was refused by notice dated 20 August 2018.
- The development proposed is 3 No. 2 bedroom and 4 No. 3 bedroom dwellings.

### Decision

1. The appeal is dismissed.

### Procedural Matter

2. The appellant has highlighted that the second reason for refusal refers to Policy 1.1 not 1.3 of the *Tameside Unitary Development Plan (adopted November 2004)* (UDP), and so considers that this reason for refusal should be disregarded as it is factually incorrect. The Council have highlighted that this was a typographical error, and I note that the delegated report does reference the correct policy. Given this, and the fact that the reason for refusal also correctly refers to another policy in the UDP and the relevant section of the *National Planning Policy Framework*, I am satisfied that the reason for refusal is still valid, and I have determined the appeal on this basis.

### Main Issues

3. The main issues in the appeal are the effect of the proposed development on:
  - the character and appearance of the area; and
  - the living conditions of nearby residents with particular regard to noise and disturbance, privacy and outlook.

#### *Character and appearance*

4. The appeal site is a largely overgrown site located to the rear of houses that face onto Shakespeare Avenue and Huddersfield Road. It contains a small number of lock up garages as well as an area of hardstanding associated with the former use of part of the site as a builders/maintenance depot. The surrounding area is predominantly residential.
5. The houses proposed on the site would consist of a row of 3 houses and two pairs of semi-detached houses. This would reflect the prevailing house types in

the immediate area. The scheme would utilise existing accesses adjacent to No 1 and No 19.

6. Due to the long narrow nature of the site the proposed houses would be set at right angles to the existing houses on Shakespeare Avenue, and the front elevations of the houses on plots 1 and 2 would face the rear elevations of the houses on Huddersfield Road. Whilst this would not respect the established pattern of development in the locality, there would be very little visibility of the development from the public realm, and so I am satisfied that this arrangement would not have a detrimental impact on the street scene.
7. Each dwelling would have a small rear garden, similar in size to the surrounding properties, as well as an area to the front which would largely provide parking spaces for the houses. However, the constraints of the site are such that, there is little additional space to the front of many of the dwellings other than the parking spaces. Landscaped areas, particularly near plot 1 and 2, are limited in size, and this would restrict the scope to provide any attractive soft landscaping on them.
8. As a result, this would create a layout that would be dominated by hard surfacing. Combined with the high fencing needed along the boundary of the access roads to provide adequate privacy to existing users, I consider the scheme would create a poor visual environment and an unattractive streetscape within the site. This would be out of keeping with the visual environment of the wider estate, and make the scheme appear cramped and over developed.
9. Consequently I consider that the proposed development would have an unacceptable impact on the character and appearance of the area. Therefore, it would conflict with Policies H10, and C1 of the UDP which require developments to have a high quality of design that complements and enhances the character and appearance of the surrounding area. It would also be contrary to section 12 of the Framework which seeks to ensure developments are well designed and visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

*Living conditions – nearby residents*

10. The proposed access for plots 1 and 2 would run along the rear gardens of the adjacent properties on Huddersfield Road. Whilst this is an existing access, it is an unmade track, which did not appear to be used other than perhaps by residents accessing their rear gardens. As such, its proposed use by vehicular traffic would mean a significant increase in its use.
11. The access for the other 5 plots is immediately adjacent to the rear gardens of Nos 13-19 Shakespeare Avenue. Whilst this currently provides access to a small number of garages, vehicular movements to these are likely to be limited. Therefore, the proposal would result in a significant increase in the amount of traffic movements utilising this access.
12. Given the proximity of these adjacent houses and their rear gardens to the access and parking areas for the proposed dwellings, even if traffic speeds are low, the increase / introduction of traffic movements along these accesses would inevitably exacerbate the levels of noise and disturbance experienced by the occupiers, especially as I noted at my site visit that ambient noise levels in

the area were low. In my view this would make the noise and disturbance in the back garden of these houses more akin to that of a front garden and would be particularly noticeable and intrusive in the summer months when the gardens are likely to be used more intensively and windows left open to improve ventilation.

13. I accept that the former use of part of the site as a depot would have been likely to generate traffic movements along the access adjacent to No 19 throughout the day. However, this use ceased around 14 years ago. It is disputed between the parties whether the site could be re-used for this purpose or not. Whether the use has been abandoned or not, is not a matter for me to determine in this appeal. However, even if it could still be used for such purposes, such a use would mainly generate traffic movements during the day, whereas the proposal would also create traffic movements in the evening and at weekends, which is the time when occupiers are most likely to be utilising their houses and garden areas. As such, the appeal scheme would still create greater noise and disturbance for existing residents.
14. There would be no windows on the side elevation of the houses facing the properties on Shakespeare Avenue, and with adequate boundary treatment along the access road, I am satisfied there would be no loss of privacy to these occupiers.
15. The houses on plot 1 and 2 face the rear elevations of Nos 414 and 416 Huddersfield Road. The appellant has indicated that the proposal would meet all the separation distances as set out in the *Tameside Residential Design Supplementary Planning Document (adopted March 2010)* (SPD). Whilst the Council have stated this takes no account of the difference in levels between the site and existing properties, they have not provided any evidence to show that these minimum distances are not met. In the light of this, and my own observations, I am satisfied that the proposed houses would be a sufficient distance apart to ensure no loss of privacy to the occupiers of the adjacent houses on Huddersfield Road.
16. In addition, although a number of these houses only have small fences around their rear gardens, as the appellant has suggested that high fencing would be provided along the boundaries, and this could be secured by a condition, this would be sufficient to maintain the privacy of the gardens from those using the existing access or from ground floor windows.
17. Although, not mentioned in the reason for refusal, the Council's evidence also refers to the impact of the proposal on the outlook from the surrounding houses. Nevertheless, in the absence of any evidence to show that the proposal would not meet the required separation distances, I consider that whilst the outlook from some of the houses may change, the proposal would not unacceptably harm the living conditions of the occupiers in this respect. Nor would the proposal create an unneighbourly sense of enclosure to their rear gardens as the houses are set away from the boundaries.
18. Notwithstanding my findings regarding privacy and outlook, I consider that the proposal would unacceptably harm the living conditions of nearby occupiers with particular regard to noise and disturbance. As such, it would be contrary to Policies H10 and 1.3 of the UDP which amongst other things, requires that developments do not have an unacceptable impact on the amenity of neighbouring properties, and have a high quality of design which has regard to

the relationship between buildings. It would also conflict with the Framework (paragraph 127) which seeks to ensure that developments, amongst other things, provide a high standard of amenity for existing and future users.

#### *Other Matters*

19. The site is immediately adjacent to Millbrook Conservation Area and the church to the rear of the site, which is set in extensive grounds, is a Grade II Listed Building. As such, I have had regard to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that in considering whether to grant planning permission for development which affects a listed building or its setting, the decision maker shall have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.
20. A heritage statement was submitted with the application and the Council agree with its conclusion that the proposal would not harm the setting of the Listed Building or the conservation area. Nothing that I have seen or read leads me to a different conclusion in this regard. Consequently, I am satisfied that the proposal would not have a detrimental impact on the setting of either heritage asset.
21. The Council have indicated that the rear gardens of plots 5-7 are limited in size. However, I note that the council do not have any adopted standards for the amount of outdoor space that should be provided in new dwellings. Given the context is one of modest rear gardens, and the fact that plots 5-7 are the 2 bedroomed houses, I consider that they would be provided with an adequate amount of outdoor space.

#### **Planning Balance and Conclusion**

22. It is not disputed that the Council cannot demonstrate a 5 year supply of housing land. Paragraph 11d of the Framework indicates that in such circumstances permission should be granted unless certain criteria apply. In this case, although the site is within the setting of a Listed Building and a conservation area, I have concluded above that the proposal would not have a detrimental impact on them and so this does not represent a clear reason for refusing the development. It follows that Footnote 6 to paragraph 11 does not apply. Thus permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.
23. The construction of the dwellings would provide some temporary work for local contractors, and spending by future occupiers would benefit the local economy. However, given the size of the development these benefits would be limited. The appellant is a social housing provider and has indicated that there is a large demand for social housing in the area. As such, the proposal would make a small, but valuable contribution to housing supply in an accessible location. In addition, the proposal would result in the development of what is currently an unkempt, derelict site, that it is indicated is subject to anti-social behaviour.
24. Whilst I have given consideration to these benefits, I consider that they are significantly and demonstrably outweighed by the adverse impact that the proposal would have on the character and appearance of the area and on the

living conditions of nearby residents. Therefore, for the reasons set out above, I conclude the appeal should be dismissed.

*Alison Partington*

INSPECTOR

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**Application Number** 18/00950/FUL

**Proposal** Change of use from public house (Use Class A4) to a large, 12-bedroom House in Multiple Occupation (sui generis use).

**Site** Gardeners Arms, 279 Edge Lane, Droylsden.

**Applicant** Mr Dinesh Chinta

**Recommendation** Approve, subject to conditions

**Reason for report** A Speakers Panel decision is required at the request of Councillor Boyle.

## REPORT

### 1. APPLICATION DESCRIPTION

1.1 The application proposes the change of use of the now disused public house to a house in multiple occupation comprising:

4, double-bedrooms and 2, single-bedrooms on the ground-floor, each of which would have en-suite bathroom facilities, together with a dining room, kitchen, lounge and w.c.; and,

3, double bedrooms, 2 of which would have en-suite bathroom facilities, and 3, single-bedrooms, each of which would have en-suite bathroom facilities, on the first-floor, together with a bathroom, separate w.c, and kitchen/dining room.

1.2 Within the curtilage of the building, and the current means of access being retained, the existing hard-surfaced area to the south of the building would provide 8 demarked car parking spaces together with secure cycle store for up to 12 cycles. A refuse storage compound is proposed immediately alongside the western side of the building and would comprise a close-boarded timber enclosure.

### 2. SITE & SURROUNDINGS

2.1 The public house, known as the Gardener's Arms, closed for business in October 2017 and since has remained vacant. The building is detached and occupies a corner plot at the junction of Edge Lane and Arbroath Street at the westernmost extent of the Borough, approximately 100m to the south of Manchester Road (A662) which is the main route through Droylsden town centre and includes the Metrolink route from Ashton through to Manchester.

2.2 The building is 2-storey and brick-built. There is an associated car park on the southern side of the building that is accessed from Arbroath Street.

2.3 There is a mix of uses in the surrounding area, but mainly residential, with commercial uses, including industrial and retail, across the border with Manchester to the west.

### 3. RELEVANT PLANNING POLICIES

#### 3.1 Tameside Unitary Development Plan (UDP) Allocation

Unallocated

- 3.2 **Part 1 Policies**  
1.3: Creating a Cleaner and Greener Environment.  
1.5: Following the Principles of Sustainable Development.  
1.12: Ensuring an Accessible, Safe and Healthy Environment..

- 3.3 **Part 2 Policies**  
H4: Type, Size and Affordability of Dwellings.  
H7: Mixed Use and Density.  
H10: Detailed Design of Housing Developments.  
T1: Highway Improvement and Traffic Management.  
T10: Parking  
MW11: Contaminated Land.

- 3.4 **National Planning Policy Framework (NPPF)**  
Section 2. Achieving sustainable development;  
Section 5 Delivering a sufficient supply of homes  
Section 9. Promoting sustainable transport  
Section 12. Achieving well-designed places

- 3.5 **Other Policies**  
Residential Design Supplementary Planning Document.

It is not considered there are any local finance considerations that are material to the application.

#### **Planning Practice Guidance (PPG)**

- 3.6 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. PUBLICITY CARRIED OUT**

- 4.1 Neighbour notification letters were issued on 8th November 2018 in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

## **5. RESPONSES FROM CONSULTEES**

- 5.1 The Head of Environmental Services (Environmental Protection) has raised no objection and as suggested that a condition restricting the hours of work during the conversion be attached to any permission.
- 5.2 The Head of Environmental Services (Highways) has raised no objection and as suggested that conditions regarding car parking and cycle storage provision, and informative notes regarding postal addresses and working near to a highway, be attached to any permission.

## **6. SUMMARY OF THIRD PARTY RESPONSES RECEIVED**

- 6.1 Councillor Boyle has objected to the application on the grounds that:

the building is unsuitable and would not provide adequate living space for its intended purpose;

the proposed use would likely give rise to anti-social behaviour; and,

the proposed use would cause parking problems on surrounding streets.

- 6.2 A neighbour has objected on the grounds that this is a quiet residential area with a church and nursery nearby. HMOs have a number of people coming and going with would have a negative effect on the area.

## **7. ANALYSIS**

7.1 The key issues to be assessed in the determination of this planning application are:

- 1) The principle of development
- 2) Design and appearance
- 3) The impact on existing residential amenities
- 4) The impact on highway safety and the road network
- 5) The impact on trees and ecology
- 6) Other Matters

## **8. PRINCIPLE OF DEVELOPMENT**

- 8.1 Although being out-of-centre, the location is relatively highly accessible, with numerous and regular bus routes, and Metrolink, passing close to the site along Manchester Road. The local shopping parade at the junction of Manchester Road and Charles Street is situated an approximately 150m walk away. Constituting the re-use of an existing building, albeit in part, the principle of the application is supported by Section 2 of the NPPF and UDP policy 1.5, as a means of achieving sustainable development. The principle of the development is thereby considered acceptable.

## **9. DESIGN AND APPEARANCE**

- 9.1 Involving no external alterations to the building character and appearance would be unchanged and so in this respect the proposal is considered acceptable and compliant with Section 12 of the NPPF and policies 1.3 and H10(a) of the UDP.

## **10. RESIDENTIAL ENVIRONMENT CREATED**

- 10.1 Reflecting the requirement of Section 12 of the NPPF, that developments create places with a high standard of amenity for existing and future users, UDP policy H10(a) requires that the design of proposed housing developments, which are acceptable in relation to other relevant policies in the plan, meets the needs of the potential occupiers. The proposal would provide a minimum single-bedroom size of 9.7sqm and a minimum double-bedroom size of 14.5sqm. The ground-floor communal kitchen would have a floorarea of 20.7sqm and the first-floor communal, combined kitchen/dining room would have a floorarea of 22.9sqm. The communal lounge would have a floorarea of 33.3sqm. The accommodation that would be provided achieves the requirements of the DCLG Technical Housing Standards is therefore considered of an adequate size to comply with Section 12 of the NPPF and policy H10(a) of the UDP.

## **11. THE IMPACT ON EXISTING RESIDENTIAL AMENITIES**

- 11.1 Sufficient distance would be maintained between habitable room windows in the proposed development and of habitable room windows existing houses so as to comply with policies designed to prevent undue over-looking and over-shadowing of neighbouring properties. The impact on existing residential amenities in these regards is considered acceptable and compliant with UDP policy H10(d) and SPD policy RD5.
- 11.2 With space enough to accommodate 5 black, 5 blue and 2 brown domestic refuse bins, together with a 1100ltr and 1500ltr trade refuse bins, the proposed bin store is considered adequate to serve the development. Being located behind the building the store would be hardly visible from the street and there would be the capability for bins to be manoeuvred for collection. In these respects the proposal is considered satisfactory and compliant with SPD policy RD14.

## **12. THE IMPACT ON HIGHWAY SAFETY AND THE ROAD NETWORK**

- 12.1 Given the relatively highly accessible location the 7 demarked car parking spaces and cycle store to be provided are considered adequate to serve the development. Having been consulted, the Head of Environmental Services (Highways) has raised no objection to the proposal and so it is considered that the impact on the local highway network would not be severe and so the proposal is compliant with Section 9 of the NPPF and policies H10(b), T1 and T10.

## **13. OTHER ISSUES**

- 13.1 The issue of tenure is not a material consideration in the determination of the application and, in land use terms, it is considered that the proposal constitutes a sustainable development that would not impinge unduly on any existing amenities.

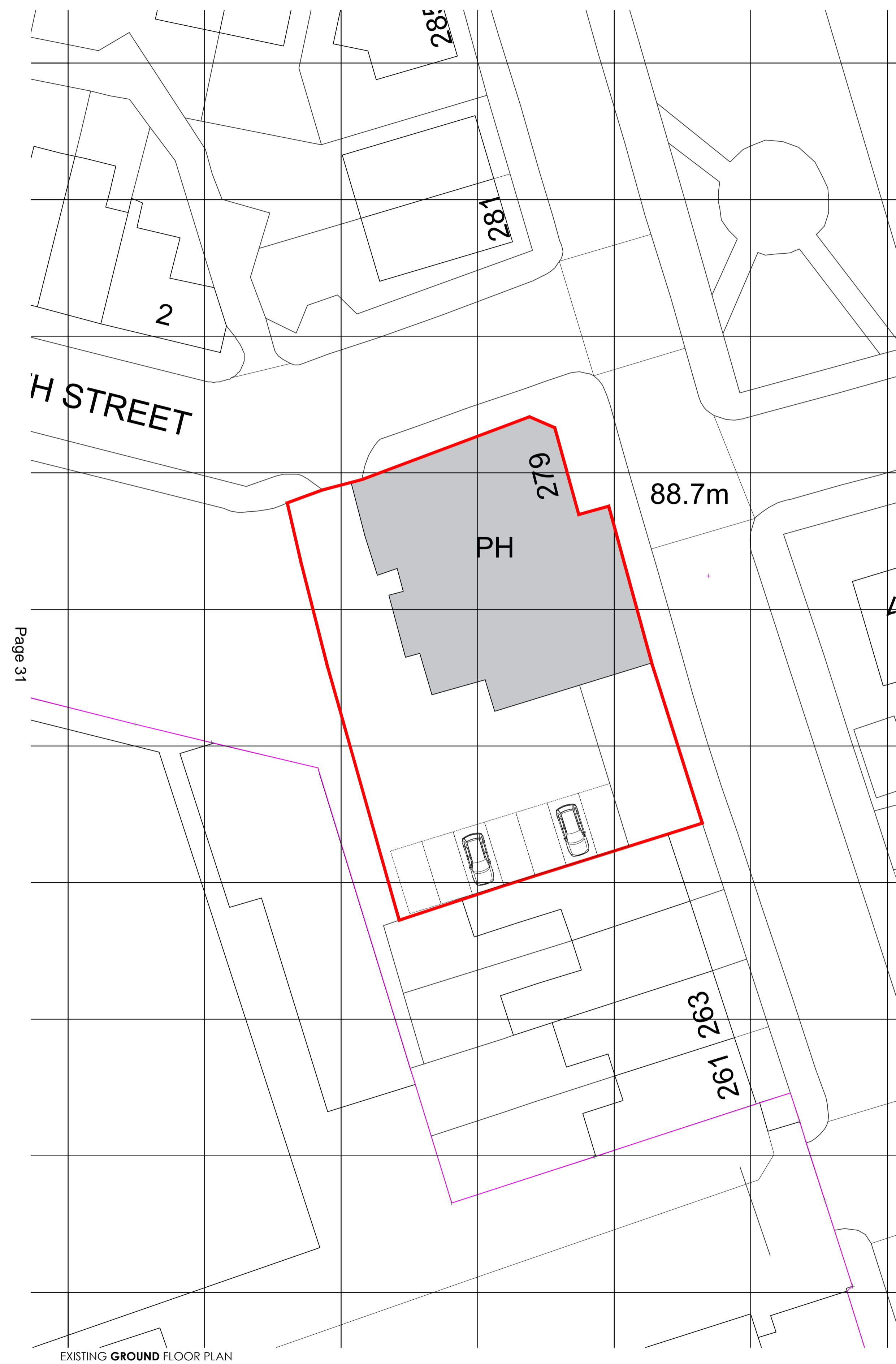
## **14. RECOMMENDATION**

Grant planning permission subject to the following conditions:

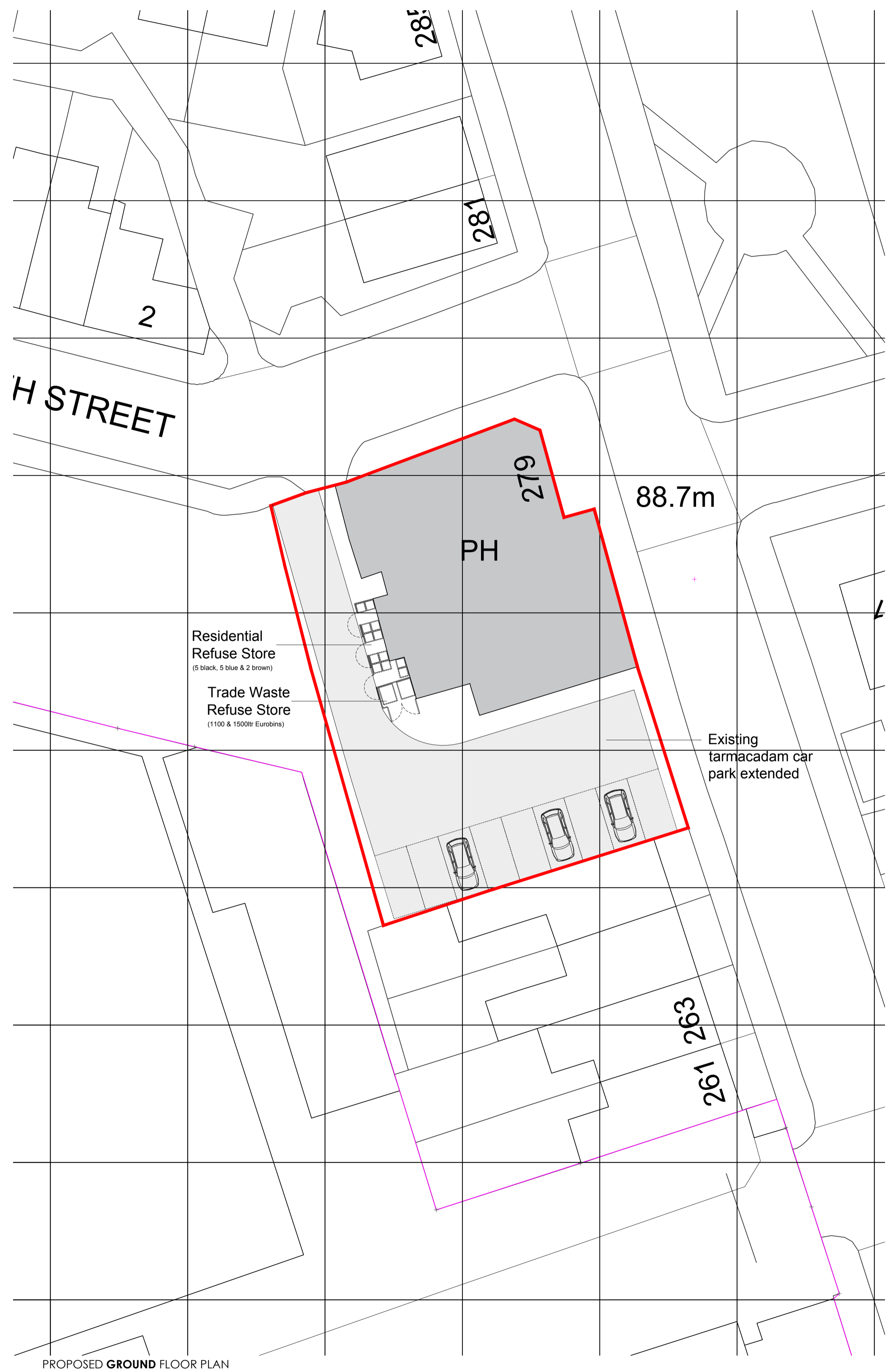
1. The development must be begun not later than the expiration of three years beginning with the date of this permission..
2. The development hereby permitted shall be carried out in accordance with the following approved plans: ref. 2125/E01, 2125/E03, 2125/E04, 2125/P03 and 2125/P04, received on 30.10.18; 2125/P01B and 2125/P02A, received on 19.12.18; and, 2125/L01B, received on 25.01.19.
3. Prior to the commencement of development, the CLS2B Contaminated Land Screening Form shall be submitted to, and approved in writing by, the Councils Environmental Protection Unit. 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.

4. During conversion 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.
5. Full details of the appearance having beforehand been submitted to, and approved in writing by, the local planning authority, the external refuse bin store, the gates of which shall be lockable, and the cycle storage hub, indicated on the approved plan, ref. 2125/L01B, shall be provided prior to the first occupation of any part of the development hereby approved and thereafter maintained for the intended purposes at all times.
6. Prior to first occupation of the development hereby approved a contract, details of which shall have been beforehand submitted to, and approved in writing by, the local planning authority, for the collection of refuse shall have been made.
7. The car parking facilities indicated on the approved plan ref. 2125/L01B shall be provided prior to the first occupation of the development hereby approved and thereafter be kept available for the intended purpose at all times.
8. Prior to the first occupation of the development hereby approved a scheme for any television or radio aerial, satellite dish or other form of antenna shall be submitted to, and be approved in writing by the local planning authority. Such equipment shall be erected in full accordance with the approved details.
9. Notwithstanding the provisions within the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), no television or radio aerial, satellite dish or other form of antenna shall be installed on the exterior of the building, other than those approved through the discharge of condition no.8.

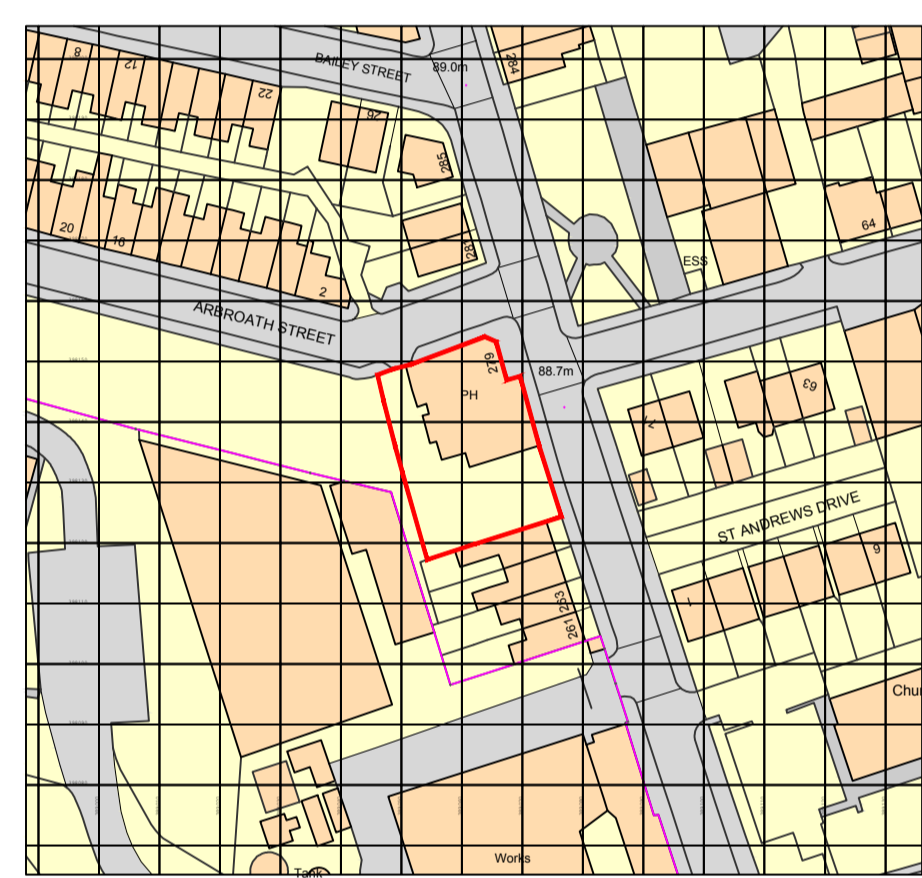
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EXISTING GROUND FLOOR PLAN



PROPOSED GROUND FLOOR PLAN



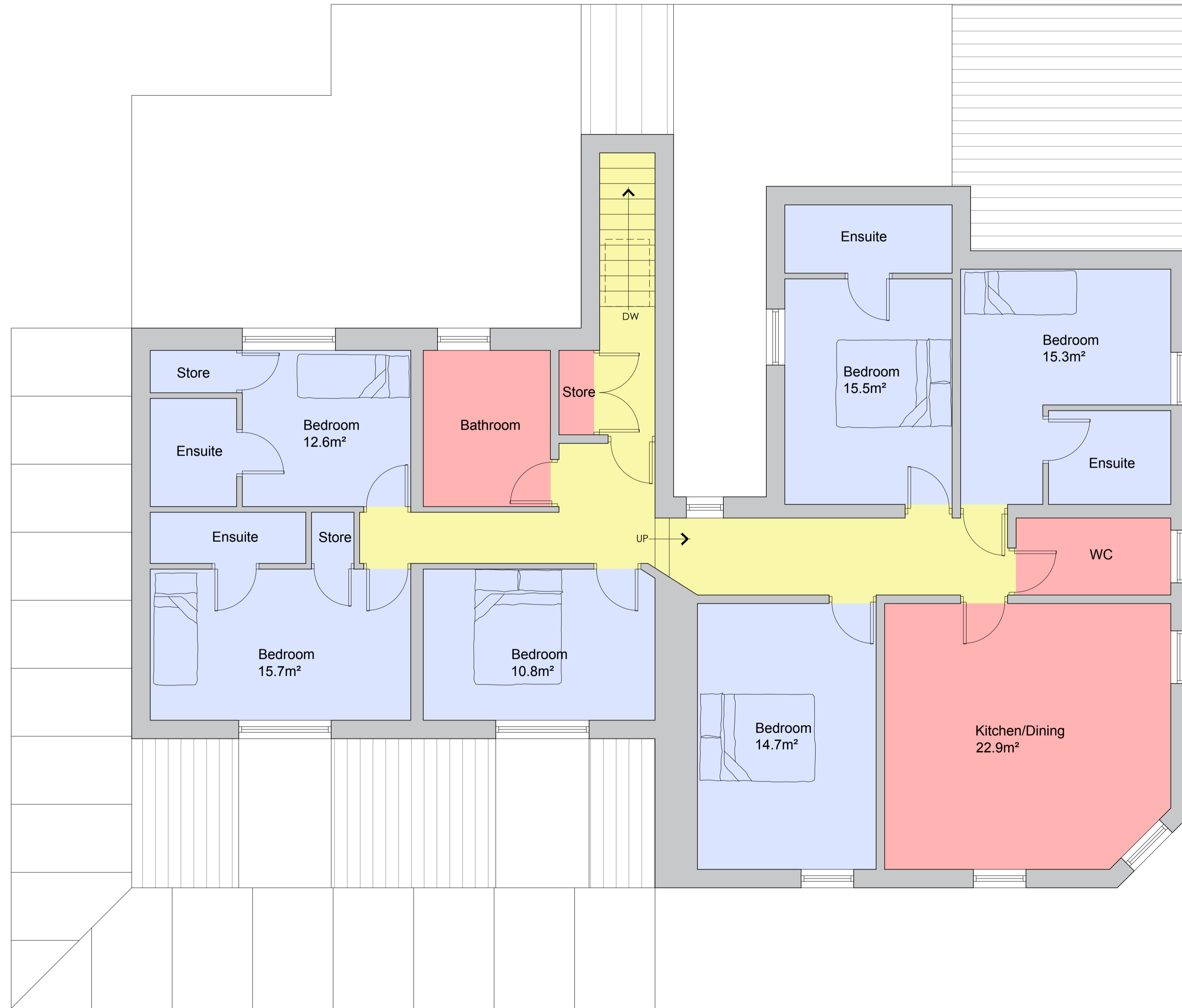
EXISTING GROUND FLOOR PLAN

**NOTE:** BIN STORAGE SIZED ACCORDING TO WEEKLY COLLECTIONS AS SUGGESTED WITHIN IAN BERRY'S EMAIL 17.12.18

<b>APPLICANT:</b> DINESH CHINTA	
<b>PROJECT:</b> FORMER GARDENERS ARMS, 279 EDGE LANE, DROYLSDEN, M43 6BG	
<b>DRAWING TITLE:</b> LOCATION PLAN & SITE PLANS	
<b>DATE:</b> OCT 2018	<b>SCALE:</b> 1:50
<b>DRAWING No:</b> 2125/L01A	

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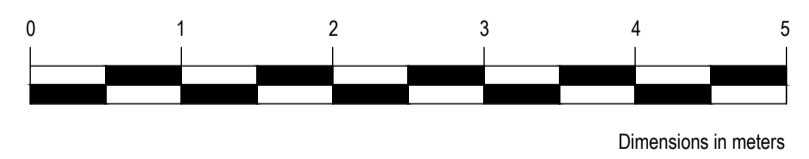




PROPOSED FIRST FLOOR PLAN

Schedule of Accommodation	
FIRST	
1P Bedroom	3
2P Bedroom	3
<b>TOTAL UNITS</b>	<b>6</b>

- Key**
- Walls to be demolished
  - Existing Walls
  - Proposed Walls



<b>APPLICANT:</b> DINESH CHINTA	
<b>PROJECT:</b> FORMER GARDENERS ARMS, 279 EDGE LANE, DROYLSDEN, M43 6BG	
<b>DRAWING TITLE:</b> PROPOSED FIRST FLOOR PLAN	
<b>DATE:</b> OCT 2018	<b>SCALE:</b> 1:50
<b>DRAWING No:</b> 2125/P02A	

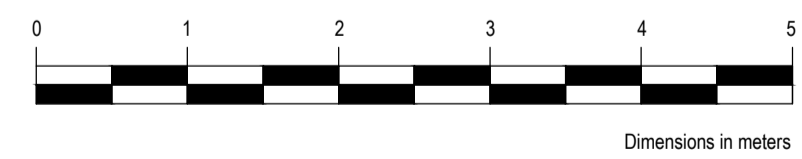
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PROPOSED GROUND FLOOR PLAN

Schedule of Accommodation	
GROUND	
1P Bedroom	2
2P Bedroom	4
<b>TOTAL UNITS</b>	<b>6</b>

- Key**
- Walls to be demolished
  - Existing Walls
  - Proposed Walls



<b>APPLICANT:</b> DINESH CHINTA	
<b>PROJECT:</b> FORMER GARDENERS ARMS, 279 EDGE LANE, DROYLSDEN, M43 6BG	
<b>DRAWING TITLE:</b> PROPOSED GROUND FLOOR PLAN	
<b>DATE:</b> OCT 2018	<b>SCALE:</b> 1:50
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**Application Number** 18/00247/FUL

<b>Proposal</b>	The application proposes to build 20 affordable new dwellings on the vacant brownfield site of the former Flowery Field School building, this includes 16 semi-detached, 3 mews units and 1 detached unit.
<b>Site</b>	Flowery Fields, Old Road, Hyde, Tameside
<b>Applicant</b>	Jigsaw Homes (previously New Charter) / Bardsley Construction
<b>Recommendation</b>	Members resolve to grant subject to recommended conditions and completion of section 106 agreement.
<b>Reason for report</b>	A Speakers Panel decision is required because the application constitutes major development.

## 1. APPLICATION DESCRIPTION

- 1.1 The applicant seeks full planning permission for a residential development of 20 dwellings. The proposals comprises 11no. 3 bedroom and 9no. 2 bedroom two storey properties. A total of 4 house types are proposed including 16 semi-detached a mews of 3 properties and a single detached. Access to the site is taken from Old Road. The road would extend in an eastern direction serving a single cul-de-sac. The proposed accommodation ranges from 76.6sqm to 92sqm. The site area is approximately 0.5 ha equating to a density of 40uph.
- 1.2 The application has been amended to address officer concerns relating to the internal layout. The submitted scheme is a reflection of negotiations with the applicant.
- 1.3 The application has been supported with the following documents:
  - Design & Access Statement;
  - Open Space Assessment;
  - Coal Mining Report;
  - Ecology Statement;
  - Drainage Statement;
  - Crime Impact Statement;
  - Full Plans Package.
- 1.4 As a major planning application the site meets the qualifying criteria for developer contributions towards offsite infrastructure improvements. These contributions would be secured within a section 106 agreement for Highway and Greenspace. The development falls below the trigger point for education contribution which applies to developments of 25 units.

## 2. SITE & SURROUNDINGS

- 2.1 The application relates to land which was within the curtilage of Flowery Field Primary School prior to its demolition and relocation. The site is roughly triangular in shape and is bounded to the north by the access road serving the replacement Flowery Field School, east by the rear of terraces properties fronting Lodge Lane, South by Wootton Street properties and west by Old Road.
- 2.2 The surrounding area is characterised by the traditional 2 storey red brick properties. Hyde Technology School is located to the west of the site and Hyde Park is located to the east of the site.

- 2.3 On the opposite side of Old Road, there lie four rows of red brick terraces. The site is well-connected with regular buses operating along Old Road and Flowery Field rail station within walking distance.
- 2.4 There is a very slight fall in levels across the site to the southern boundary. The central areas of the site previously supported school buildings, as a result of this, vegetation is generally found on peripheral areas of the site.

### 3. PLANNING HISTORY

- 3.1 08/00584/FUL – Extension to school building to form new classroom, toilets, entrance and covered play area – Approved 03.07.2008
- 3.2 13/00978/FUL – Full application for the demolition of existing school buildings and erection of replacement building, together with playing fields, games courts, hard and soft play provision, new accesses, car parking and landscaping at Flowery Field Infant And Primary School (on behalf of the Secretary of State for Education – Approved on 31.07.2014

### 4. RELEVANT PLANNING POLICIES

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 Planning Practice Guidance (PPG)
- 4.3 **Tameside Unitary Development Plan (UDP) Allocation:** Part Unallocated and Part Protected Green Space.  
Protected Green Space.
- 4.4 **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
  - 1.6 Securing Urban Regeneration
  - 1.12: Ensuring an Accessible, Safe and Healthy Environment
- 4.5 **Part 2 Policies**
  - H2: Unallocated sites
  - H4: Type, size and affordability of dwellings
  - H5: Open Space Provision
  - H6: Education and Community Facilities
  - H7: Mixed Use and Density.
  - H10: Detailed Design of Housing Developments
  - OL4: Protected Green Space.
  - OL10: Landscape Quality and Character
  - T1: Highway Improvement and Traffic Management.
  - T10: Parking
  - T11: Travel Plans.
  - C1: Townscape and Urban Form
  - N4: Trees and Woodland.
  - N5: Trees Within Development Sites.
  - N7: Protected Species
  - MW11: Contaminated Land.
  - U3: Water Services for Developments
  - U4 Flood Prevention
  - U5 Energy Efficiency



#### 4.6 **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.

#### 4.7 **National Planning Policy Framework (NPPF)**

Section 2 Achieving sustainable development  
Section 6 Delivering a sufficient supply of homes  
Section 8 Promoting healthy and safe communities  
Section 9 Promoting sustainable  
Section 11 Making effective use of land  
Section 12 Achieving well-designed places  
Section 14 Meeting the challenge of climate change, flooding and coastal change

#### 4.8 **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 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's adopted Statement of Community Involvement the application has been advertised as a Major Development:

- Neighbour notification letters to 49 addresses
- Display of site notices
- Advertisement in the local press

5.2 Neighbour notification letters have been issued to reflect amendments with the development.

### **6. RESPONSES FROM CONSULTEES**

6.1 Local Highway Authority – No objections, the design has been amended to reflect comments. Recommend a series of conditions.

6.2 United Utilities – Recommends inclusion of Informatives on any decision notice and a condition relating to drainage details being submitted prior to commencement of development.

6.3 Greater Manchester Ecological Unit – No objections to the mitigation strategy submitted within the ecological appraisal to include the provision of Bat bricks and/or tubes within the new development, Bat boxes, Bird boxes, Native tree and shrub planting and Wildflower grassland areas

6.4 Borough Contaminated Land Officer – No objections subject to recommended conditions requiring further site investigations. .

6.5 Borough Environment Health Officer – No objections raised subject to a condition relating construction hours.

- 6.6 Borough Tree Officer – The trees to be removed are mainly low value with a few moderate value specimens. Other vegetation on site is low value scrub and naturalised areas. The proposed plans indicate some tree and hedge planting to mitigate losses, but the species should be agreed prior to development commencing. Trees to be retained should be protected to BS 5837 during all works.
- 6.7 Coal Authority – Supportive of the level of investigation undertaken which has not identified any shallow workings within the site. No objections subject to the recommendations within the report being implemented on site.
- 6.8 GMP (Design for Security) – Recommend that Secure by Design Accreditation is applied for.

## **7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED**

- 7.1 2 letters of objection have been received from a neighbouring resident, raising the following concerns (summarised):
- The site is too small to accommodate 20 houses plus parking facilities, without overlooking existing residents. Secondly could the builders rethink and utilise part of the land that once was Ashton Brothers Newton Street. Or is this too expensive option?
  - The land was gifted to the people of Hyde to serve educational purposes the site should remain as it was intended for the sole use of the school and pupils.
  - Disturbance associated with the construction process impacting on Children accessing the school.

## **8. ANALYSIS**

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 8.2 The current position is that the Development Plan consists of the policies and proposals maps of the Unitary Development Plan and the Greater Manchester Joint Waste Plan Development Document.
- 8.3 The National Planning Policy Framework (NPPF) is also an important consideration. The NPPF states that a presumption in favour of sustainable development should be at the heart of every application decision. For planning application decision making this means:-
- approving development proposals that accord with the development plan without delay; and
  - where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless:-
    - o any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
    - o specific policies in the Framework indicate development should be restricted.

## **9. PRINCIPLE OF DEVELOPMENT**

- 9.1 The sites allocation is split between being unallocated and being registered as Protected Green Space. The unallocated space accounts for the majority of the site and included the former footprint and hard surface areas of the former school building. The Protected Greenspace is triangular in shape and covers approximately a quarter of the sites area

along the boundary to the Lodge Lane Properties. The site in the main is classified as Previously Developed Land following the relocation of the primary school to modern facilities north of the site. The development of this area of the site would be fully compliant with the UDP policy H2 which promotes the reuse of PDL land. Notwithstanding this an assessment on the loss of the Green space Function is nonetheless still required.

- 9.2 Policy OL4 of the UDP seeks to retain areas of protected green space. It states that the development of such land will not be permitted for the development, the only exceptions to this approach include (summarised):
- a) the proposed development is ancillary to the principal use of a playing field/green space for recreation or amenity and does not adversely affect its use;
  - b) redevelopment of part of the playing field or green space provides the only means of upgrading the to the require standard and local recreation/greenspace function will continue to be met
  - c) The playing field / Green space which will be lost as a result of the proposed development would be replaced by a playing field /green space of equivalent or better quality/quantity
  - d) The retention of the site is not necessary and the site has no special significance to the interests of sport and recreation

The wording of Policy OL4 is consistent to the provisions within paragraph 97 of the NPPF.

- 9.3 The application is supported by a Planning and Open Space Assessment. The justification of the policy identifies that it is not the intention of Policy OL4 to “restrict the possible development of small areas of land which are not recognised as recreation or amenity sites and which may in some cases be disused or unsightly in their present condition.”
- 9.4 The reality for the site is that the land has not been publically accessible. Following the relocation of the school the site has been abandoned and is currently not used for any educational purposes and with this performs no formal recognised recreation function. The proximity of the site to Hyde Park and its associated facilities confirms that local residents have good access to recreation and amenity space. Inaccessible former play space such as this is considered to not be demonstrably special to the local community. The site’s location and relationship to existing residential properties means that it would not be practical to be developed for formal recreation/play space use. The applicant is committed to meeting contributions to off-site open space and this is deemed acceptable against the provisions of OL4.

**Housing Supply:**

- 9.5 Paragraph 59 of the NPPF identifies the Government objective to significantly boost the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed and that land with permission is developed without unnecessary delay. UDP policy H2 confirms that the Council will not permit the development of Greenfield sites unless there an adequate five year supply is no longer available.
- 9.6 In terms of housing development, the Council cannot demonstrate a deliverable five year supply of housing land. It is therefore recognised that the NPPF is a material consideration that carries substantial weight in the decision making process. Assuming the development is considered sustainable, paragraph 11 is clear that where no five year supply can be demonstrated, the presumption in favour of sustainable development identified in the footnote of paragraph 11 should be applied to the consideration of planning applications.
- 9.7 In considering the merits of the proposals significant weight is given to the fact that the development would be for affordable housing and make a positive contribution to meeting current housing needs within a period of significant undersupply.

9.8 The site is located within an established residential area. It is within the catchment of local schools, services, public transport and Hyde Town Centre is immediately on hand. The location is considered wholly sustainable for planning purposes. The proposals are therefore considered to achieve the three dimensions of sustainable development through the contribution to the supply of affordable housing within a sustainable location.

## **10. DESIGN AND VISUAL AMENITY**

10.1 'UDP, NPPF policies and the guidance of the SPD are clear in their expectations of achieving high quality development that enhances a locality and contributes to place making. The framework emphasises that development should be refused where it fails to take opportunities available to improve the character and quality of an area and the way that it functions (para. 130). Policy RD22 of the adopted SPD applies specifically to infill development it advises that:

- Plot and boundary widths should align with the surrounding street.
- Scale and mass of dwellings should align with their surroundings.
- Architectural styles and materials should generally align with the existing.
- Development must follow an existing building line and orientation, particularly at road frontage.
- Ensuring privacy distances are achieved.
- Proposals should not land lock other potential development sites.
- Retaining and providing appropriate outdoor amenity space, parking & access.

10.2 The layout has been amended following concerns raised by Officers and Consultees. The subsequent layout responds to the issues raised in a positive manner and would create a welcoming residential environment.

