

SPEAKERS PANEL (PLANNING)

Day: Wednesday
Date: 18 November 2020
Time: 10.00 am
Place: Zoom

Item No.	AGENDA	Page No
1.	APOLOGIES FOR ABSENCE To receive any apologies from Members of the Panel.	
2.	DECLARATIONS OF INTEREST To receive any declarations of interest from Members of the Council.	
3.	MINUTES The Minutes of the meeting of the Speakers Panel (Planning) held on 21 October 2020, having been circulated, to be signed by the Chair as a correct record.	1 - 6
4.	PLANNING APPLICATIONS To consider the schedule of applications:	
a)	20/00811/FUL - FORMER CARSON HOUSE CARE CENTRE, 30 STAMFORD STREET, STALYBRIDGE	7 - 32
b)	19/00489/FUL - LAND AT BROOKFIELDS, MOSSLEY	33 - 86
c)	20/00472/OUT - LAND ON THE WEST SIDE OF 327 BIRCH LANE, DUKINFIELD	87 - 98
5.	APPEAL / COST DECISION NOTICES	
a)	APP/G4240/D/20/3244243 - 94 GRANADA ROAD, DENTON, M34 2LA	99 - 102
b)	APP/G4240/C/20/3249746 - GODLEY GREEN COTTAGE, GODLEY GREEN, HYDE, SK14 3BE	103 - 106
c)	APP/G4240/D/20/3247982 - 18 MADDISON ROAD, DROYLSDEN, M43 6ES	107 - 110
d)	APP/G4240/W/20/3247222 - 1 MOORCROFT STREET, DROYLSDEN, M43 7YB	111 - 114
6.	URGENT ITEMS To consider any other items, which the Chair is of the opinion should be considered as a matter of urgency.	

From: Democratic Services Unit – any further information may be obtained from the reporting officer or from Benjamin Hopkins, Senior Democratic Services Officer, to whom any apologies for absence should be notified.

This page is intentionally left blank

SPEAKERS PANEL (PLANNING)

21 October 2020

Present: Councillor McNally (Chair)
Councillors: Choksi, Dickinson, Glover, Jones, Lewis, Naylor, Owen, Ricci, Ward and Wild

Apologies: Councillor Gosling

25. MINUTES

The Minutes of the proceedings of the meeting held on 23 September 2020, having been circulated, were approved and signed by the Chair as a correct record.

26. DECLARATIONS OF INTEREST

There were no declarations of interest declared by Members.

27. OBJECTIONS TO THE PROPOSED TAMESIDE METROPOLITAN BOROUGH (ROUGHTOWN ROAD, MOSSLEY) (ONE WAY TRAFFIC) ORDER 2020

Consideration was given to a report of the Assistant Director, Operations and Neighbourhoods, outlining the objections received to the proposed one way traffic order.

It was explained that Roughtown Road was a steep, historic track road which led from Carrhill Road to Manchester Road, Mossley. The road was currently two way, with a number of 90-degree bends and a carriageway width of approximately five metres. The road had no designated footway and pedestrians had to walk in the carriageway. In total, 70 properties were served directly by the road.

Residents of Roughtown Road and Higher Newtons had approached the Council on a number of occasions regarding the volume and speed of traffic using the route. In 2019, an officer from the Council met with one resident who lived in the vicinity and was directly affected by heavy use of the highway, regularly having to open the gates to their property to enable vehicles to pass each other.

Following complaints from residents the Council advertised a scheme for 28 days in April 2020 that proposed the introduction of a one way system on Roughtown Road from a point 19 metres south of its junction with High Street to its junction with Manchester Road. The scheme was designed to promote road safety by prohibiting the flow of traffic in one direction.

Members were informed there were eight formal objections (one outside of the 28-day objection period), six representations in favour, including the MP for Stalybridge and Hyde, and a petition containing nine signatures also in favour of the scheme.

Six of the objections raised concerns that the proposals were in the 'wrong direction'. The proposals advertised the scheme to be downhill which would result in there being three routes downhill from 'Top Mossley' to 'Bottom Mossley' and only one for traffic travelling in the other direction, raising the possibility of traffic delays and congestion if another road was closed for any reason. One objector suggested that traffic calming be implemented to prevent the speeding traffic and another raised concern regarding the right turn from Roughtown Road onto Manchester Road, due to the geometry of the junction and the high retaining walls. A further two objections were received from Mossley Fire Station informing the Council that the restrictions in the proposed direction would mean 'on call' fire fighters would struggle to meet the time constraints set by the fire station.

In response, the Head of Engineering Services explained the reasons that the Council had designed the proposed scheme in the direction that it had been advertised:

- There was nowhere for vehicles to safely turn if traffic was prohibited downhill and would result in the length of Roughtown Road from Manchester Road to Carrhill Road needing to be one way, leading to a significant impact on all the residents along Roughtown Road;
- The left turn from Manchester Road into Roughtown Road was only possible by using the lane for oncoming traffic (southbound lane) on Manchester Road to ensure the turn was met safely, and whilst there was an advisory sign requesting drivers not to attempt this manoeuvre, it was appreciated that some drivers would continue to make this turn unless restrictions were imposed; and
- Many of the complaints related to 'rat running' traffic and it was explained that if the road was made one way uphill, it would make the road more attractive to traffic 'cutting through' as there would not be the risk of opposing traffic.

The Officer further explained that traffic calming measures would not prevent the potential for other hazards such as collisions at the bends and speed cushions had the potential to cause a further hazard in freezing weather conditions and were not appropriate for steep gradients. Addressing concerns that using the recommended arterial route along Stamford Road would cause delays, it was highlighted that two vehicles meeting on Roughtown Road already caused delays as well as other safety issues. Whilst it was accepted there would be times when Stamford Road would need to be closed, sufficient warning of any closure would be provided and local diversions would be put in place.

Representations in favour of the scheme, submitted by local residents, were also summarised for the Panel. Residents were continually concerned regarding the safety of pedestrians, cyclists and occasional horse riders that used the road, especially during the hours of darkness as the road was not lit by street lighting. Disruption to the lives of local residents had also been caused by abuse from motorists, road rage incidents, and damage to drystone walls and street furniture. The direction of the proposed restrictions was also deemed the most appropriate by those in favour as large vehicles would not be able to travel uphill due to the geometry of the carriageway. In addition, there was a concern that introducing a one way system uphill would attract a considerable volume of traffic that would not normally use the road due to the risk of meeting oncoming traffic.

The Panel considered the views of, Carl Gannon, a local resident who had witnessed the dangers of two way traffic on the road first hand. It was explained that it was a narrow road with no footway that was used mostly downhill by pedestrians, cyclists and some horse riders. There was hope that if the proposals were approved they could avert an accident particularly near the very narrow junction with Manchester Road as vehicles attempted to turn uphill. The objector also highlighted the disruptive traffic jams that had been caused by vehicles meeting head on whilst travelling on the narrow road as well as motorists using the road as a rat-run, especially in an uphill direction. Residents also believed that it was quicker and safer for drivers to use Manchester Road and Stamford Road rather than attempting to use Roughtown Road as a shortcut.

RESOLVED

That authority be given for the necessary action to be taken in accordance with the Road Traffic Regulation Act 1984 to make the following order: THE TAMESIDE METROPOLITAN BOROUGH COUNCIL (ROUGHTOWN ROAD, MOSSLEY) (ONE WAY TRAFFIC) ORDER 2020 as detailed within the submitted report.

28. OBJECTIONS TO THE PROPOSED TAMESIDE METROPOLITAN BOROUGH (VARIOUS STREETS, MOSSLEY) (PROHIBITION OF WAITING) ORDER 2020

Consideration was given to a report of the Assistant Director, Operations and Neighbourhoods, outlining objections received to the proposed No Waiting At Any Time restrictions.

It was explained that following requests from local residents, councillors and the fire service together with onsite observations made by officers of the Engineering Services Department the Council proposed the implementation of new No Waiting At Any Time Restrictions in the area known as 'Top Mossley' and within Mossley town centre. The proposed waiting restrictions had been designed to enhance the flow of traffic and improve site line visibility at various junctions within the area.

A scheme of proposals were advertised in June 2020 and 12 objections were received during the statutory consultation period. Eight of the twelve objectors voiced concerns that residents who currently parked their vehicles where the new waiting restrictions were proposed would be displaced into other areas where parking was already at a premium. Four of the objectors were of the opinion that this displacement of parking would lead to an increase in congestion that would not only affect the accessibility for emergency service vehicles but could impede refuse collection wagons and lead to tensions within the local community. Concerns were raised that these parking issues would be further compounded given that planning permission had been given for new housing developments within Mossley town centre that did not have off street parking facilities.