10.3 The Design of Residential Development SPD's overall purpose is to achieve high quality design in residential development. The proposals would see the creation of a residential cul-de-sac with access being taken from a new entrance off Old Road. The properties would take a traditional layout with them being sited so as create active frontages to the highway. Building lines to Old Road would be observed and the properties would work to perimeter block principles to those located outside of the site boundary i.e. Lodge Lane which has amenity and security benefits.

10.4 In responding to the local context the scale, materials and fenestration would be directly comparable to that of the existing housing stock through the use of a red brick and vertical emphasise to the fenestration. All of the properties are served with a private front to rear access which allow for the storage of bins outside of the public domain.

10.5 The development would constitute a density of approximately 40uph; this is considered to be an efficient use of the land which is comparable to the locality. An increase to the density would not be desirable recognising this would be at loss to landscaping and car parking. All of the properties would be 2 storey in height therefore of a directly comparable scale to existing properties. Overall it is considered the scale of the development, both in terms of the numbers and heights is appropriate to the local context.

10.6 Parking arrangements would be provided mainly to the side of dwellings which reduces the overall dominance. This arrangement allows for the provision of front garden areas, the landscaping of which breaks up areas of hard landscaping. Provision is also made within the layout to accommodate appropriate levels of visitor parking within the street.

10.7 Within the development boundaries would consist of a mixture of treatments the exact details of which would need to be addressed by way of a condition. The aim being to create private defensible space and also provides a suitable finish to the public areas that

ensures relevant privacy standards are achieved. Where space allows, frontages would support planting in the form of trees and shrubs, this in turn provides a visual benefit by softening the site's overall appearance by enhancing the setting of individual plots.

- 10.8 Having full consideration to the design merits of the proposal and the layout of the scheme it is considered that the development would deliver an attractive residential environment which would enhance the existing area. It is considered that the design has sufficient regard to the objectives of UDP policy H10 and the adopted SPD which stress the importance of residential development being of an appropriate design, scale, density and layout.

## **11. DESIGN & RESIDENTIAL AMENITY**

- 11.1 The policies of the adopted Residential Design Guide strive to raise design standards; they should be applied along with the criteria of Building For Life (BFL). Good design is aligned to the delivery of high residential amenity standards, this should reflect equally on the environment of existing residents as well as that of future residents. Technical standards (spacing distances policy RD5) form part of the criteria to the assessment of good design, but this should not override principles of successful place making. Good design is about how buildings relate to one another, their place within the streetscape and interaction within their surroundings. Developments should not be dictated by highway (policy RD13) they should observe established Street Patterns (policy RD3) and promote Natural Surveillance at street level (policy RD4). BFL states that basic principles should be observed when designing layouts, the use of strong perimeter blocks is advocated and specific reference is made to avoiding houses which back on to the street and create what is effectively a 'dead edge'.
- 11.2 Historically surrounding properties had an outlook out onto the former school building which occupied the majority of the site. The layout has been amended at the request of the Officers in the interest of amenity levels of neighbouring residents and future occupants alike. The adopted Residential Guide also identifies spacing standards of 21m (habitable) and 14m (habitable to gable) be achieved on new developments. It also states that standards can be relaxed on infill developments. As identified the layout works to perimeter block principles the majority of the housing arranged so that rear gardens abut those of existing properties. The 21m standard is observed to the original rear elevation of the properties on Lodge Lane. It is noted that one property (no.39) supports a two storey rear extension which results in encroachment on the distance to plot 14. This can be tolerated and is typical to that of relationships between many properties within the locality. It is recommended that Permitted Development Rights are removed from all plots to allow future consideration to the impacts of any extensions.
- 11.3 Overall the development would maintain sufficient space around and adequate visual separation with neighbouring residential properties. The overall design approach is considered sympathetic in terms of siting, scale, massing, design, roofline, and materials and would be in keeping with the immediate surroundings.
- 11.4 Subject to the safeguarding of the recommended conditions it is considered that levels of amenity and overall privacy of existing residents would be acceptable.
- 11.5 Occupants of the dwellings would be served with a good level of amenity. The design of the properties is such that they have well-proportioned room sizes which exceed the technical standards. Rear gardens are also of a size which is suited to family occupation.
- 11.6 The site is within an established urban area, which represents a highly accessible and sustainable location. It is located close to a high frequency bus route and is also located within a convenient walking distance of Flowery Field Train Station. Hyde town centre and

its associated amenities is also immediately on-hand. This would be of significant benefit to future occupants.

- 11.7 The design approach would be sympathetic in terms of its siting, scale, massing, design, roofline, materials and landscaping, it would build upon local distinctiveness of the street scene. The density of development reflects that which prevails within the locality and strikes the correct balance between the need to protect residential amenity, local character, and the efficient use of land. The layout and form of development represents a considered response to its context, and would avoid any undue impact on the amenity of neighbouring properties which overlook the site, and for future occupiers by reason of visual intrusion, overshadowing, loss of daylight, overlooking or loss of privacy and accords with the provisions of policy H10 and the adopted SPD.

## **12. HIGHWAY SAFETY**

- 12.1 A new access onto Old Road would serve the development. With the exception of plot no.1, 18, 19 and 20 which would take Pedestrian access from Old Road all properties take vehicle and pedestrian access from the new access road. The amendments to the design have sought to reduce the dominance of hardstanding. The road would be designed to a maximum 1:20 slope and be designed to accommodate appropriate vehicle manoeuvring.
- 12.2 The Highways Authority comment that the access arrangements are suitable to protect all road users. The road within the development is designed to ensure that vehicle speeds are low on the approach to the site access. Adopted roads within the development would be treated with Tarmac with private driveways block paved.
- 12.3 In line with the maximum standards of the adopted SPD on parking all of the properties have 2 off street parking spaces. The position and orientation of the properties ensures that these parking spaces are accessible and in the interests of security are also covered by good surveillance.
- 12.4 Traffic movements to and from the site would be acceptable in terms of local capacity. The proximity of the site to Hyde centre, in addition to public transport, employment and community services is noted, and on this basis is considered in highway terms to be a highly appropriate location for a residential development.
- 12.5 The access and parking arrangements have been designed in conjunction with advice given from the Highways Authority and they have raised no objections. Therefore subject to the recommended conditions, it is considered that the development adheres to the provisions of policies T1 and T10.

## **13. LANDSCAPING & ECOLOGY**

- 13.1 As previously acknowledged, the majority of the site had been previously developed resulting in soft landscaping being located to peripheral areas. Consultation with GMEU confirms that a suitable Ecological survey has been undertaken.
- 13.2 The main area of value is a small shallow man-made pond on the northern half of the site. A Habitat Suitability Index has been undertaken that the pond is below average suitability to support Great Crested Newts.
- 13.3 A number of trees are to be lost to the development, however most will be retained. All trees to be retained on the site would be protected from the development to prevent damage to the root system and ensure their future retention.

- 13.4 Section 11 of the NPPF advocates biodiversity enhancement. The biodiversity value of the site could be enhanced as part of the landscaping proposals to be approved by condition. GMEU advise that this should include locally native species to benefit and maintain wildlife connectivity in addition to the fixture of bat and bird boxes to each of the dwellings.

#### **14. DRAINAGE**

- 14.1 The site is in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. United Utilities have confirmed that the foul water drainage flows from the development can be accommodated into the existing network the apparatus for which is located within the surrounding highway to the site. .
- 14.2 The level of development is comparable to that of the sites historic use when it previously supported a school. The site would be positively drained and the attenuation of surface water would ensure that greenfield run-off rates can be achieved.
- 14.3 Subject to the safeguarding of the recommended conditions requiring drainage details to be submitted no objections are raised from a drainage perspective.

#### **15. GROUND CONDITIONS**

- 15.1 The Coal Authority records indicate that the site is in an area of likely historic unrecorded coal mine workings at shallow depth. The planning application is supported by a Report on Shallow Mining Site Investigation Works. This report has been informed by an appropriate range of sources of information, including the findings of intrusive site investigations which has been met with approval from the Coal Authority. The recommendation of the report is that foundations within the development are reinforced, this would be secured by a planning condition.
- 15.2 Consultation with the Contaminated Land Officer confirms that no objections are raised subject to the further site investigations being undertaken. This would be secured through the requirements of a planning condition.

#### **16. CONTRIBUTIONS**

- 16.1 In accordance with the adopted contributions calculation the following contributions would need to be secured with the developer.
- Green Space £14,064.69 – Which would be directed towards improvements in Hyde Park
  - Highways: £15,964.15 – Upgrade local footway crossing to a Pelican Crossing
- Total £30,028.85

#### **17. OTHER MATTERS**

- 17.1 Noise: - With the exception of the nearby school the majority of noise is transport based limited to traffic on the surrounding network. The EHO is satisfied that a suitable standard of accommodation can be achieved.
- 17.2 Heritage: - There are no recorded assets within the vicinity of the site the setting of which could be in anyway affected by the proposals.

## **18. CONCLUSION**

- 18.1 At the heart of the NPPF is a presumption in favour of sustainable development, this requires planning applications that accord with the development plan to be approved without delay and where the development plan is absent, silent or out of date granting permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the framework as a whole or specific policies in the framework indicate that development should be restricted.
- 18.2 The site is located within a highly sustainable location as demonstrated by its proximity to Hyde Town Centre and relationship to services. The redevelopment for residential purposes would be compatible with the sites land use allocation and would also be readily compatible with the residential nature of adjoining uses and would add to and contribute to much needed, good quality affordable housing in a period of under supply.
- 18.3 The design has evolved in a response that is positive to creating a welcoming residential environment. The high quality design would make a positive contribution to the local housing stock, in accordance with core principles of the NPPF.
- 18.4 Taking into account the relevant development plan policies and other material considerations, subject to the identified mitigation measures, it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the benefits associated with the granting of planning permission. The proposals represent a highly efficient re-use of a brownfield site that would meet sustainability requirements, and contribute positively to the Borough's affordable housing supply.

## **19. RECOMMENDATION:**

Members resolve to grant subject to the completion of a section 106 agreement 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 full accordance with the following approved plans/details:

Location Plan Dwg no. A000  
Proposed Site Plan A004 Rev H  
Proposed Street Scene A005 Rev E  
2B4P Plans and Elevation A018 Rev B  
2B4P Aspect\_Plans and Elevations A019 Rev C  
3B5P\_Plans and Elevations A020 Rev C  
Boundary Treatment Sample Section Plan A023 Rev B  
Coal Mining Report N0663 SFK (TLC863) rep RC LKConsult 161216 (Rev A)  
Ecology appraisal March 2018  
Arboricultural Statement Ref CW/0915-AS February 2018  
Drainage Statement Ref 218-014  
Design and Access Statement  
Planning and Open Space Statement March 2018  
Sustainability Statement March 2018

3. 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.

4. 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.
5. The car parking indicated on the approved plan A004 Rev H shall be provided to the full satisfaction of the Local Planning Authority and thereafter kept unobstructed and available for its intended purpose. Parking areas or driveways must be at least 3.1 metres wide and 6 metres long where in front of house doors or 5.5 metres long where in front of a garage. The areas shall be maintained and kept available for the parking of vehicles at all times.
6. Prior to commencement of work on site the applicant shall undertake a condition and dilapidations survey of the highway fronting the site and giving access to the site and prepare and submit a report to the Engineering Operations Manager. The developer will be responsible for making good any damage caused to the highway by the development works or by persons working on or delivering to the development. Any damage caused to the street during the development period shall be reinstated to the full satisfaction of the Highway Authority prior to the occupation of any part of the development.
7. The development shall not commence until details of a lighting scheme to provide street lighting (to an adoptable standard), to any shared private driveway or parking court have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how the lighting will be funded for both electricity supply and future maintenance. The approved works shall be completed to the satisfaction of the Local Planning Authority prior to the occupation of any part of the development.

8. No development shall commence until tree protection measures to meet the requirements of BS5837:2012 have been installed around all of the trees on the site to be retained (including the trees protected by Tree Preservation Orders within the site and adjacent to the boundaries of the land.) These measures shall remain in place throughout the duration of the demolition and construction phases of the development, in accordance with the approved details.
9. A scheme for the Biodiversity Enhancement Measures, as set out in section 4 of the Ecological Appraisal dated March 2018 shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall first be agreed in writing with the local planning authority) and shall be retained thereafter.
10. 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.
11. Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and/or full specification of materials to be used: externally on the buildings; 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.
12. The development shall be constructed in full accordance with the recommendations detailed within the Coal Mining Report N0663 SFK (TLC863) rep RC LKConsult 161216 (Rev A).
13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwellings which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority, and no garages or other outbuildings shall be erected.
14. 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.

15. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained. The approved hard landscaping details shall include all surface treatments and shall be implemented prior to the occupation of the dwellings.
16. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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Zebra Crossing in Existing Location



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**Accommodation Schedule**

- 2B4P - 7
- 2B4P Aspect - 2
- 3B5P - 11
- Total - 20

Rev	Description	Date	By
H	Fence Adjusted	28.01.19	DH
G	Zebra crossing Added	21.01.19	DH
F	Revised to planning comments	18.12.18	DH
E	Revised to planning comments	22.10.18	DH
D	Revised to planning comments	27.06.18	DH
C	Revised to planning comments	30.04.18	DH
B	Revised to client comments	09.03.18	DH
A	Revised to client comments	19.02.18	DH

C	Concept	G	Contract
D	Planning	J	Construction
E	Building Regs	L	As Built
F	Tender	Sk	Sketch

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Client: Jigsaw  
 Project: Flowery Fields  
 Scale: 1:500 @ original size Date: 12.12.2017 Drawn by: DH Checked By: BJ

Job Number	Description	Rev
1006 A 004	Proposed Site Plan	H



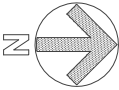
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Rev	Description	Date	By

Page 55

C	Concept	G	Contract
D	Planning	J	Construction
E	Building Regs	L	As Built
F	Tender	SK	Sketch

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 Project: Flowery Fields

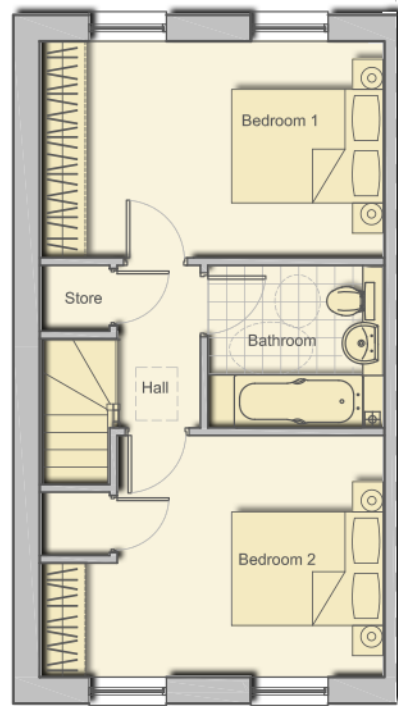
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Plot Number	Description	Rev
1006	A 1000 Location Plan	



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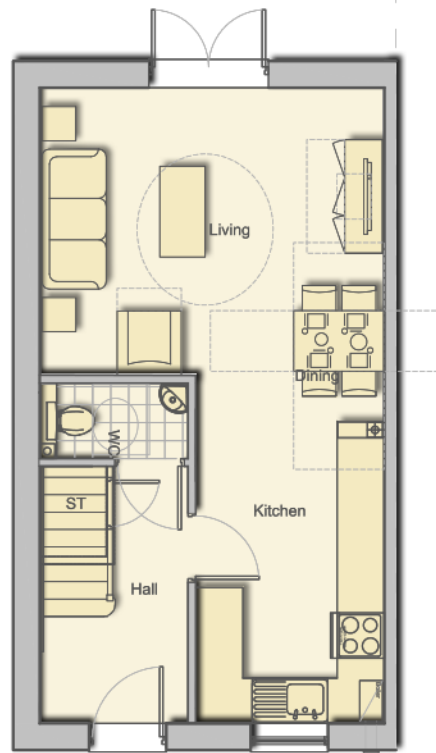
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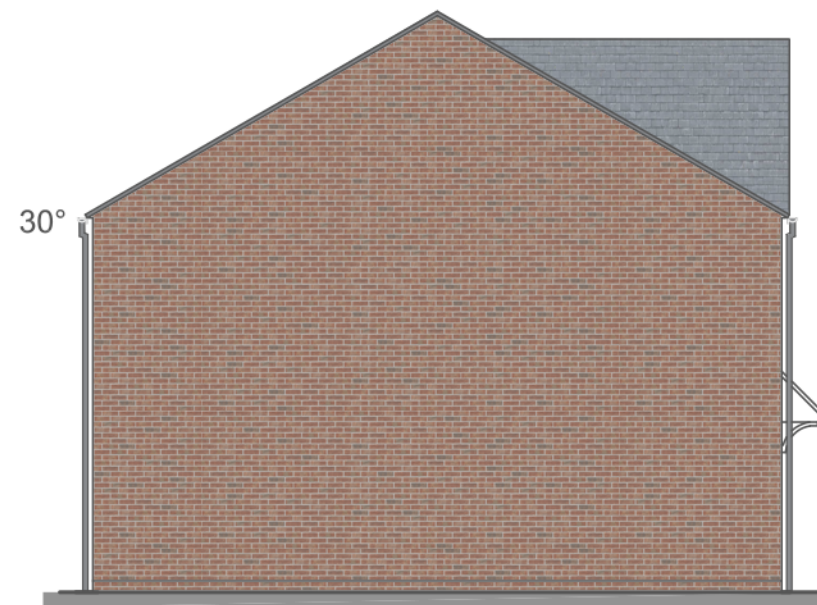
Front Elevation



Rear Elevation



Ground Floor Plan



Side Elevation

**Notes**  
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**Accommodation Schedule**

GF - 38.3m<sup>2</sup>  
 FF - 38.3m<sup>2</sup>

Total - 76.6m<sup>2</sup>

Total no. - 2

Rev	Description	Date	By
B	Adjusted to Planners Comments	21.01.19	DH
A	Adjusted to Planners Comments	20.12.18	DH

C	Concept	G	Contract
D	Planning	J	Construction
E	Building Regs	L	As Built
F	Tender	Sk	Sketch

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Client: Jigsaw

Project: Flowery Fields, Hyde

Scale:	@ original size	Date:	Drawn by:	Checked By:
1:100	A3	22.10.18	DH	BJ

Job Number	Description	Rev
1006	A 018 2B4P Plans and Elevations	B

0 1m 2m Scale 1:100

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### Notes

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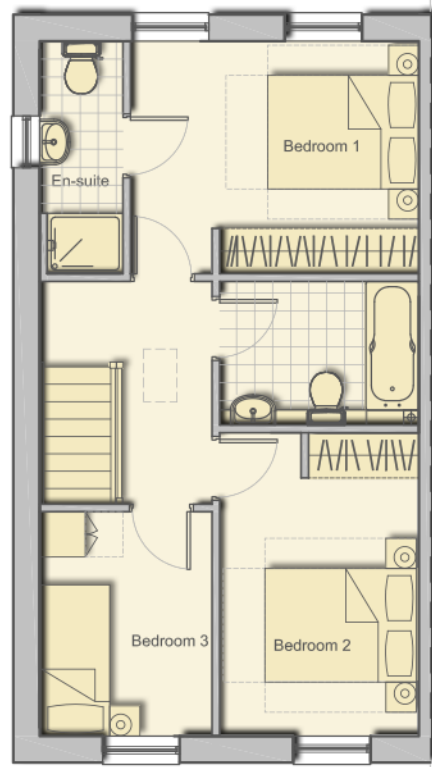
### Accommodation Schedule

GF - 46.0m<sup>2</sup>

FF - 46.0m<sup>2</sup>

Total - 92.0m<sup>2</sup>

Total no. - 5



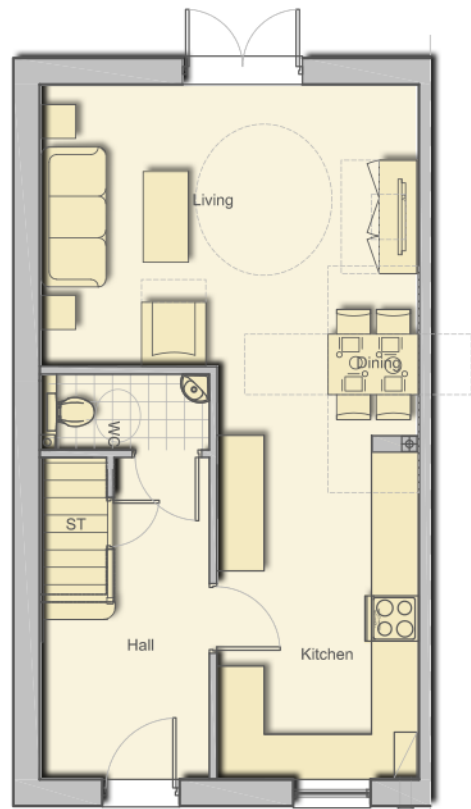
First Floor Plan



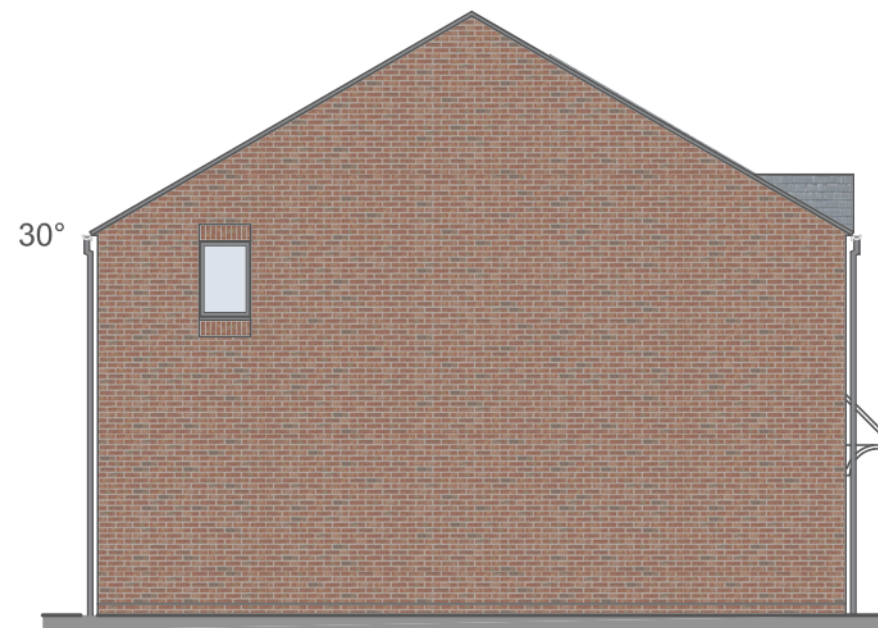
Front Elevation



Rear Elevation



Ground Floor Plan



Side Elevation

Rev	Description	Date	By
A	Revised to Planners Comments	21.01.19	DH

C	Concept	G	Contract
D	Planning	J	Construction
E	Building Regs	L	As Built
F	Tender	Sk	Sketch

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Client:		Jigsaw	
Project:		Flowerly Fields, Hyde	
Scale:	@ original size	Date:	Drawn by:
1:100	A3	22.10.18	DH
Checked By:		BJ	

Job Number	Description	Rev
1006	A 022 3BSP Plans and Elevations_Opt2	A

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 Scale 1:100

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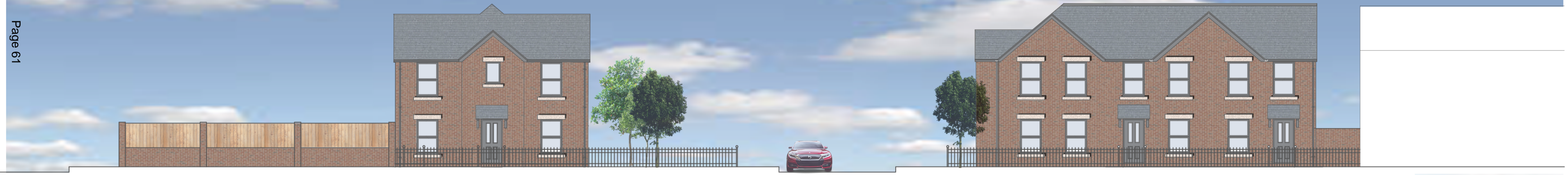
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Street Scene A-A at 1:100

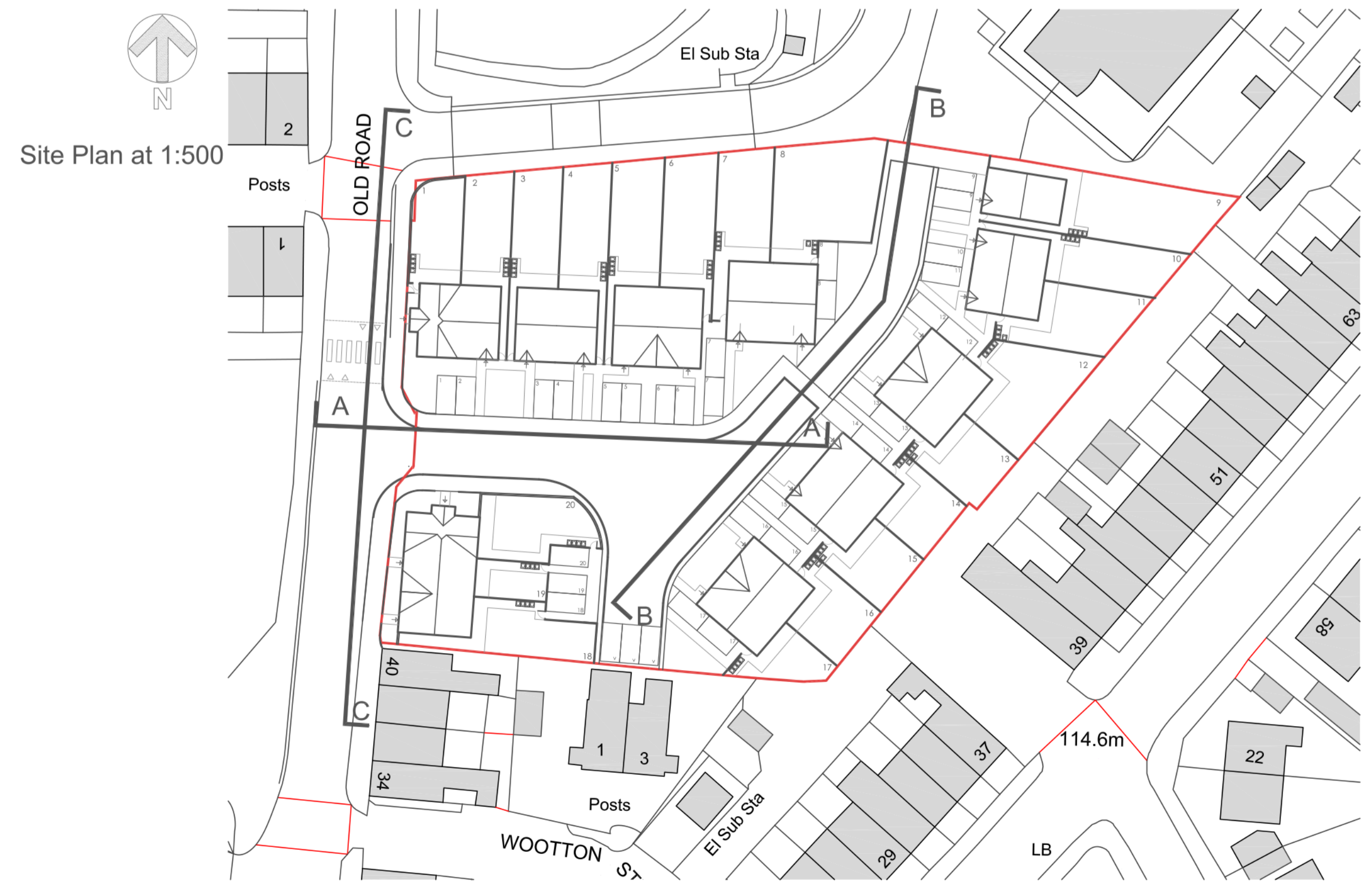


Street Scene B-B at 1:100



Street Scene C-C at 1:100

Page 61



E	Fence Adjusted	28.01.19	DH
D	Revised to Planning Comments	21.01.19	DH
C	Revised to Planning Comments	18.12.18	DH
B	Revised to Planning Comments	24.10.18	DH
A	Context Added	22.05.18	DH
Rev	Description	Date	By

C	Concept	G	Contract
D	Planning	J	Construction
E	Building Regs	L	As Built
F	Tender	Sk	Sketch

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Client: Jigsaw

Project: Flowery Fields

Scale: (B) original size Date: 22.05.2018 Drawn by: Dh Checked by: BJ

Job Number	Description	Rev
1006	A 005 Street Scenes	01



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# Agenda Item 6

<b>Report To:</b>	<b>SPEAKERS PANEL (PLANNING)</b>
<b>Date:</b>	20 March 2019
<b>Reporting Officer:</b>	Ian Saxon (Director Operations and Neighbourhoods)
<b>Subject:</b>	<b>HIGHWAYS ACT 1980, APPLICATION TO DIVERT DEFINITIVE FOOTPATH HYDE 32.</b>
<b>Report Summary:</b>	An application has been received from Mr Philip Wager to make an Order to divert a length of Footpath Hyde 32. Under the Council's constitution, the Speakers Panel (Planning) is responsible for decisions that affect the definitive rights of way network.
<b>Recommendation:</b>	It is recommended that it is expedient in the interests of the applicant and the public to divert Footpath 32 in Hyde as indicated on the plan appended to this report. It is further recommended that the Borough Solicitor be authorised to make and advertise a public path diversion order and either confirm it as an unopposed order or, should there be any objections to the order, submit it to the Secretary of State for confirmation.
<b>Links to Community Strategy:</b>	Provide a safer and secure environment for the people of Tameside
<b>Policy Implications:</b>	Provide a safer and secure environment for the people of Tameside
<b>Financial Implications:</b>	The applicant has agreed to bear the legal costs associated with the application and any expenses incurred in bringing the new footpath into a fit condition for use by the public.
<b>(Authorised by the Section 151 Officer)</b>	
<b>Legal Implications:</b>	DEFRA Circular 1/09 on Rights of Way advises at 5.33: In deciding whether or not it is expedient to confirm a diversion order under section 119 of the 1980 Act the Secretary of State, or the order making authority if there are no outstanding objections, must have regard to the effect that:
<b>(Authorised by the Borough Solicitor)</b>	<ul style="list-style-type: none"><li>• the diversion would have on the public enjoyment of the path as a whole;</li><li>• the coming into operation of the order would have as respects other land served by the existing right of way; and</li><li>• any new public right of way created by the order would have with respect to any land held with it.</li></ul>
<b>Risk Management:</b>	If the order is made and attracts objections then considerable officer time will be required to deal with the appeal, diverting resources away from other projects. The Applicant will meet some of these costs.

**Access To Information:**

**Appendix 1** – Plan showing proposed diversion route

All documentation can be viewed by contacting the report writer, Reece McLaughlin, Assistant Engineer:

 0161 342 3969

 e-mail: [reece.mclaughlin@tameside.gov.uk](mailto:reece.mclaughlin@tameside.gov.uk)



## **1 INTRODUCTION**

- 1.1 An application has been received from Mr Philip Wager to make a Public Path Diversion Order under section 119 of the Highways Act 1980 (the Act) by diverting a length of Footpath Hyde 32.
- 1.2 The applicant has agreed to bear the legal costs associated with the application. The applicant will also pay any expenses incurred in bringing the new path into a fit condition for use by the public.
- 1.3 Mr Wager has confirmed that he owns the entirety of the land onto which the section of Footpath 32 would be diverted.
- 1.4 This application is made to the Council, as highway authority, under Schedule 6 of the Act. The application seeks a decision on whether the diversion meets the criteria as set out in Section 3 below and whether it will make the route more commodious for users and will therefore be expedient. Under the Council's Constitution, these matters are for determination by the Speakers Panel (Planning).
- 1.5 If the application is rejected, the applicants have no right of appeal. If the application is accepted and the diversion order is made, the order will be advertised. If anyone objects to the order then it cannot be confirmed by the council. The only way it can be confirmed is if it is referred to the Secretary of State who will decide the matter following a public inquiry or hearing.

## **2 DESCRIPTION OF THE CURRENT AND PROPOSED ROUTES**

- 2.1. Footpath 32 starts at the eastern end of Ash Tree Road and then runs along the rear of the housing in a generally southerly direction for a distance of 381 metres and leads you to Lower Matley Hall where the definitive footpath ends.
- 2.2. The proposed diversion will cause the route to leave Ash Tree Road at the same point but will then run across the field to the south but parallel to Footpath 33. The eastern end of the diverted footpath will join with Footpath 33. A plan of the diversion is attached (**Appendix 1**).
- 2.3 The diverted route will run on a grass surface throughout with a width of at least 2 metres. This will also have a fence either side to protect from livestock which will be kept in the adjacent field.

## **3 CRITERIA FOR DIVERSION**

- 3.1. Section 119 of the Highways Act 1980 gives the Council power to make a diversion order if it is satisfied that "... in the interests of the owner, lessee or occupier of land crossed by the path or of the public, it is expedient that the line of the path or way, or part of that line, should be diverted...". Even if the Council is satisfied that it is expedient, the council has discretion whether or not to make the order.
- 3.2. The order cannot be confirmed unless the council considers that the diversion will not make the path substantially less convenient to the public in consequence of the diversion and that it is expedient to confirm the order having regard to the effect which—
  - (a) The diversion would have on public enjoyment of the path or way as a whole.
  - (b) The coming into operation of the order would have as respects other land served by the existing public right of way, and

- (c) Any new public right of way created by the order would have as respects the land over which the right is so created and any land held with it.

#### **4 OBJECTIONS TO THE DIVERSION**

- 4.1 All of the public rights of way organisations that operate in Tameside have been approached and asked for their views on the diversion. Of the responses received, only one raises objections to the proposed diversion.
- 4.2 The objection has been received from the Voluntary Footpath Inspector from the Peak and Northern Footpaths Society. The grounds for the objection are that that the current alignment of the footpath is “quiet, and poses a much more scenic view to walk along”. The proposed diversion is described as “along a path with no views and walking in a field where livestock could pose as a risk to walkers”.

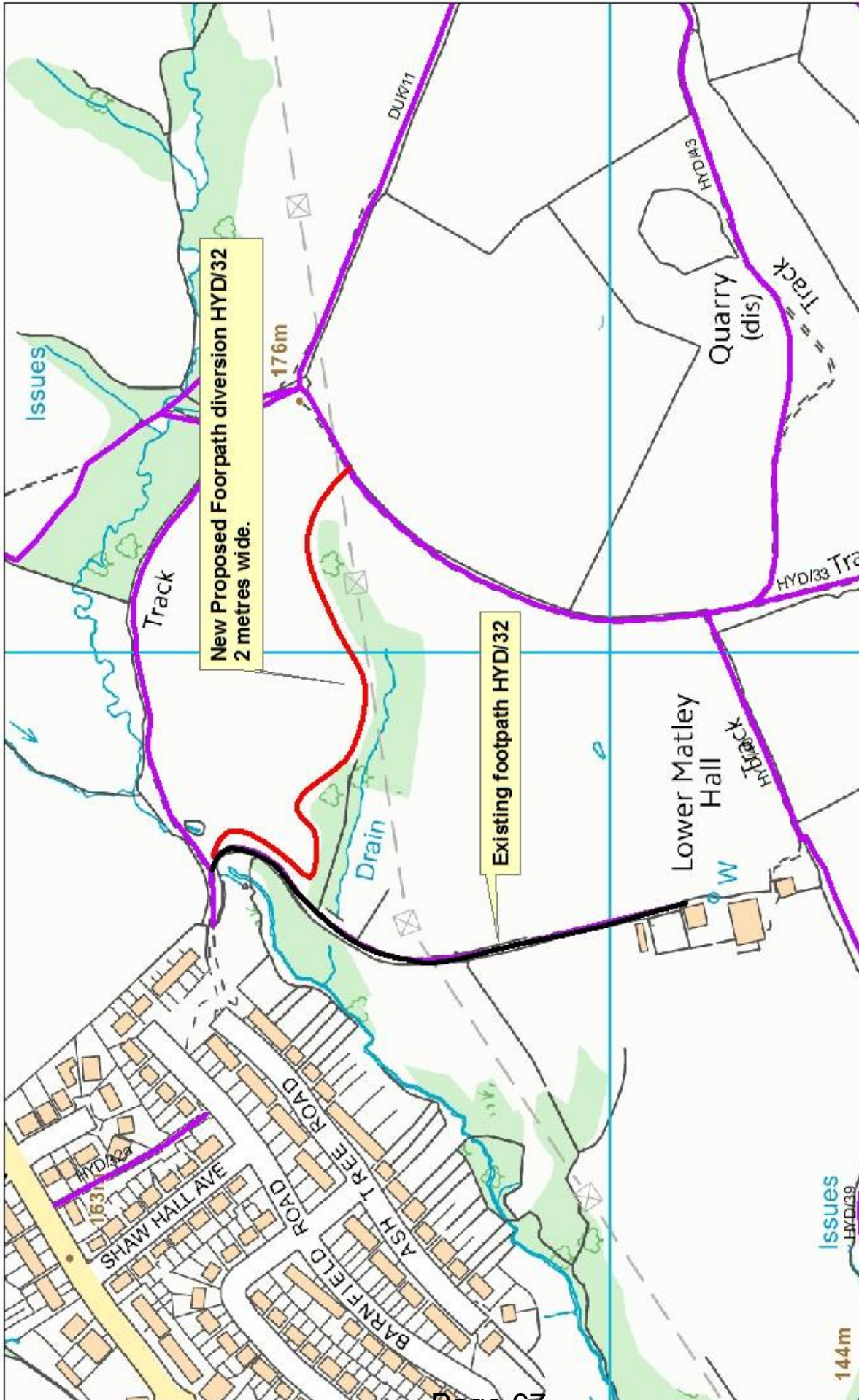
#### **5 COMMENTS OF THE DIRECTOR OF OPERATIONS AND NEIGHBOURHOODS**

- 5.1 The current footpath is in effect a cul-de-sac which only leads to Matley Hall Farm and so it is considered that the proposal would result in a better route for walkers as it will connect to other footpaths in the area.
- 5.2 The surface of the route will change from compacted stone to a natural surface. During site visits, the surface of the proposed diversion has always been firm underfoot and so it is not envisaged to be a problem. The applicant has agreed to maintain the surface in the future.
- 5.3 The intention of the applicant is for the diverted footpath to be fenced off from the rest of the field and so the concerns raised by the Peak and Northern Footpath Society about the risk from livestock should not pose a problem.
- 5.4 The current alignment of Footpath 32 runs along a farm access track with limited views due to an embankment on one side and thick woodland on the other. It is considered that the proposed diversion has views of a comparable if not better aesthetic quality than those currently available.
- 5.5 A decision is needed on whether the assembly believes that the diversion is expedient and, if they do, whether or not they wish to make the diversion order. In this case, the decision will need to consider if the diversion is unreasonable due to the assertion by the Peak and Northern Footpath Society that the current route “poses a much more scenic view to walk along”. The decision must be weighed against the fact that the path will lead walkers to connecting footpaths in the area and not to a dead end.

#### **6 RECOMMENDATION**

- 6.1 As set out at the front of the report.

# APPENDIX 1



This plan is produced from the Council's computer based geographical information system to supplement the list, under section 36(6) of the Highways Act 1980, of streets within the Council's area that are highways maintainable at public expense. It is not definitive as to the status, width or route of the streets shown. Tameside MBC does not accept responsibility for any error or inaccuracy in the plan or from any reliance placed on it.

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**Application Number** 18/00805/FUL

**Proposal** Erection of 10 dwellings, with associated access, amenity space and landscaping (amended scheme).

**Site** Land On The North Side Of Manchester Road, Audenshaw, Tameside

**Applicant** C/O Agent Paul Butler Associates

**Recommendation** Members resolve to grant subject to recommended conditions.

**Reason for report** A Speakers Panel decision is required because the application constitutes major development.

## 1. APPLICATION DESCRIPTION

1.1 The applicant seeks full planning permission for a residential development of 10 dwellings. The proposal comprises a two storey linked apartment block of 8 x 2 bedroom dwellings fronting Manchester Road with 2 x 4 bedroom detached dwellings located to the rear. Access to the site would be taken from a private Road which also serves Brooks Factory and Pearl Restaurant and Lounge. A total 10 parking spaces would be provided between the apartments and 2 parking spaces and a garage to the detached properties.

1.2 The application has been amended to address officer concerns relating to design and loss of protected trees. This has removed proposals to develop land fronting Ashton Hill Lane with the loss of 8 dwellings from the proposals.

1.3 The application has been supported with the following documents:

Design & Access Statement;  
Noise Impact Assessment;  
Public Utilities Report;  
Air Quality Assessment;  
Crime Impact Statement;  
Transport Statement;  
Ecological Assessment;  
Arboricultural Assessment;  
Flood Risk Assessment;  
Energy Sustainability Assessment;  
Full Plans Package.

## 2. SITE & SURROUNDINGS

2.1 The application relates to land within the curtilage of the Brooks factory within Audenshaw. The development concerns an area of the sites frontage located on the corner of the sites entrance. The land is landscaped (mainly to lawn) but also supports several trees. It is 'L' in shape and mainly flat albeit for a fall on the western edge.

2.2 The access road serves the factory which is located in a purpose built 2 storey structure which fronts a large surface car park located across the northern boundary of the application area. The factory and car park are separated by a mature conifer hedge. To the east, and sharing the access is the Pearl Restaurant. Manchester Road is located along the southern boundary and the western boundary includes two storey residential properties.

- 2.3 The site is enclosed by a chain link and concrete panel fence. The latter of which is partially screened by a mature hedge. There are two semi-mature Norway Maples located towards the western boundary.
- 2.4 The wider area is predominantly residential in character with some examples of commercial uses. There are bus stops immediately opposite the site which serve connections between Ashton, Audenshaw and Manchester in addition to other Tameside towns.

### 3. **PLANNING HISTORY**

- 3.1 No application relevant to housing within the site but approval has been granted on adjoining land:-
- 3.2 06/00244/FUL - Erection of 3 no dwelling houses - Approved On 05/04/2006

### 4. **RELEVANT PLANNING POLICIES**

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 Planning Practice Guidance (PPG)
- 4.3 **Tameside Unitary Development Plan (UDP) Allocation:** Employment Land.

#### 4.4 **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
- 1.6 Securing Urban Regeneration
- 1.12: Ensuring an Accessible, Safe and Healthy Environment

#### 4.5 **Part 2 Policies**

- E3: Established Employment Areas
- H2: Unallocated sites
- H4: Type, size and affordability of dwellings
- H5: Open Space Provision
- H6: Education and Community Facilities
- H7: Mixed Use and Density.
- H10: Detailed Design of Housing Developments
- OL4: Protected Green Space.
- OL10: Landscape Quality and Character
- T1: Highway Improvement and Traffic Management.
- T10: Parking
- T11: Travel Plans.
- C1: Townscape and Urban Form
- N4: Trees and Woodland.
- N5: Trees Within Development Sites.
- N7: Protected Species
- MW11: Contaminated Land.
- U3: Water Services for Developments
- U4 Flood Prevention
- U5 Energy Efficiency

#### 4.6 **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.

**4.7 National Planning Policy Framework (NPPF)**

Section 2 Achieving sustainable development

Section 6 Delivering a sufficient supply of homes

Section 8 Promoting healthy and safe communities

Section 9 Promoting sustainable

Section 11 Making effective use of land

Section 12 Achieving well-designed places

Section 14 Meeting the challenge of climate change, flooding and coastal change

**4.8 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 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's adopted Statement of Community Involvement the application has been advertised as a Major Development:

- Neighbour notification letters to 44 addresses
- Display of site notices
- Advertisement in the local press

5.2 Additional neighbour notification letters have been issued to reflect amendments with the development.

**6. RESPONSES FROM CONSULTEES**

6.1 Local Highway Authority – No objections, the design has been amended to reflect comments. Recommend a series of conditions.

6.2 United Utilities – Recommends inclusion of Informatives on any decision notice and a condition relating to drainage details being submitted for approval prior to commencement of development.

6.3 Greater Manchester Ecological Unit – No objections. The revised plans now retain the woodland and majority of the trees on the site, which is a much better design for ecology. Request conditions are applied to secure enhancements to biodiversity at the site.

6.4 Borough Contaminated Land Officer – No objections subject to recommended conditions requiring further site investigations. .

6.5 Borough Environment Health Officer – Note potential noise disturbance mainly from transport based traffic. Supportive of recommendations within the submitted noise assessment and request that the mitigation measures are conditioned. Further recommendation relating to controls on construction hours.

6.6 Housing Growth Officer – Preference is given to open market housing in this locality on scale of development that is proposed. .

- 6.7 Borough Tree Officer – Amendments are far better from an Arboricultural perspective. The visual amenity associated with the protected group at Ashton Hill will be retained. No objections subject to conditions for replacement planting at the site which should be of native species
- 6.8 GMP (Design for Security) – Recommend that Secure by Design Accreditation is applied for.
- 6.9 GMAAS – Satisfied that the proposed development does not threaten the known or suspected archaeological heritage. No reason to seek to impose any archaeological requirements upon the applicant.
- 6.10 TFGM – No objections. The reduction to the number of units falls below the trigger for highways review of the traffic impacts. Comments that the site is extremely well connected with public transport options.