Further parking concerns were also highlighted, particularly from those residents who would not have the amenity to park outside their own properties if the new waiting restrictions were imposed. Six objectors expressed concerns in terms of accessibility for disabled residents or those with young children. There were fears from one objector that being unable to park outside their property would devalue their home whilst another claimed not to have received notice of the proposals.

Three objectors who resided on Lees Road contended that parked vehicles outside properties 9-23 Lees Road acted as a barrier between pedestrians on the footway and a busy road prone to speeding traffic. It was therefore suggested that the cars themselves acted as a traffic calming measure given that vehicles were forced to slow down and give way to opposing traffic. An additional three objectors questioned why the restrictions on Greaves Street, Lees Road and Quick Edge Road were necessary given that vehicles parked responsibly in these locations and that visibility at these junctions was generally good.

Members were informed that a number of the objectors did not object to the scheme entirely but had requested reductions of certain elements of the No Waiting At Any Time restrictions and some also suggested that residents only parking be considered as an alternative.

The Panel considered the views of, Anne Bates, a local resident, who explained that there were no issues crossing Quick Edge Road because of parked cars, one of the roads subject to the proposed restrictions. It was highlighted that Lees Road was of particular concern given the volume and speed of traffic using the road but that parking was not an issue in the vicinity. There were particular concerns that residents would have nowhere to park and those with mobility issues would be especially disadvantaged if the proposals were implemented. Pollution caused by the volume of traffic in the area was of primary concern, not parked vehicles, and it was requested that the Council take action to tackle this problem.

The Head of Engineering Services explained that the various elements of this scheme had been designed to increase the site line visibility of junctions within the Top Mossley area. Parking at a junction could cause a major hazard as it reduced visibility for both motorists and pedestrians wishing to cross the road. The Highway Code made clear that drivers were not to park within 10 metres of a junction to allow motorists emerging from or turning into a junction a clear view of the road they were joining. It was also highlighted that there was no legal entitlement for a resident to park on the highway outside their property. Whilst blue badger holders were entitled to some concessions, such as parking on double yellow lines for up to three hours, providing it was safe to do so, they were not allowed to park within 15 metres of a junction.

Suggestions that the proposed restrictions be reduced were not deemed appropriate given the nature of the roads in question and the submission that motor vehicles could be used as a traffic calming measure were also deemed to be inappropriate given that motor vehicles were transient.

Panel Members were advised that in line with statutory processes, public notices for this scheme were advertised in the local press and on street from 25 June 2020. In addition, properties adjacent to the proposed restrictions had received a hand delivered notice. Whilst the individual claimed not to have received notice of the proposals, the fact that they had submitted an objection suggested that the statutory process and the extent of the letter drop had been successful in its purpose.

Overall, the Council, following numerous requests from different sources concerning reduced visibility at various junctions in Top Mossley, had deemed that the restrictions were necessary. However, the proposals had been designed to ensure that motorists were able to park in Top Mossley and within the town centre but in locations where it was safe to do so. The suggestion by some objectors for a controlled parking scheme would not address the over demand for available on street parking or reserve parking spaces directly outside individual houses.

RESOLVED

That authority be given for the necessary action to be taken in accordance with the Road Traffic Regulation Act 1984 to make the following order: THE TAMESIDE METROPOLITAN BOROUGH (VARIOUS STREETS, MOSSLEY) (PROHIBITION OF WAITING) ORDER 2020 as detailed within the submitted report, subject to the amendment of the No Waiting At Any Time Restrictions on Lees Road (east side) from its junction with Greaves Street being reduced from 15 metres to 10 metres.

29. 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:-

Name and Application No:	20/00461/FUL Mr Andy Wood
Proposed Development:	Full planning application for the construction 1no. Self-Storage Facility (Use Class B8) with ancillary B1 uses. Land adjacent to Rayner Lane, Ashton-Under-Lyne, OL7 0PG
Speaker(s)/Late Representations	Nicole Roe, on behalf of the applicant, addressed the Panel in relation to the application.
Decision:	That Planning permission be granted subject to the conditions as detailed within the submitted report.