## **7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED**

- 7.1 In response to the initial round of consultation 8 letters of objection have been received from neighbouring residents in addition to a petition of 18 signatures has been received , raising the following concerns (summarised):
- General objection to the development
  - Traffic is heavily congested and the development will add to these issues
  - The piece of land on Ashton Hill Lane has been a site for wildlife for many years now the development would result in the loss of important habitat
  - Disturbance during construction
  - Loss of high amenity trees would be harmful to the character of the area
  - Loss of privacy from overlooking
  - Loss of important Green Space
  - Not enough allocated parking
  - Comment that it would be an overdevelopment of new housing in the area. Suggestions that the number of houses within the development is reduced
  - Concerns over highways safety and the conclusions of the Traffic Survey
- 7.2 In response to additional consultation undertaken to reflect amendments a further single letter of objection has been received.
- Amenity concerns about the distance to existing properties

## **8. ANALYSIS**

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 8.2 The current position is that the Development Plan consists of the policies and proposals maps of the Unitary Development Plan and the Greater Manchester Joint Waste Plan Development Document.
- 8.3 The National Planning Policy Framework (NPPF) is also an important consideration. The NPPF states that a presumption in favour of sustainable development should be at the heart of every application decision. For planning application decision making this means:-



- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless:-
  - o any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
  - o specific policies in the Framework indicate development should be restricted.

## **9. PRINCIPLE OF DEVELOPMENT**

- 9.1 The application site is allocated within a designated Employment Area, as defined on the UDP Proposals Map. UDP policy E3 essentially seeks to protect such sites for employment generating uses. Policy also covers the acceptance of non-employment generating uses. It states that proposals for residential or mixed use development will be permitted where, following assessment of identified factors, it is considered that the Borough's housing requirements and the regeneration benefits of the development outweigh the potential of the site in its present form for further employment use. Chapter six of the Employment Land SPD expands on the assessment criteria outlined in policy E3
- 9.2 The applicants planning statement presents an assessment against policy E3 and the employment Land SPD. In summary, the following is asserted by the applicant :-
- The applicant land contributes only 0.75ha (now reduced to 0.02ha) of employment land to the overall supply of employment land in the borough
  - Acceptance to larger more strategic employment sites to housing within the locality (Robertson's Jam)
  - Site constraints recognising proximity of residential properties on Manchester Road
  - Impractical shape of the site would not facilitate an expansion of the Brooks Factory
  - Lack of 5 year housing supply
  - Sustainable credentials of site meets the presumption test
  - Effective use of land
  - The application meets the exception test of policy E3 to permit a non-employment use
- 9.3 A balancing exercise needs to be undertaken to identify whether there are material considerations that would justify a departure from established employment policy. Paragraph 120 (b) of the NPPF states that where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan, prior to updating the plan, application for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.
- 9.4 It is evident from the Employment Land Statement submitted in support of the application that in its present form the land is surplus and does not perform an active employment role. In reality there is a clear demarcation between the building and functioning employment use associated with the Brooks Factory and the land in concern. It would not be desirable nor practical to the operations of the factory to extend onto the site as this would not be conducive to the amenity of the nearest residents. It is considered that the site represents a partial infill of a larger employment allocation that would be compatible with adjoining land uses and not be prejudicial to overall employment operations.
- 9.5 With regard to the principle of the proposed residential development at the site, it is noted that the site is located within a highly sustainable location recognising the transport links and amenities on hand. The Council's current lack of a 5 year housing supply is afforded significant weight to the assessment process. The NPPF is clear that the presumption in favour of sustainable development should be applied to determine planning applications in

such instances, unless the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF as a whole. On this basis, the principle of much needed residential development on a brownfield site, within an accessible and sustainable location, directly adjacent to a Predominantly Residential Area, is considered acceptable.

- 9.6 There are no other constraints that would be preventative to the development of the land. As such, it is considered that the release of this designated employment site and the redevelopment of the site for residential purposes is clearly justified against policy E3 of the Development Plan and the proposals do not represent a departure in this particular case.

## **10. AFFORDABLE HOUSING**

- 10.1 The Council's affordable housing policy is contained within UDP policy H4. This states that within areas where there is a demonstrable lack of market housing to meet local needs the Council will require developers to provide an element of subsidised or low cost market housing on suitable residential sites of 25 units or more.
- 10.2 The NPPF (para 64) states that major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area. This trigger point exceeds the Council's local threshold set by policy H4 of 25 units.
- 10.3 The Tameside Housing Needs Assessment was updated in September 2019. Prior to its adoption the Council's approach was to not apply the requirements of the policy on major developments above 25 units. The Assessment identifies that all development should seek to secure 15% of units on an affordable basis (As defined in Annex 2: Glossary of the NPPF) which would equate to approximately 2 units in this instance (rounded up).
- 10.4 Amendments to the design have resulted in the loss of 8 dwellings from the proposals. The Housing Needs Assessment identifies a requirement for larger housing within Tameside and an overriding need for market housing. Tameside's Affordable housing is largely met through the housing programmes implemented by the Housing associations. In the context of Audenshaw consultation with the Housing Growth Officer confirms that in the applications circumstances there would be viability issues presented should a contribution be sought. The scale of the development falls below the affordable housing required for the area, as such it would not be desirable to pursue an affordable housing contribution as this would present recognised viability issues. It remains that preference be given to securing open market housing within a recognised period of under supply. A contribution is therefore not sought.

## **11. DESIGN AND VISUAL AMENITY**

- 11.1 The application has seen significant amendments to the overall design and scale of the development. These amendments have omitted any proposals to develop land fronting Ashton Hill Road which will be retained in its current amenity function. The development is therefore concentrated on the Manchester Road Junction which is shared with the Brooks Factory and adjacent Pearl Restaurant.
- 11.2 The application concerns only the area of land fronting the Brooks Factory Entrance. The layout comprises two distinct elements, that of the apartment block to the highway frontage, and the detached properties located to the rear of the site which would be outside of public view. The property arrangement makes efficient use of the land, the apartments would successfully frame the highways on a relatively prominent corner plot providing a desirable

active frontage and enclosure of the street. The apartment block would sit within a landscaped curtilage which would enhance the overall setting and its response to the street scene. This would 'open up' the site in comparison with the mixture of concrete and chain-link fence which currently exist.

- 11.3 The landscaping would provide a welcomed soft edge to the development which would be of amenity benefit the residents and the character of the locality alike. The apartment block would frame the established Norway Maple tree which would provide a focal point to the development.
- 11.4 The scale and materials are comparable to that of the 1930's housing stock located across the western boundary. The apartments would observe the established building line of these properties. Whilst the design would be more contemporary, it would make subtle references to these houses through the use of feature bays, overall window proportions and feature pitched gables along with the predominant use of a red brick.
- 11.5 The detached properties would be located at the end of the cul-de-sac that would be created off the current access road. These along with the northern gable of the apartment block would frame the highway and provide passive surveillance of the access and parking areas.
- 11.6 The layout identifies that parking would be integrated into the design outside of main public vistas to reduce the overall dominance of hard surfacing. Provision is also made within the layout to accommodate appropriate levels of visitor parking within the street and for screened bin storage.
- 11.7 Within the development boundaries would consist of a mixture of treatment the exact details of which would need to be addressed by way of a condition. The aim being to create private defensible space and also provides a suitable finish to the public areas that ensures relevant privacy standards are achieved. Where space allows frontages would support planting in the form of trees and shrubs, this in turn provides a visual benefit by softening the sites overall appearance by enhancing the setting of individual plots.
- 11.8 Overall the design approach would be sympathetic in terms of its siting, scale, massing, design, roofline, materials and landscaping, it would build upon local distinctiveness of the street scene. The density of development reflects that which prevails within the locality and strikes the correct balance between the need to protect residential amenity, local character, and the efficient use of land in accordance with the provisions of policy H10 and the adopted SPD which stress the importance of residential development being of an appropriate design, scale, density and layout.

## **12. DESIGN & RESIDENTIAL AMENITY**

- 12.1 The Design of Residential Development SPD identifies standards for new residential development. It is important that new residential developments achieve appropriate levels of amenity for proposed residents whilst not adversely affecting existing residents. This is mainly achieved by ensuring that developments adhere to inter-house spacing policy in terms of their position, scale and orientation in relation to existing properties. In this regard the SPD states that a distance of 21 metres should be achieved between private (rear) elevations, 14 metres between a principle and non-principle elevation.
- 12.2 The detached properties would be positioned in a back to back arrangement to the bungalows on Heather Grove. Existing tree foliage would be retained and the addition of boundary fences would secure privacy to existing and proposed residents alike which would be located over 30m away even when accounting for the change in levels. Subject

to the safeguarding of the recommended conditions it is considered that levels of amenity and overall privacy of existing residents would be acceptable.

- 12.3 It is considered that the occupants of the dwellings would be served with a good level of amenity. External noise level would be controlled by boundary treatments, glazing specification and controlled ventilation. The design of the properties meets technical guidelines for room sizes with good separation between habitable and non-habitable areas. The outside amenity space for the apartment and housing occupants alike is also well proportioned and provides secure and private garden space.
- 12.4 The site is within the urban area, and is in an accessible and sustainable location. It is located close to a high frequency bus route with amenities immediately on hand to serve future residents. Access to recreation facilities including formal sports provision is also on hand which will complement future residents' level of amenity.
- 12.5 The layout and form of development represents a considered response to its context, and would avoid any undue impact on the amenity of neighbouring properties which overlook the site, and for future occupiers by reason of visual intrusion, overshadowing, loss of daylight, overlooking or loss of privacy and accords with the provisions of policy H10.

### **13. HIGHWAY SAFETY**

- 13.1 All properties would take pedestrian and vehicle access from a new cul-de-sac off the existing access to the Brook Factory. The Highways Authority comment that the access arrangements are suitable to protect all road users. The road within the development is designed to ensure that vehicle speeds are low on the approach to the site access.
- 13.2 In line with the maximum standards of the adopted SPD on parking the detached properties would have 2 off street parking spaces in addition to a garage. The apartments would have 10 parking spaces including dedicated disabled provision. The position and orientation of the properties and apartments ensures that these parking spaces are accessible and in the interests of security are also covered by good surveillance. The internal road layout is capable of accommodating ample visitor parking along with manoeuvring for refuse vehicles.
- 13.3 Traffic movements to and from the site would be acceptable in terms of local capacity and no-off site mitigation is required to address the scale of development. The site is well located in relation to public transport, being situated off the A635 Manchester Road. There are bus stops outside the site on Manchester Road offering access to destinations between Shudehill and Ashton-Under-Lyne at hourly intervals. Further services at more frequent 10 minute intervals between Manchester City Centre and Ashton-Under-Lyne are available from stops along Audenshaw Road, via a 2 minute walk from the site. The Audenshaw Metrolink stop serving Eccles to Ashton-Under-Lyne, including stops within the Regional Centre, is located within a circa 11 minute walk of the site, with services at 12 minute intervals. In addition to this Fairfield Rail Station is located within a 7 minute walk of the site and offers services to destinations including Rose Hill Marple and Manchester Piccadilly. As such it is considered that future residents will be provided with genuine alternatives to travel by car.
- 13.4 Overall the site is within a very accessible location. The access and parking arrangements have been designed in conjunction with advice given from the Highways Authority and they have raised no objections. Therefore subject to the recommended conditions, it is considered that the development adheres to the provisions of policies T1 and T10.

## **14. LANDSCAPING & ECOLOGY**

- 14.1 The majority of tree cover would be retained within the site. The development does require the removal of Norway Maple which is identified as a category C specimen. A full soft landscaping strategy has been provided. Consultation with the Tree Officer confirms acceptance to the proposal identifying the proposed landscaping would achieve an acceptable level of mitigation and overall enhancement in tree cover at the site.
- 14.2 All trees to be retained on the site would be protected from the development to prevent damage to the root system and ensure their future retention.
- 14.3 Section 11 of the NPPF advocates biodiversity enhancement. The biodiversity value of the site could be enhanced as part of the landscaping proposals to be approved by condition. GMEU advise that this should include locally native species to benefit and maintain wildlife connectivity in addition to the fixture of bat and bird boxes to the each of the dwellings.

## **15. DRAINAGE**

- 15.1 The site is in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. United Utilities have confirmed that the foul water drainage flows from the development can be accommodated into the existing network the apparatus for which is located within the surrounding highway to the site. .
- 15.2 The site would be positively drained and the attenuation of surface water would ensure that greenfield run-off rates can be achieved. Subject to the safeguarding of the recommended conditions requiring drainage details to be submitted no objections are raised from a drainage perspective.

## **16. GROUND CONDITIONS**

- 16.1 The Coal Authority records indicate that the site is not within a high risk mining area therefore any approval would be subject to the Coal authority's standing advice. .
- 16.2 Consultation with the Contaminated Land Officer confirms that no objections are raised subject to the further site investigations being undertaken. This would be secured through the requirements of a planning condition.

## **17. CONTRIBUTIONS**

- 17.1 In accordance with the Written Ministerial Statement (WMS) of 28 November 2014, no tariff based contributions are to be sought in relation to open space or education provision, as the proposal would not exceed 10 dwellings. The WMS is a material planning consideration, forming part of the Planning Practice Guidance. Given the need to boost the supply of housing in sustainable locations, as required by Section 5 of the NPPF, it is considered that financial contributions are not necessary to make the scheme acceptable in planning terms.

## **18. CONCLUSION**

- 18.1 The location of the site within an allocated Employment Area and the requirements of saved UDP policy E3 are acknowledged. However, it is considered that in the applications circumstances the area of land is surplus to employment requirements and its

redevelopment for residential purposes would make for an efficient use of land which is compatible with adjoining uses and not prejudicial to the applicant's on-going employment operations at the Brooks factory. Further weight is afforded for the proposed residential development due to the accessible and sustainable location of the site and the provision of much needed residential development on a previously developed, brownfield site, at a time of housing under-supply within the Borough.

- 18.2 On the basis of the submitted amended scheme, no objections are raised from the Highway Engineer, with regard to the issues of access, highway safety, traffic generation and parking.
- 18.3 It is considered that the proposal could be successfully accommodated on the site without causing undue harm to the visual amenity of the area or the residential amenity of surrounding properties. In the absence of objections from relevant consultees and subject to conditional control, the proposal is considered acceptable in terms of its impact on trees; impact on ecology and protected species; flood risk and drainage.
- 18.4 Taking into account the relevant development plan policies and other material considerations, subject to the identified mitigation measures, it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the benefits associated with the granting of planning permission. The proposals represent a highly efficient development on an underutilised site within an established urban area site that would meet sustainability requirements, and contribute positively to the Boroughs affordable housing supply.

## **19. RECOMMENDATION:**

Grant subject to the recommended 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:
  - Tree Protection plan Dwg 17215-0301 Rev P00
  - Arboricultural Impact Assessment Dwg 17215-0302 Rev P00
  - Location & Ownership Plan Dwg 17215-0303 Rev P02
  - Proposed Site Plan Dwg 17215-0305 Rev P02
  - 2 Bed Flats Proposed Ground Floor Plans Dwg 17215-0309 Rev P01
  - 2 Bed Flats Proposed First Floor Plans Dwg 17215-0310 Rev P01
  - 2 Bed Flats Proposed Elevations AA BB Dwg 17215-0311 Rev P01
  - 2 Bed Flats Proposed Elevations CC DD EE FF GG Dwg 17215-0312 Rev P01
  - 2 Bed Flats Proposed Street View Scenes Dwg 17215-0313 Rev P01
  - 2 Bed Flats Proposed Street Elevations Dwg 17215-0314 Rev P01
  - 4 Bed detached Proposed Floor Plans Dwg 17215-0315 Rev P01
  - 4 Bed Detached Proposed Street Elevations AA BB Dwg 17215-0316 Rev P01
  - 4 Bed Detached Proposed Street Elevation CC DD Dwg 17215-0317 Rev P01
  - 4 Bed Detached Proposed Street View Scene Dwg 17215-0318 Rev P01
  - Design & Access Statement – January 218
  - Air Quality Assessment ref 1947r3 August 2018
  - Noise Impact Assessment Ref AC104554-1R1
  - Crime Impact Statement January 2018 ref 2017/1118/CIS/01
  - Transport Statement ref 065429/TS August 2014
  - Energy & Sustainability Statement dated 23<sup>rd</sup> August 2018
  - Ecological Assessment Rev 02 dated 12/12/17
  - Flood Risk Assessment Rev C 23/08/18

3. Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and/or full specification of materials to be used: externally on the buildings; 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.
4. 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.
5. 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.

6. 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.
7. Before the use hereby permitted commences, details of the refuse and recycling storage, including siting, form and size of bins, to serve the residential flats aspect of the development shall be submitted to and approved in writing by the Local Planning Authority. The refuse and recycling storage facilities shall be provided in accordance with the approved details prior to the occupation of these flats and shall be retained thereafter.

8. No development shall commence until full design details of the mitigation measures recommended in REC's Noise Impact Assessment report, reference AC104554-1R1, dated 11th January 2018, have been submitted to and approved in writing by the Local Planning Authority. The design details shall include:
  - scaled plans showing the exact location and elevations of the acoustic fencing to be installed, the materials to be used and the manufacturers specification of the fencing; and
  - scaled plans showing the location of windows to be treated with high specification glazing and ventilation, the specifications of the glazing to be used and the type and specification of the acoustic ventilation to be fitted.The noise mitigation measures 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. Written proof shall be provided to the Local Planning Authority that all mitigation measures have been installed in accordance with the agreed details.
9. No removal of or works to any hedgerows, trees or shrubs shall take place during the main bird breeding season 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.
10. A scheme for the Biodiversity Enhancement Measures, as set out in section 5 of the Ecological Assessment by Urban Green dated December 2017 ref: 11674 shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall first be agreed in writing with the local planning authority) and shall be retained thereafter.
11. The car parking indicated on the approved plan Dwg 17215-0305 Rev P02 shall be provided to the full satisfaction of the Local Planning Authority and thereafter kept unobstructed and available for its intended purpose. Parking areas or driveways must be at least 3.1 metres wide and 6 metres long or 5.5 metres long where in front of a garage. The areas shall be maintained and kept available for the parking of vehicles at all times.
12. Prior to commencement of work on site the applicant shall undertake a condition and dilapidations survey of the highway fronting the site and giving access to the site and prepare and submit a report to the Engineering Operations Manager. The developer will be responsible for making good any damage caused to the highway by the development works or by persons working on or delivering to the development. Any damage caused to the street during the development period shall be reinstated to the full satisfaction of the Highway Authority prior to the occupation of any part of the development.
13. 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.

14. The development shall not commence until details of the road works and traffic management measures necessary to secure satisfactory access to the site have been submitted to and approved in writing by the Local Authority. The approved works shall be completed to the satisfaction of the Local Planning Authority prior to the occupation of any part of the development.
15. No development shall commence until tree protection measures to meet the requirements of BS5837:2012 have been installed around all of the trees on the site to be retained (including the trees protected by Tree Preservation Orders within the site and adjacent to the boundaries of the land.) These measures shall remain in place throughout the duration of the demolition and construction phases of the development, in accordance with the approved details.
16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwellings which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority, and no garages or other outbuildings shall be erected.
17. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained. The approved hard landscaping details shall include all surface treatments and shall be implemented prior to the occupation of the dwellings.
18. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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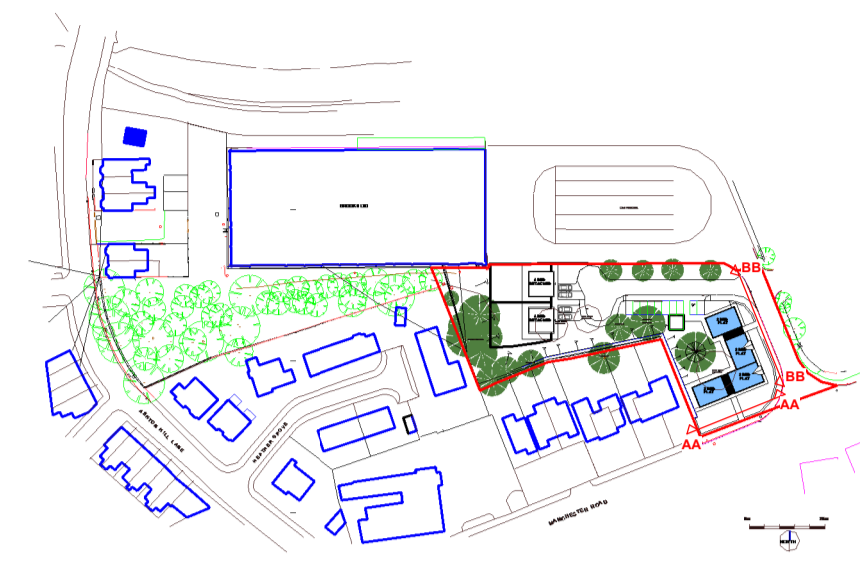


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NOTES:



**3 SITE PLAN**

1 : 2500

03 - ROOFTOP LEVEL  
7179  
Dormer Level  
6755  
02 - Second Floor  
5140  
01 - First Floor  
2720  
00 - Ground Floor  
0



**1 PROPOSED ELEVATION AA - NORTH-EAST FACADE (A635 - MANCHESTER ROAD)**

1 : 50

Page 83

03 - ROOFTOP LEVEL  
7179  
Dormer Level  
6755  
02 - Second Floor  
5140  
01 - First Floor  
2720  
00 - Ground Floor  
0



**2 PROPOSED ELEVATION BB - SOUTH-EAST FACADE (PRIVATE ROAD)**

1 : 50

P01	Revised Elevations Following Pre-Planning Meeting	18/01/19	JH	RE
P00	Planning Drawing Submission	24/08/18	JH	RE
Rev	Description	Date	Dr by	App by

Project Stage

**PLANNING**

Client:  
MR MICHAEL WHITHAM

Project:  
MANCHESTER ROAD, AUDENSHAW

Drawing Title:  
PROPOSED 2 BED FLATS  
PROPOSED ELEVATION AA & BB

Drawn	Checked	Paper Size	Scale	Date
JH	RE	A1	As indicated	24/08/18

Drawing No:  
17215-0311

Revision  
P01

Drawing BIM Name:  
17215-CW-B2-ZZ-M3-A-BUIL-S0-P06.RVT

CDE Area:	Suitability Code:	BIM Revision:
		P06



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1 3D View 1 - MANCHESTER ROAD (A635) - CORNER PERSPECTIVE  
1:1



2 3D View 2 - MANCHESTER ROAD (A635) - STREET SCENE  
1:1

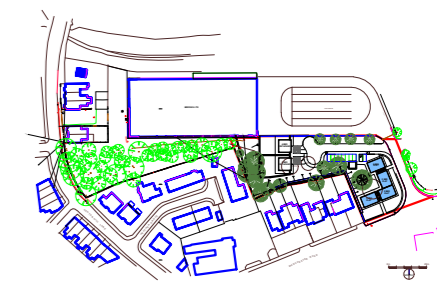


3 3D View 3 - PRIVATE ROAD - STREET SCENE  
1:1

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4 SITE PLAN (2)  
1:5000

P01	Revised Elevations Following Pre-Planning Meeting	18/01/19	JH	RE
P00	Planning Drawing Submission	24/08/18	JH	RE
Rev	Description	Date	Dr by	App by

Project Stage

## PLANNING

Client:

MR MICHAEL WHITHAM

Project:

MANCHESTER ROAD, AUDENSHAW

Drawing Title:

PROPOSED 2 BED FLATS  
STREET VIEW SCENES

Drawn	Checked	Paper Size	Scale	Date
JH	RE	A2	As @A2 indicated	24/08/18

Drawing No. 17215-0313 Revision P01

Drawing BIM Name: 17215-CW-B2-ZZ-M3-A-BUIL-S0-P06.RVT

CDE Area:	Suitability Code:	BIM Revision: P06
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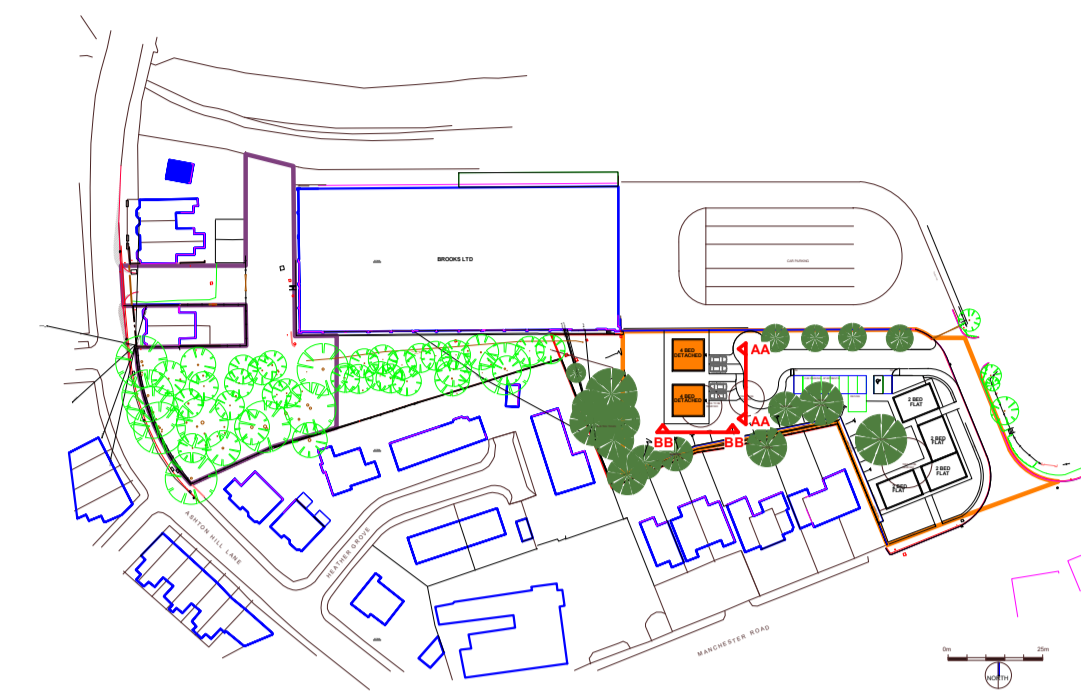
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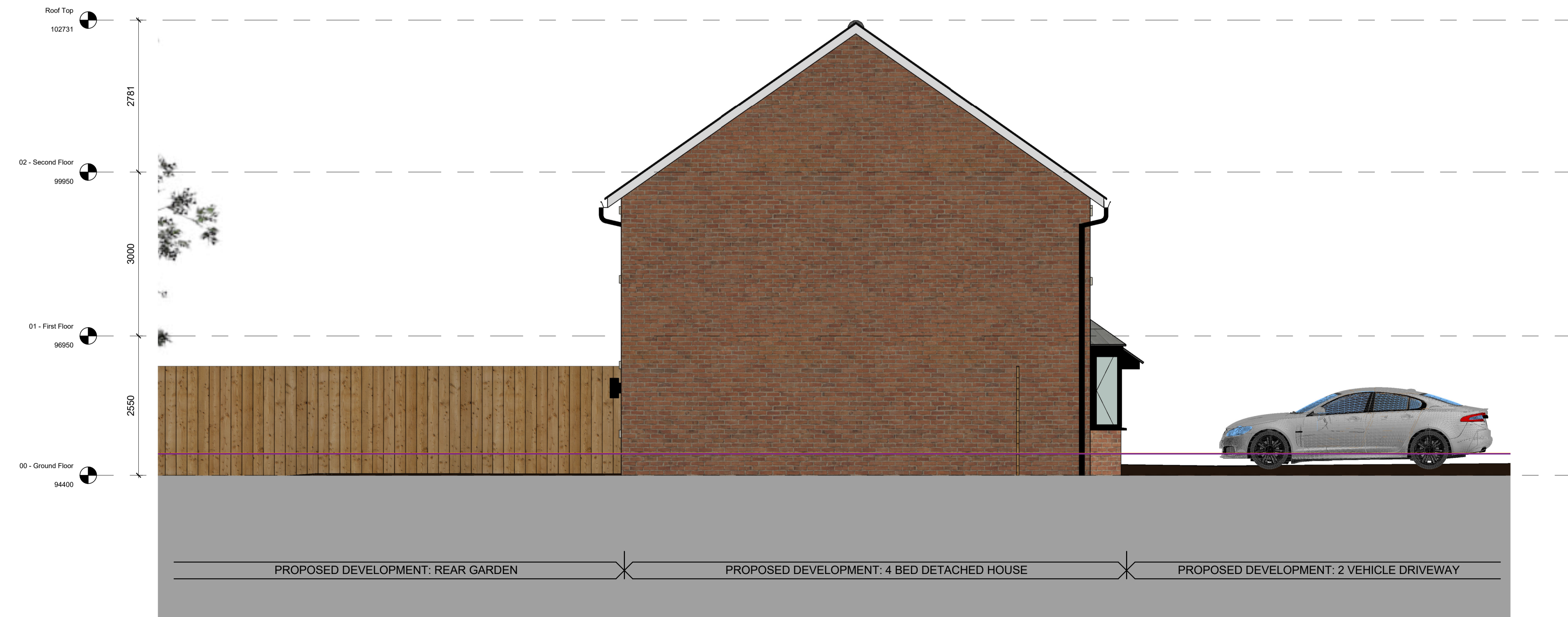
NOTES:



3 Site  
1 : 2000



1 Elevation AA  
1 : 50



2 Elevation BB  
1 : 50

Rev	Description	Date	Dr	App by
P01	Revised Site Plan Following Pre-Planning Meeting	18/01/19	JH	RE
P00	Planning Drawing Submission	24/08/18	JH	RE

Project Stage

## PLANNING

Client:  
MR MICHAEL WHITHAM

Project:  
MANCHESTER ROAD, AUDENSHAW

Drawing Title:  
PROPOSED 4 BED DETACHED HOUSES  
PROPOSED ELEVATION AA & BB

Drawn	Checked	Paper Size	Scale	Date
JH	RE	A1	As indicated	24/08/18

Drawing No:  
17215-0316

Drawing BIM Name:  
17215-CW-ZZ-M3-A-MPLN-S0-P01.RVT

CDE Area:  
Sustainability Code:  
BIM Revision:  
P01

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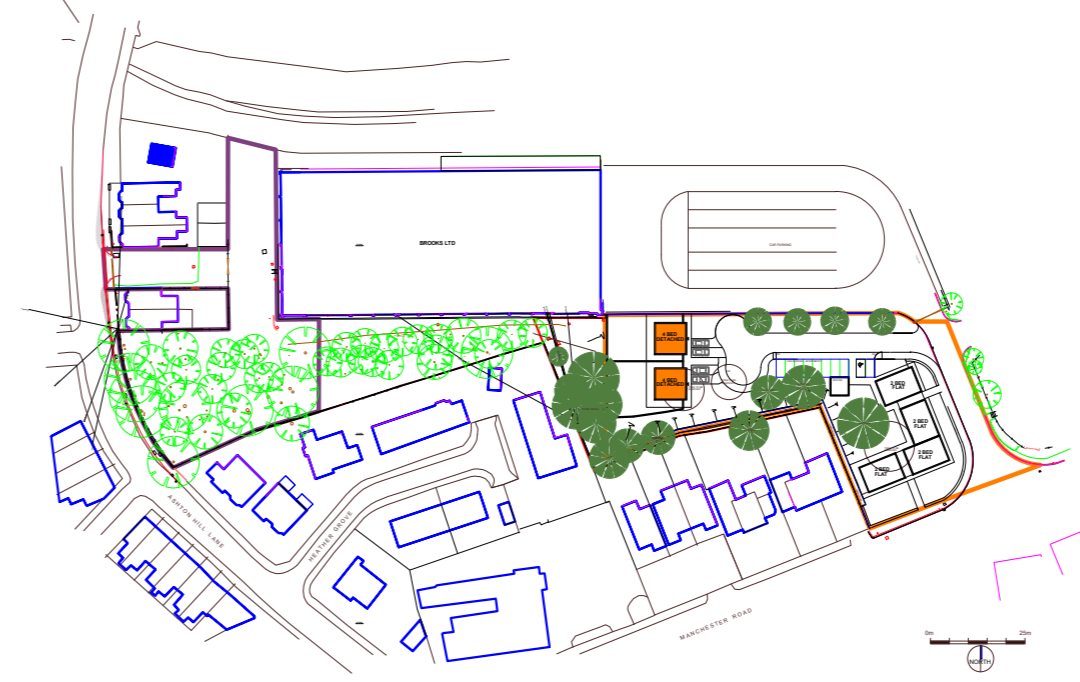
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NOTES:



2 Site (2)  
1 : 2000



P01	Revised Site Plan Following Pre-Planning Meeting	18/01/19	JH	RE
P00	Planning Drawing Submission	24/08/18	JH	RE
Rev	Description	Date	Dr by	App by

Project Stage

# PLANNING

Client:  
MR MICHAEL WHITHAM

Project:  
MANCHESTER ROAD, AUDENSHAW

Drawing Title:  
PROPOSED 4 BED DETACHED HOUSES  
STREET VIEW SCENE

Drawn	Checked	Paper Size	Scale	Date
JH	RE	A2	As indicated @A2	24/08/18

Drawing No.	Revision
17215-0318	P01

Drawing BIM Name:  
17215-CW-ZZ-ZZ-M3-A-MPLN-S0-P01.RVT

CDE Area:	Suitability Code:	BIM Revision:
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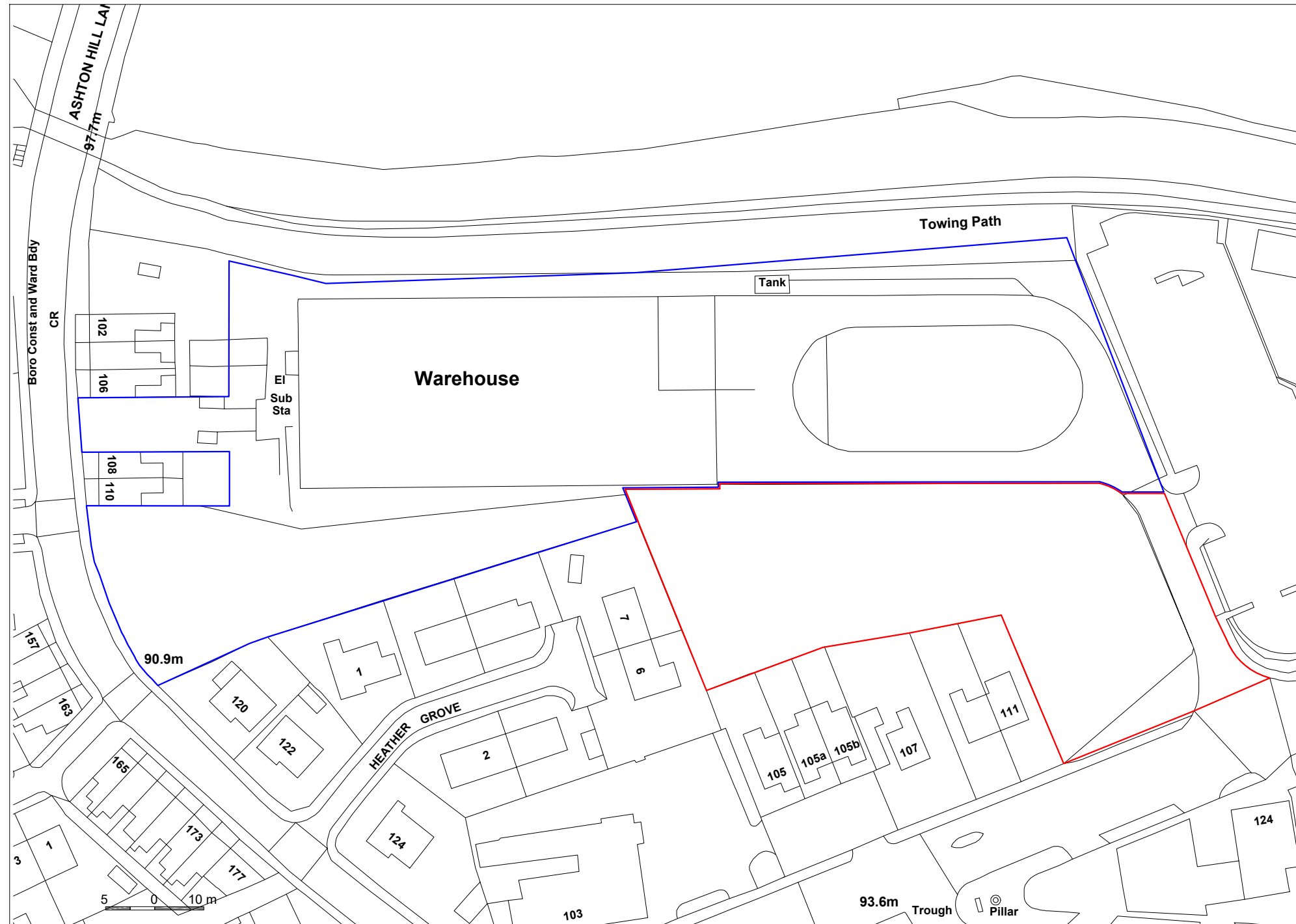
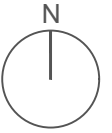
1 3D View - PRIVATE ROAD SCENE  
1 : 1



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NOTES:

- EXTENT OF APPLICATION SITE EDGE
- EXTENT OF SITE OWNERSHIP



# PLANNING

P02	17/01/19	Revised Application Boundary	RE
P01	31/08/18	Revised Ownership Boundary	RE
P00	30/08/18	Planning Submission Drawing	RE

REV	DATE	NOTES	CHK
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Client  
**MR MICHAEL WHITHAM**

Project  
**MANCHESTER ROAD, AUDENSHAW**

Drawing Title  
**LOCATION & OWNERSHIP PLAN**

Drawn	Checked	Paper Size	Scale	Date
JH	RE	A3	1:1000	31/08/18
Project No. 17215		Drawing No. 0303		Revision P02

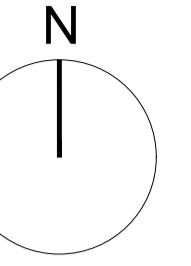
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NOTES:

— SITE BOUNDARY  
 1.051 Acres  
 0.426 Hectares



# PLANNING

P02	17/01/2019	Proposed site plan updated	RE
P01	11/09/2018	Proposed site plan updated	RE
P00	24/08/2018	Planning Drawing Submission	RE
REV	DATE	NOTES	CHK

Client

MR MICHAEL WHITHAM

Project

MANCHESTER ROAD, AUDENSHAW

Drawing Title

PROPOSED SITE PLAN

Drawn	Checked	Paper Size	Scale	Date
JH	RE	A1	1:500	11/09/18
Project No.	Drawing No.	Revision		
17215	0305	P02		

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**Application Number** 18/01078/FUL

<b>Proposal</b>	Erection of 2no. 4 bedroom, two storey, detached dwellings and associated works.
<b>Site</b>	Land rear of 80 Currier Lane, Ashton-Under-Lyne.
<b>Applicant</b>	PSD Construction Ltd
<b>Recommendation</b>	Approve, subject to conditions
<b>Reason for report</b>	A Speakers Panel decision is required because of the receipt of a request to speak.

## REPORT

### 1. APPLICATION DESCRIPTION

- 1.1 The application has been submitted for full planning permission for the erection of 2no detached properties. The dwellings would be 2 storeys in height and accommodate 4 bedrooms. Parking would be provided for 2 vehicles in addition to an internal double garage for each property. Access improvements are proposed to the existing track which would include a passing place for 2 vehicles and improved visibility splay onto Currier Lane. Landscaped gardens would be provided to the front and rear
- 1.2 To facilitate access improvements it will be necessary include land which is within the ownership of Nos 76 and 80 Currier Lane. These areas have been included within the application boundary but fall outside the Applicants Ownership. The applicant confirms that the properties are owned by family members who have consented to the works. The requisite notice has been served on these land owners.
- 1.3 The application has been accompanied with the following reports; Design & Access, Tree Survey.

### 2. SITE & SURROUNDINGS

- 2.1 The application relates to a backland area to the rear of properties fronting Currier Lane. The site is roughly triangular in shape, and, with the exception of some garage structures within the north eastern corner, the site is undeveloped. Access is taken from an unadopted service track which runs between no.s 76 & 80 Currier Lane which also serves as access to garages located within the rear gardens of no.s 82-90 Currier Lane.
- 2.2 To the rear of the site there are two large detached properties which are also accessed via a private road (The Churches). The site is level but this falls from the southern boundary down to Currier Lane. This effectively means that the site is elevated in relation to the Currier Lane properties. There are mature trees and hedgerows located on the Western and Northern boundary to the Churches.
- 2.3 The wider area is principally residential in character with examples of large detached and traditional terrace stock, infill plots have been accepted elsewhere within the area. Generally dwellings are set within landscaped gardens giving a leafy suburban character.

### **3. PLANNING HISTORY**

- 18/00559/FUL – Erection of 4no. detached two storey dwellings including associated access and landscaping works – Withdrawn 06/08/2018

### **4. RELEVANT PLANNING POLICIES**

#### **4.1 Tameside Unitary Development Plan (UDP) Allocation: Unallocated**

#### **4.2 Part 1 Policies**

- 1.3: Creating a Cleaner and Greener Environment;
- 1.4 Providing More Choice and Quality of Homes;
- 1.5 Following the Principles of Sustainable Development;
- 1.11 Conserving Built Heritage and Retaining Local Identity,
- 1.12: Ensuring an Accessible, Safe and Healthy Environment.

#### **4.3 Part 2 Policies**

- H7: Mixed Use and Density
- H10: Detailed Design and Housing Developments
- OL4: Protected Green Space
- C1: Townscape and Urban Form
- N5: Trees within Development Sites
- U4: Flood Prevention
- T1: Highway Improvement and Traffic Management.
- T10: Parking.
- MW11: Contaminated Land.

#### **4.4 National Planning Policy Framework (NPPF)**

- Chapter 2: Achieving sustainable development
- Chapter 5: Delivering a sufficient supply of homes
- Chapter 8: Promoting healthy and safe communities
- Chapter 9: Promoting sustainable transport
- Chapter 11: Making effective use of land
- Chapter 12: Achieving well-designed places
- Chapter 14: Meeting the challenge of climate change, flooding and coastal change
- Chapter 15: Conserving and enhancing the natural environment

#### **4.5 Other Policies**

- The Greater Manchester Joint Waste Development Plan Document April 2012
- The Greater Manchester Joint Minerals Development Plan Document April 2013
- Trees and Landscaping on Development Sites SPD adopted in March 2007.

#### **Planning Practice Guidance (PPG)**

- #### **4.6**
- 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**
- Planning Practice Guidance advises that Local Planning Authorities should adopt a proportionate approach to the advertisement of applications made under section 73 of the Town and Country Planning Act.



5.2 The application has been advertised by way of site notice. In addition 11 notification letters were sent out to surrounding neighbouring properties at the time of writing the report there had been 3 letters of objection.

## **6. RESPONSES FROM CONSULTEES**

6.1 Environmental Health – No objections recommend conditions are applied limiting construction hours and that the details of any plant equipment are provided prior to occupation.

6.2 GMEU – No objection to the ecology assessments undertaken. Recommend that the mitigation/enhancements measures which are recommended are implemented.

6.3 Highways – No objections subject to recommended conditions.

6.4 Tree Officer – The trees to be removed around the location of the dwellings are mainly low value and adequately mitigated for by the planned replacement planting. The improvements to the access road with Currier Lane will mean the removal of two trees. One is low value but the mature Sycamore is of significant amenity value to the surrounding area. Recommend that a landscaping condition is applied requiring replacement tree planting.

6.5 United Utilities – Raise no objections subject to recommended conditions that the property is served with separate foul and surface water drainage systems (details to be submitted).

## **7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED**

7.1 2 letters of objection has been received in addition to 2 letters of comment. The following points have been raised:

- There is a legal covenant running across the land which provides access for no.74 Currier Lane. The application fails to acknowledge this.
- Over development of the plot
- Noise impact to residents
- Damage to wildlife
- Loss of trees and shrubbery
- Road safety – Impact of increased traffic through access track onto Currier Lane
- Currier Lane is a Heritage Highway the development will cause further disruption
- Inaccuracies within the Design & Access Statement

7.2 Points raised in the letters of comment:-

- The current planning application is more acceptable than the original one and note that the access from Currier Road is improved by the passing bay. There ought to be signs for "No parking" as the access road is effectively single track.
- Properties could be angled further to reduce direct line of sight to Currier Lane Properties.
- Boundary Fences should be consistent and trees protected under TPO.
- The area for development has long been an area that has had issues with security and by building these houses I believe the security of the area will be improved.
- Improvement to the access road will make up for any additional traffic.

## **8. ANALYSIS**

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

- 1) The principle of development
- 2) The impact on the residential amenity of neighbouring properties
- 3) The impact on the character of the site and the surrounding area
- 4) The impact on highway safety
- 5) The impact on trees and ecology
- 6) Other Matters

## **9. PRINCIPLE OF DEVELOPMENT**

9.1 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 determine the appropriate weight to be afforded to the development plan following the publication of the National Planning Policy Framework. Paragraphs 212 - 217 of the NPPF set out how its policies should be implemented and the weight which should be attributed to the UDP policies.

9.2 Paragraph 213 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 Section 5 of the NPPF requires Local Planning Authorities to support the delivery of a wide choice of quality homes in sustainable locations.