Name and Application No:	19/00374/FUL Jigsaw Homes
Proposed Development:	Full planning application for the development of land surrounding Cavendish Mill to create 50 no. dwellings, with associated landscaping, public space and access roads. Land adjacent to Cavendish Mill, Cavendish Street, Ashton-under-Lyne

Decision:	That planning permission be granted subject to the prior completion of a Section 106 Agreement and the conditions as detailed within the submitted report.
------------------	--

Name and Application No:	18/00487/OUT Willsgrove Developments Limited
Proposed Development:	Outline planning application for the development of land for residential (C3), including the provision of public open space and the means of access (details of the layout, scale, appearance and landscaping of the development are reserved). Land at Manchester Road, Ashton Hill Lane, Fitzroy Street and Williamson Lane, Droylsden (Former Robertson's Jam Factory site, Williamson Lane, Droylsden)
Decision:	That planning permission be granted subject to the amended Section 106 Agreement and the conditions as detailed within the submitted report.

Name and Application No:	20/00645/FUL Richmond Fellowship
Proposed Development:	Demolition of existing buildings and construction of a supported housing scheme (use class C3) (19 X 1 bed units) and associated landscaping and access. Land at Rutland Street, Ashton-under-Lyne
Decision:	That Planning permission be granted subject to the prior completion of a Section 106 Agreement and the conditions as detailed within the submitted report.

Name and Application No:	20/00540/FUL Cashino Gaming Ltd
Proposed Development:	Full planning permission for the change of use from A2 use to an adult gaming centre (sui generis), installation of a new shopfront and advertisement consent for new signage. 17 Queens Walk, Droylsden Shopping Centre, Droylsden
Speaker(s)/Late Representations	Henry Hodgson, on behalf of the applicant, addressed the Panel in relation to the application.
Decision:	That Planning permission be granted subject to the conditions as detailed within the submitted report.

30. APPEAL / COST DECISIONS

Application Reference/Address of Property	Description	Appeal Decision
APP/G4240/X/20/325226 23 Napier Street, Hyde, SK14 5PZ	Refusal to grant a certificate of lawful use or development (LDC).	Appeal dismissed
APP/G4240/W/20/3253962 43 The Mudd, Littlemoor Road, Mottram, Hyde, SK14 6JN	Proposed double garage.	Appeal dismissed
APP/G4240/D/20/3254002 37 Radnor Avenue, Denton, Manchester, M34 2QT	Proposed erection of 1.9m high timber fence (retrospective).	Appeal dismissed
APP/G4240/C/20/3249746 Godley Green Cottage, Godley Green, Hyde, SK14 3BE	A) Appeal by the applicant against the Council for the full award of costs against an enforcement notice alleging the carrying out of building operations at the Property without the required planning permission. B) Appeal by the Council against the applicant for a partial award of costs against an enforcement notice alleging the carrying out of building operations at the Property without the required Planning permission.	Application A and Application B for the award of costs are refused
APP/G4240/W/20/3246235 Land adjacent to 19 Greaves Street, Mossley	Proposed residential development comprising of a terrace of six one-bed bungalows with gardens to rear.	Appeal dismissed

CHAIR

Application Number 20/00811/FUL

Proposal	Conversion of the building into 33 x 1 bedroom apartments and associated works
Site	Former Carson House Care Centre, 30 Stamford Street, Stalybridge
Applicant	Cassell and Fletcher Property Management Ltd
Recommendation	Grant planning permission subject to conditions and the prior completion of a Section 106 Agreement.
Reason for Report	A Speakers Panel decision is required because the application constitutes major development and any planning permission granted would be subject to a Section 106 Agreement.

1.0 APPLICATION DESCRIPTION

- 1.1 The applicant seeks full planning permission for the conversion of the former care home building into 33 x 1 bedroom apartments and associated works, including the installation of rooflights within the roofplanes of the 'annexe' extension to the original building and the laying out of 20 car parking spaces in the rear portion of the site

2.0 SITE & SURROUNDINGS

- 2.1 The application relates to Carson House, a prominent building located on Stamford Street, within Stalybridge Conservation Area. The site is currently vacant, with the building last being use as a care home. The building is 3 storeys in height and is constructed of stone elevations with a slate tiled roof. The original (south eastern) section of the building displays significant architectural detail in the ecclesiastical style windows, the proportions of which emphasise the striking impact of the building on the streetscene. The north western element of the building is a modern extension to the original building which replicates the gable features on the original part of the building.
- 2.2 A large area of hardstanding is situated in the rear (north eastern) proportion of the site, behind the former care home building. Vehicular access to the site is gained via Blandford Street which runs parallel with the south eastern boundary of the site. There are neighbouring residential properties on the opposite side of Blandford Street and the residential properties on George Street overlook the north eastern boundary of the site. There are also residential properties facing the building on the opposite side of Stamford Street to the south west of the site.

3.0 PLANNING HISTORY

- 3.1 00/00831/FUL - Erection of three storey extension – approved.