9.3 The site falls within an unallocated area on the UDP proposals map. Whilst there are some outbuildings within the site it remains predominantly undeveloped. For planning purposes it is not considered that the scale of development on the site is substantial enough to constitute previously developed land. However, in land use terms the proposals would be directly compatible with the overriding established character of surrounding uses.

9.4 It is noted that within the representations a claim has been made to a right of way across the land. This matter has been brought to the applicant's attention who refutes any such claim. The objector has not been able to furnish any conclusive evidence that such a right exists. The granting of any planning permission does not in any way infer that consent of the landowner is given, any contest to ownership/access rights must be taken up with the applicant separate of the planning application process. If it should transpire that the applicant does not own or have access rights of the land included in a planning consent then it is the responsibility of the applicant to seek all necessary consents and approvals of the relevant landowners. It remains that the Authority cannot get involved with private disputes, this is a civil issue.

9.5 The site is considered to be a sustainable location recognising the services, amenities and public transport options which are on-hand within the Ashton Area. The proposals would make a positive contribution to housing supply in line with the principles of National Planning Guidance.

## **10. RESIDENTIAL AMENITY**

10.1 The Residential Design SPD identifies standards for new residential development. It is important that new residential developments achieve appropriate levels of amenity for proposed residents whilst not adversely affecting existing residents. This is mainly achieved by ensuring that developments adhere to inter-house spacing policy in terms of their position, scale and orientation in relation to existing properties.

- 10.2 The site shares a boundary to properties on Currier Lane and The Churches. It represents a backland site which sits in relative isolation to the street scene and the 8 properties located across the boundary. The siting of the properties dictates that they would be positioned with front and rear elevations a minimum of 26m from the rear elevations of properties on Currier Lane and within the Churches and 15m between rear elevations and side gables. This is compliant with the recommendations of the adopted SPD and it is considered that levels of outlook and privacy would be maintained at a reasonable level.
- 10.3 In terms of consideration to levels of noise and activity which could be associated with the development then this should not be readily distinguishable for residents of neighbouring properties recognising the compatibility of the uses with the established character of the area. The design identifies that garden areas would be sufficiently enclosed to maintain appropriate levels of privacy. Vehicle activity would be commensurate to existing levels associated with occupants of properties on Currier Lane.
- 10.4 Subject to the safeguarding of the recommended conditions it is considered that levels of amenity and overall privacy of existing residents would be acceptable.

## **11. CHARACTER OF THE SITE AND SURROUNDING AREA**

- 11.1 The proposal would involve the erection of 2 dwellings on a site area of 0.14 hectares, which equates to 14.2 dwellings per hectare. A previous application for 4 dwellings was withdrawn at the advice of the LPA, it would therefore not be desirable to see number increased above those currently proposed.
- 11.2 Policy H10 is clear in its expectations of achieving high quality development that enhances a locality and contributes to place making. The proposals represent examples of 2 large detached (family) properties. In terms of design reference points the layout and scale of the dwellings is akin to the detached properties within the Churches which also read as a backland development to the rear of Currier Lane.
- 11.3 Paragraph 130 of the NPPF identifies that planning permission should be refused for development which fails to take opportunities available for improving the character and quality of an area. It also stipulates that where design accords with clear expectations in plan polices, design should not be used by the decision-maker as a reason for refusal.
- 11.4 A bespoke approach has been taken to the design of the proposed dwellings. The properties would be split level as a result of a hipped roofline which strives to reduce the overall mass of the building. The access and parking areas would be taken from the frontage which includes an integral double garage. The use of traditional materials (to be conditioned) would reference the local vernacular.
- 11.5 Insofar as the scale of the development then the site lends itself as a practical infill plot which can support 2 good sized family dwellings. The majority of existing trees can be retained, which taken with proposed landscaping would also uplift the setting of the properties and uplift the overall appearance of the locality as a whole. The proposed levels of soft landscaping would break up front parking areas to the overall enhancement of the setting of the properties. The use of a cellular confinement system (geoweb) to driveway areas provides a permeable drainage solution and offers protection to tree root areas.
- 11.6 Having full consideration to the design merits of the proposal and the layout of the scheme it is considered that the development would deliver an attractive residential environment which would enhance the existing area. The properties present would have an independent appearance, whilst providing good quality family housing. It is therefore, considered that the proposal adheres to the objectives of UDP policies H4, H7 and H10 which stress the

importance of residential development being of an appropriate design, scale, density and layout.

## **12. HIGHWAY SAFETY**

- 12.1 The site would be accessed from the existing access single width track located of Currier Lane. The track is unadopted and also serves as a rear access to a number of properties.
- 12.2 The proposals would see improvements to the carriageway including the provision of a dedicated passing place for vehicles to allow two way movements. This would provide improvements for vehicle and pedestrian users of the track as it would prevent the need for reversing manoeuvres into the public highway (in the event of vehicles meeting)
- 12.3 The Highways department comment that the access arrangements are suitable to protect all road users. The nature of the entrance would ensure that vehicles approach the site at low speeds. Exact details of the improvement measures will need to be determined by a planning condition. Further (pre-commencement) conditions will require the submission and approval of a construction environment management plan and that the driveways are constructed from a bound material with appropriate levels of drainage.
- 12.4 The plans indicate that 2 in curtilage car parking spaces would be provided for the dwellings in addition to 3 visitor spaces. The parking arrangement is such that vehicles would be able to access and egress the properties in a forward motion. All of the boundary treatments would be restricted to a height of 600mm to ensure appropriate visibility is maintained. Overall the level of parking provision accords with the guidelines of UDP policy T10. Traffic movements to and from the site would be acceptable in terms of local capacity. The Highways officer comments that these arrangements are sufficient. The accessible location means that it is well served with access to public transport, services and relevant amenities within reasonable walking distance.

## **13. TREES & ECOLOGY**

- 13.1 In relation to the impact of the development on trees it is noted that there are several protected trees located within the curtilage of no. 76 Currier Lane. The proposals would entail the removal of 7 individual trees in addition to a single group. All of the highest 'category A' trees would be retained within the site but a protected (Category B) Sycamore would require removal to facilitate junction improvements to the visibility splay of the access road. It is noted that the canopy covers telephone lines which serves several immediate properties so significant pruning works are likely to be required at some point.
- 13.2 The Tree Officer has raised no objections to the proposed development. Trees present within the site are generally located towards the boundaries. Details of the species mix to be planted in a proposed landscaping scheme have been submitted and are considered to be acceptable. Compliance with these details can be secured by condition.
- 13.4 In relation to ecology, GMEU have not raised any objections to the proposals, subject to conditions being imposed on any permission granted. These conditions would limit the timing of tree/vegetation removal on the site to outside of the bird breeding season to ensure that there would be no adverse impact on protected species and a requirement that biodiversity enhancements are included as part of the development, this would be determined following a walkover survey. These conditions are considered acceptable.

## **14. OTHER MATTERS**

- 14.1 In relation to flood risk, the site is located within Flood Zone 1 and is therefore at a lower risk of flooding. In terms of drainage, United Utilities has raised no objections to the proposals, subject to a condition requiring foul and surface water to be drained from the development via separate mechanism and the submission and approval of a sustainable surface water drainage system.
- 14.2 The EHO has raised no objections to the proposals, subject to the imposition of a condition limiting the hours of works during the construction process. This is considered reasonable and can be included as part of the construction management plan conditions that is proposed.
- 14.3 Details of the bin storage arrangements to serve the development have been submitted and are deemed acceptable. A condition will be applied to ensure their implementation.
- 14.4 Consultation with the Contaminated Land Officer has not raised any objections to the proposals, subject to securing an intrusive ground investigation into potential sources of contamination on the site and approval of a remediation strategy (if required) by condition. Such a condition is considered to be reasonable given the undeveloped nature of the site.
- 14.5 The site is located in a low risk area with regard to coal mining legacy and there are no such objections to the proposals. An informative can be added to the decision notice advising the applicant of their responsibilities on this regard.
- 14.6 In accordance with the Written Ministerial Statement (WMS) of 28 November 2014, no tariff based contributions are to be sought in relation to affordable housing, open space or education provision, as the proposal would not exceed 10 dwellings. The WMS is a material planning consideration, forming part of the Planning Practice Guidance. Given the need to boost the supply of housing in sustainable locations, as required by Section 5 of the NPPF, it is considered that financial contributions are not necessary to make the scheme acceptable in planning terms.
- 14.7 In relation to comments made by objectors it is not considered that these would warrant a refusal of planning permission.

## **15. CONCLUSION**

- 15.1 The proposals represent an opportunity to maximise the residential occupation of the existing plot within an established residential area. The properties achieve an appropriate design which would provide good quality family orientated accommodation without giving rise to amenity issues. A suitable level of amenity can be achieved and the proposals would contribute positively to the supply of housing. The accommodation is located within a sustainable location with good access to services and transport.
- 15.2 Taking into account the relevant development plan policies and other material considerations, subject to the identified mitigation measures, it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the benefits associated with the granting of planning permission.
- 15.3 There are no objections from any of the statutory consultees and the proposals are considered to accord with the relevant national and local planning policies quoted above.

## 16. RECOMMENDATION

Grant planning permission subject to 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:

Arboricultural Impact Assessment Ref BE676.1 Rev B  
Design and Access Statement December 2018  
Plot 1 House Type 1 ref 3286/19A  
Plot 2 House Type 2 ref 3286/20  
Proposed Site Layout 3286/18D

3. 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.
4. 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.

5. The car parking indicated on the approved plan 3286/18E shall be provided to the full satisfaction of the Local Planning Authority and thereafter kept unobstructed and available for its intended purpose. Parking areas or driveways must be at least 3.1 metres wide and 6 metres long where in front of house doors or 5.5 metres long where in front of a garage. The areas shall be maintained and kept available for the parking of vehicles at all times.
6. A clear view shall be provided on each side of the site access where it meets the footway in Currier Lane. Its area shall measure 2.4 metres along the edge of the site

access and 2.4 metres along the footway. It must be kept clear of anything higher than 600mm above the access.

7. Prior to commencement of work on site the applicant shall undertake a condition and dilapidations survey of the highway fronting the site and giving access to the site and prepare and submit a report to the Engineering Operations Manager. The developer will be responsible for making good any damage caused to the highway by the development works or by persons working on or delivering to the development. Any damage caused to the street during the development period shall be reinstated to the full satisfaction of the Highway Authority prior to the occupation of any part of the development.
8. The development shall not commence until details of a lighting scheme to provide street lighting (to an adoptable standard), to any shared private driveway or parking court have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how the lighting will be funded for both electricity supply and future maintenance. The approved works shall be completed to the satisfaction of the Local Planning Authority prior to the occupation of any part of the development.
9. Foul and surface water shall be drained on separate systems. Surface water shall be drained in accordance with the hierarchy of drainage options in national planning practice guidance. In the event of surface water discharging to public sewer, the rate of discharge shall be restricted to the lowest possible rate which shall be agreed with the statutory undertaker prior to connection to the public sewer.
10. No development shall take place until full details of the mitigation measures identified in the Arboricultural Impact Assessment Ref BE676.1 Rev B, including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwellings which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority, and no garages or other outbuildings shall be erected.
12. No development shall commence until tree protection measures to meet the requirements of BS5837:2012 have been installed around all of the trees on the site to be retained (including the trees protected by Tree Preservation Orders within the site and adjacent to the boundaries of the land.) These measures shall remain in place throughout the duration of the demolition and construction phases of the development, in accordance with the approved details.
13. No development above ground level shall commence until an ecological walkover survey has been conducted. The survey shall make appropriate recommendations for Biodiversity enhancement measures to be installed as part of the development hereby approved to be 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

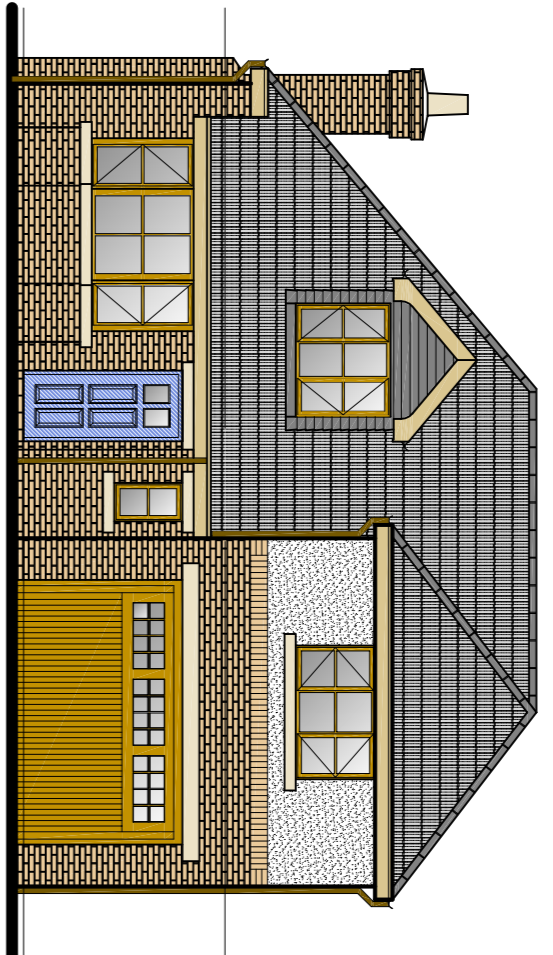


14. No tree felling or vegetation removal shall take place during the optimum period for bird nesting (March to July inclusive) unless otherwise agreed in writing with the Local Planning Authority.
15. Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and/or full specification of materials to be used: externally on the buildings; 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.

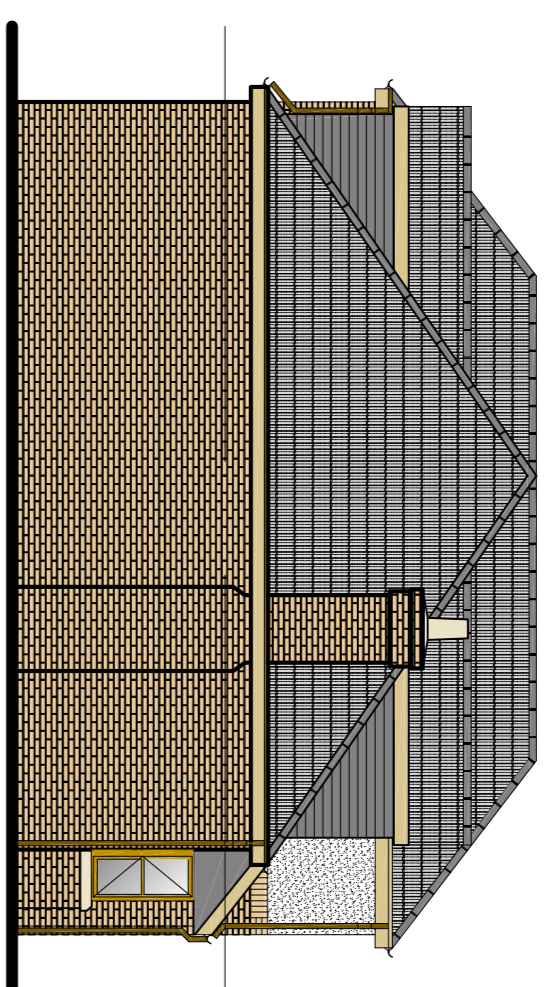


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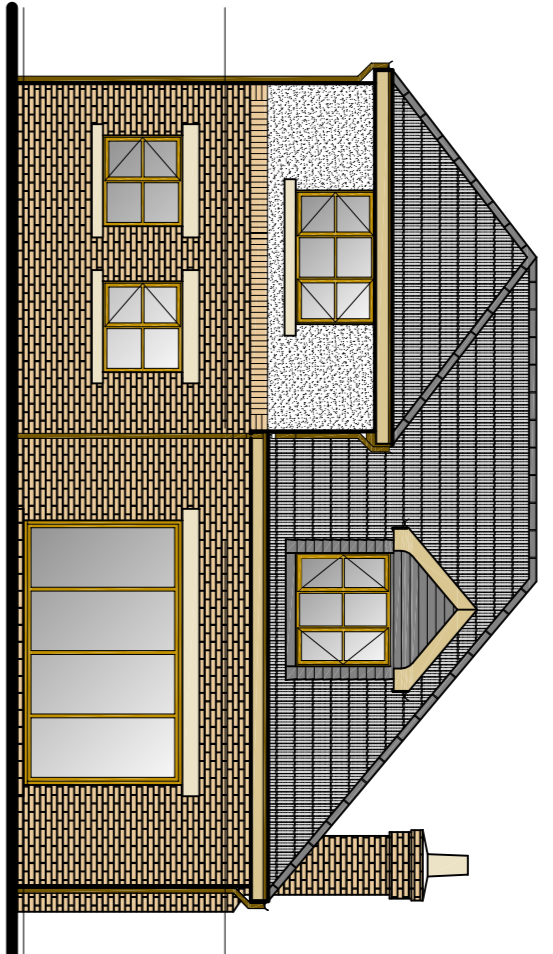




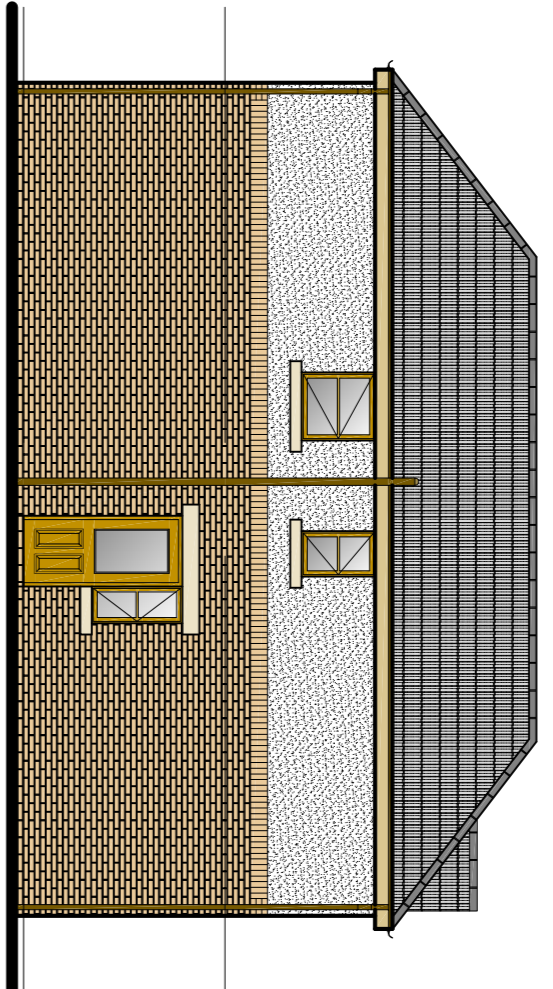
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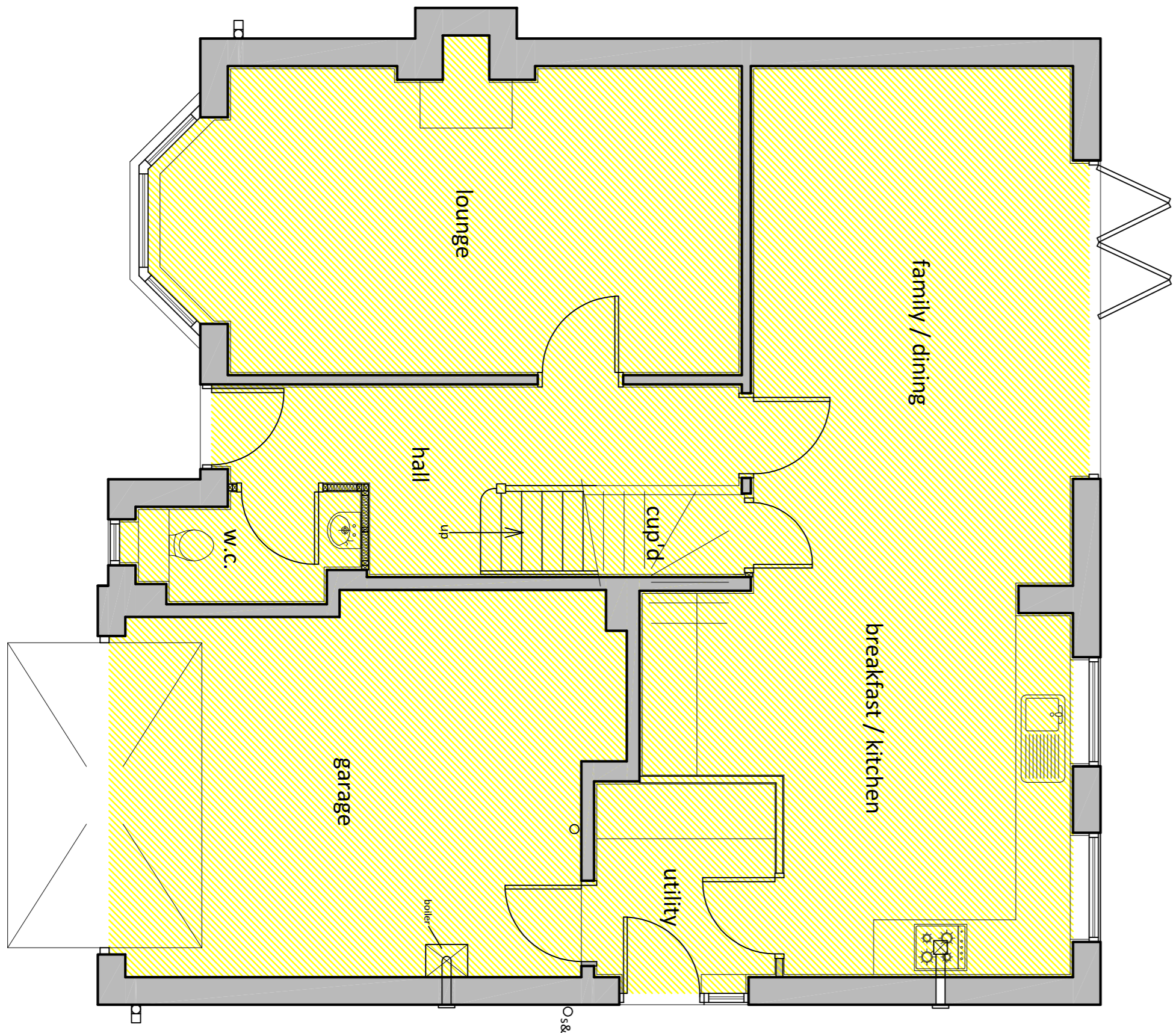
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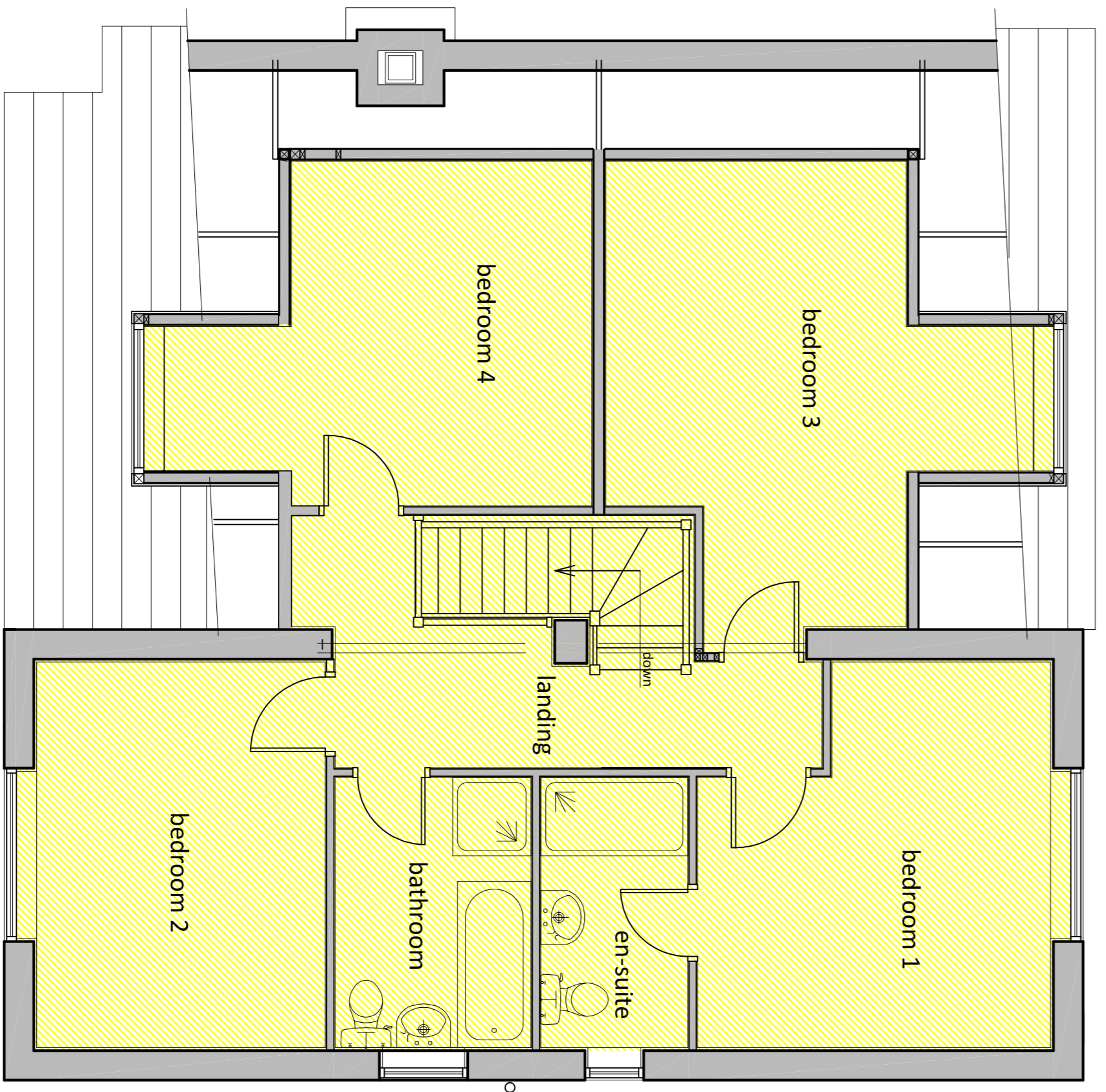
rear elevation



side elevation



ground floor



first floor

**Proposed Materials Schedule**

- Walls** - Main brickwork to be (Red) Daisimpel type facing brickwork, built with gauged mortar bucket handle joints and buff coloured artificial stone window and door dressings.
- Renders** to be Ivory Stone by Sandtex
- Roofs** - Marley Modern smooth (Charcoal) Concrete interlocking tiles
- Dormer cheeks** - Plain clay tiles to match main roof colour
- Fenestration** - Oak effect UPVC double glazed, front door to be dark blue composite type. All handles and fittings to be chrome.
- Drainage goods** - brown UPVC square profiled gutters with square section rainwater down pipes
- Joinery** - Oak effect UPVC fascias, soffits and verges

A: 750mm reduction in width and ridge height reduced by 486mm ARN 26,9,18  
Revision

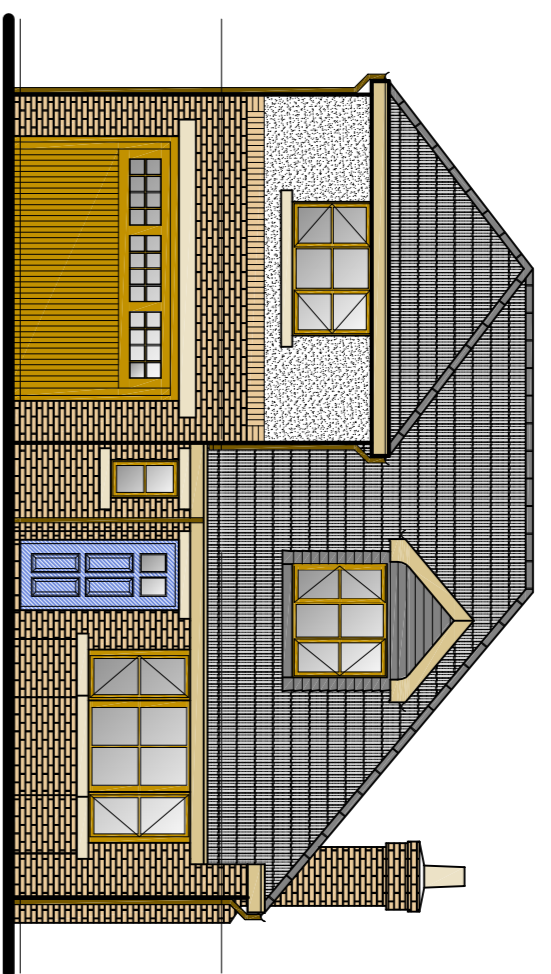
Client  
**PSD CONSTRUCT LIMITED**  
Project  
Land to the rear of 80 Currier Lane  
Ashton-under-Lyne, OL6 6TB.  
PLOT 1 - HOUSE TYPE 1

**Cordingleys**  
Chartered Surveyors & Estate Agents  
Established 1788  
48 Wellington Road  
Ashton-under-Lyne OL6 6DQ  
Professional Services  
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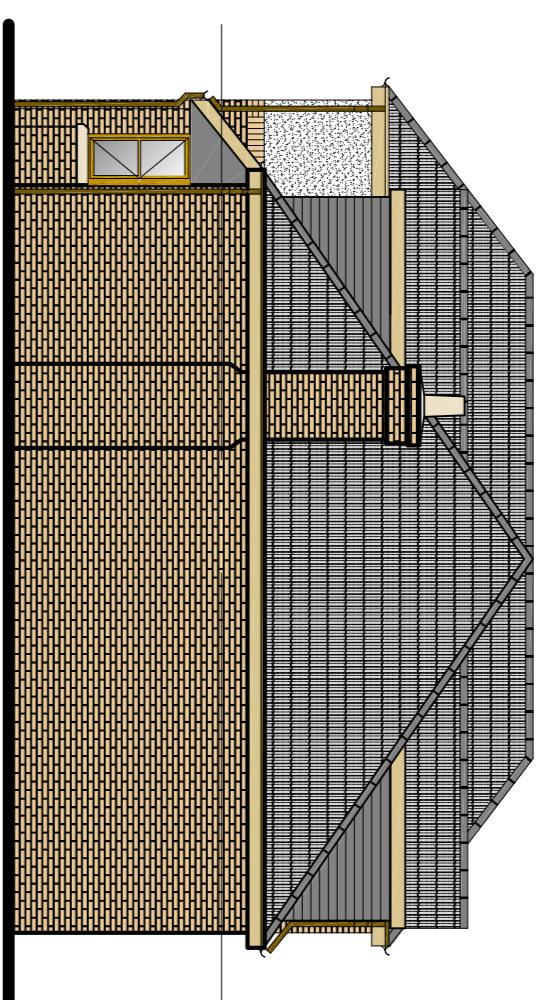
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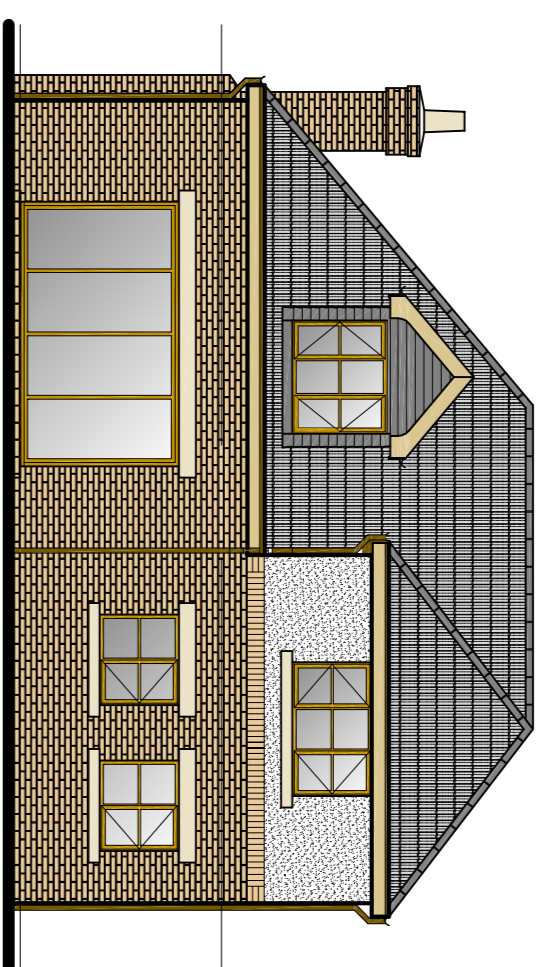




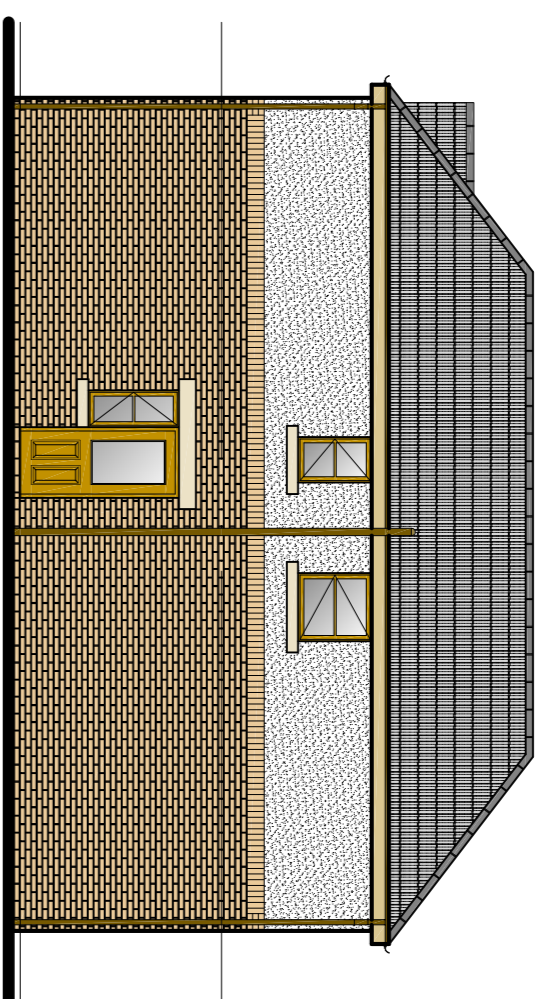
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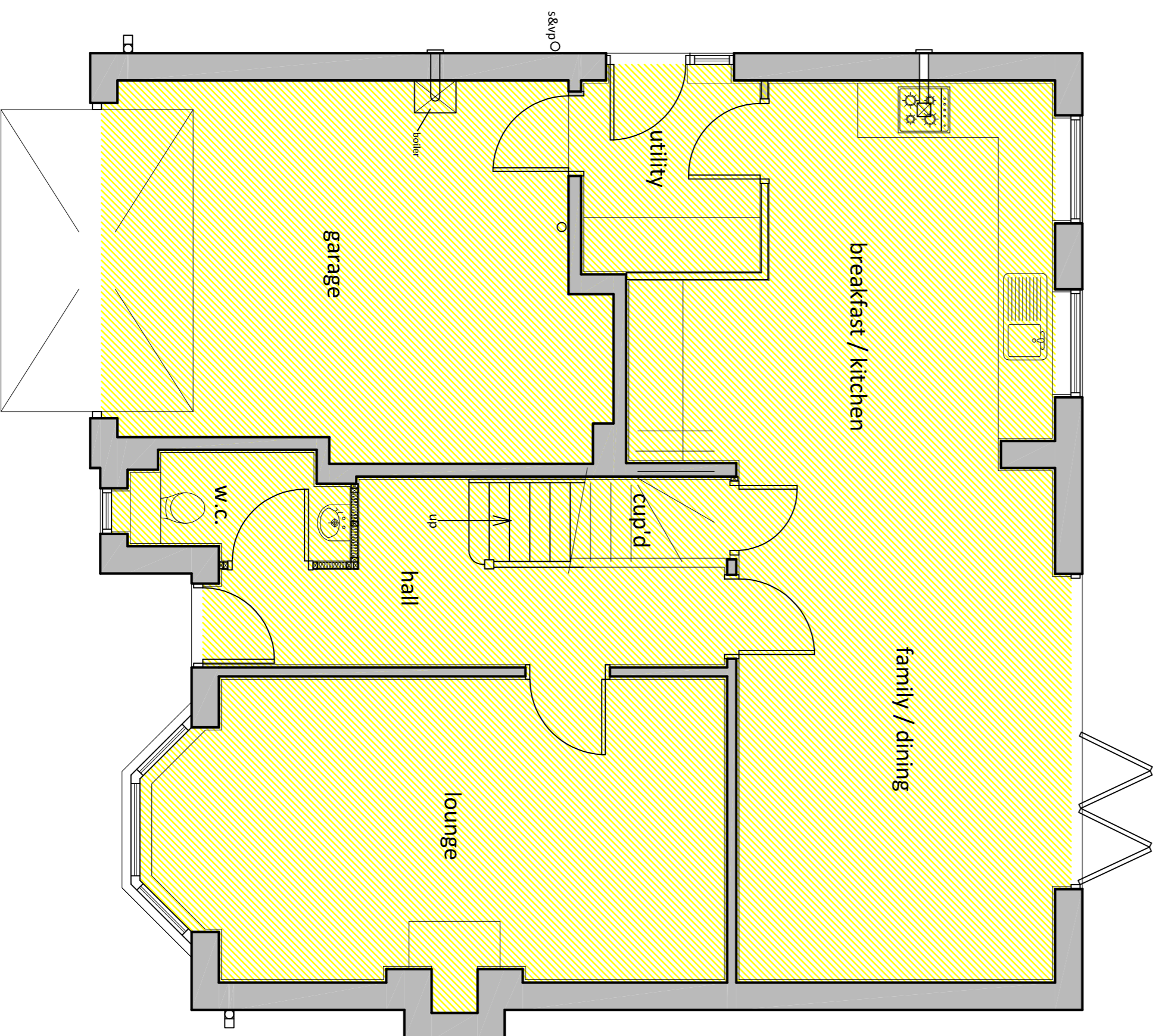
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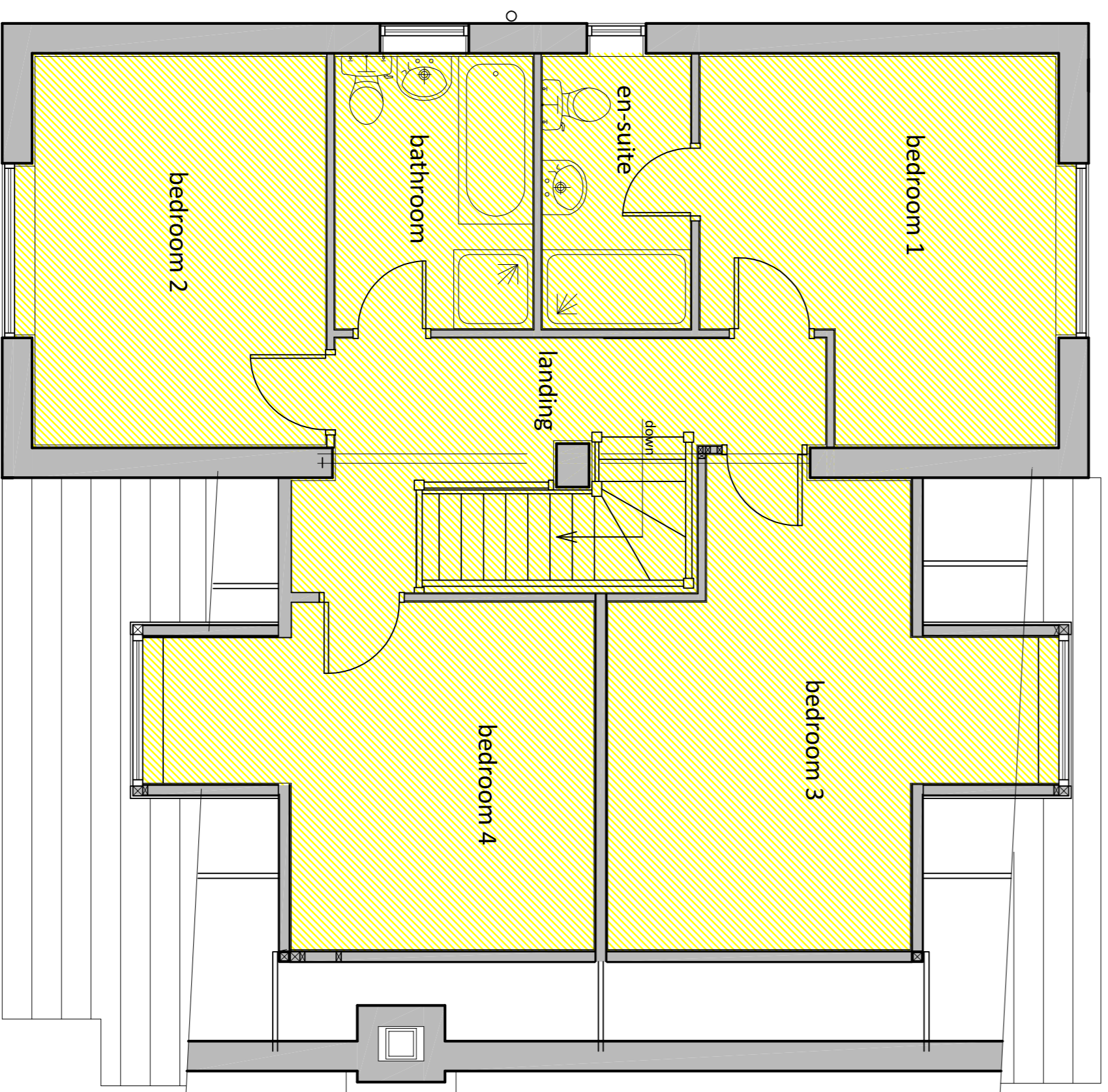
rear elevation



side elevation



ground floor



first floor

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Revision  
 Client  
**PSD CONSTRUCT LIMITED**  
 Project  
 Land to the rear of 80 Currier Lane  
 Ashton-under-Lyne, OL6 6TB.  
**PLOT 2 - HOUSE TYPE 2**

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Drawn by ANN DATE  
 Checked by August 2018  
 Scale 1 : 50 & 1 : 100  
 Drawg. No. 3286/20  
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**Application Number** 18/01101/FUL

<b>Proposal</b>	Erection of proposed new 2 storey (with mezzanine) Construction Skills Centre with associated landscape works. Enabling works include the demolition of existing buildings and relocation of the existing refectory.
<b>Site</b>	Tameside College of Technology, Beaufort Road, Ashton-Under-Lyne, OL6 6NX
<b>Applicant</b>	Tameside College
<b>Recommendation</b>	Approve, subject to conditions
<b>Reason for report</b>	A Speakers Panel decision is required because the application is a major development.

## REPORT

### 1. APPLICATION DESCRIPTION

- 1.1 The application has been submitted for full planning permission for the erection of a modern new construction centre building. This would comprise a new 2 storey (with mezzanine) building to provide 2,749 sqm of associated teaching and workshop floor space.
- 1.2 The building would be positioned internally within the site across an area presently serving as car park and which supports several buildings. To enable the development a number of demolitions would need to take place. This would include the removal of largely single storey buildings that are the present Portland building, refectory, Elysium, and Ryecroft. The application form states that the demolitions would result in a reduction of 3,378sqm of floor space from the site.
- 1.3 The Proposed building will house the construction department which consists of Carpentry & Joinery, Painting & Decorating, Electrical, Plumbing and Gas departments. The building will be rectangular in form. It would measure (approx.) 80m in length x 18.5m breadth x 12.5m in height. It would include a covered walkway which would link to the existing Victoria Building.
- 1.4 The design would follow a masterplan approach to the redevelopment of the site aimed at providing a modern learning environment. The Construction Skills Centre would be a central feature which would link to the Victoria building and define the new campus. The design takes a modern / contemporary form with the materials making reference to those used within the recently completed ATC building at the site. These materials are listed as: Blue Brick (plinth and lower areas of the elevations), Composite metal cladding (Orange to match the ATC building) Standing Seam across the roof and wall. Windows and doors to be aluminium framed.
- 1.5 Alongside the new construction block the College will need to relocate the existing Refectory to an area of the ground and first floor of the Victoria Building. These works will be incorporated as part of the overall 'Enabling Works'. As part of this relocation, some minor external works are required which will include the construction of a new spiral fire escape stair and some plant equipment serving the refectory.
- 1.6 Parking would be relocated within the site within the site resulting in 1 additional space. A further 28 cycle spaces are also proposed.
- 1.7 The application has been accompanied with the following reports; Design & Access Statement, Coal Mining Risk Assessment, Crime Impact Statement, FRA, Outline Drainage



Strategy, Energy Statement, Ecology Survey, Demolition Statement, Transport Statement, Travel Plan.

## **2. SITE & SURROUNDINGS**

- 2.1 The application relates to development at Tameside College's Beaufort Road Campus. The site is located approximately 1km east of Ashton town centre. The site has been occupied by the college for approximately 50 years. The campus covers an area of around 4.5 hectares and comprises a series of interlinked buildings set within areas of car parking and landscaping. The boundaries are defined mainly by residential streets which include Beaufort Road to the North, Dorset Street to the east and Stamford Street East to the south. The Ashton railway line runs within a cutting along the western boundary.
- 2.2 The main vehicle and pedestrian access to the College is provided by Beaufort Road via two established accesses, one for 'drop off and pickup' and visitor parking whilst the other provides access to the staff and student car park. A third entrance is located on Dorset Road. Access is also available from Stamford Street East.
- 2.3 The college offers a wide curriculum from its campus including vocational courses within the trade and service industries. There is a range in buildings across the campus from single storey older buildings to the Victoria and recently constructed 6 storey Advanced Technology Centre (ATC) building.
- 2.4 Within the site there is parking for 140 vehicles which includes dedicated disability spaces in addition to cycle and motorcycle parking. Beaufort Road and Stamford Street East are served with regular bus services which serve Ashton and surrounding town centres.

## **3. PLANNING HISTORY**

- 3.1 There are numerous applications recorded at the site ranging from minor works to major extensions. The site history relevant to this application is as follows:
- 3.2 14/00185/FUL – Erection of a 6 –storey college building involving the demolition of existing 3-storey theatre building and sports therapy building – Approved 24/04/2014
- 3.3 07/00607/FUL – Erection of single storey workshop/teaching area – Approved 26/06/2007
- 3.4 06/00233/FUL – Erection of single storey Classroom – Approved 05/04/2006
- 3.5 05/00785/FUL – Single Storey Workshop – Approved 13/07/2005

## **4. RELEVANT PLANNING POLICIES**

### **4.1 Tameside Unitary Development Plan (UDP) Allocation: Unallocated**

### **4.2 Part 1 Policies**

- 1.3: Creating a Cleaner and Greener Environment.
- 1.5: Following the Principles of Sustainable Development
- 1.6: Securing Urban Regeneration
- 1.9: Maintaining Local Access to Employment and Services
- 1.12: Ensuring an Accessible, Safe and Healthy Environment

#### 4.3 **Part 2 Policies**

H2: Unallocated Sites.  
H4: Type, size and affordability of dwellings  
H5: Open Space Provision  
H6: Education and Community Facilities  
H7: Mixed Use and Density.  
H10: Detailed Design of Housing Layouts  
OL4: Protected Green Space.  
OL10: Landscape Quality and Character  
T1: Highway Improvement and Traffic Management  
T7: Cycling  
T8: Walking  
T11: Travel Plans.  
T14 Transport Assessments  
C1: Townscape and Urban Form  
N4: Trees and Woodland.  
N5: Trees Within Development Sites.  
N7: Protected Species  
MW11: Contaminated Land.  
MW14: Air Quality  
U3: Water Services for Developments

#### 4.4 **National Planning Policy Framework (NPPF)**

Chapter 2: Achieving sustainable development  
Chapter 8: Promoting healthy and safe communities  
Chapter 9: Promoting sustainable transport  
Chapter 11: Making effective use of land  
Chapter 12: Achieving well-designed places  
Chapter 14: Meeting the challenge of climate change, flooding and coastal change

#### 4.5 **Other Policies**

The Greater Manchester Joint Waste Development Plan Document April 2012  
The Greater Manchester Joint Minerals Development Plan Document April 2013  
Trees and Landscaping on Development Sites SPD adopted in March 2007.

#### **Planning Practice Guidance (PPG)**

4.6 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 Planning Practice Guidance advises that Local Planning Authorities should adopt a proportionate approach to the advertisement of applications made under section 73 of the Town and Country Planning Act.

5.2 The application has been advertised as a Major Development with press and site notices. In addition 189 notification letters were sent out to surrounding neighbouring properties at the time of writing the report there had been 1 letter of objection.

## **6. RESPONSES FROM CONSULTEES**

- 6.1 Coal Authority – No objection, comment considers that the content and conclusions of the Coal Mining Risk Assessment report are sufficient for the purposes of the planning system and meets the requirements of the NPPF
- 6.2 Environmental Health – No objections recommend conditions are applied limiting construction details and that the details of any plant equipment are provided prior to occupation.
- 6.3 GMAAS – Satisfied that the proposed development does not threaten the known or suspected archaeological heritage. On this basis there is no reason to seek to impose any archaeological requirements upon the applicant.
- 6.4 GMEU – No objection to the ecology assessments undertaken. Recommend that the mitigation/enhancements measures which are recommended are implemented.
- 6.5 GMP (Architectural Liaison) – No objections
- 6.6 Highways - No objections subject to recommended conditions.
- 6.7 TFGM – Recommend that cycle parking provision is increased and recommend the implementation and monitoring of the Travel Plan.
- 6.8 United Utilities – Agree that surface water will need to discharge to the public combined network but expect to investigate ways of reducing run-off within the site. Object to the current drainage strategy but recommend that drainage is resolved by way of a planning condition.
- 6.9 Contaminated Land – No objection subject to further site investigation / site remediation being undertaken.

## **7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED**

- 7.1 2 letters of objection has been received from neighbouring properties, raising the following concerns:
- Development would result in the increase of heavy traffic and dust and debris.
  - The side entrance from the unadopted road should be used to reduce site traffic on Beaufort Road.
  - The signage is too intrusive.
  - The building should not be lit with powerful spot lights as this would result in disturbance to residents.
  - Size of the signage dominates the building and is unnecessary this should be reduced by 25%.
  - Conditions need to be applied to control disturbance arising from the construction process.
  - Repairs should be made to the footpath along Beaufort Road.

## **8. ANALYSIS**

- 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 determine the appropriate weight to be afforded to the development plan following the publication of the

National Planning Policy Framework. Paragraphs 212 - 217 of the NPPF set out how its policies should be implemented and the weight which should be attributed to the UDP policies. Paragraph 213 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 .

- 8.2 The principal policies that are considered most relevant in the determination of this application are highlighted above. The National Planning Policy Framework is a material consideration in planning decisions and this advises that Local Planning Authorities should approach decision making in a positive way to foster the delivery of sustainable development.
- 8.3 Within this overall framework the main issues in considering this application relate to:-
- The acceptability of a new building at the site in land use terms;
  - The impact of the proposed new building and associated works on the character and appearance of the locality;
  - The impact of the activity from the new use in terms of traffic and pedestrian movements and associated parking requirements
  - The sustainability credentials of the proposals.
- 8.4 The Council has an adopted strategy (Vision Tameside) aimed at bringing greater economic prosperity through the improvement of learning skills within the Borough. The Vision provides a regeneration framework. It is focused directly on a partnership between the Council and Tameside College. Central to the strategy is a transformational three phase development of the Tameside College Campus. New Learning Centres within Ashton Town Centre have been completed under Phase 1 of the Strategy. The opening of Tameside One will also see the completion of Phase 2. Phase 3 of the vision relates to the redevelopment of the remaining elements of Beaufort Road Campus, the application marks the transition for the delivery of phase 3 of the Vision framework.
- 8.5 The Beaufort Road campus has a well-established education use. The intention is for the site to become the primary focus for technical skills. The application would see the reduction in overall educational floorspace at the site but would secure qualitative improvements at the site associated with the removal of the outdated building infrastructure.
- 8.6 In terms of land use the proposals are directly compatible with the established educational use. The college is one of the largest providers of education within the Borough and the proposals will facilitate the delivery of their curriculum. The expansion of their property portfolio confirms that as an organisation they are a substantial investor and employer within the Borough. Investment within Education is a key priority, and improvements to overall attainment will help to support the future development of the economy. The development of a building for higher educational use is seen as appropriate within an edge of town centre setting, with uses being complementary to many of the services which the centre has to offer. This scheme is considered to be economically and socially sustainable as the campus improvement will attract additional staff and students, whose presence would give a major and timely boost to local businesses and importantly, hopefully attract new investment into the town. Large numbers of students and staff will also be on the immediate doorstep of local shops and services, increasing local spend. In addition, with public transport converging within the Town centre in addition to immediate access to bus services, the site is highly accessible from all areas within the Borough as well as those beyond its boundaries. This would be compatible with the Economic, Social and Environmental elements of sustainable development.

- 8.7 There are no land use issues raised by the proposals; environmental improvements would be secured to the existing campus which is within a highly accessible location. As such these considerations should be afforded significant weight in favour.

## **9. VISUAL AMENITY AND DESIGN**

- 9.1 The Beaufort Road Campus front two highways on a prominent approach into Ashton Town Centre. The campus comprises a collection of buildings with the oldest dating from the 1970's. The site is dominated by the Victoria and ATC buildings each of which stand at 6 storey's in height . The ATC stands as a bold contemporary structure, the aspiration is for the building to reference the design cues of the ATC. The submitted Design and Access Statement states that the intention is for the new building to compliment the Victoria and ATC buildings to form the main focal point of the college campus.
- 9.2 The buildings which would be demolished are of no architectural merit. They are examples of typical of educational buildings of their era. The Design and Access Statement identifies that their removal will rationalise access across the campus improving connectivity across the site. The design would clearly complement recent investment at the campus and make a visible statement of confidence in Tameside, its regeneration and its future.
- 9.3 The building would have a rectangular footprint that would measure approximately 120 metres by 18.5 metres. The ridge height of the building would stand at 3 storeys, owing to its central location within the campus it would not have a prominent appearance. It would also be largely screened from public views by surrounding buildings and will not giving rise to overlooking or overshadowing issues.
- 9.4 The materials would be taken from a relatively limited palette, the overall approach has been to ensure that they would reference the architectural language of the nearby buildings. A key feature to the building would be the use of a feature standing seam to the roof and walls which would efficiently 'wrap' the building. This would be complimented by composite cladding and an industrial blue brick to provide texture to the building's finish. The raised walkway would provide further texture and a degree of transparency to the building. The intention is to locate all plant within the site within an enclosed roof deck so as not to disrupt the rhythm of the facades. Externally the facades of the building would be complemented by an enhanced lighting scheme, details of which would be secured by way of a condition.
- 9.5 Overall the materials, scaling, massing and form of the proposal are felt to be sympathetic to the locality, and will enhance the immediate spaces and setting of neighbouring buildings. In particular, the proposal will complement the setting of the ATC building creating a modern campus befitting of the needs of a 21<sup>st</sup> century learning environment. The design provides consensus and a sense of space and provides a much more open and inviting feeling than the current arrangement of somewhat dated buildings. The arrangement of the elevation within the canopy link to the Victoria is subservient to the larger Victoria and ATC buildings and reduces the tendency for this to be a visual counterpoint or competitor to their setting.
- 9.6 Overall, it is considered the proposed design and its use of high quality materials as indicated will enhance the area by significantly regenerating the site. This in turn would have a very positive benefit upon the character and appearance of the Campus. This would comply with the NPPF's recommendation on sustainable design.

## **10. RESIDENTIAL AMENITY**

- 10.1 The buildings central location with the campus means that it is separated from the site boundaries by other buildings or areas of car parking. In recognition of the intervening distances the development could therefore not be seen to have a detrimental impact upon the amenity afforded to residents of the surrounding environment in terms of levels of outlook, privacy and light.
- 10.2 Concerns have been raised with respect to the signage and levels of luminance of the building. As a point of clarification the signage shown on the submitted drawings is for indicative purposes only. A separate application would be required for Advertisement Consent which will include any 'branding of the building'. With respect to the lighting strategy across the building then this can be suitably controlled through a planning condition.
- 10.3 The main consideration from an amenity perspective is that relating to disturbance associated with the construction phases of the development. Conditions will be applied to secure the submission of a construction management plan prior to the commencement of development.

## **11. HIGHWAYS**

- 11.1 The highway impacts resultant from the development proposals has been comprehensively reviewed. The application was supported by a transport statement and Travel Plan. Officers advise that the recommendations within the Travel Plan are conditioned.
- 11.2 The redevelopment results in a net reduction of 3,378sqm of teaching floor space. The development of the college Campus as part of the initial phases of Tameside One has seen students and staff transferred from the site. The situation therefore presented with the current proposal is that the Beaufort Road Campus will accommodate a reduction to staff and students numbers from the previous site capacity. Vehicle trips to and from the site would therefore be proportionately below that previously associated with the site.
- 11.3 Whilst it is an established educational site it remains that the location on the periphery of the town centre means that the site would be highly accessible not only to the principal highway network but also a variety of transport means. There are a number of pedestrian crossing points in the vicinity of the site which ensure that the site is easily accessible for those travelling on foot. There are frequent bus and rail connections offered from Ashton Town Centre and there are also bus stops within the immediate vicinity on Beaufort Road and Stamford Street. The site is therefore considered to be highly sustainable in transport terms given the immediate access to means of public transport.
- 11.4 The site's vehicular accesses would remain unchanged from those established on Beaufort Road. Circulation within the site would be largely on par with the current arrangements albeit for the relocation of car parking spaces. Deliveries and refuse collection to the development would also remain as per existing arrangements
- 11.5 The Highway Authority have considered the impact of the development on parking in the vicinity of the application site, the potential impact on public transport and the impact of the increased traffic flows on the surrounding highway network. The proposals are considered acceptable subject to the safeguarding of the recommended conditions.

## **12. LANDSCAPE AND ECOLOGY**

- 12.1 An ecological assessment has been undertaken which concludes that the site has a low ecological value. The buildings to be demolished have been assessed for bat roosting potential, no evidence of bats was found and all buildings assessed as having negligible bat roosting potential. In addition there is no evidence of any other protected species on the site.
- 12.2 Trees are limited to peripheral areas and there would be no removal required with the building being positioned on areas of existing hardstanding. Where buildings are demolished, the new exposed ground will be finished in a mixture of soft and hard landscaping to allow for improved site circulation and social spaces.
- 12.3 Section 170 of the NPPF 2018 states that the planning system should contribute to and enhance the natural and local environment. As previously noted the site has very little ecological value. Any soft landscaping is likely to result in net gain. The submitted ecological report recommend the planting of native species along with the inclusion of bat and bird boxes across the site to raise the overall biodiversity value. Further information is required regarding species to be planted, the materials to be used and the precise design of some of the landscape features however this can be controlled through the use of suitably worded conditions.
- 12.4 Subject to suitable planting and nature conservation enhancements there would be a positive, albeit limited, impact from the scheme in terms of Biodiversity and Landscaping value. The positive landscape impact can be clearly seen against the comparison to the existing site condition which is dominated by hard surfaces. It is considered that the proposed development is acceptable in terms of its potential impact on nature conservation and that it is in accordance with policies N4, N7 and the objectives of the NPPF.

## **13. FLOODING/DRAINAGE**

- 13.1 The site is not located within an area that has any risk of flooding. Drainage to the development will pick up existing connections with separate provision made for foul and surface water disposal. It is however, likely that flows would have to be reduced to meet relevant drainage authority standards. Full details of the drainage strategy would need to be submitted as per the requirements of a relevant condition as recommended by United Utilities.

## **14. GROUND CONDITIONS**

- 14.1 A Coal Mining Risk Assessment of the site has been carried out and submitted with the application. The report has been reviewed by the Coal Authority who do not identify that the site should be affected by any coal mining legacy issues.
- 14.2 Regulatory services recommend that further investigations are undertaken into potential ground gas issues. This would be addressed via a standard condition requiring further investigation. Once the level of contamination is revealed, a remediation strategy should be submitted and approved together with a Verification Report confirming that the remediation measures have been carried out. The EHO identifies that the development is acceptable in this respect and conditions as requested can be imposed.



## **15. CONTRIBUTIONS**

- 15.1 Educational developments are exempt from section 106 contributions so no contributions for off-site works are required.

## **16. SUSTAINABILITY**

- 16.1 A sustainability report has accompanied the application. This identifies that a commitment to meeting at least 10% of the site's predicted energy requirement from decentralised and/or renewable/low carbon sources with the potential measures including photovoltaic panels. The details of this can be addressed through a planning condition.

## **17. CONCLUSION**

- 17.1 It also considered that the proposal would contribute significantly towards the regeneration of the Beaufort Road campus creating a modern teaching and learning environment for future students. The development is aligned with Councils economic and social aspirations of raising attainment within the Borough and will contribute directly to the Vision Tameside strategy.
- 17.2 The design and scale addresses the site in a positive manner providing consistency to recent developments at the campus. The position, central within the site ensure that it would not have an impact upon the levels of outlook or amenity of residential properties located outside of the boundary.
- 17.3 The proposal has been assessed against the National Planning Policy Framework and the provisions of the development plan and other relevant material considerations. The proposal represents development in a highly accessible location and is in accordance with general planning policy principles aimed at promoting sustainable growth and spatial planning. The proposal is for an appropriate use and form of development within the established education campus.

## **18. RECOMMENDATION**

Grant planning permission subject to 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:

Reports:

Design and Access Statement

Coal Mining Risk Assessment

Crime Impact Statement Application Form

CSC-SHD-00-ZZ-RP-C-0001 Flood Risk Assessment and Outline Drainage Strategy Rev 2

Energy Planning Statement Rev 0

ERAP Ltd 2017-422 Tameside College Ecology Report

Flue and Ventilation System Planning Report Rev 0

Preliminary Risk Assessment

Structural Demolition Statement

Travel Plan Issue 3

Travel Statement Issue 4  
Utilities Planning Report Rev 0  
Validation Checklist Tracker

Architectural Drawings:

TCCB-10A-V0-00-DR-A-0201\_Existing Site Plan\_L1  
TCCB-10A-V0-ZZ-DR-A-0001\_Location Plan\_L1  
TCCB-10A-V1-00-DR-A-1003\_Proposed Demolition Plan\_L2  
TCCB-10A-V1-00-DR-A-9001\_Proposed Site Plan\_L2  
TCCB-10A-V2-RF-DR-A-2400\_Roof Plan\_L2  
TCCB-10A-V2-ZZ-DR-A-2200\_Proposed GA Plans\_L2  
TCCB-10A-V2-ZZ-DR-A-2540\_Proposed Elevations\_L2  
TCCB-10A-V2-ZZ-DR-A-9001\_Proposed Refectory External Works\_L1

3. 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.

4. Notwithstanding any description of materials listed in the application or 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 buildings; in the construction of all boundary walls (including the retaining wall on the southern boundary of the site, which shall be constructed from natural stone), 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.
5. The car parking spaces to serve the development hereby approved shall be laid out as shown on the approved proposed site plan (drawing no. TCCB-10A-ZZ-ZZ-M3-A-0003), prior to the occupation of the approved development and shall be retained free from obstruction for their intended use thereafter.

6. 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:

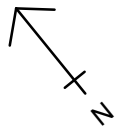
Wheel wash facilities for construction vehicles;  
Arrangements for temporary construction access;  
Contractor and construction worker car parking;  
Turning facilities during the remediation and construction phases;  
Details of on-site storage facilities;

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

7. 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.
8. Prior to the occupation of the building details of an electric vehicle charging strategy for the campus shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of the number of charging points to be installed, their location within the development and details of the management and maintenance of these facilities. The electric vehicle charging infrastructure shall be installed in accordance with the approved details, prior to the first occupation of the development hereby approved and shall be retained as such thereafter.
9. Prior to the occupation of the building full design details of the mitigation measures referred to in the Flue and Ventilation Planning Application Report by Waterman, dated December 2018 shall be submitted to and approved in writing by the Local Planning Authority. The design details shall include:
- scaled plans showing the locations of the flues and ventilations systems to be acoustically treated; and
  - full details, including acoustic performance, of the attenuation methods chosen to acoustically treat the flues and ventilation systems.
- The noise mitigation measures shall be implemented in accordance with the approved details, prior to the first occupation of any of the development and shall be retained as such thereafter. Written proof shall be provided to the Local Planning Authority that all mitigation measures have been installed in accordance with the agreed details.
10. Within 6 months of the commencement of development full details of hard landscaping works shall be submitted for approval in writing by the local planning authority. The approved hard landscaping details shall be implemented prior to the first residential occupation of the building or in accordance with a schedule to be agreed in writing with the Local Planning Authority.
11. Prior to commencement of development full details of the mitigation measures identified in the Ecological Survey Jan 2018 (ERAP (Consultant Ecologists) Ltd ref:

2017-422), including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

12. No development shall take place until a pre-construction condition survey of Beaufort Road has been submitted to and approved in writing by the Local Highway Authority. The approved development shall not be occupied until a post-construction condition survey, together with details of a scheme to reconstruct / resurface / repair any parts of the highway that the survey has identified has been affected through the construction of the development, has been submitted to and approved in writing by the Local Highway Authority. The approved development shall not be occupied until any areas that have been affected through the construction of the development have been reconstructed / resurfaced / repaired in accordance with the approved details.
13. No work shall take place in respect to the provision of cycle parking within the site until details of proposals to provide the following cycle parking facilities within the site have been submitted to and approved in writing by the Local Highway Authority:
  - 1) Long-stay cycle parking (a covered and secure cycle store/s) for a minimum of 28 cycles The development shall not be occupied until the cycle parking facilities have been provided in accordance with the approved details. The cycle parking facilities shall then be retained and shall remain available for use at all times thereafter.
14. The development shall proceed in accordance with energy saving measures identified within the submitted Energy Statement (ref BSD12871/29.0 dated December 2018). Confirmation that these measures have been installed shall be submitted for approval in writing to the Local Planning Authority prior to occupation of the development hereby approved.



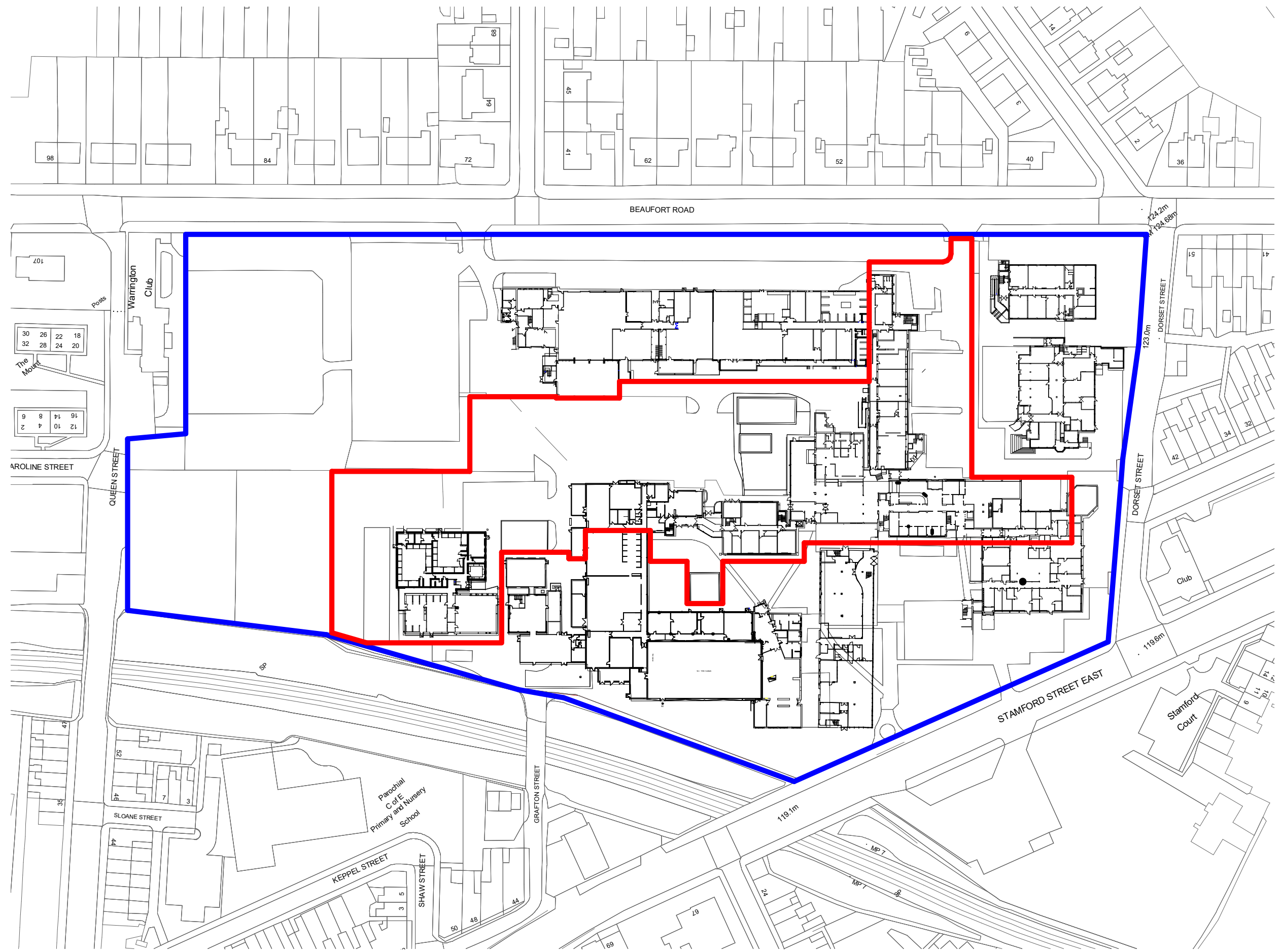
**Site Address:**

Tameside College  
Beaufort Road  
Ashton-Under-Lyne  
Greater Manchester  
OL6 6NX

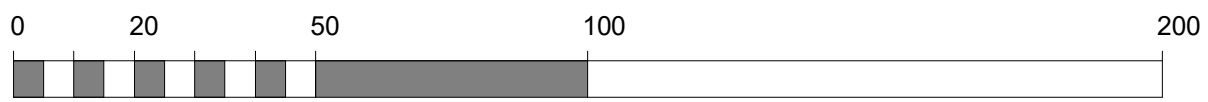
- █ Site Boundary
- █ Site Ownership

Client: Tameside College  
Project: Construction Skills Building  
Job No.: 1072  
Date: 11/19/17  
BIM Model: TCCB-10A-ZZ-M3-A-0003  
QA: SH ADS  
Scale: As indicated@A3  
Drawing: **Location Plan**  
Rev notes: r146 - Planning Issue

TCCB- 10A- V0- ZZ- DR- A- 0001- L1



Scale 1:1250

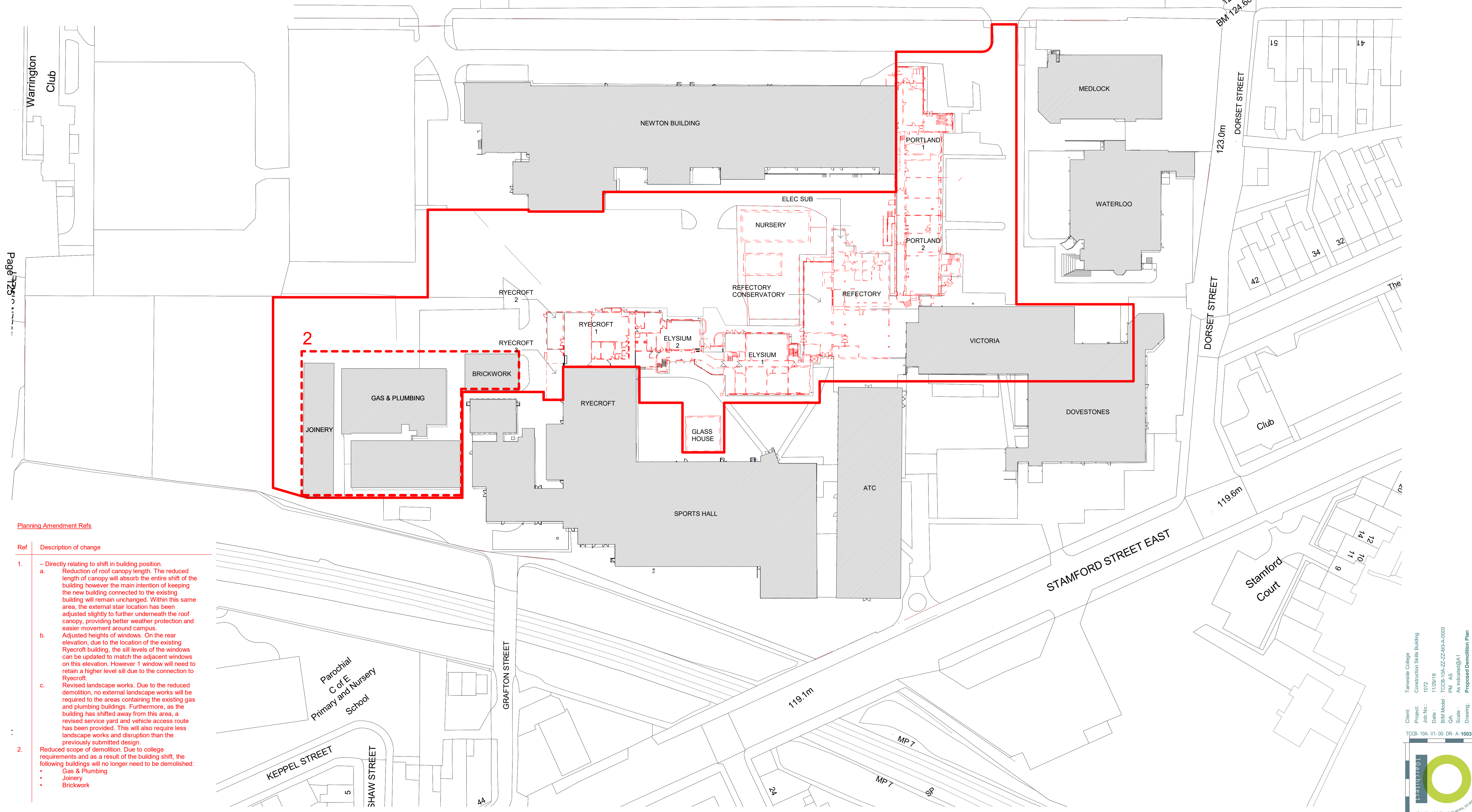


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Gross Demolition Areas Schedule			
Name	Level	Area	Comments
Ryecroft 1	Level 0	320 m <sup>2</sup>	1 Storey - Total = 320 sq m
Ryecroft 2	Level 0	43 m <sup>2</sup>	1 Storey - Total = 43 sq m
Ryecroft 3	Level 0	41 m <sup>2</sup>	1 Storey - Total = 41 sq m
Elysium Main 2	Level 0	304 m <sup>2</sup>	2 Storey - Total = 608 sq m
Elysium Main 1	Level 0	366 m <sup>2</sup>	3 Storey - Total = 1,098 sq m
Nursery	Level 0	261 m <sup>2</sup>	1 Storey - Total = 261 sq m
Refectory Conservatory	Level 0	197 m <sup>2</sup>	1 Storey - Total = 197 sq m
Refectory	Level 0	569 m <sup>2</sup>	1 Storey - Total = 569 sq m
Portland 1	Level 0	420 m <sup>2</sup>	2 Storey - Total = 840 sq m
Portland 2	Level 0	334 m <sup>2</sup>	2 Storey - Total = 668 sq m
Greenhouses	Level 0	85 m <sup>2</sup>	1 Storey - Total = 85 sq m
Elec Sub	Level 0	26 m <sup>2</sup>	1 Storey - Total = 26 sq m

TOTAL GROSS AREA TO BE DEMOLISHED - 6,127 SQ M



**Planning Amendment Refs**

Ref	Description of change
1.	Directly relating to shift in building position. <ul style="list-style-type: none"> <li>a. Reduction of roof canopy length. The reduced length of canopy will absorb the entire shift of the building however the main intention of keeping the new building connected to the existing building will remain unchanged. Within this same area, the external stair location has been adjusted slightly to further underneath the roof canopy, providing better weather protection and easier movement around campus.</li> <li>b. Adjusted heights of windows. On the rear elevation, due to the location of the existing Ryecroft building, the sill levels of the windows can be updated to match the adjacent windows on this elevation. However 1 window will need to retain a higher level sill due to the connection to Ryecroft.</li> <li>c. Revised landscape works. Due to the reduced demolition, no external landscape works will be required to the areas containing the existing gas and plumbing buildings. Furthermore, as the building has shifted away from this area, a revised service yard and vehicle access route has been provided. This will also require less landscape works and disruption than the previously submitted design.</li> </ul>
2.	Reduced scope of demolition. Due to college requirements and as a result of the building shift, the following buildings will no longer need to be demolished: <ul style="list-style-type: none"> <li>• Gas &amp; Plumbing</li> <li>• Joinery</li> <li>• Brickwork</li> </ul>



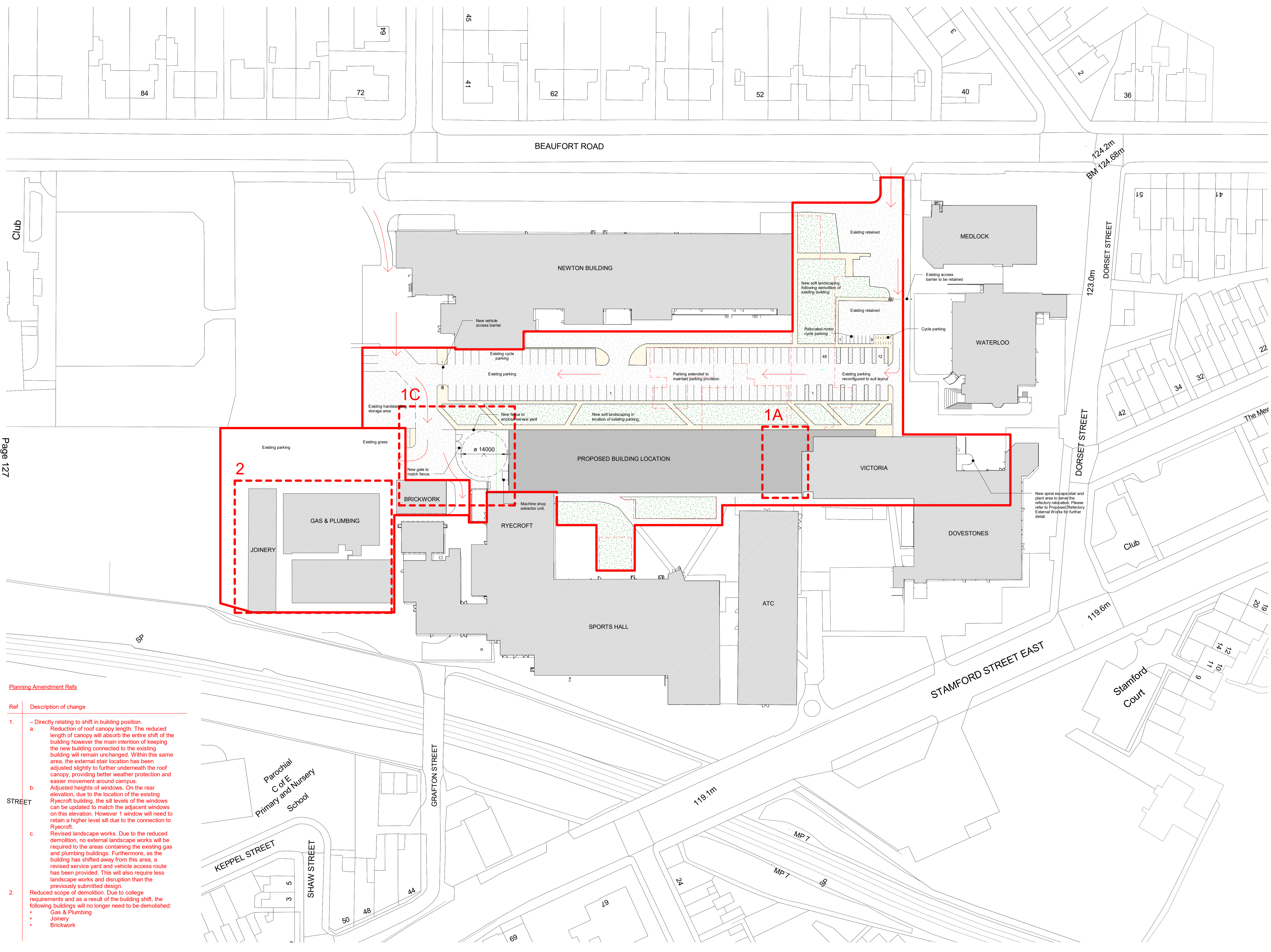
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Key

- Hard Landscape / Tarmac
- Soft Landscape / Grass
- Paved Footpath  
Areas adjacent to existing landscape to match existing paving.
- Newly landscaped areas to be paved to proposed new paving spec. Please refer to outline spec for further detail.
- Demolished buildings
- Vehicular access route
- Site Boundary



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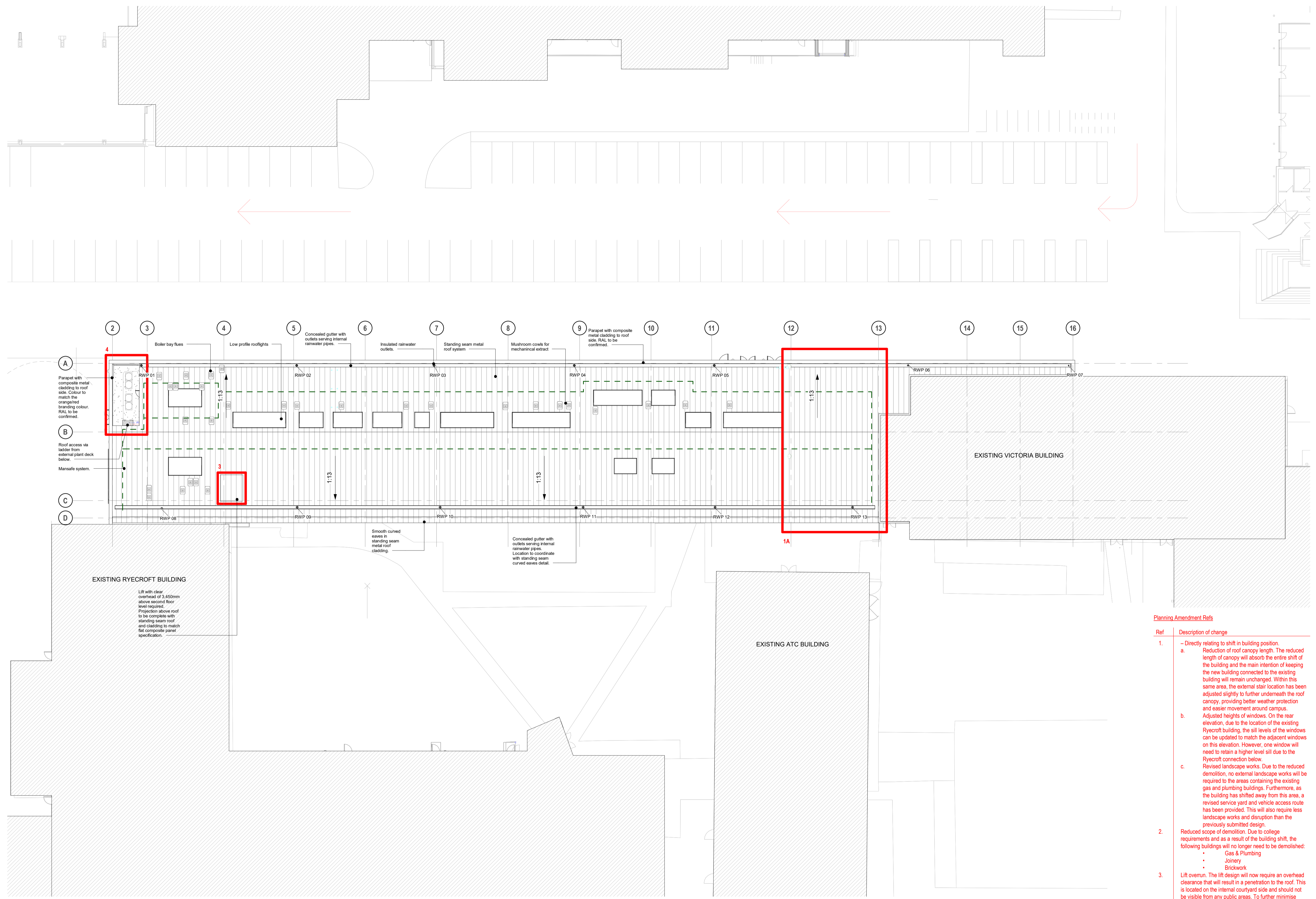
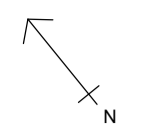
**Planning Amendment Refs**

Ref	Description of change
1.	- Directly relating to shift in building position. a. Reduction of roof canopy length. The reduced length of canopy will absorb the entire shift of the building however the main intention of keeping the new building connected to the existing building will remain unchanged. Within this same area, the external stair location has been adjusted slightly to further underneath the roof canopy, providing better weather protection and easier movement around campus. b. Adjusted heights of windows. On the rear elevation, due to the location of the existing Ryecroft building, the sill levels of the windows can be updated to match the adjacent windows on this elevation. However 1 window will need to retain a higher level sill due to the connection to Ryecroft. c. Revised landscape works. Due to the reduced demolition, no external landscape works will be required to the areas containing the existing gas and plumbing buildings. Furthermore, as the building has shifted away from this area, a revised service yard and vehicle access route has been provided. This will also require less landscape works and disruption than the previously submitted design.
2.	Reduced scope of demolition. Due to college requirements and as a result of the building shift, the following buildings will no longer need to be demolished: <ul style="list-style-type: none"> <li>• Gas &amp; Plumbing</li> <li>• Joinery</li> <li>• Brickwork</li> </ul>





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Page 129

**Planning Amendment Refs**

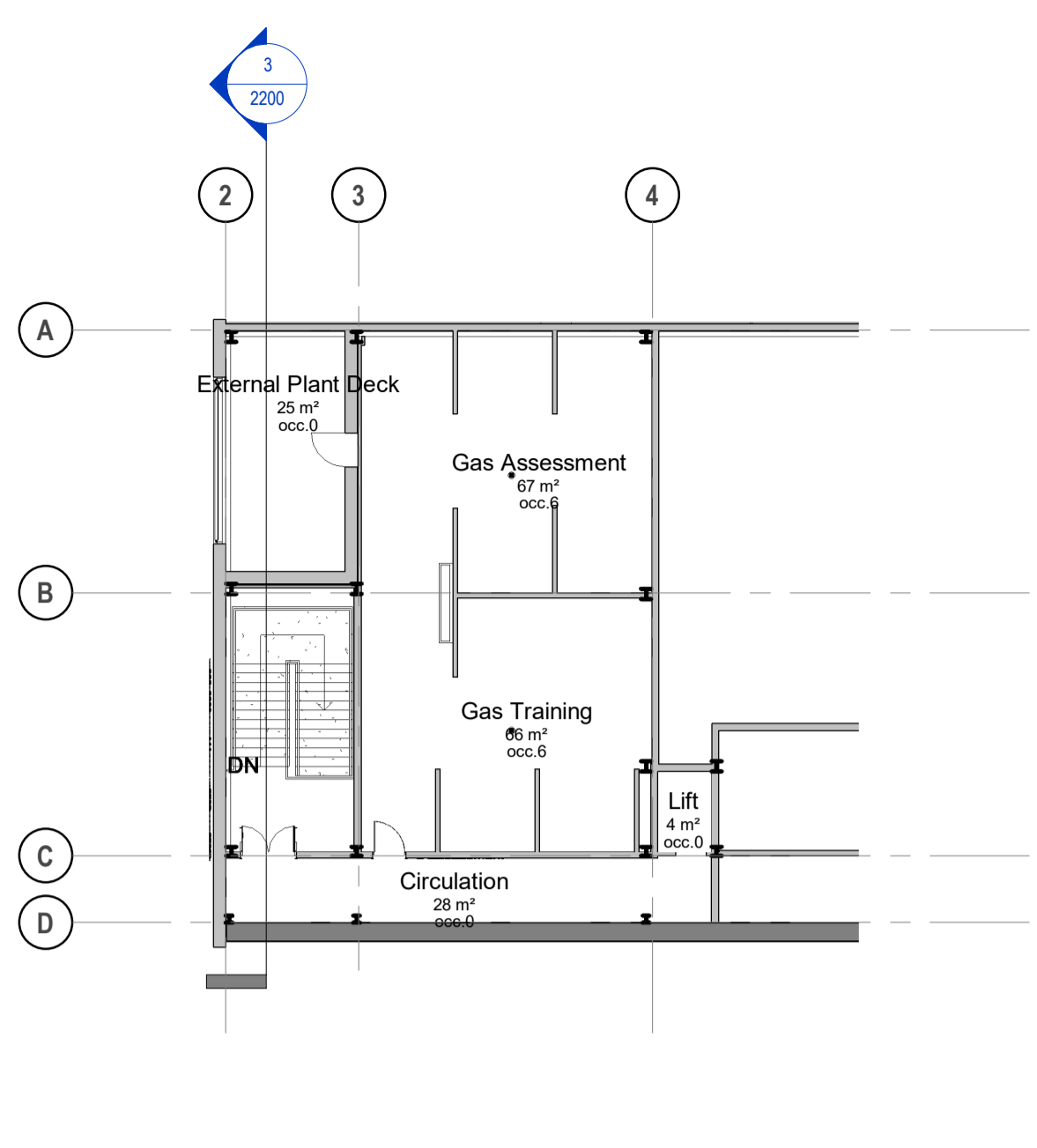
Ref	Description of change
1.	- Directly relating to shift in building position. a. Reduction of roof canopy length. The reduced length of canopy will absorb the entire shift of the building and the main intention of keeping the new building connected to the existing building will remain unchanged. Within this same area, the external stair location has been adjusted slightly to further underneath the roof canopy, providing better weather protection and easier movement around campus. b. Adjusted heights of windows. On the rear elevation, due to the location of the existing Rycroft building, the sill levels of the windows can be updated to match the adjacent windows on this elevation. However, one window will need to retain a higher level sill due to the Rycroft connection below. c. Revised landscape works. Due to the reduced demolition, no external landscape works will be required to the areas containing the existing gas and plumbing buildings. Furthermore, as the building has shifted away from this area, a revised service yard and vehicle access route has been provided. This will also require less landscape works and disruption than the previously submitted design.
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4.	