4.0 RELEVANT PLANNING POLICIES

4.1 Tameside Unitary Development Plan (UDP) Allocation:

The site is located within the Stalybridge Town Centre Conservation Area.

4.2 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
- 1.10: Protecting and Enhancing the Natural Environment
- 1.11: Conserving Built Heritage and Retaining Local Identity
- 1.12: Ensuring an Accessible, Safe and Healthy Environment

4.3 **Part 2 Policies:**

- C1: Townscape and Urban Form
- C2: Conservation Areas
- C4: Control of Development in or adjoining Conservation Areas
- H2: Unallocated Sites (for housing)
- 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
- MW11: Contaminated Land
- MW12: Control of Pollution
- MW14 Air Quality
- N3: Nature Conservation Factors
- N4 Trees and Woodland
- N5: Trees Within Development Sites
- N7: Protected Species
- OL10: Landscape Quality and Character
- T1: Highway Improvement and Traffic Management.
- T10: Parking
- T11: Travel Plans.
- U3: Water Services for Developments
- U4 Flood Prevention
- U5 Energy Efficiency

4.4 **Other Policies**

Greater Manchester Spatial Framework - Publication Draft October 2018;

The Greater Manchester Combined Authority (GMCA) has consulted on the draft Greater Manchester Spatial Framework Draft 2019 ("GMSF") which shows possible land use allocations and decision making policies across the region up to 2038. The document is a material consideration but the weight afforded to it is limited by the fact it is at an early stage in its preparation which is subject to unresolved objections

Residential Design Supplementary Planning Document (SPD);
 Stalybridge Conservation Area Appraisal (dated March 2013); and
 Trees and Landscaping on Development Sites SPD adopted in March 2007

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

Section 2: Achieving Sustainable Development;
 Section 5: Delivering a sufficient supply of homes;
 Section 7: Ensuring the vitality of town centres;
 Section 8: Promoting healthy and safe communities;
 Section 11: Making Effective use of Land;
 Section 12: Achieving well-designed places;
 Section 15: Conserving and enhancing the natural environment; and

Section 16: Conserving and enhancing the historic environment

4.6 **Planning Practice Guidance (PPG)**

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

5.0 **PUBLICITY CARRIED OUT**

- 5.1 Neighbour notification letters were issued, a notice displayed adjacent to the site for 21 days and a press notice was published, 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 relating to proposed development in Conservation Areas.

6.0 **RESPONSES FROM CONSULTTEES**

- 6.1 Borough Environmental Health Officer (EHO) – no objections to the proposals, subject to the imposition of conditions covering the following:
- Provision of refuse storage and collection arrangements;
 - Limiting the hours of work during the construction phase of the development;
 - Details of a soundproofing scheme to be installed within the development to mitigate the impact of external noise sources on the residential amenity of future occupiers.
- 6.2 Local Highway Authority – no objections to the proposals subject to the imposition of conditions covering the following:
- The submission and approval of a condition survey of the highway;
 - The submission and approval of a Construction Environment Management Plan, to include details for wheel washing and contractor parking areas during the construction phase;
 - The provision of the car parking detailed on the submitted plans prior to the first occupation of any of the units;
 - The provision of secured cycle storage facilities within the curtilage of the development; and
 - The submission and approval of details of retaining structures to be installed within the site as part of the development.
- 6.3 Lead Local Flood Authority (LLFA) – Further details relating to how surface water is to be drained from the development should be submitted prior to the determination of the planning application.
- 6.4 Borough Tree Officer – no objections to the proposals.
- 6.5 Borough Contaminated Land Officer - no objections to the proposals. There is however the risk of Made Ground being present on the site. Therefore, a condition requiring a screening exercise to be undertaken in relation to the potential risk posed by sources of contamination on the site and any necessary remediation measures, prior to the commencement of development, should be attached to any planning permission granted.
- 6.6 Historic England – no comments received.