**1 Proposed Roof Plan**  
 1:200 Ref Sheet: 0801

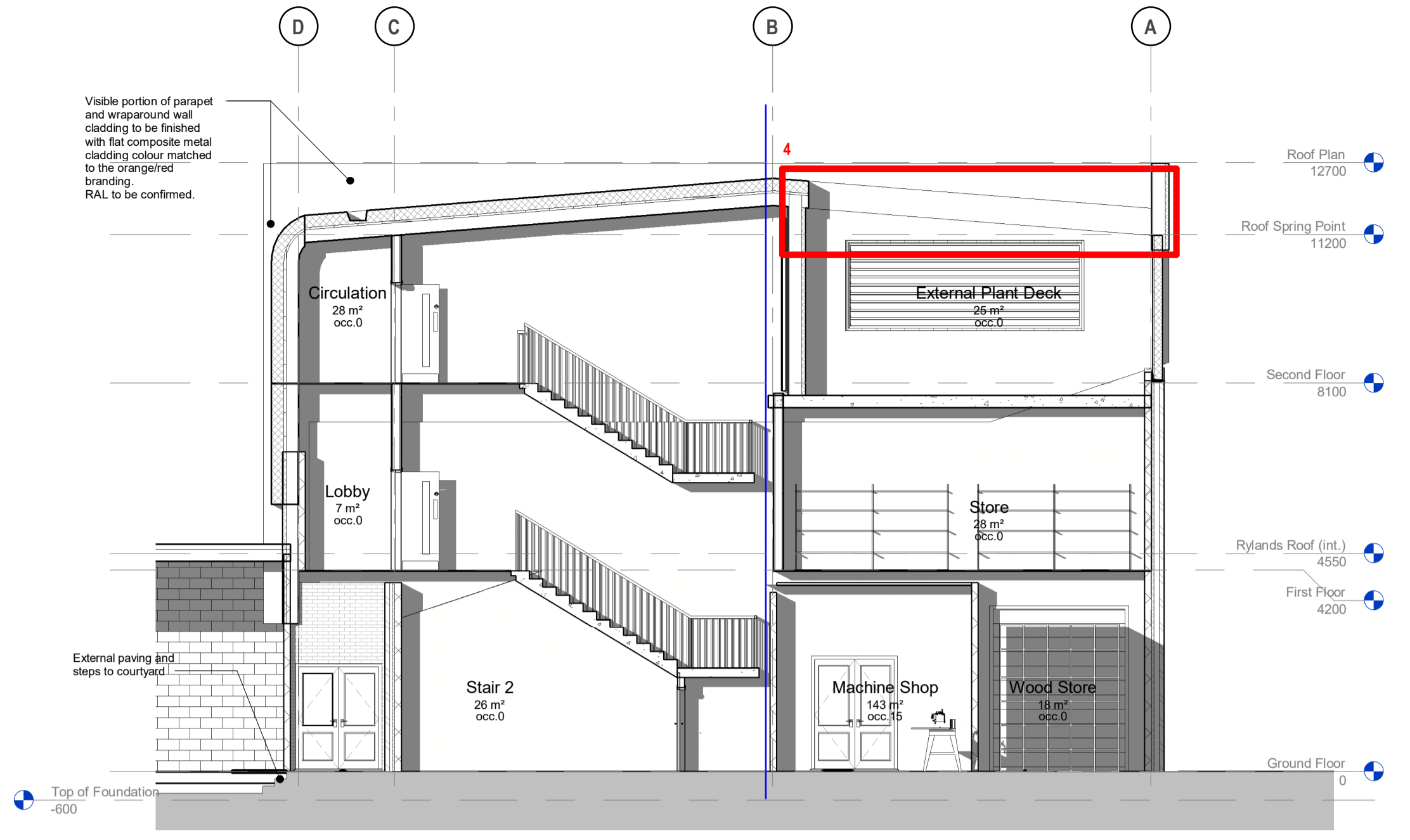
Client: Thameside College  
 Project: Construction Skills Building  
 Job No.: 1072  
 Date: 01/16/18  
 BIM Model: TCOB-10A-V2-RF-DR-A-0001  
 QA: ADS DWD  
 Scale: As indicated/A1  
 Drawing: Roof Plan  
 Rev notes: r152 - Updated Planning Issue

TCOB-10A-V2-RF-DR-A-2400-L2

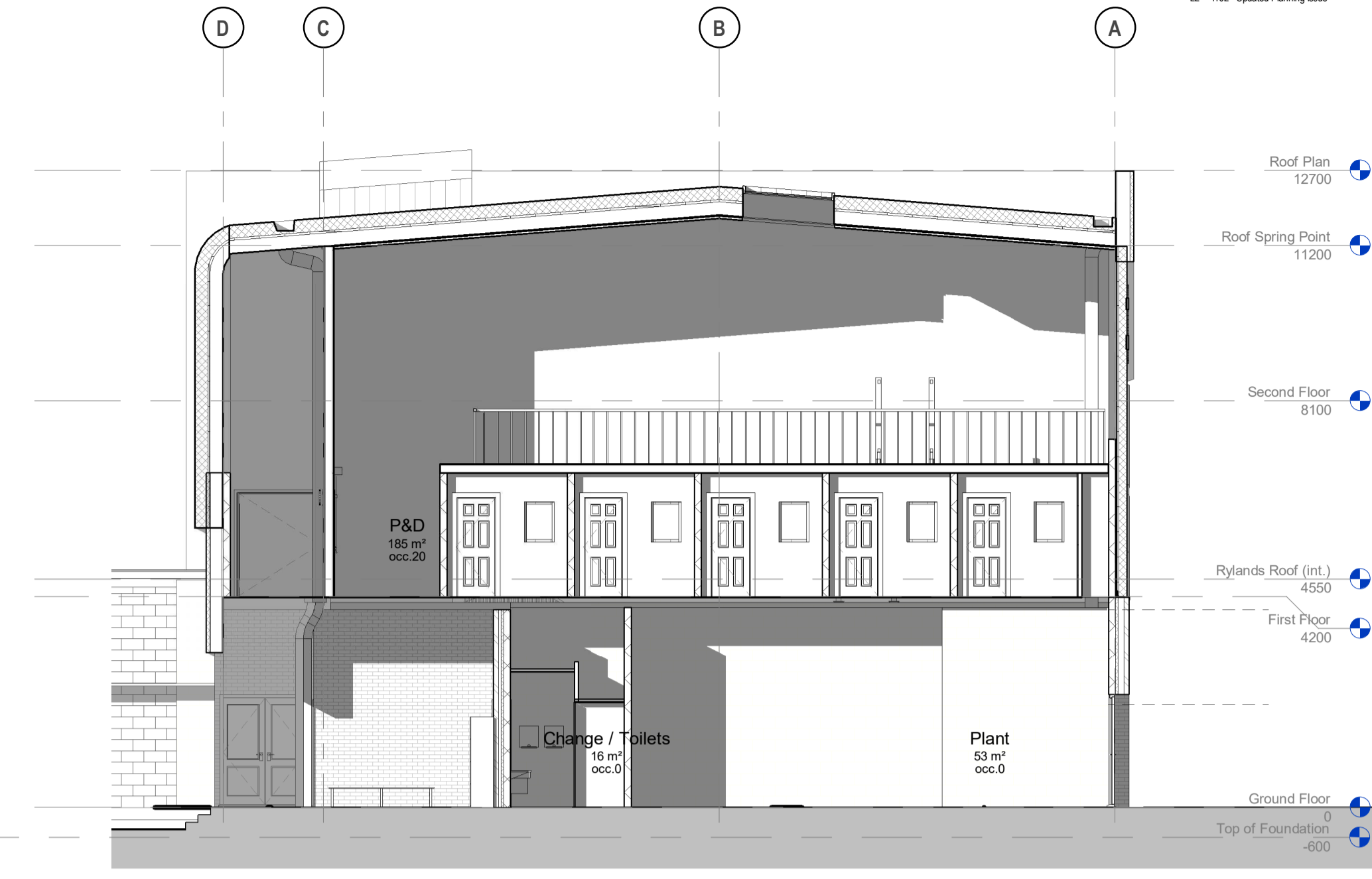
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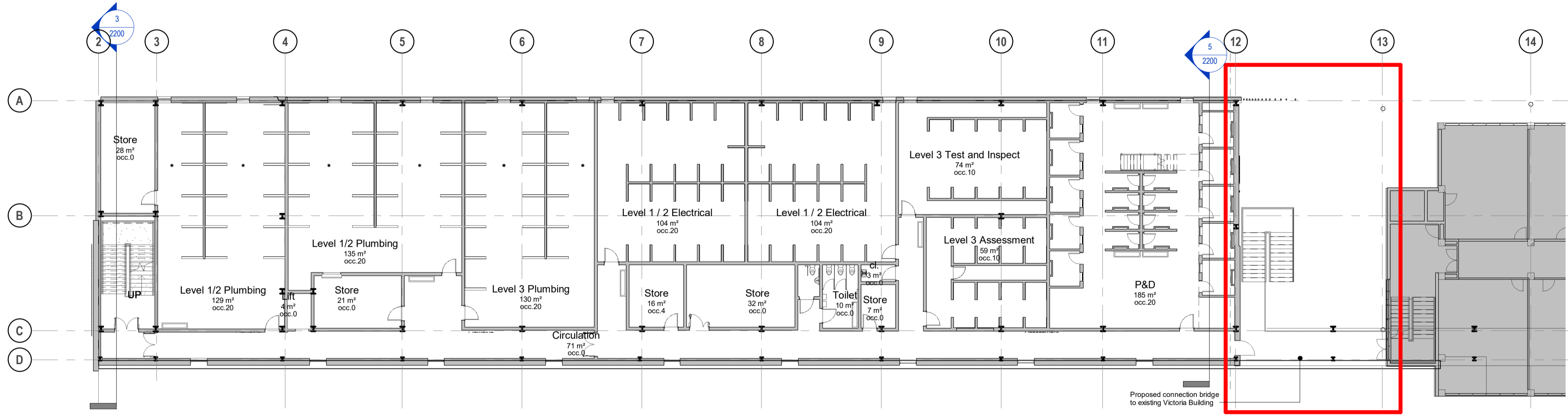
**4 Second Floor**  
 1:200 Ref Sheet: 0801



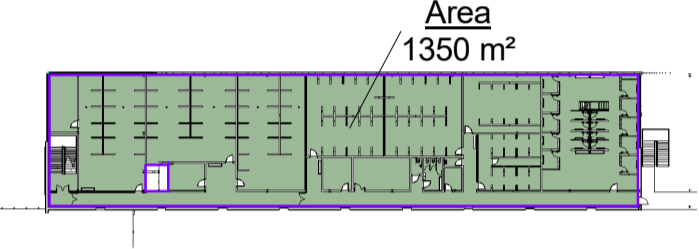
**3 Section 1**  
 1:100 Ref Sheet: 2200



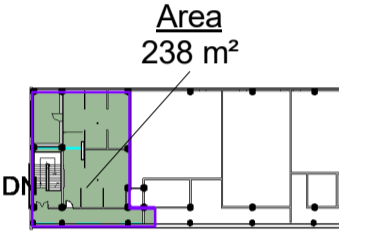
**5 Section 2**  
 1:100 Ref Sheet: 2200



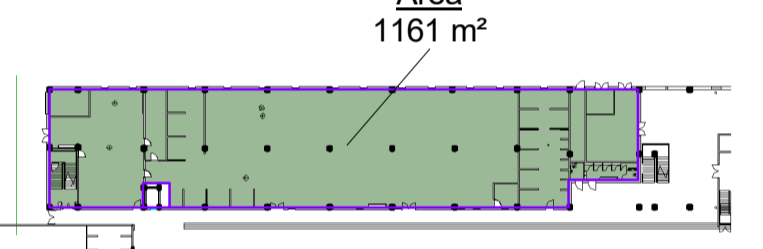
**2 First Floor**  
 1:200 Ref Sheet: 0801



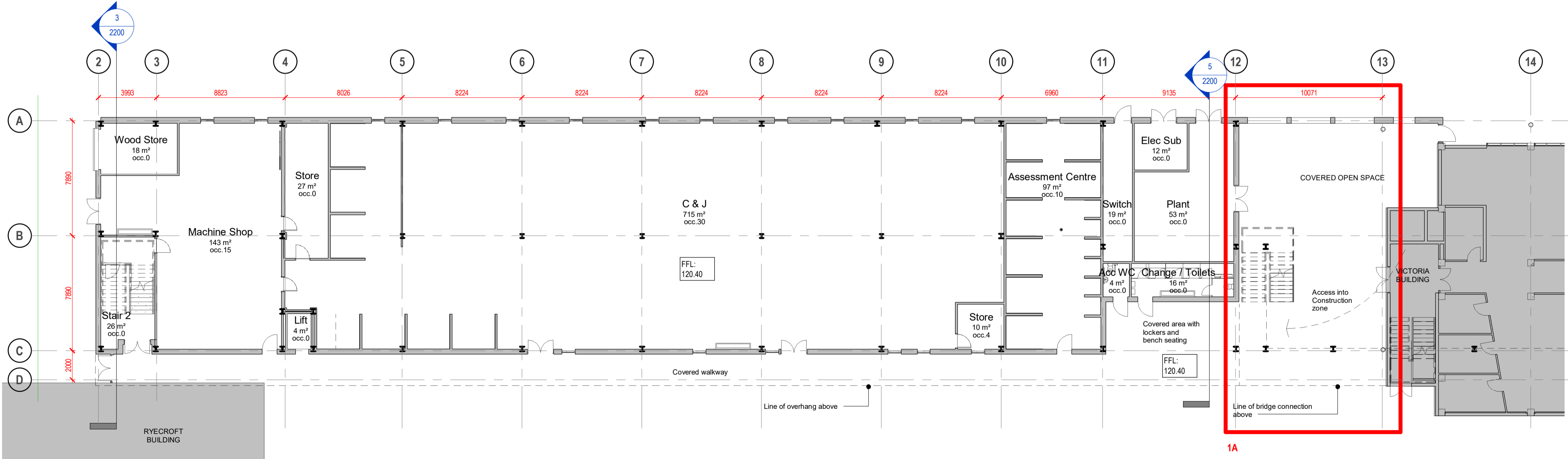
**6 First Floor**  
 1:1000 Ref Sheet: 0801



**8 Second Floor**  
 1:1000 Ref Sheet: 0801



**7 Ground Floor**  
 1:1000 Ref Sheet: 0801



**1 Ground Floor**  
 1:200 Ref Sheet: 0801

**Planning Amendment Refs**

Ref	Description of change
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4.	

**Notes:**  
 For fire, assume 302 students  
 For WC assume 40% utilisation = 120 students  
 This equates to 6 WC's

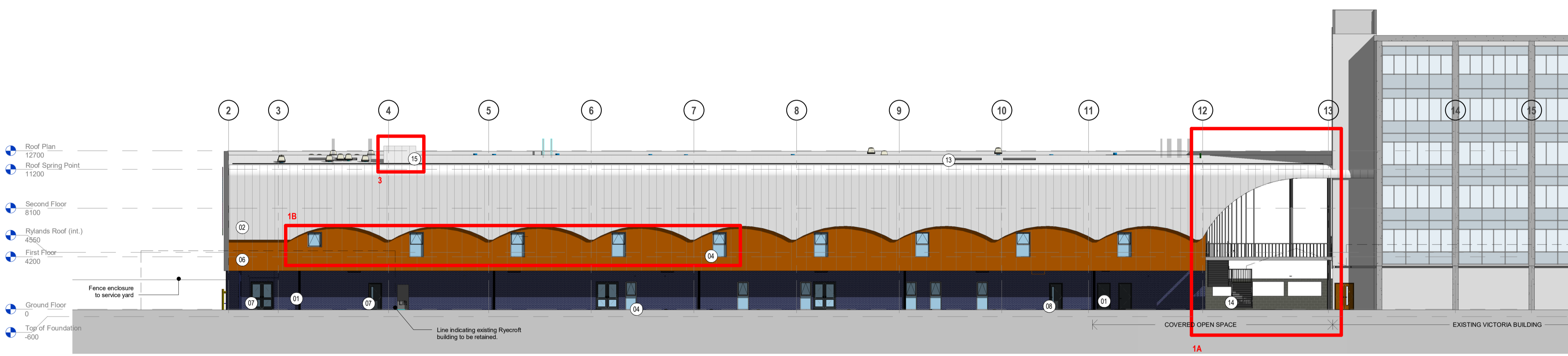
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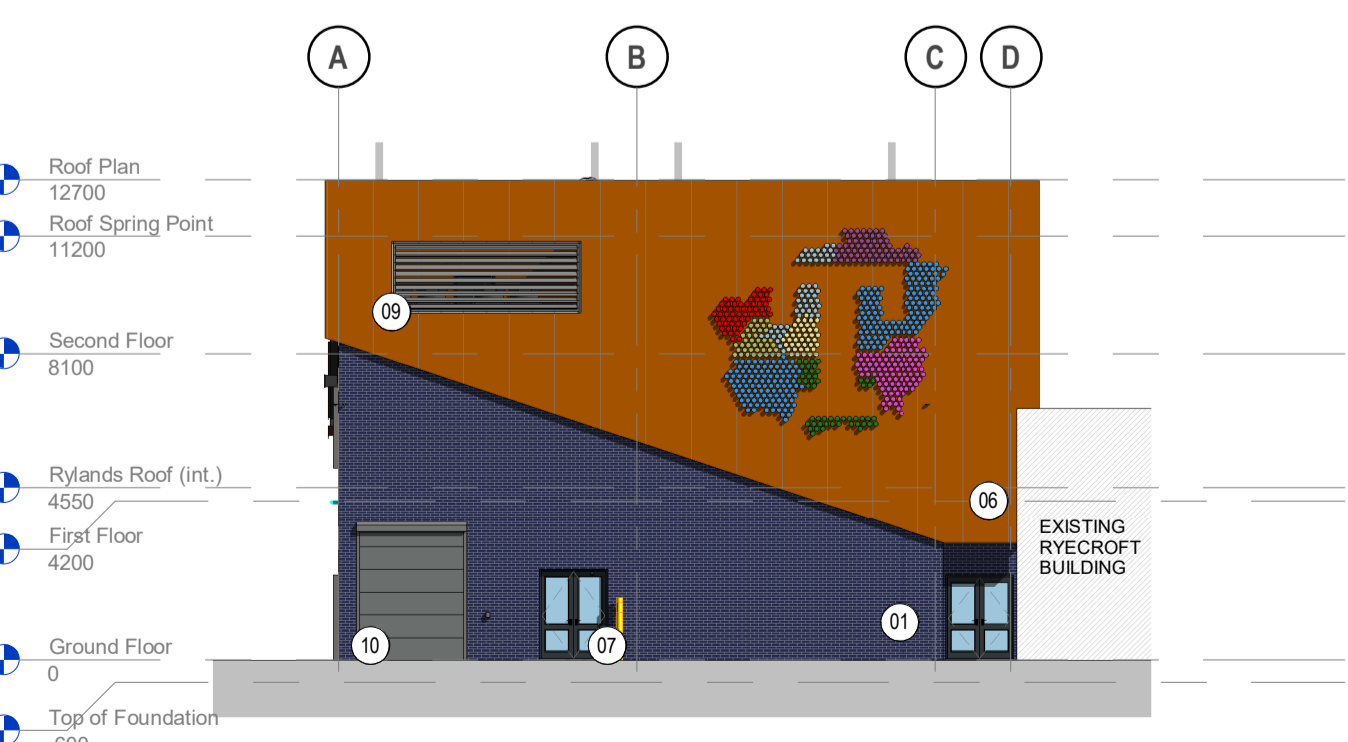


**1 Proposed North Elevation**  
 1:200

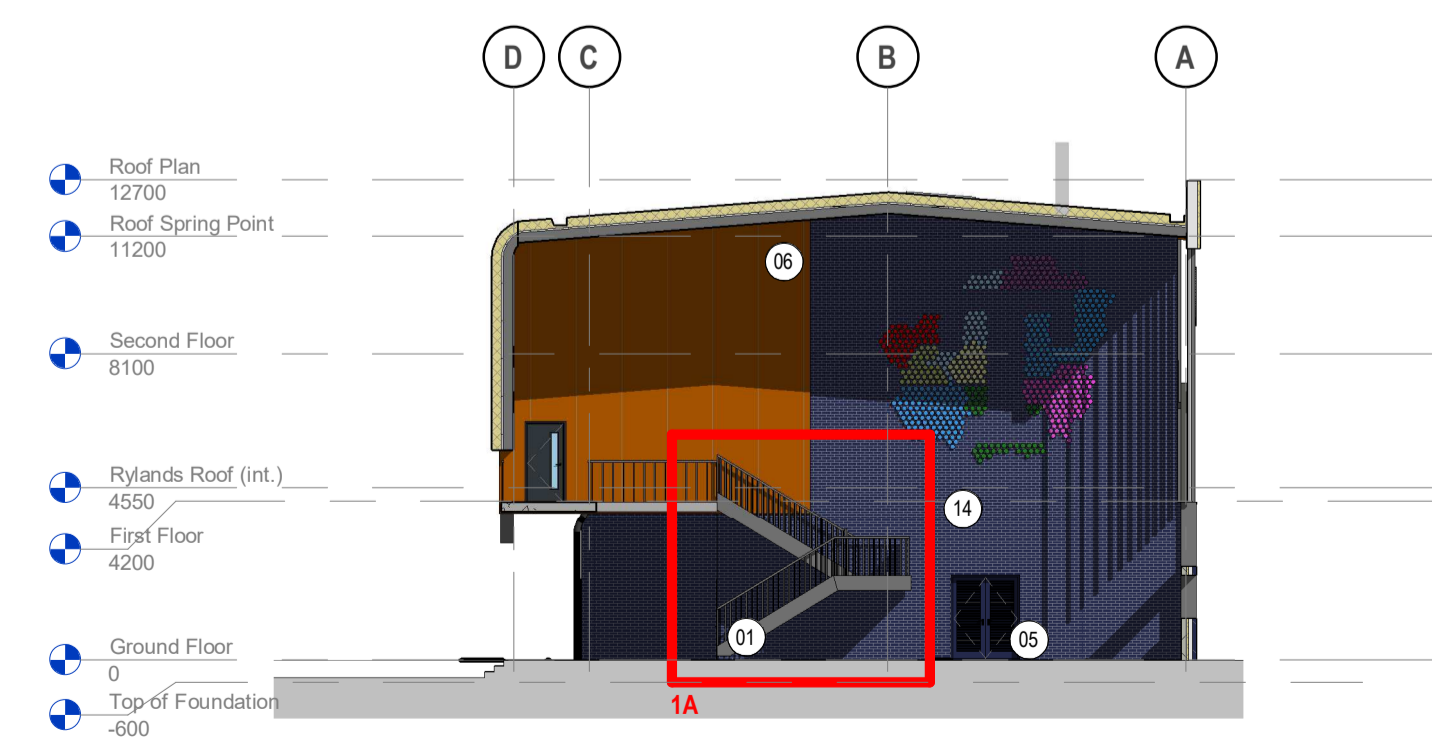
- Planning Amendment Refs**
- | Ref | Description of change  |
|-----|--|
| 1.  | - Directly relating to shift in building position.<br>a. Reduction of roof canopy length. The reduced length of canopy will absorb the entire shift of the building and the main intention of keeping the new building connected to the existing building will remain unchanged. Within this same area, the external stair location has been adjusted slightly to further underneath the roof canopy, providing better weather protection and easier movement around campus.<br>b. Adjusted heights of windows. On the rear elevation, due to the location of the existing Ryecroft building, the sill levels of the windows can be updated to match the adjacent buildings on this elevation. However, one window will need to retain a higher level sill due to the Ryecroft connection below.<br>c. Revised landscape works. Due to the reduced demolition, no external landscape works will be required to the areas containing the existing gas and plumbing buildings. Furthermore, as the building has shifted away from this area, a revised service yard and vehicle access route has been provided. This will also require less landscape works and disruption than the previously submitted design. |
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| 4.  |  |



**2 Proposed South Elevation**  
 1:200



**3 Proposed West Elevation**  
 1:200



**4 Proposed East Elevation**  
 1:200

EXTERNAL MATERIALS KEY	
Ref	Description
01	Blue brickwork. Colour to match existing blue brickwork on site.
02	Metal standing seam roofwall cladding system
03	Metal composite cladding. Colour to match existing red metal cladding on site.
04	Polyester powder coated aluminium frame window/curtain wall system.
05	Polyester powder coated aluminium frame louvered door.
06	Metal composite cladding - flat profile with colour to match existing red cladding on site.
07	Polyester powder coated aluminium framed glazed door.
08	Polyester powder coated aluminium framed solid door.
09	Polyester powder coated aluminium louvre.
10	Polyester powder coated aluminium framed roller shutter.
11	Polyester powder coated aluminium louvres. Colour/finish to match standing seam roofwall cladding.
12	Polyester powder coated aluminium flashing. Colour to match red/orange composite cladding.
13	Aluminium framed rooflight.
14	Precast concrete stair with metal handrail.
15	Head of lift to be clad in standing seam cladding to match roofwall cladding.

Client: Thameside College  
 Project: Construction Skills Building  
 Job No.: 1072  
 Date: 24/1/18  
 BIM Model: TCCB-10A-V2-ZZ-M3-A-0001  
 QA: ADS DWD  
 Scale: As indicated/A1  
 Drawing: Proposed Elevations  
 Rev notes: r152 - Updated Planning Issue

TCCB-10A-V2-ZZ-DR-A-2540-L2

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**Application Number** 18/00983/FUL

<b>Proposal</b>	Full planning permission for the erection of a 2 storey side extension and a single storey rear extension (amended).
<b>Site</b>	5 Bankfield Avenue Droylsden
<b>Applicant</b>	Mr Chris Cooney
<b>Recommendation</b>	Approve, subject to conditions
<b>Reason for report</b>	A Speakers Panel decision is required because the applicant is a relative of an elected Member (Cllr Ged Cooney).

## REPORT

### 1. APPLICATION DESCRIPTION

- 1.1 The applicant seeks full planning permission for the erection of a 2 storey side extension and a single storey rear extension to the dwelling.
- 1.2 The scheme has been amended to remove the first floor rear extension proposed in the original submission and to redesign the proposed side extension, following concerns expressed by officers with regards to the impact of the original submission on the residential amenity of neighbouring properties (particularly those to the west of the site fronting Sunnyside Road but also the adjoining neighbouring property at 6 Bankfield Avenue).
- 1.3 The rear extension would project approximately 2.45 metres from the rear elevation of the existing dwelling and would span the full width of the property. The main body of the proposed side extension would have a width of 4 metres, tapering to 2.35 metres on the front elevation, following the angle of the splayed common boundary with the property at 4 Bankfield Avenue. The side extension would match the ridge and eaves height of the host property and would follow the pitched roof design of the existing property. The front elevation of the proposed side extension would be set 2.29 metres behind the front elevation of the host property.

### 2. SITE & SURROUNDINGS

- 2.1 The application site is a brick built two storey dwelling with a tiled roof which forms the southern end of a terrace for 3 units and the western end of Bankfield Avenue in Droylsden. There is a neighbouring property adjoining to the northern elevation of the site (no.6 Bankfield Avenue) and the neighbouring property at no.4 is orientated so that the corresponding gable elevation is at 90 degrees from the gable elevation of the application site. The common boundary between the properties is splayed to reflect the difference in orientation. The rear elevations of the properties to the west (facing Sunnyside Road) face the rear boundary of the application site

### 3. PLANNING HISTORY

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

#### **4. RELEVANT PLANNING POLICIES**

##### **4.1 Tameside Unitary Development Plan (UDP) Allocation** Unallocated

##### **4.2 Part 1 Policies**

1.5: Following the Principles of Sustainable Development.

##### **4.3 Part 2 Policies**

H10: Detailed Design of Housing Developments

OL10: Landscape Quality and Character

T10: Parking

C1: Townscape and Urban Form

N3: Nature Conservation Factors

N4 Trees and Woodland

N5: Trees Within Development Sites

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 2: Achieving sustainable development

Section 12: Achieving well designed places

##### **Planning Practice Guidance (PPG)**

4.6 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 Neighbouring properties were notified by letter, in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

#### **6. RESPONSES FROM CONSULTEES**

6.1 Borough Environmental Health Officer (EHO) – no objections raised to the proposals

6.2 Local Highway Authority - no objections raised to the proposals.

#### **7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED**

7.1 1 objection was received in relation to the original submission from the occupants of no.6 Bankfield Avenue, raising the following concerns (summarised):

- The scale and massing of the proposed 2 storey rear extension would result in a loss of light to the habitable room windows on the rear elevation and overshadow the rear garden area of the property at 6 Bankfield Avenue to the extent that would be detrimental to the residential amenity of that property.

Nb. Neighbours were re-notified following the receipt of amended plans. No further responses were received following that re-consultation exercise.

## **8. ANALYSIS**

- 8.1 The key issues to be assessed in the determination of this planning application are the impact of the proposals on the residential amenity of neighbouring properties and on the character of the site and surrounding area.

## **9. RESIDENTIAL AMENITY**

- 9.1 The original submission proposed the erection of a two storey extension along the full width of the property. The extension would have reduced the separation distance between the rear elevation of the property and the corresponding elevations of the neighbouring properties to the west of the site to approximately 12.5 metres.
- 9.2 Policy RED2 of the Residential Design Guide (RDG) requires a separation distance of 19 metres to be retained between the rear elevation of a proposed 2 storey extension and the corresponding elevation of an un-extended dwelling. Where the neighbouring property has an existing extension, the separation distance required reduces to 14 metres. None of the affected neighbouring properties that have that relationship with the application site have been extended at first floor level. The existing separation distance is approximately 15 metres and therefore it is considered unreasonable to apply the 18 metre separation distance in this case.
- 9.3 However, the original submission would still have contravened the lower measurement in the guidance, with the separation distance between the corresponding elevations reducing to approximately 12.5 metres. This resulted in concern regarding the impact of the original submission on the amenity of those neighbouring properties. Furthermore, the northern elevation of the proposed two storey rear extension would have extended to the common boundary with no. 6 Bankfield to the north of the site. The close proximity and extent of the projection of that element of the scheme led to concerns regarding potential loss of light to the rear elevation of that property.
- 9.4 The amended scheme has reduced the proposals to single storey in height where the extension projects beyond the rear building line of the existing property. Given the height of the boundary treatment on the common boundaries of all of the neighbouring properties and the fact that the 12.5 metre separation to be retained to the properties to the rear, it is considered that the amended proposals would not result in unreasonable overlooking into or overshadowing of those neighbouring properties.
- 9.5 Whilst the proposed rear extension would project beyond the rear elevation of the existing single storey extension on the rear elevation of no. 6 Bankfield Avenue, the extent of the additional projection would not be sufficient to result in unreasonable overshadowing of that neighbouring property, following the deletion of the first floor element of the proposals.
- 9.6 In relation to the two storey side extension, the design of this element of the proposals has been influenced by the splayed nature of the common boundary with no. 4 Bankfield Avenue. The front elevation would be approximately 1.5 metres from the common boundary, extending to approximately 4.1 metres at the rear. There would be one window at ground floor level in the side elevation of the extension, with no openings at first floor level on that elevation. The ground floor opening would be a secondary window to the living room and it is therefore reasonable to require this to be obscurely glazed. This requirement



can be secured by condition to prevent unreasonable overlooking across the common boundary.

9.7 There are window openings in the corresponding elevation of 4 Bankfield Avenue but these are treated with obscured glazing and therefore any loss of light to those windows would not result in an adverse impact on the residential amenity of that property.

9.8 Following the above assessment, it is considered that the proposals would not result in a detrimental impact on the residential amenity of any of the neighbouring properties.

## **10. CHARACTER**

10.1 Whilst the main body of the proposed extension would be greater than half of the width of the host property, the front elevation would be set back a significant distance behind the front elevation of the existing dwelling and the bulk of the front element would be reduced by the splayed design. The proposed side extension would match the eaves and ridge height of the host property and would follow the hipped roof design of the existing property.

10.2 The extension would significantly reduce the gap between the host property and no. 4 Bankfield Avenue. However, given that the extension would be set more than 2 metres back from the front elevation of the existing property, the reduction in space would not translate into an overbearing impact on the character of the streetscene as the original building line would remain prominent in public views.

10.3 The proposed rear extension would span the full width of the existing property and the proposed side extension. However, as this element of the scheme has been amended to be single storey in height, it is considered that neither this extension nor the proposals when taken cumulatively would have an adverse impact on the character of the host property.

10.4 Following the above assessment, it is considered that the proposals would not result in an adverse impact on the character of the host property or the surrounding area

## **11. OTHER MATTERS**

11.1 The existing property does not benefit from in-curtilage parking and so the proposed development would not result in a loss of off-street parking provision on the site. The modest size of the additional accommodation would not result in an increase in parking demand associated with the property to the extent that would have a demonstrably harmful impact on highway safety.

## **12. CONCLUSION**

12.1 Following the above assessment, it is considered that the amended proposed development would not result in an adverse impact on the residential amenity of neighbouring properties, the character of the host property or the surrounding area, or highway safety. The amended proposals are therefore considered to comply with the relevant national and local planning policies quoted above.

## **13. RECOMMENDATION**

Grant planning permission subject to the following conditions:

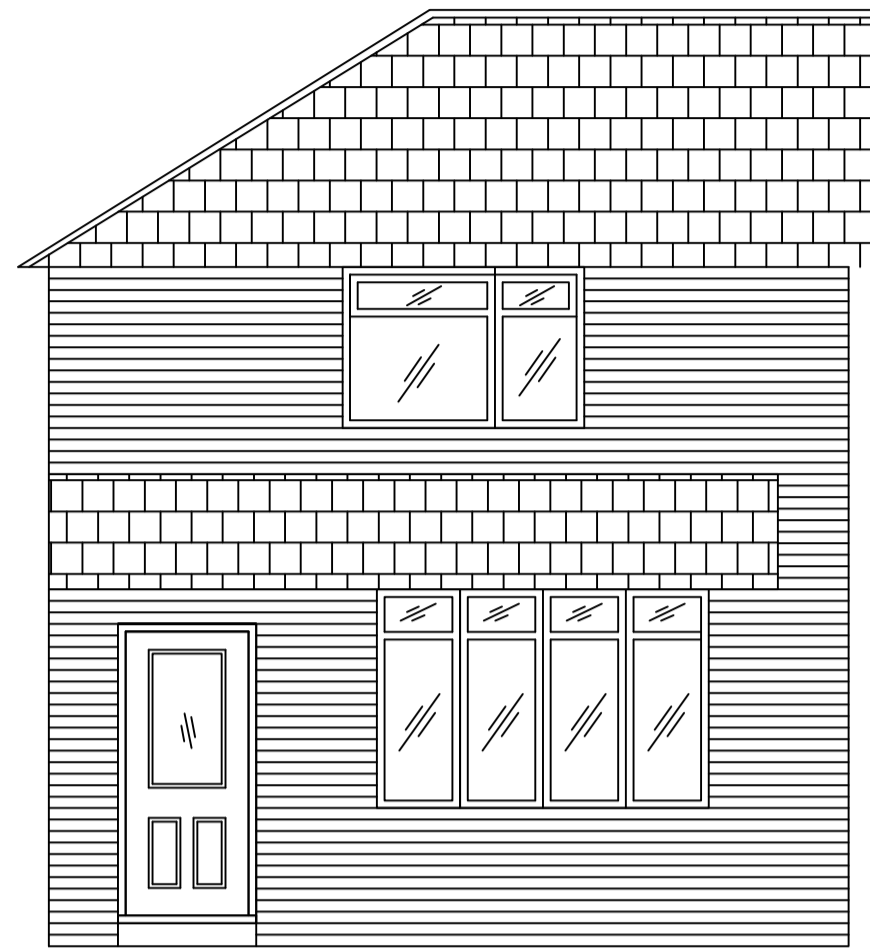
1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. The development hereby approved shall be carried out in accordance with the following approved plans:

Site location plan and proposed floor/roof plans (Plan ref. MC-65-01 Rev. C3)

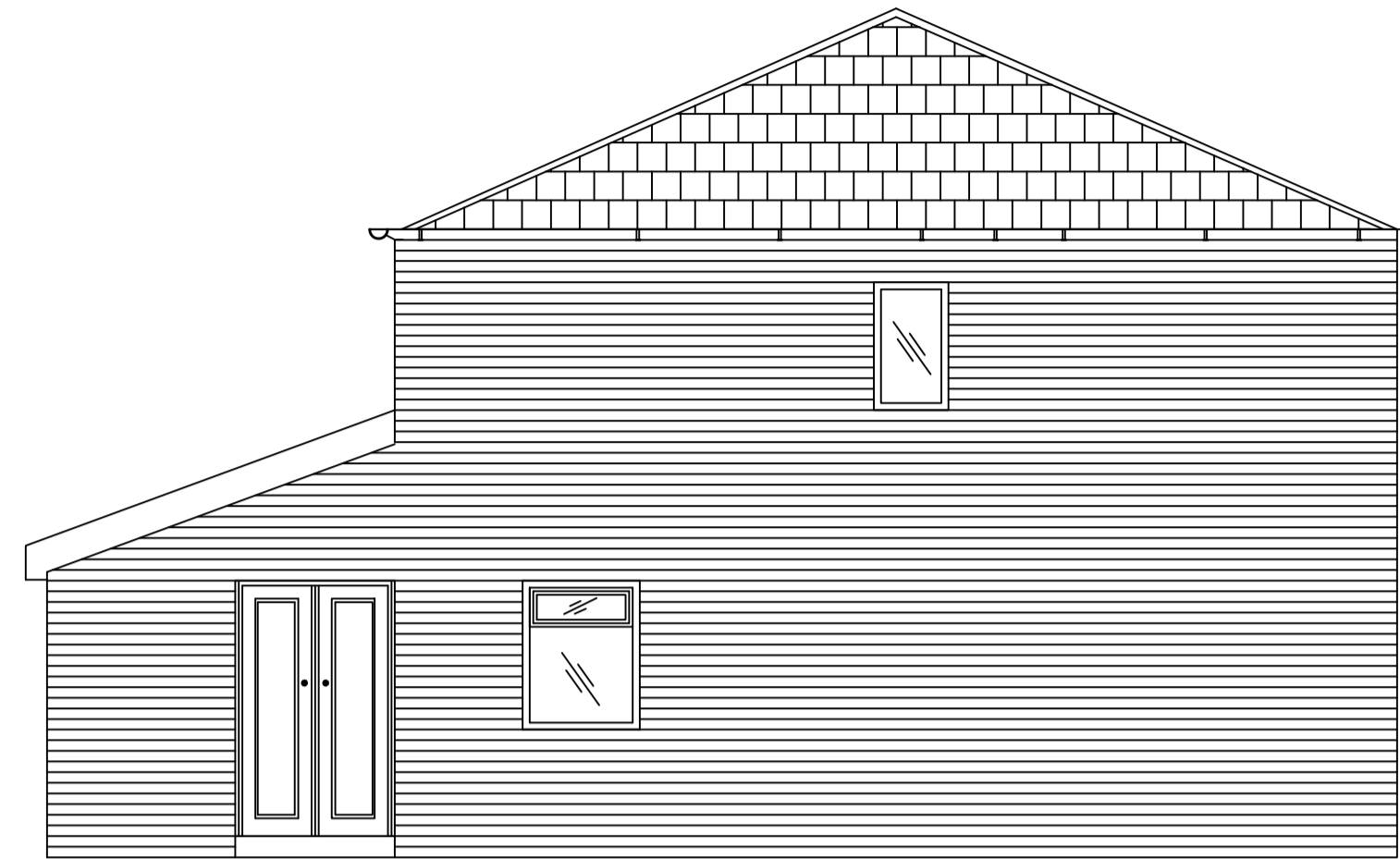
Amended proposed plans (Plan ref. MC-65-02 Rev. C3)

3. The materials to be used in the construction of the external surfaces of the development hereby approved shall match in type, colour and external appearance the external construction materials of the existing dwelling at 5 Bankfield Avenue, Droylsden on the date of this notice and shall be retained as such thereafter.
4. Prior to the first occupation of the extension hereby approved, the ground floor window in the south eastern elevation of the extension 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 it serves. The development shall be retained as such thereafter.