7.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED

7.1 No letters of representation have been received.

8.0 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 of the proposed development on the character of the site and the Conservation Area;
- 3) The impact on the residential amenity of neighbouring properties;
- 4) The impact on highway safety; and
- 5) Other matters

9.0 PRINCIPLE OF DEVELOPMENT

- 9.1 The building is currently vacant and this is clearly having a detrimental impact on the character of this part of the Conservation Area, with the prominent building showing obvious signs of decay arising from the lack of use, with openings boarded up. The building is a dominant part of the view from Stamford Street looking south eastwards towards the Tame Valley, which is identified as a key vista in the Conservation Area Appraisal. Finding a suitable reuse that would allow the positive character of the original part of the building to be fully realised once more and would achieve the objectives of paragraph 92 of the NPPF.
- 9.2 The site is immediately adjacent to the boundary of Stalybridge Town Centre as defined in the UDP proposals map. It is considered that the re-use of the building for residential purposes would increase footfall in a location close to the services and facilities within the town centre. The proposals would therefore enhance the vitality and viability of Stalybridge, in accordance with Section 7 of the NPPF (entitled Ensuring the vitality of town centres).
- 9.3 The site is situated within close proximity of regular public transport services. The site is a less than 5 minute walk from Stalybridge bus station and a less than 10 minute walk from Stalybridge railway station which together provide regular alternatives to the use of the private car for trips to and from Ashton, Manchester city centre and further afield.
- 9.4 Given this situation, it is considered that the scheme would boost the supply of housing in a sustainable location. Given that the Council cannot currently demonstrate a five year supply of housing land, this is considered to be a benefit of the proposals that is worthy of significant weight in the determination of the application.
- 9.5 Following the above assessment, the principle of development is considered to be acceptable, subject to all other material planning considerations being satisfied.

10.0 CHARACTER OF CONSERVATION AREA

- 10.1 Section 16 of the NPPF is entitled conserving and enhancing the historic environment. Paragraph 192 states that Local Planning Authorities should take into account the following when assessing applications affecting heritage assets (such as Conservation Areas):
- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - The positive contribution that the conservation of heritage assets can make to sustainable communities including their economic vitality; and

- The desirability of new development making a positive contribution to local character and distinctiveness.

- 10.2 For the reasons explained in the following paragraphs, officers consider that the proposals would lead to less than substantial harm to the character of the Conservation Area (as opposed to causing substantial harm). Paragraph 196 of the NPPF states that 'where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal...'
- 10.3 UDP policy C2 of the UDP echoes the requirements of paragraph 192 of NPPF (quoted earlier in this report) that new development must preserve or enhance the character of Conservation Areas. The existing building is considered to have a positive impact on the character of the Conservation Area, although this is clearly compromised by its current vacant state.
- 10.4 External alterations to the building would be limited and considered to be minor in nature. Six rooflights would be installed within the roof of the 'annexe' extension to the original building (on the north western and south eastern roofplanes). Due to their siting and relatively restrained number, it is considered that these features would not result in a detrimental impact on the character of the Conservation Area.
- 10.5 The re-instatement of blocked up openings on the Stamford Street elevation would have a positive impact on the character of the building and prominent views of the site within the context of the wider alteration. Given the presence of a number of non-original windows within the existing building, the proposed modifications to other openings are considered not to be harmful to the character of the building or the Conservation Area. The associated car parking would be confined to the existing area of hardstanding, ensuring that there would not be any wider harm to the character of this part of the Conservation Area.
- 10.6 The Borough Tree Officer has not raised any objections to the proposals. It is considered reasonable to require the implementation of a soft landscaping scheme as part of the proposed development, to ensure that there is improved screening of the hardstanding area to the rear of the building.
- 10.7 Following the above assessment, it is considered that the proposals would achieve a public benefit in returning a prominent building of architectural merit within the Conservation Area back to viable use, meeting the requirements set out in UDP policies C2 and Section 11 of the NPPF as quoted above.

11.0 RESIDENTIAL AMENITY

- 11.1 The adopted Residential Design Guide (RDG) requires 21 metres to be retained between corresponding elevations of properties of the same height that contain habitable rooms, reducing to 14 metres where properties face each other across a highway. A separation distance of 14 metres is also required to be retained where an elevation with an opening serving a habitable room and a corresponding blank elevation. An additional 3 metres should be added to these distances for each additional storey where buildings are taller than 2 storeys in height.
- 11.2 The scheme would not increase the size of the existing building, with the changes to the main elevations being the reinstatement of 2 windows on the Stamford Street elevation. Given the presence of the highway in the intervening distance, it is considered that these new openings would not result in a detrimental impact on the residential amenity of the dwellings on the opposite side of Stamford Road, in terms of unreasonable overlooking.

- 11.3 Given that the proposed rooflights would be installed in the upper sections of the roofplanes and that the existing separation distances to neighbouring properties would be retained, it is considered that this element of the proposals would not result in an adverse impact on the residential amenity of any of the neighbouring properties.
- 11.4 In relation to the residential amenity of future occupiers, all of the apartments would have 1 bedroom. The minimum floor area required for 1 bedroom units with bathrooms is 39 square metres, in accordance with the nationally described space standards. Each of the units in this scheme would comfortably exceed this minimum for single occupancy, with a number exceeding the 50 square metre minimum requirement for a 1 bedroom unit to be occupied by 2 people.
- 11.5 Whilst a large proportion of the living space within the 2 proposed apartments on the second floor would be served only by rooflights, the bedrooms within each of those units would be served by one of the existing windows on the main elevation of the building. It is therefore considered that the configuration of the units would result in an appropriate standard of accommodation for future occupants.
- 11.6 On the basis of the above assessment, the proposals are considered to preserve the residential amenity of neighbouring properties and the amenity of the future occupants of the development.

12.0 HIGHWAY SAFETY

- 12.1 The scheme proposes to utilise the existing access on Blandford Street and would utilise the current hardstanding area to the rear of the building for the provision of 20 car parking spaces. Policy RD8 of the RDG requires the provision of 1 car parking space per 1 bedroom dwelling. However, given the very close proximity of regular train and bus services to the site, it is considered reasonable to conclude that a lower level of car parking provision could be made in this location without resulting in harm to highway safety.
- 12.2 It is considered that any potential harm in this regard could be mitigated by the provision of a minimum of 33 secure cycle parking spaces (1 per unit) within the scheme. The plans indicate that there would be ample room at lower ground floor level within the building to accommodate this provision. A condition requiring full details of secured cycle storage provision to serve the development is attached to the recommendation.
- 12.3 The Local Highway Authority has not raised any objections to the proposals, subject to the imposition of a number of conditions. It is considered reasonable to condition the submission and approval of a Construction Environment Management Plan to ensure that the construction phase of the development does not lead to an adverse impact on the safe use of the adjacent highway, particularly Stamford Street.
- 12.4 The aforementioned cycle parking provision and a requirement that the car parking provision be laid out as per the submitted plan prior to the first occupation of any of the units are also considered reasonable and are attached to the recommendation. A condition requiring details of highway works within the site and adjacent to the access is also attached to the recommendation.
- 12.5 It is considered not to be necessary to attach a condition requiring the submission of a condition survey of the highway as this is a matter that can be addressed under the powers that the Council possesses as Local Highway Authority.
- 12.6 Following the above assessment, it is considered that the proposals would not result in a detrimental impact on highway safety, subject to the imposition of appropriate conditions.

13.0 OTHER MATTERS

- 13.1 In relation to ecology, the scheme proposes conversion of a vacant building and includes work within the roofspace. An ecological appraisal has not been submitted with the application. It is considered reasonable to secure a scheme of Reasonable Avoidance Measures to be implemented during the construction phase of the development to ensure that any potential harm to protected species is mitigated. Such a condition is attached to the recommendation.
- 13.2 The application form indicates that both foul and surface water would be drained from the site via connections to the mains sewerage network. The LLFA has requested further information regarding the details of a surface water drainage strategy prior to the determination of the application. Given that the site is located within flood zone 1 (and is therefore considered at a lower risk of flooding) and that the previous use of the site as a care home resulted in demands on drainage capacity, it is considered reasonable that these details are secured by condition. Such a condition is attached to the recommendation.
- 13.3 In relation to designing out crime, given that the scheme proposes only relatively minor changes to an existing building, it is considered that new opportunities for crime as a result of the change of use of the site would be limited. It is considered reasonable to attach a condition to any planning permission granted requiring details of the specific physical crime reduction measures to be installed within the building as part of the change of use to be approved prior to the occupation of any of the units. Such a condition is attached to the recommendation.
- 13.4 In relation to developer contributions, any requirements in this regard must satisfy the following tests (as stated in paragraph 56 of the NPPF):
- a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development.
- 13.5 The applicant will be required to make a contribution to the provision of open space within the local area, in accordance with policy H5 of the adopted UDP. A contribution of £16,278.66 is to be secured towards improvements in Stamford Park, including the upgrading of infrastructure such as footpaths and the formal entrances into the park.
- 13.6 This contribution is considered to meet the CIL regulations in that it is necessary to make the development acceptable in planning terms (given the limited amenity space to be provided on site), directly related to the development (as the close proximity ensures that residents are likely to use these facilities) and proportionate in that the sum is based on the size of the development.
- 13.7 Whilst the Council's Developer Contributions Calculator suggests that a contribution of approximately £10,000 should be sought to mitigate the highways impact of the development, that calculation is based purely on the anticipated number of trips. Given that the CIL regulations require any contribution to be necessary to mitigate the impact of the development, it is considered important to also have regard to the very close proximity of regular public transport services in assessing this potential impact.
- 13.8 Given the frequency of these services that can be reached on foot from the site, despite the fact that the previous use of the site as a care home would have resulted in less trips than the proposal, it is considered that a contribution to upgrade highway facilities is not necessary to make the scheme acceptable in planning terms in this instance.
- 13.9 In relation to other infrastructure, where a proposal exceeds 25 dwellings, policy H6 requires financial contributions towards education and other community facilities where current