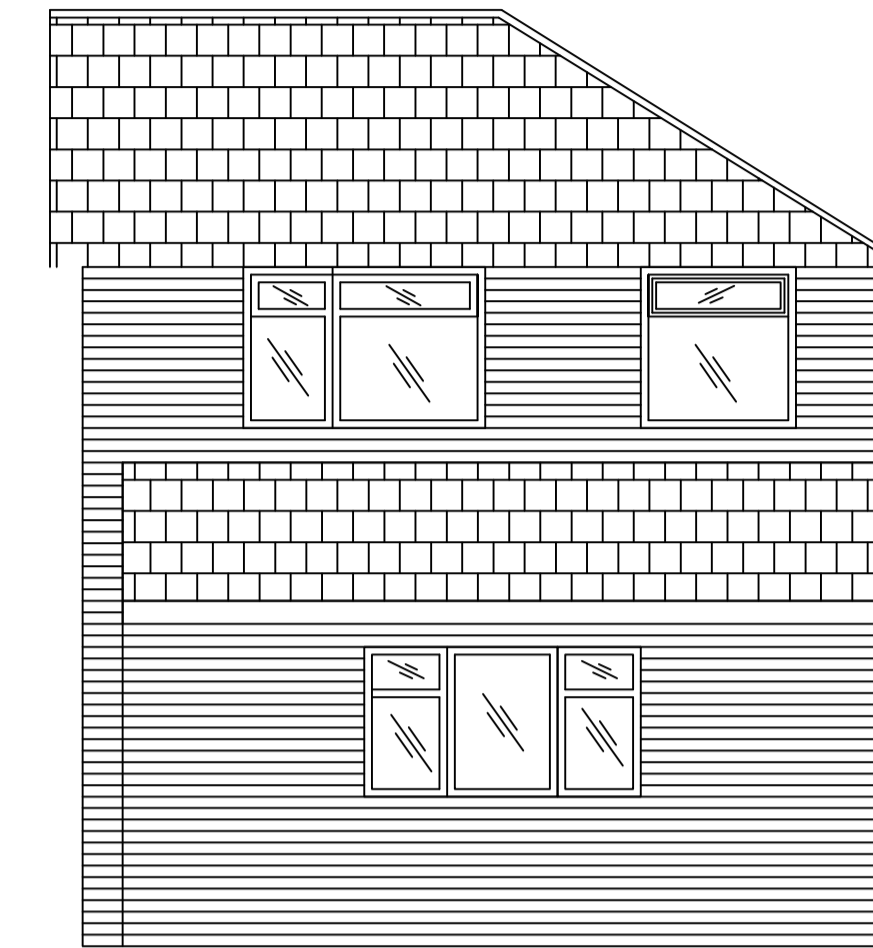
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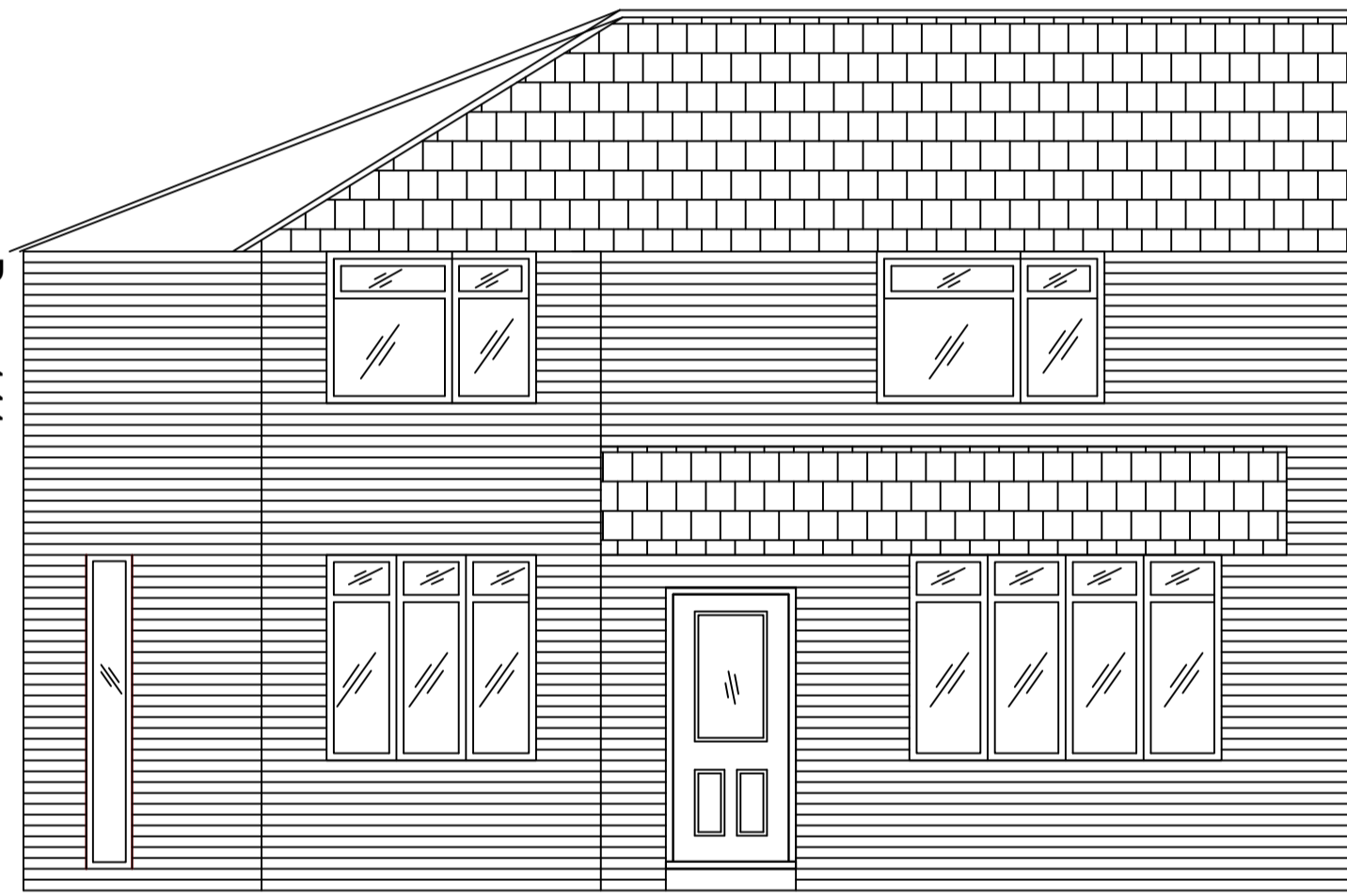
EXISTING FRONT ELEVATION  
(SCALE 1:50)



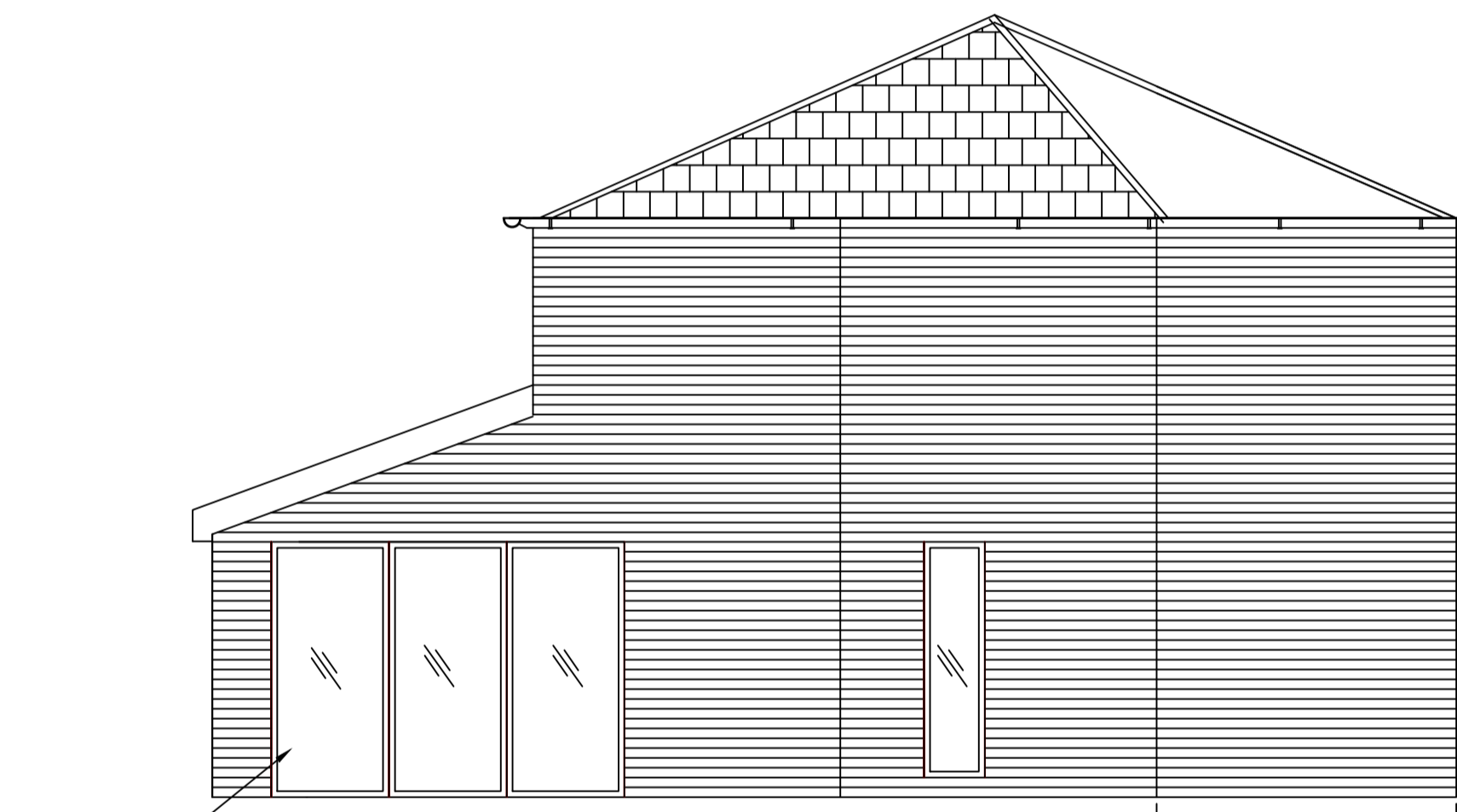
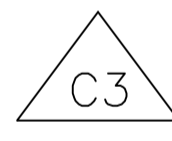
EXISTING SIDE ELEVATION  
(SCALE 1:50)



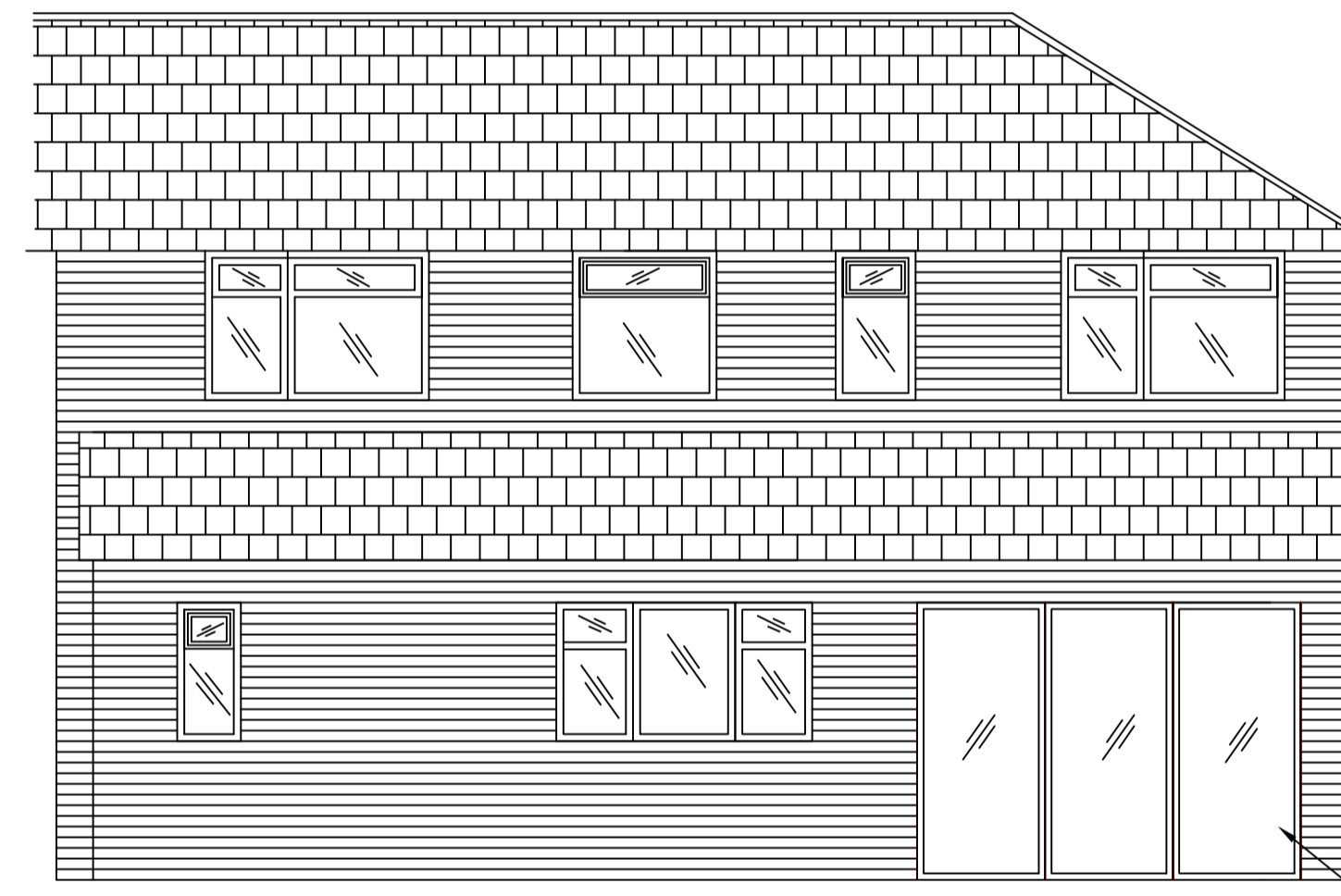
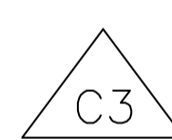
EXISTING REAR ELEVATION  
(SCALE 1:50)



PROPOSED FRONT ELEVATION  
(SCALE 1:50)



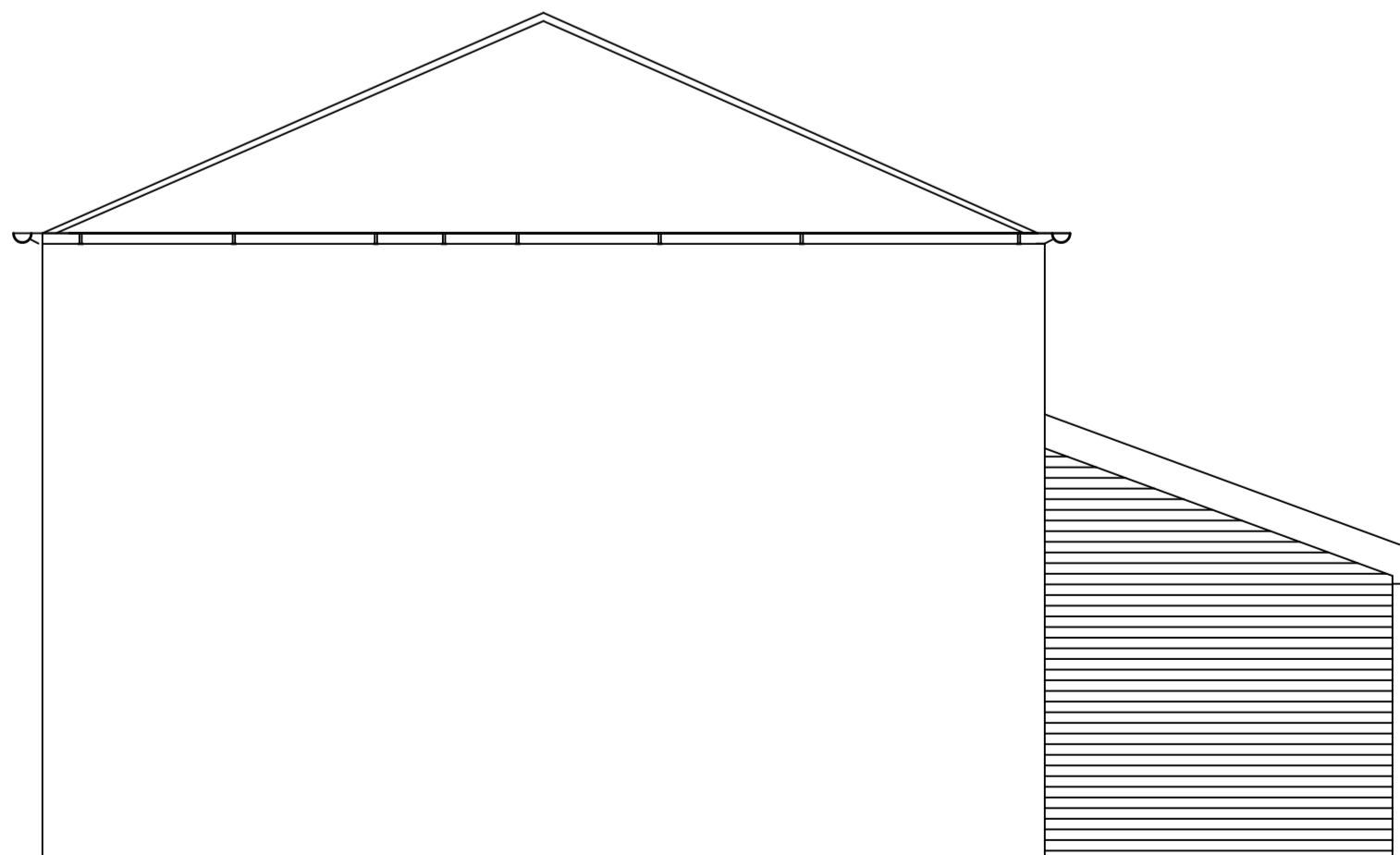
PROPOSED SIDE ELEVATION  
(SCALE 1:50)



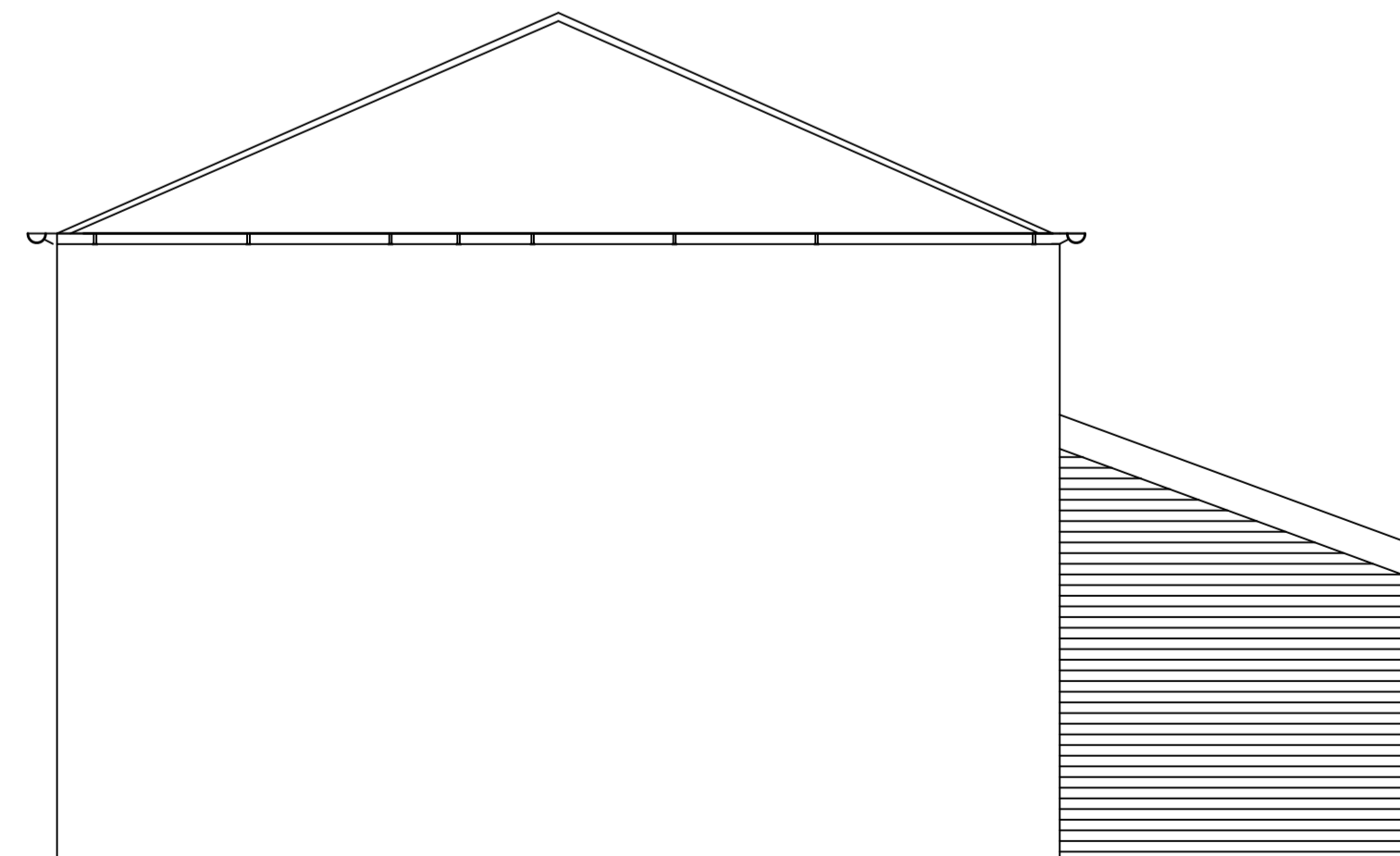
PROPOSED REAR ELEVATION  
(SCALE 1:50)



NEW OPENING FOR BI-FOLD DOORS



EXISTING SIDE ELEVATION  
(VIEWED FROM ADJOINING PROPERTY)  
(SCALE 1:50)



PROPOSED SIDE ELEVATION  
(VIEWED FROM ADJOINING PROPERTY)  
(SCALE 1:50)



C3	24.01.19	REVISED TO SUIT COMMENTS FROM LOCAL AUTHORITY
C2	21.11.18	REVISED TO SUIT COMMENTS FROM LOCAL AUTHORITY

CLIENT  
MR & MRS COONEY  
5 BANKFIELD AVE  
DROYLSDEN  
MANCHESTER  
M43 7NU

PROJECT  
PROPOSED TWO STOREY  
EXTENSION TO EXISTING DWELLING

TITLE  
ELEVATIONS

DRAWING No. MC-65-02

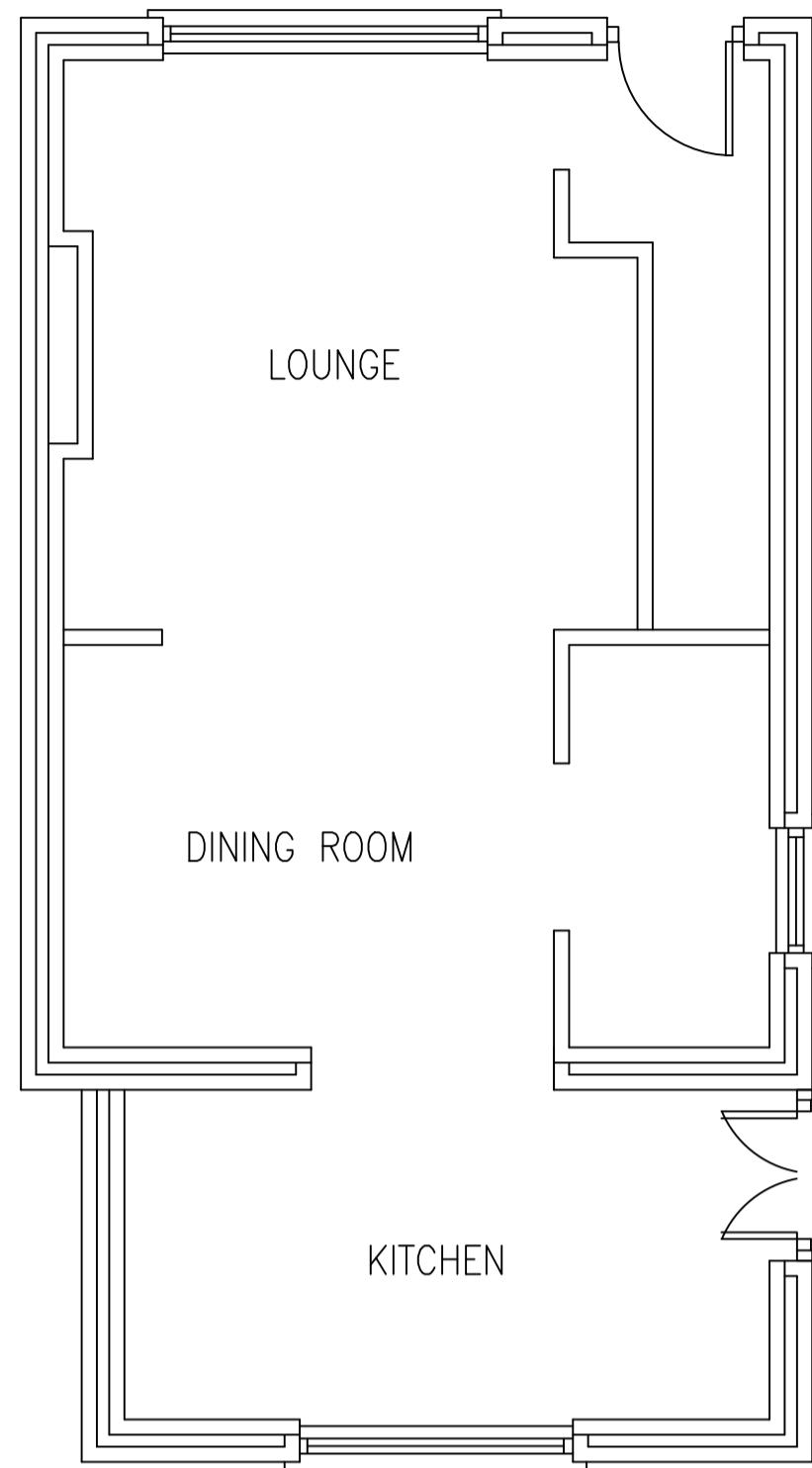
DRAWN \_\_\_\_\_ REV. C3

SCALE AS INDICATED DATE OCT 2018

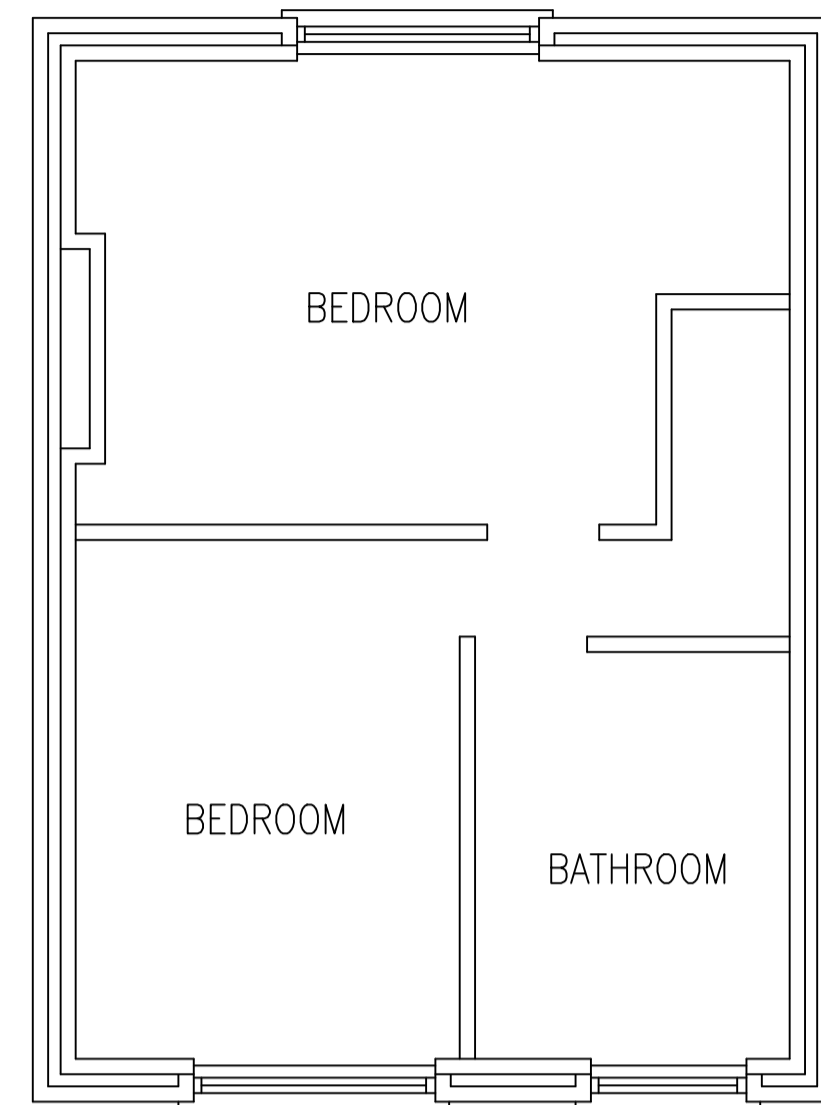
PLANNING APPROVAL

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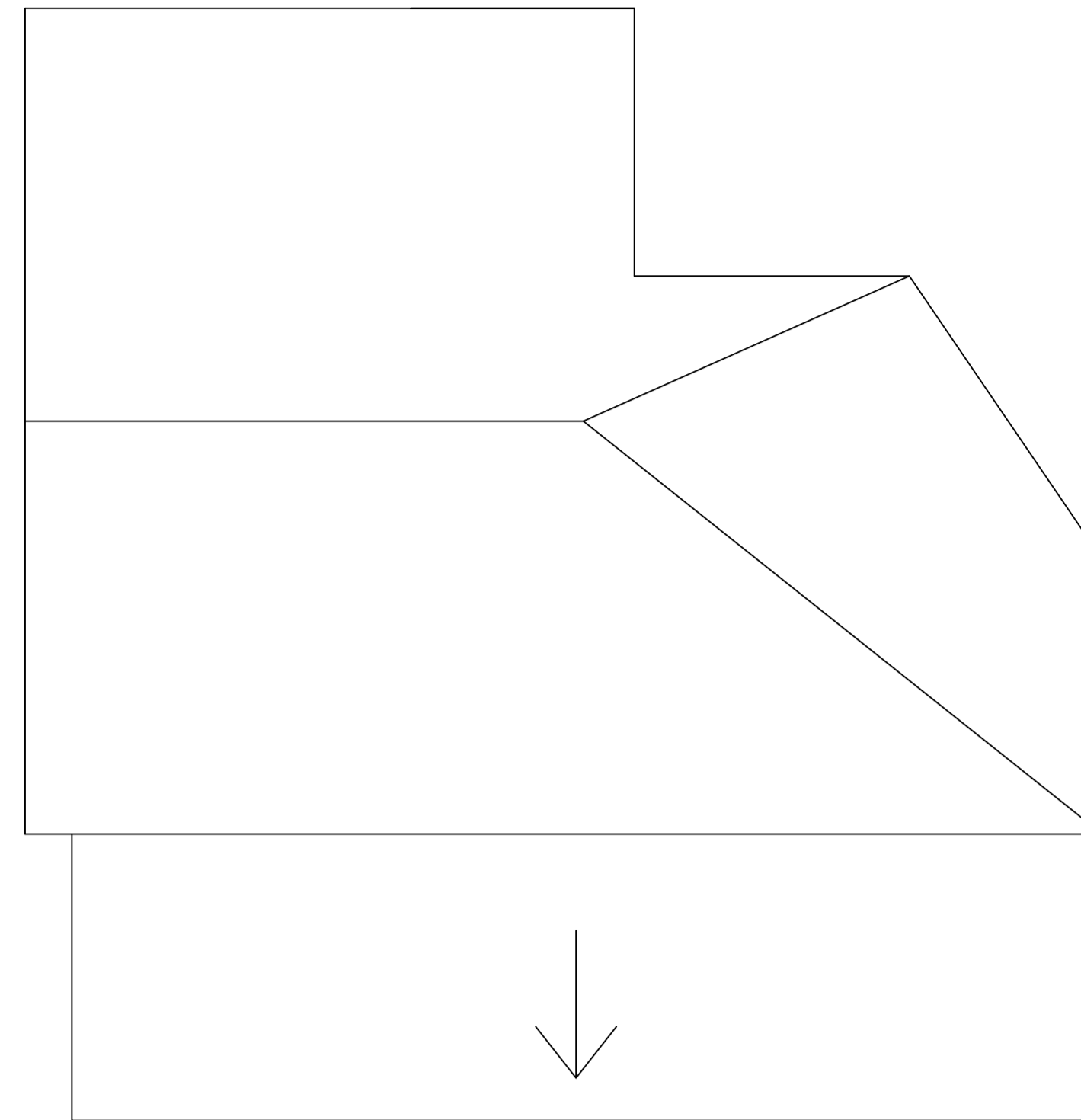




EXISTING GND. FLOOR LAYOUT  
(SCALE 1:50)



EXISTING 1ST. FLOOR LAYOUT  
(SCALE 1:50)



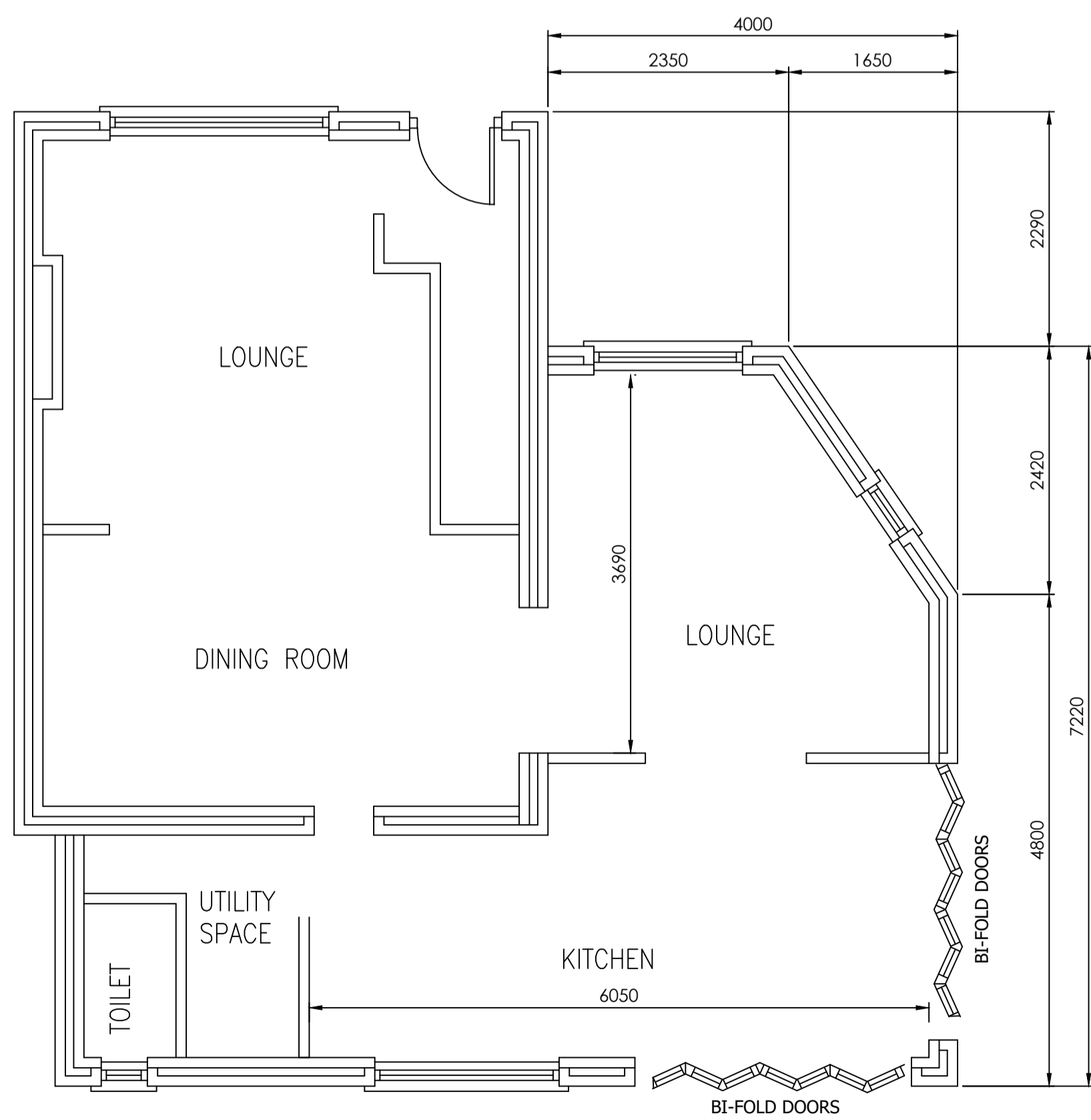
ROOF LAYOUT  
(SCALE 1:50) C3



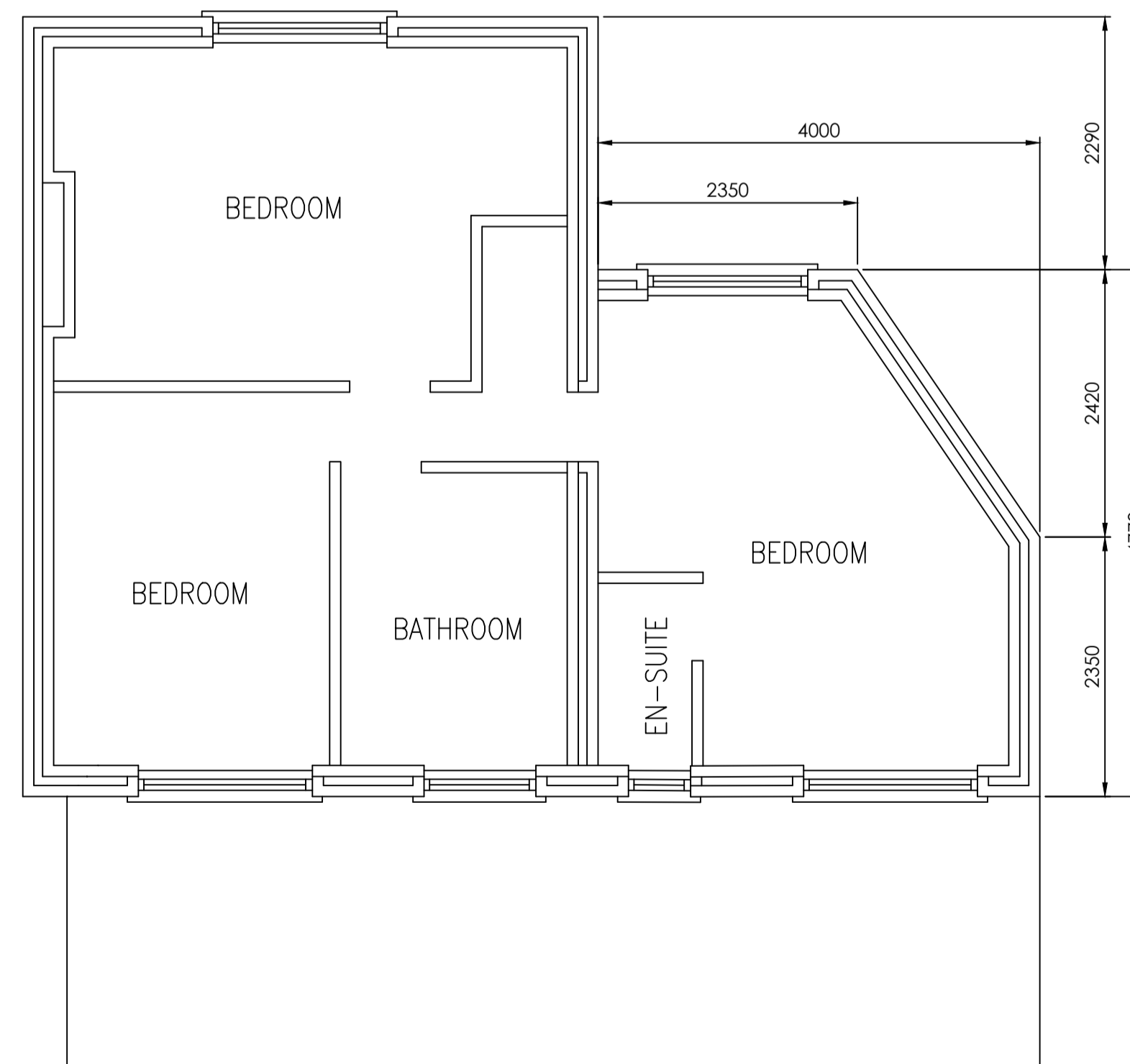
SITE LOCATION PLAN  
(SCALE 1:1250)



SITE LAYOUT PLAN  
(SCALE 1:500)



PROPOSED GND. FLOOR LAYOUT  
(SCALE 1:50)



PROPOSED 1ST. FLOOR LAYOUT  
(SCALE 1:50) C3

C3	24.01.19	REVISED TO SUIT COMMENTS FROM LOCAL AUTHORITY
C2	21.11.18	REVISED TO SUIT COMMENTS FROM LOCAL AUTHORITY

CLIENT  
MR & MRS COONEY  
5 BANKFIELD AVE  
DROYLSDEN  
MANCHESTER  
M43 7NU

PROJECT  
PROPOSED TWO STOREY  
EXTENSION TO EXISTING DWELLING

TITLE  
LAYOUTS

DRAWING No. MC-65-01

DRAWN  
REV. C3

SCALE AS INDICATED  
DATE OCT 2018

PLANNING APPROVAL

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**Application Number: 18/00983/FUL 5 Bankfield Avenue, Droylsden**

**Photo 1- view of front elevation of application site (centre), with 6 Bankfield Avenue to the right and 4 Bankfield Avenue to the left**



**Photo 2 view of common boundary between no. 5 and no. 6 Bankfield Avenue**





**Photo 3 – view of common boundary between no. 5 and no. 4 Bankfield Avenue**



**Photo 4 – view of the rear elevations of the properties at 34-40 Sunnyside Road to the rear of the site**



**Photo 5 – view of the rear elevations of the properties at 32 Sunnyside Road and 1 Clough Road to the south west of the site**





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**Application Number** 18/00259/FUL

**Proposal** Residential development of 33 No. houses and associated works.

**Site** Land Part of Dukinfield Golf Course, Yew Tree Lane, Dukinfield

**Applicant** Bardsley Construction Group

**Recommendation** Members resolve to grant subject to recommended conditions and completion of section 106 agreement.

**Reason for report** A Speakers Panel decision is required because the application constitutes major development.

## 1. APPLICATION DESCRIPTION

1.1 The applicant seeks full planning permission for a residential development of 33 dwellings. The proposals comprise 23no. 3 bedroom and 10no. 4 bedroom two storey properties. A total of 5 house types are proposed including 20 semi-detached and 13 detached properties. Access to the site is taken from the Fairways residential development which was a development completed by the applicant. The road would extend in a southern direction serving two cul-de-sacs to the west. The proposed accommodation ranges from 85sqm to 141sqm. The site area is approximately 0.9 ha equating to a density of a 36.6uph.

1.2 The application has been supported with the following documents:

Planning Statement;  
Design & Access Statement;  
Open Space Assessment;  
Ecological Appraisal;  
Statement of Community Involvement;  
Sustainability Statement;  
Drainage Summary;  
Crime Impact Statement;  
Arboricultural Statement;  
Transport Statement;  
Open Space Assessment;  
Full Plans Package.

1.3 As a major planning application the site meets the qualifying criteria for developer contributions towards offsite infrastructure improvements. These contributions would be secured within a section 106 agreement.

## 2. SITE & SURROUNDINGS

2.1 The application relates mainly to a land within the demise of Dukinfield Golf Course but also includes land last used as a garage site to the rear of properties on Sandringham Drive. The land is located on the northern boundary of the golf course. The site is roughly rectangular in shape covering an area of approximately 0.9ha. It is bounded by the rear of properties on Yew Tree Lane to the North, Sandringham Drive to the west, a PROW to the east, and the golf course to the south. Levels fall across the site to the south-east, the site includes the golf tee to the 3<sup>rd</sup> hole the majority of the area is overgrown grassland, but there is a copse of pine trees located centrally within the site. The Fairways residential development is located across the north-western boundary, a small stub road from this development adjoins the boundary.

### **3. PLANNING HISTORY**

- 3.1 There have been no applications recorded within the redline boundary.
- 3.2 06/01836/FUL - Demolition of existing Golf Club House, construction of 42 houses and associated works and landscaping on site of existing club house, construction of new golf club house with associated car parking and landscaping and extension of golf course and redesign of existing golf course layout – Approved 01/06/2007.

### **4. RELEVANT PLANNING POLICIES**

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 Planning Practice Guidance (PPG)
- 4.3 **Tameside Unitary Development Plan (UDP) Allocation:**  
Protected Green Space.
- 4.4 **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
  - 1.6 Securing Urban Regeneration
  - 1.12: Ensuring an Accessible, Safe and Healthy Environment
- 4.5 **Part 2 Policies**
  - H2: Unallocated sites
  - H4: Type, size and affordability of dwellings
  - H5: Open Space Provision
  - H6: Education and Community Facilities
  - H7: Mixed Use and Density.
  - H10: Detailed Design of Housing Developments
  - OL4: Protected Green Space.
  - OL10: Landscape Quality and Character
  - T1: Highway Improvement and Traffic Management.
  - T10: Parking
  - T11: Travel Plans.
  - C1: Townscape and Urban Form
  - N4: Trees and Woodland.
  - N5: Trees Within Development Sites.
  - N7: Protected Species
  - MW11: Contaminated Land.
  - U3: Water Services for Developments
  - U4 Flood Prevention
  - U5 Energy Efficiency
- 4.6 **Other Policies**
  - Greater Manchester Spatial Framework - Publication Draft January 2019
  - Residential Design Supplementary Planning Document
  - Trees and Landscaping on Development Sites SPD adopted in March 2007.
- 4.7 **National Planning Policy Framework (NPPF)**
  - Section 2 Achieving sustainable development
  - Section 6 Delivering a sufficient supply of homes
  - Section 8 Promoting healthy and safe communities

Section 9 Promoting sustainable  
Section 11 Making effective use of land  
Section 12 Achieving well-designed places  
Section 14 Meeting the challenge of climate change, flooding and coastal change

#### 4.8 **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 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's adopted Statement of Community Involvement the application has been advertised as a Major Development which also Affects a Public Right of Way. This has involved:

- Neighbour notification letters to 124 addresses
- Display of site notices
- Advertisement in the local press

5.2 Neighbour notification letters have been issued on 3 occasions to reflect amendments with the development.

### **6. RESPONSES FROM CONSULTEES**

6.1 Local Highway Authority – No objections, comment that the proposals are compliant with accessibility standards. Recommend that sec 106 monies are directed towards cycle/waling improvements as part of the Greater Manchester Beelines project (see PROW comments)

6.2 United Utilities – Recommends inclusion of Informatives on any decision notice and a condition relating to drainage in agreement with the LLFA.

6.3 Greater Manchester Ecological Unit – No objections to the mitigation strategy submitted within the ecological appraisal

6.4 Borough Contaminated Land Officer – No objections subject to recommended conditions.

6.5 Borough Environment Health Officer – No objections raised subject to a condition relating to the implementation of noise mitigation measures.

6.6 Borough Tree Officer – Considers that the proposed landscaping plans indicates appropriate levels of new tree, hedge and shrub planting and therefore raises no objection.

6.7 Lead Local Flood Risk Authority – Any comments to be reported.

6.8 GMP (Design for Security) – Initial comments raised concerns to the design and layout of the proposed dwellings. Note that rear boundaries to Yew Tree lane and the adjacent PROW were exposed. Comment that security could be improved by revisiting the layout and constructing to perimeter block principles.

- 6.9 Education – Rayner Stephens High School requires remodelling to increase admission numbers from 150-180 pupils per annum. Section 106 monies should be secured and allocated to these works.
- 6.10 GMAAS - Having reviewed our records and the Greater Manchester Historic Environment Record GMAAS are satisfied that there is no need to seek to impose any archaeological requirements upon the applicant.
- 6.11 PROW – It does not appear that the development will affect the alignment of footpath DUK/17. There are cycle/walking improvements as part of the 'Beelines' project within the area. The route along Yew Tree Road and connecting to Matley Lane would form a key link within this network. Recommend that it would be worthwhile for any developer contributions in this area be allocated to this scheme. It is unlikely that the contributions would cover the full cost of the works, but they would form an important part of a match funding bid under the Mayors Walking and Cycling Challenge Fund which would hopefully secure us the remaining money for the scheme.
- 6.12 SPORT ENGLAND – Identify that the proposed development does not fall within either their statutory or non-statutory remit and accordingly raise no objections. Recommend that the design responds to the principles of active design.

## **7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED**

- 7.1 44 letters of objection have been received from neighbouring residents, raising the following concerns (summarised):
- The development of brownfield land should be prioritised over the use of protected greenfield sites.
  - Yew Tree Lane is subject to heavy congestion at peak times there is no capacity for further dwellings
  - Object to the location of the access road immediately to rear of Yew Tree Lane Houses.
  - Whilst privacy distances have been increased these are still very close to the detriment of Yew Tree Lane Residents
  - The applicant makes comparisons to developments elsewhere in Tameside this is irrelevant
  - Increase in noise disturbance and light pollution
  - Loss of the Green space will have adverse environmental impact
  - Loss of important trees and wildlife habitat
  - Increase in crime, development responds poorly to the PROW
  - School capacity
  - Flooding
  - There are no affordable dwellings within the development
  - Residents of Sandringham Drive would benefit from the site being used for garaging
  - There needs to be improved signage advising of the location of the Golf Club in relation to the Fairways development
  - Routine maintenance is not being undertaken with the Fairways development the same instances will occur in the new development
  - The description of the land as scruffy and fly-tipped is not recognised at all. The land is certainly overgrown; a situation that has been deliberately engineered to allow the golf course management to sell it off for development.
  - There is no evidence of fly-tipping or other antisocial behaviour.
  - This whole plan is proposed for the benefit of the golf course, Tameside Council and for Bardsley Construction and absolutely not for the local community.
  - Trees need to be retained and incorporated into the development.
  - Will add to speeding vehicles on Yew Tree Lane



- The original 'public consultation' meeting was 13 days before Xmas and very few people were informed by letter prior to this. Very few affected residents were actually given the notification letter.
- The access onto the Fairways is dangerous
- Increase in vehicle traffic will be significant Yew Tree lane is already Gridlocked around the schools.
- Should be building on Brownfield First
- The GMSF identifies that the Golf Course should be allocated Green Belt
- Loss of views from properties on Yew Tree Lane
- The plans show a wall/fence which would make the public footpath enclosed and no longer visible by the surrounding houses which means it would become 'muggers alley', a place for drug taking and anti-social behaviour. This will be detrimental to local residents.
- Encroachment of further development within areas of Green Space
- Back gardens are regularly water logged due to the rainwater running off the golf course. With the proposed removal of the trees will result in additional flooding to surrounding properties.
- The developers should be looking at building much smaller properties if housing shortage no need for 3 or 4 bed properties.
- Disturbance from construction.
- Loss of privacy to residents.

1 comment in support of the application

- This looks to be the type of development that should be being developed in Tameside, I don't understand why the approval should take so long.

## **8. ANALYSIS**

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 8.2 The current position is that the Development Plan consists of the policies and proposals maps of the Unitary Development Plan and the Greater Manchester Joint Waste Plan Development Document.
- 8.3 The National Planning Policy Framework (NPPF) is also an important consideration. The NPPF states that a presumption in favour of sustainable development should be at the heart of every application decision. For planning application decision making this means:-
- approving development proposals that accord with the development plan without delay; and
  - where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless:-
    - o any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
    - o specific policies in the Framework indicate development should be restricted.

## **9. PRINCIPLE OF DEVELOPMENT**

- 9.1 In terms of emerging policy the Greater Manchester Spatial Framework (GMSF) is at the initial consultation stage and therefore does not form part of the adopted Development Plan. Accordingly, references to the possible inclusion of the site as Green Belt as part of

the wider Green Space allocation cannot be afforded weight as a material consideration to the proposals which must be assessed against the requirements of the current land use policy.

- 9.2 With the exception to the former garage site area which is previously developed land the site is allocated as Protected Green Space. Policy OL4 of the UDP seeks to retain areas of protected green space. It states that the development of such will not be permitted, the only exceptions to this approach include (summarised):
- a) the proposed development is ancillary to the principal use of a playing field/green space for recreation or amenity and does not adversely affect its use;
  - b) redevelopment of part of the playing field or green space provides the only means of upgrading them to the required standard and local recreation/greenspace function will continue to be met
  - c) The playing field / Green space which will be lost as a result of the proposed development would be replaced by a playing field /green space of equivalent or better quality/quantity
  - d) The retention of the site is not necessary and the site has no special significance to the interests of sport and recreation

This wording of Policy OL4 is consistent to the provisions within paragraph 97 of the NPPF.

- 9.3 The application is supported by an Open Space Assessment which frames a case for the release of the site against the provisions of criterion d. The assessment identifies that the site is within private ownership of Dukinfield Golf Club and is therefore exclusive to the use of members of the club with no formal access for members of the public. As such it is suggested that it should be treated as incidental open space, in that it is not 'demonstrably special to the local community which does not hold a particular local significance', as defined by paragraph 97 of the NPPF. The retention of the site solely for the purpose of limited visual amenity value for residents would therefore represent the inefficient use of land within the urban area and would not comply with the Core Principles of NPPF
- 9.4 The applicant's case also identifies that the site is part of a much larger Protected Green Space allocation and that there are a number of protected areas of open space within 10 minutes walking distance of the proposed development site. It notes that the remaining area of the Golf Club is also allocated as Protected Green Space and this would remain unaltered, albeit for the relocation of the 3<sup>rd</sup> Tee the remainder of the land is out of bounds from the courses playing areas. The proposals would not have an adverse qualitative impact upon the recreation facilities/capacity of the golf club. The site's location and relationship to existing residential properties means that it would not be practical to support an alternative recreation function. The public access in the form of designated PROW across the course would continue to serve the general public access arrangements across the course and to peripheral areas of open space. The nearest formal Sport facilities can be found at Astley Sports College and Waldorf Playing Fields.
- 9.5 In considering the planning balance it is of some significance that no objections have been raised from either the Borough Tree Officer or GMEU. It is accepted that the development would result in only partial encroachment of the existing Golf Course, this would not undermine its overall formal recreation function. Locally there would remain an adequate supply of Open Space and it cannot be demonstrated that the need of the local community would be undermined when public rights of way over the larger area of Golf Course remain unaffected. The amenity function is limited to local public views. The overall area of loss represents a small portion of the much larger golf course.

**Housing Supply:**

- 9.6 Paragraph 59 of the NPPF identifies the Government objective to significantly boost the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed and that land with permission is developed without unnecessary

delay. UDP policy H2 confirms that the Council will not permit the development of Greenfield sites unless there an adequate five year supply is no longer available.

- 9.7 In terms of housing development, the Council cannot demonstrate a deliverable five year supply of housing land. It is therefore recognised that the NPPF is a material consideration that carries substantial weight in the decision making process. Assuming the development is considered sustainable, paragraph 11 is clear that where no five year supply can be demonstrated, the presumption in favour of sustainable development identified in the footnote of paragraph 11 should be applied to the consideration of planning applications.
- 9.8 The site is located within an established residential area. It is within the catchment of local schools, services and public transport are on hand. The location is considered sustainable for planning purposes. The proposals are therefore considered to achieve the three dimensions of sustainability through the contribution to the supply of housing within a sustainable location.

## **10. DESIGN AND VISUAL AMENITY**

- 10.1 UDP, NPPF polices and the guidance of the SPD are clear in their expectations of achieving high quality development that enhances a locality and contributes to place making. The NPPF emphasises that development should be refused where it fails to take opportunities available to improve the character and quality of an area and the way that it functions (para. 130). Policy RD22 of the adopted SPD applies specifically to infill development it advises that:
- Plot and boundary widths should align with the surrounding street.
  - Scale and mass of dwellings should align with their surroundings.
  - Architectural styles and materials should generally align with the existing.
  - Development must follow an existing building line and orientation, particularly at road frontage.
  - Ensuring privacy distances are achieved.
  - Proposals should not land lock other potential development sites.
  - Retaining and providing appropriate outdoor amenity space, parking & access.
- 10.2 The layout has been amended following concerns raised by Officer and Consultees. The subsequent layout responds more positively to the site constraints. The layout works to 'perimeter block' principles which would see the dwellings arranged in a 'back to back' formation to those on Yew Tree Lane. Access is taken from an existing spur located on the western boundary with the Fairways, the proposed housing would appear as a natural continuation to these properties. The layout also offers good levels of passive surveillance across all public areas including the adjacent PROW.
- 10.3 The properties would take a traditional layout with them being sited with an active frontage to the highway carriageway based on two cul de sacs. The cul-de-sacs terminate at private drives and would be designed to provide a pedestrian friendly traffic calmed environment. The layout and form mirrors that of the established pattern of development of the existing housing stock which includes clearly defined linear streets. Crucially the development maintains an open aspect to the Golf Course which will enhance the setting of the properties and add character of the development.
- 10.4 The layout has also been designed to reflect the standards of relevant separation distances to existing dwellings, there would be some minor encroachment on internal spacing between the proposed properties but this would not have an influence on existing residents. Further to spacing recommendations garden sizes would all be well proportioned across the site.

- 10.5 There would be a housing mix of 5 different house types which would create visual interest. The elevations are traditional in appearance and draw upon those constructed by the applicant as part of the Fairways development. They would be constructed from brick, details are provided to elevations in the form of feature ground floor bays, as a rule all properties located on corner plots are dual aspect. Plot 2 would be dual aspect and would provide surveillance across the site's entrance. Overall there is considered to be sufficient variety within the housing stock, the design and choice of materials is also considered to be of a desirable quality.
- 10.6 The development would constitute a density of approximately 36uph, this is considered to be an efficient use of the land recognising the constraints associated with the sites levels. It would not be desirable to see this increased given that any additional numbers would be at a loss to landscaping and car parking. All of the properties would be 2 storey in height therefore of a directly comparable scale to existing properties on the Fairways but subservient to the 3 storey properties on Yew Tree Lane. Overall it is considered the scale of the development, both in terms of the numbers and heights is appropriate to the local context.
- 10.7 With regard to parking arrangements the layout does not appear to be overly car dominated, parking is provided both in front and to the side of dwellings, their dominance/impact is offset by soft landscaping within front gardens as well as communal planting areas. Provision is also made within the layout to accommodate appropriate levels of visitor parking within the street. All of the properties are served with front to rear access which will allow for the storage of bins outside of the public domain.
- 10.8 Within the development, boundaries would consist of a mixture of treatment with all public facing boundaries being of a suitably robust design. The aim being to create private defensible space and also provides a suitable finish to the public areas that ensures relevant privacy standards are achieved. Where space allows, frontages would support planting in the form of trees and shrubs, this in turn provides a visual benefit by softening the site's overall appearance.
- 10.9 Having full consideration to the design merits of the proposal and the layout of the scheme it is considered that the development would deliver an attractive residential environment which would enhance the existing area. The scale and density of the development is reflective to that of housing within the locality. Overall it is considered that the design and layout should successfully assimilate with the existing housing stock, whilst providing good quality family housing. It is therefore, considered that the proposal adheres to the objectives of UDP policy H10 and the adopted SPD which stress the importance of residential development being of an appropriate design, scale, density and layout.

## **11. DESIGN & RESIDENTIAL AMENITY**

- 11.1 The policies of the adopted Residential Design Guide strive to raise design standards, they should be applied along with the criteria of Building For Life (BFL). Good design is aligned to the delivery of high residential amenity standards, this should reflect equally on the environment of existing residents as well as that of future residents. Technical standards (spacing distances policy RD5) form part of the criteria to the assessment of good design, but this should not override principles of successful place making. Good design is about how buildings relate to one another, their place within the streetscape and interaction within their surroundings. Developments should not be dictated by highway (policy RD13) they should observe established Street Patterns (policy RD3) promote Natural Surveillance at street level (policy RD4). BFL states that basic principles should be observed when designing layouts, the use of strong perimeter blocks is advocated and specific reference is made to avoiding houses which back on to the street and create what is effectively a 'dead edge'.

- 11.2 Representations have made clear objections to the location of the proposed access road and its relationship to the Yew Tree Lane properties. The majority of these properties stand at 3 storeys in height; they occupy a lower level to the site and have relatively short depths to their rear garden. The amendments to the layout work to perimeter block principles with the houses orientated with their rear elevations to Yew Tree Lane for all but one property no.57. The access road would turn immediately from the rear boundary with no.57 which also has a side boundary to the Fairways. The use of planting would screen the road and the level of activity would be comparable to that of existing vehicle movements using The Fairways.
- 11.3 The development would maintain sufficient space around and adequate visual separation from neighbouring residential properties. The overall design approach is considered sympathetic in terms of siting, scale, massing, design, roofline, and materials and would be broadly in keeping with the character and appearance of the immediate surroundings.
- 11.4 Subject to the safeguarding of the recommended conditions it is considered that levels of amenity and overall privacy of existing residents would be acceptable.
- 11.5 It is considered that the occupants of the dwellings would be served with a good level of amenity. The design of the properties is such that they have well-proportioned room sizes which exceed the technical standards. Rear gardens are also of a size which is suited to family occupation. Nevertheless it is recommended that householder permitted development rights should be withdrawn from plots to ensure that levels of amenity can be retained.
- 11.6 The close proximity of the site to a bus service, nearby local amenities and schools would serve future residents' needs.
- 11.7 The design approach would be sympathetic in terms of its siting, scale, massing, design, roofline, materials and landscaping, it would build upon local distinctiveness of the street scene. The density of development reflects that which prevails within the locality and strikes the correct balance between the need to protect residential amenity, local character, and the efficient use of land. The layout and form of development represents a considered response to its context, and would avoid any undue impact on the amenity of neighbouring properties which overlook the site, and for future occupiers by reason of visual intrusion, overshadowing, loss of daylight, overlooking or loss of privacy and accords with the provisions of policy H10 and the adopted SPD.

## **12. HIGHWAY SAFETY**

- 12.1 Vehicular access to the development would be provided from an existing spur within the Fairways development. The presence of this spur suggests that development of the site has been previously anticipated. The proposal would be a traditional a 5.5m wide carriageway served with 2m wide pedestrian footways. The road would terminate as a cul-de-sac off which private drives would serve several individual plots.
- 12.2 Levels fall across the site to the west of the site, the entrance would achieve a 1:20 gradient with the highways then extending to a maximum of 1:15 across the site. These levels are conducive to meeting accessibility requirements for vehicles and pedestrian users alike, this detail would be secured by condition
- 12.3 The Highways Authority comment that the access arrangements are suitable to protect all road users. The road within the development is designed to ensure that vehicle speeds are low on the approach to the site access. Adopted roads within the development would be treated with Tarmac with private driveways block paved. In line with the maximum standards of the adopted SPD on parking all of the properties have 2 off street parking



spaces. The position and orientation of the properties ensures that these parking spaces are accessible and also have good surveillance.

- 12.4 Traffic movements to and from the site would be acceptable in terms of local capacity. With regard to connectivity, the site, in addition to properties within the wider area is somewhat isolated owing to the topography of Yew Tree Lane. There is however, a local bus service on hand and there are services and amenities available within the Dukinfield area. It is considered in highway terms to be an appropriate location for a residential development. The highways objections raised within the representations are therefore not supported. Therefore subject to the recommended conditions, it is considered that the development adheres to the provisions of policies T1 and T10.

### **13. LANDSCAPING & ECOLOGY**

- 13.1 Policy RD13 'Design of the Public Realm' supplements UDP policy H10. It states that the quality of the public realm is integral to achieving good development. The proposals would result in the development of a greenfield site which would also include the removal of a substantial copse of pine trees.
- 13.2 The development would compensate for the removal of existing trees through replacement planting of native species. The addition of trees within garden frontages would provide a sense of structure to the street scape. The development would open onto Golf Course the landscaping features of which would frame the setting of the development.
- 13.3 With respect to biodiversity value then an extended Phase 1 habitat survey has been undertaken. The survey was carried out by a suitably experienced ecologist and in accordance with best practice guidance. No further surveys are deemed necessary and this approach has been supported by the consultation response from GMEU. The report identifies that overall biodiversity value of the site could be enhanced as part of the landscaping proposals to be approved by condition. It would be controlled through a condition that planting comprises of native species to benefit and maintain wildlife connectivity.

### **14. DRAINAGE**

- 14.1 The site is in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. United Utilities have confirmed that the foul water drainage flows from the development can be accommodated into the existing network the apparatus for which is located within the surrounding highway to the site. .
- 14.2 Whilst the loss of the greenfield site would increase runoff there would be large area of the site that would be undeveloped and laid to landscaping. The site would be positively drained and the attenuation of surface water would ensure that greenfield run-off rates can be achieved.
- 14.3 Subject to the safeguarding of the recommended conditions requiring drainage details to be submitted no objections are raised from a drainage perspective.

### **15. GROUND CONDITIONS**

- 15.1 A Phase 1 geo-environmental investigation into possible contamination on the site has been carried out and submitted with the application. This identifies that there have been previous landfill activities within the area of the site.

- 15.2 It is recommended that a further Phase 2 Investigation and Risk Assessment is undertaken. Once the level of contamination is revealed, a remediation strategy should be submitted and approved together with a Verification Report confirming that the remediation measures have been carried out. The EHO identifies that the development is acceptable in this respect and conditions as requested can be imposed.

## **16. AFFORDABLE HOUSING**

- 16.1 Paragraph 64 of the NPPF states that on major developments, planning decisions should secure a minimum of 10% of the proposed homes on an affordable home ownership basis. This policy should be applied unless it would exceed the level of affordable housing required within the Local Authority area. The Tameside Housing Needs Assessment was updated in September 2019. Prior to its adoption the Council's approach was to not apply the requirements of the policy on major development. The Assessment identifies that all development should seek to secure 15% of units on an affordable basis (As defined in Annex 2: Glossary of the NPPF) which would equate to approximately 5 units.
- 16.2 The submission of the application pre-dates the implementation of the affordable housing policy. It was expected that there would be a transitional period with the assessment of applications which were validated prior to the adoption of the Housing Needs Assessment. There is therefore some flexibility with the application of the policy which it was intended would be applied to all applications validated post adoption.
- 16.3 The Housing Needs Assessment supplements UDP policy H4. This states that in exceptional circumstances affordable housing can be provided off site either at another location or via a commuted sum. Concurrent with this application the applicant is partnering Jigsaw Homes with the development of 20 affordable homes on the former Flowery Field school site which is being considered under application ref 18/00247/FUL. On reflection of the transition arrangement and an understanding of the local housing market it is accepted that the affordable housing contribution can be met off-site in this instance through the development of the Flowery Field site. This offer is above the policy requirement and would reflect a balanced approach to housing provision. And in recognition of other financial contributions, necessary infrastructure and overall quality of the homes, it is considered to be acceptable. As a safeguard to the delivery of the off-site affordable housing it is considered that the section 106 agreement includes a caveat that the affordable housing be constructed prior to the open market housing or in the event of non-delivery the equivalent payment of a commuted sum towards affordable housing is secured. The delivery of offsite housing on this basis is considered to be a very attractive offer given that it maximises housing delivery in accordance with the aspirations of the NPPF

## **17. CONTRIBUTIONS**

- 17.1 In accordance with the adopted contributions calculation the following contributions would need to be secured with the developer to fund offsite improvements in the locality.
- Green Space £23,206.74 – To be allocated towards improvements Cheetham Park / Connections to Yew Tree Lane.
  - Education £42,039.95 – To be allocated towards Classroom improvements at Rayner Stevens High School.
  - Highways: £26,340.85 – To fund Cycling /pedestrian improvements between Yew Tree Lane and Matley Lane.

Total £91,587.55

- In order for this to be adequately addressed payment should be secured through a Section 106 agreement of the Town and Country Planning Act 1990. In the absence of such an agreement being entered the development fails to adequately mitigate its impacts contrary to the requirement of policies H5 'Open Space Provision', H6 'Education and Community Facilities' and T1 'Highway Improvement and traffic Management'.

## **18. CONCLUSION**

- 18.1 At the heart of the NPPF is a presumption in favour of sustainable development, this requires planning applications that accord with the development plan to be approved without delay and where the development plan is absent, silent or out of date granting permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the framework as a whole or specific policies in the framework indicate that development should be restricted.
- 18.2 The application site is not designated Green Belt nor is it designated as residential use, as such, a decision as to whether or not it is suitable for development must be made balancing the social, economic and environmental benefits of the proposal and taking into consideration the need to protect Green Open space versus the need for the Council to deliver housing.
- 18.3 In terms of the loss of Protected Green Space this would not be prejudicial to overall levels of local provision. The land to be developed is a surplus area of Golf Course, which is in private ownership and not publicly accessible. The loss would not have a qualitative impact on sport/recreation provision. The development would result in the loss of only a small proportion of a much larger Protected Green Space Allocation which has a limited environmental quality.
- 18.4 The redevelopment of the site would bring about a number of benefits including;
- Contribution to housing need in the borough
  - Economic contributions by future occupants
  - Mitigation through Section 106 contributions
  - Short term employment
  - Design which meets Secure by Design standards
- 18.5 The proposals are considered to be sustainable taking into account the three dimensions of sustainable development (economic, social and environmental) referred to in the NPPF. Accordingly, the NPPF Presumption in Favour of Sustainable Development applies. Having thoroughly assessed the proposals against other relevant development plan policies and taking into account other material considerations, including those raised in representations, it is not considered that there are adverse impacts which significantly and demonstrably outweigh the significant benefits (subject to securing the necessary mitigation sought within the S106 agreement and recommended planning conditions). On this basis, the proposals are considered acceptable

## **19. RECOMMENDATION:**

Approve subject to the completion of a section 106 agreement 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:  
  
Location Plan 2064-PL-100-01  
Proposed Site Plan ref 2064-PL-700-01 Rev 1 received 22/02/2019  
House Type W 2064-WTH - PL-200-00 Rev 2  
House Type C 2064-CTH-PL-200-00 Rev 2  
House Type D 2064-DEN-PL-200-00  
House Type E 2064 - EST-PL-200-00 Rev 2  
House Type K 2064-KET-PL-200-00 Rev 2  
Retaining Wall Section 2064 - SE-100-01  
Arboricultural Statement CW/8906-AS February 2018  
Transport Statement Ref LB/17490/TS/1  
Ecological Appraisal November 2017  
Crime Impact Statement ref 2006/1029/CIS/01
3. 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.
4. 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.
5. The car parking indicated on the approved plan ref 2064-PL-700-01 Rev 1 shall be provided to the full satisfaction of the Local Planning Authority and thereafter kept unobstructed and available for its intended purpose. Parking areas or driveways must be at least 3.1 metres wide and 6 metres long where in front of house doors or 5.5 metres long where in front of a garage. The areas shall be maintained and kept available for the parking of vehicles at all times.

6. Prior to commencement of work on site the applicant shall undertake a condition and dilapidations survey of the highway fronting the site and giving access to the site and prepare and submit a report to the Engineering Operations Manager. The developer will be responsible for making good any damage caused to the highway by the development works or by persons working on or delivering to the development. Any damage caused to the street during the development period shall be reinstated to the full satisfaction of the Highway Authority prior to the occupation of any part of the development.
7. The development shall not commence until details of a lighting scheme to provide street lighting (to an adoptable standard), to any shared private driveway or parking court have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how the lighting will be funded for both electricity supply and future maintenance. The approved works shall be completed to the satisfaction of the Local Planning Authority prior to the occupation of any part of the development.
8. Vehicular and pedestrian gradients within the site shall be as stated on the approved drawing Proposed Site Plan ref 2064-PL-700-01 Rev 1 received 22/02/2019
9. No development shall commence until tree protection measures to meet the requirements of BS5837:2012 have been installed around all of the trees on the site to be retained (including the trees protected by Tree Preservation Orders within the site and adjacent to the boundaries of the land.) These measures shall remain in place throughout the duration of the demolition and construction phases of the development, in accordance with the approved details.
10. Foul and surface water shall be drained on separate systems.
11. 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. In the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public sewer must be restricted to 10 l/s.
12. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained. The approved hard landscaping details shall include all surface treatments and shall be implemented prior to the occupation of the dwellings.
13. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

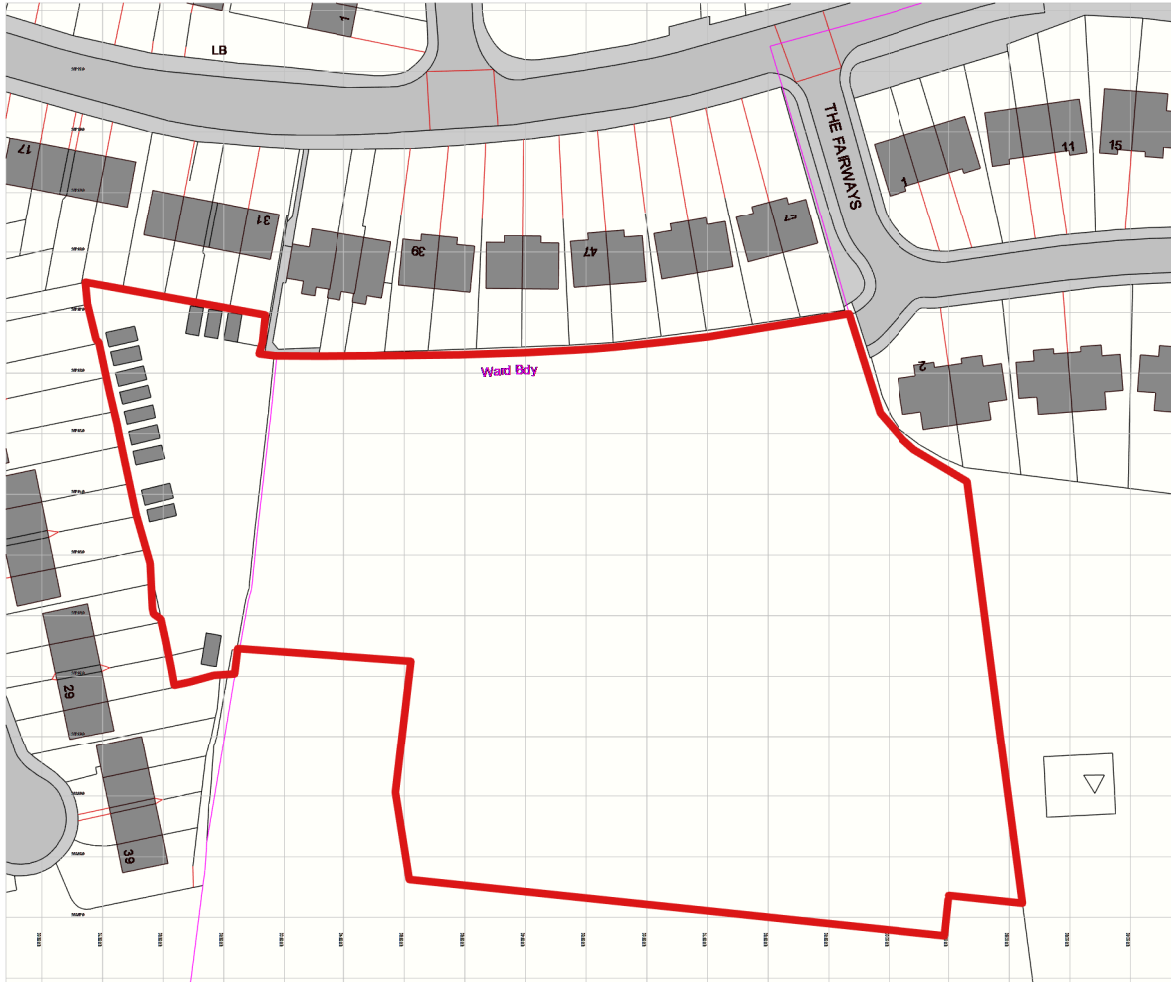


14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwellings which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority, and no garages or other outbuildings shall be erected.
15. Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and/or full specification of materials to be used: externally on the buildings; 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.
16. 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.
17. A scheme for the Biodiversity Enhancement Measures, as set out in section 4 of the Ecological Appraisal dated November 2017 shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall first be agreed in writing with the local planning authority) and shall be retained thereafter.
18. No development shall commence until tree protection measures to meet the requirements of BS5837:2012 have been installed around all of the trees on the site to be retained (including the trees protected by Tree Preservation Orders within the site and adjacent to the boundaries of the land.) These measures shall remain in place throughout the duration of the demolition and construction phases of the development, in accordance with the approved details.

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**Drawing Information:**

All levels and dimensions must be checked onsite by the contractor prior to commencement of works. Any variations must be reported to Millson Associates Ltd. All information herein is the copyright of Millson Associates Ltd. Copying in full or part is forbidden without written permission from Millson Associates Ltd.



Rev	Revision History	By	Date
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Client:

Bardsley Construction Ltd

Drawing:

Location Plan

Drawing Number:

2064 - PL-100-01

Scale: 1 : 1250	Size: A4	Date: 17/01/18
Drawn: JW	Checked: LJ	Rev:
Status: Approval		



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Project Number: Project:

2064

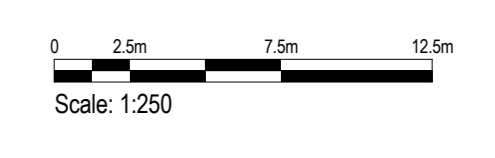
Dukinfield Golf Club

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- EXISTING GROUP OF TREES
- EXISTING HEDGE
- GROUP OF TREES TO BE REMOVED
- NEW / EXISTING TREE
- TREE(S) TO BE REMOVED
- RETAINING WALLS
- 1.8M FEATURE WALL/PIER AND PANEL
- 1M POST & RAIL TIMBER FENCE WITH 4X4 MESH & LAUREL HEDGE
- SLEEPER TERRACE WALL
- RETAINING WALL WITH 1.8M CLOSED BOARD FENCE
- AG ANCHOR DIAMOND RETAINING WALL WITH 1.5M CLOSED BOARD FENCE
- 1.8M CLOSED BOARD FENCE BETWEEN NEW & EXISTING
- 1.5M CLOSED BOARD FENCE BETWEEN PLOTS
- SEWER EASEMENT
- TARMAC
- BLOCK PAVING
- PAVING SLABS



Page 167

Accommodation Schedule								
House Type	Abbr.	Building Type	Bedrooms	GIFA m²	GIFA ft²	Count	Total GIFA m²	Total GIFA ft²
House Type C	C	Semi	3	93.86	1010.31	12	1126.33	12123.73
House Type D	D	Semi	3	91.63	986.25	8	733.01	7890.02
House Type E	E	Detached	4	141.59	1524.09	7	991.15	10668.65
House Type K	K	Detached	4	115.19	1239.85	3	345.56	3719.55
House Type W	W	Detached	3	85.40	919.20	3	256.19	2757.61
						33	3452.24	37159.57

Proposed Site Plan  
 1:250

016. All rights re

Winter Green

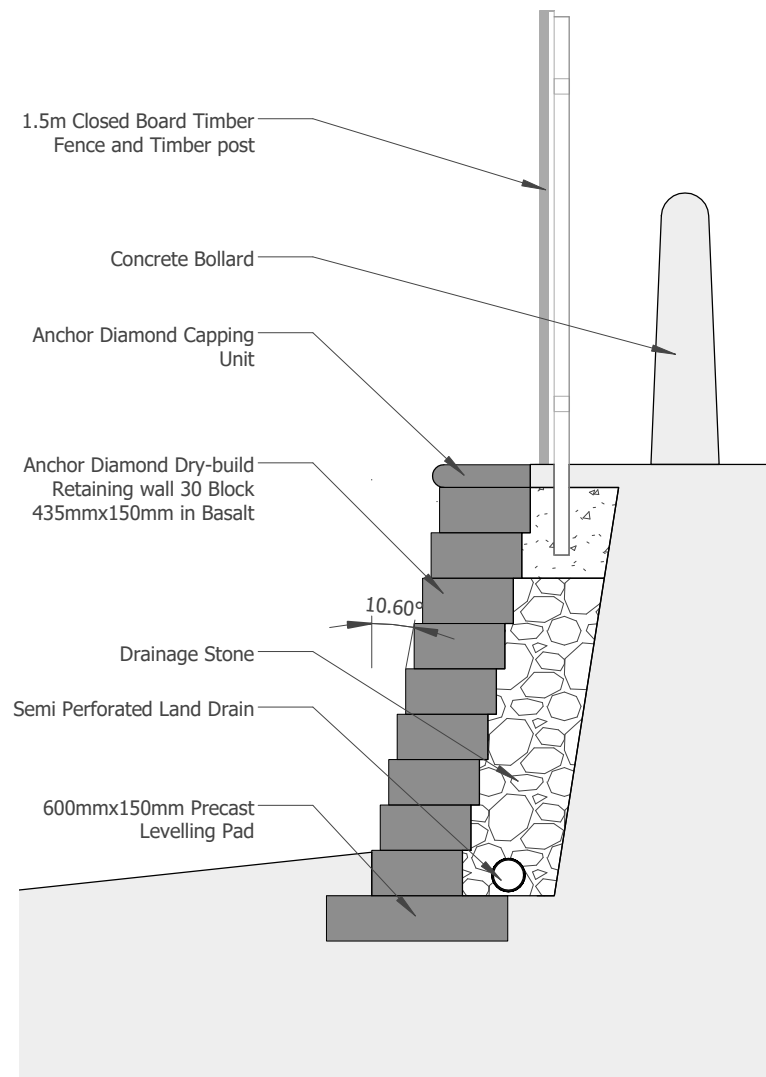
2nd Green

Drawing: Proposed Site Plan		Drawing Number: 2064 - PL-700-01	
Client: Bardsley Construction Ltd		Date: 20/12/18	
Drawn: JW	Scale: As Indicated	Rev:	
Approved: LJ	Date: A0	Rev:	1
1 Approved/Quoted at instance		1	
Rev:	Revision History	By:	Date:

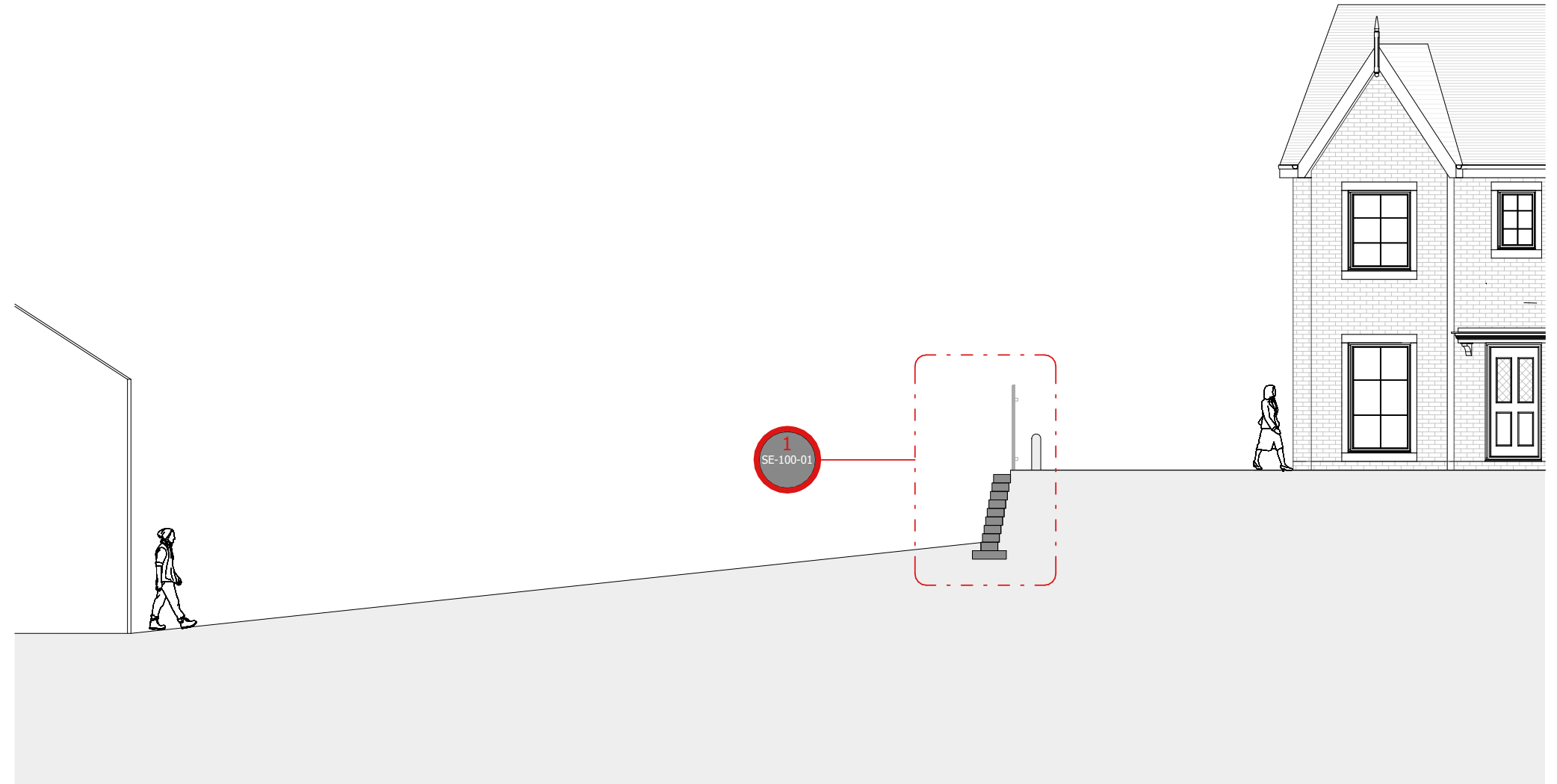
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 www.millsonassociates.co.uk  
 2064 Dukinfield Golf Club



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**1** Retaining Wall Detail  
 1 : 25



**2** Retaining Wall Section  
 1 : 100

Drawing:  
 Retaining Wall Section and Detail to Sandringham Drive

Drawing Number:  
 2064 - SE-100-01

Client:  
 Bardsley Construction Ltd

Drawn: LJO	Scale: As indicated	Date: 15/01/19
Approved: JW	Size: A3	Rev:
Status: Approval		

Rev	Revision History	By	Date



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 Project Number: Project:  
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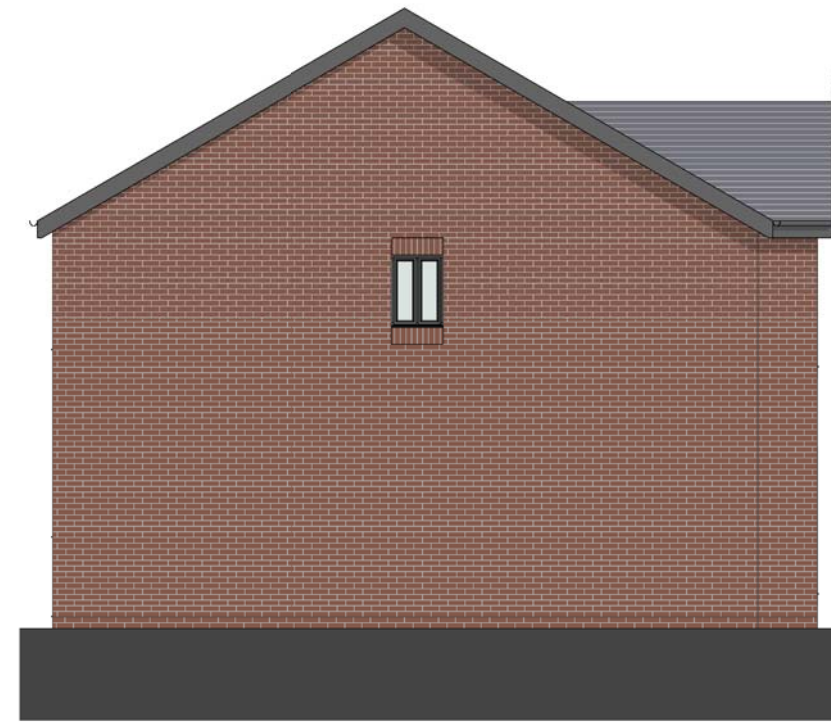
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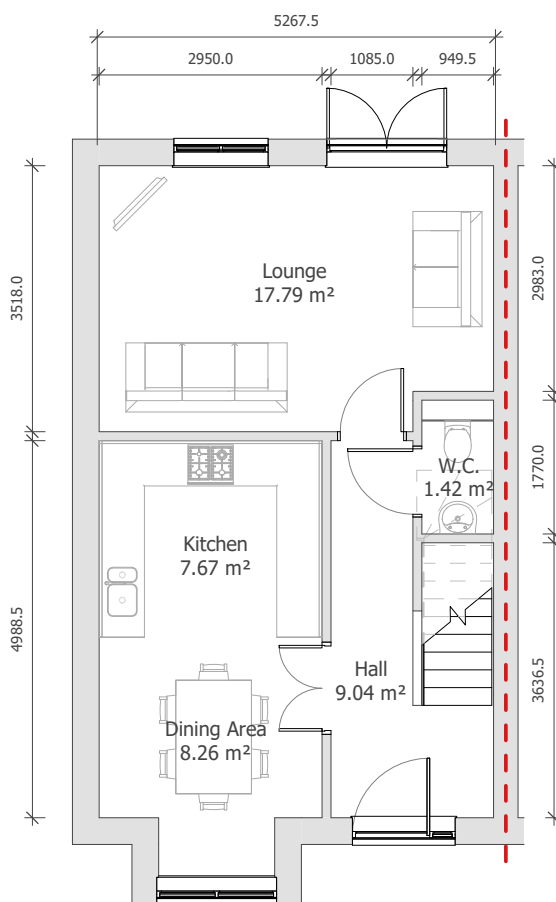
**1 Front Elevation**  
 1 : 100



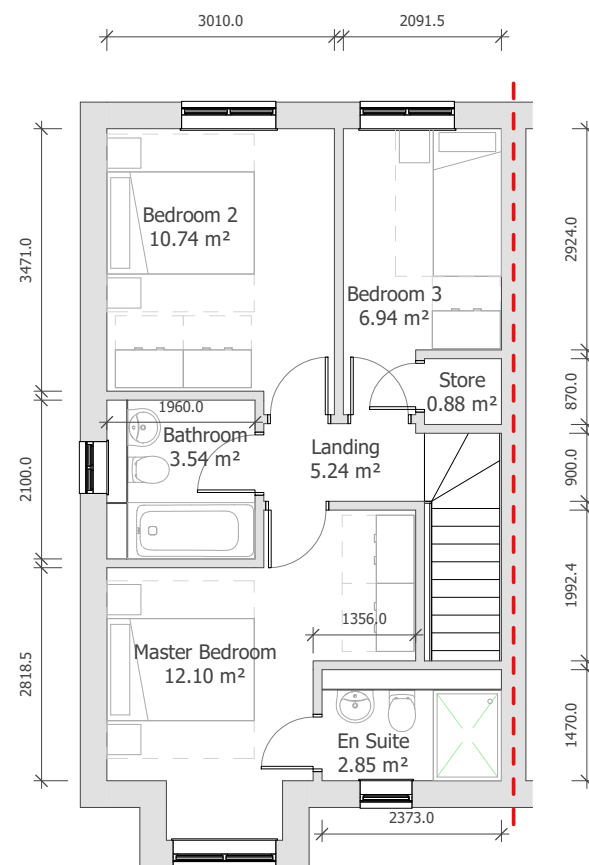
**2 Rear Elevation**  
 1 : 100



**3 Left Elevation**  
 1 : 100



**4 Ground Floor Plan**  
 1 : 100



**5 First Floor**  
 1 : 100

**Additional Information:**

**Area Schedule**

Level	Area (Metric):	Area (Imperial):
Ground Floor	46.931 m <sup>2</sup>	505.157 ft <sup>2</sup>
First Floor	46.931 m <sup>2</sup>	505.157 ft <sup>2</sup>
	93.861 m <sup>2</sup>	1010.313 ft <sup>2</sup>

2	House type ref letter added	LJO	08/02/2018
1	First Issue for Information	LJO	17/01/2018

Rev	Revision History	By	Date
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Client:

**Bardsley Construction Limited**

Drawing:

**(Type C) Plans & Elevations  
 Overviews**

Drawing Number:

**2064-CTH-PL-200-00**

Scale:	Size:	Date:
1 : 100	A3	05/01/2018
Drawn:	Checked:	Rev:
LJO	RB	<b>2</b>
Status:	Approval	

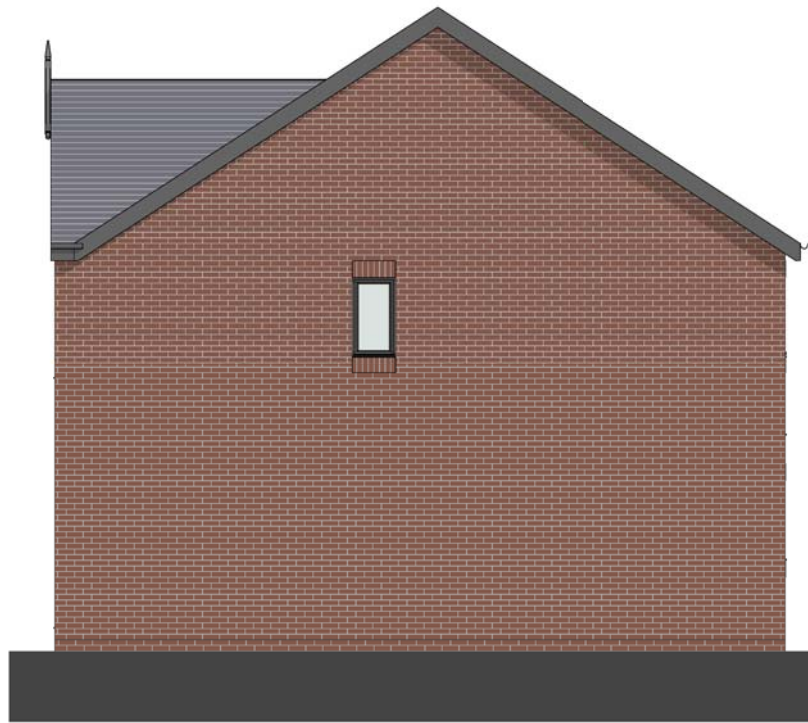


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**2064-CTH - The Cawthorne**

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2 Right Elevation  
 1 : 100



1 Front Elevation  
 1 : 100



4 Left Elevation  
 1 : 100



5 Rear Elevation  
 1 : 100



6 Rear Elevation Plots 3 & 4  
 1 : 100

2	House Type ref letter added	LJO	08/02/2018
1	First Issue for Information	LJO	17/01/2018

Rev	Revision History	By	Date
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Client:

Bardsley Construction Limited

Drawing:

(Type E) Elevation Overviews

Drawing Number:

2064 - EST-PL-200-00

Scale: 1 : 100	Size: A3	Date: 19/12/17
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Drawn: RB	Checked: LJO	Rev: <b>2</b>
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Status: Approval
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2064 - EST - The Eavestone

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