facilities do not have the capacity to meet the additional population of a proposed development. As this scheme would be made up entirely 1 bedroom dwellings, officers consider that it highly unlikely that the scheme would yield occupants of school age. As such, a contribution in this regard is considered not to be necessary to make the scheme acceptable in planning terms and would therefore be contrary to the CIL regulations. On that basis, a contribution towards the improvement/expansion of education provision is not being secured as part of the recommended Section 106 package.

- 13.10 Paragraph 64 of the NPPF states that 'where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area.' The latest version of the NPPF came into force in February 2019. Following adoption of the Housing Needs Assessment (HNA) for the Borough in August 2018, the Council now has an up to date evidence base on which to seek affordable housing contributions for developments of this scale. The HNA requires 15% of units on the proposed development to be provided as affordable housing.
- 13.11 Given that the NPPF is significantly more recent than the UDP policy and that the Council has an up to date evidence base to require a level of affordable housing provision at 15% across developments of the scale proposed, officers consider that the 15% affordable housing requirement should apply in this case.
- 13.12 The applicant has agreed to the inclusion of a clause in the Section 106 Agreement that will require 15% of the units to be made available on an affordable basis.
- 13.13 The Borough EHO has not raised any objections to the proposals, subject to the imposition of a number of conditions. Indicative details off an area for communal refuse storage are shown on the proposed site plan, adjacent to the car parking spaces in the rear portion of the site. Exact details of the capacity of the bins to be provided and the means of enclosure of the communal storage area can be secured by condition.
- 13.14 In relation to potential risks associated with contaminated land, the Borough Contaminated Land Officer has raised the possibility of Made ground being present on the site. A condition requiring a screening exercise to be undertaken in relation to the potential risk posed by sources of contamination on the site and any necessary remediation measures, prior to the commencement of development, is considered to be reasonable and is attached to the recommendation.
- 13.15 In order to reduce the environmental impacts of the proposed development, it is considered reasonable to attach a condition requiring the submission and approval of an electronic vehicle charging strategy to serve the development.
- 13.16 The site is in an area considered to be at low risk in relation to the land stability implications of coal mining legacy. An informative outlining the responsibilities incumbent on the developer in this regard can be attached to any planning permission granted.

16.0 CONCLUSION

- 16.1 The proposed development is considered to be acceptable in principle, resulting in the re-use of a current vacant building for residential development in a highly sustainable location. The scheme involves limited external alterations to the existing building and re-use would reverse the visible decline, thereby enhancing the character of this part of the Conservation Area. The scheme would boost the supply of housing in the Borough and would not result in a detrimental impact on the residential amenity of neighbouring properties or highway safety.

- 16.2 It is considered that all other material considerations can be satisfied through the imposition of conditions, where appropriate, as detailed in the main body of the report. The proposals are therefore considered to comply with the relevant national and local planning policies quoted above.

RECOMMENDATION

Grant planning permission, subject to the following:

- a) The prior completion of a deed of a Section 106 Agreement to secure the following contributions:

£16,278.66 is to be secured towards improvements in Stamford Park, including the upgrading of infrastructure such as footpaths and the formal entrances into the park; and

15% of the units in site meeting the definition of affordable housing as set out in the NPPF; and

- b) the following conditions:

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

1:1250 Site location plan

Proposed site plan (Drawing no. PL03)

Proposed elevations plan (Drawing no. PL07)

Proposed ground floor plan (Drawing no. PL04)

Proposed first floor plan (Drawing no. PL05)

Proposed second floor plan (Drawing no. PL06)

Proposed sections plan (Drawing no. PL08)

3. No development shall commence until a contaminated land screening assessment of the site has been submitted to and approved in writing by the Local Planning Authority. The assessment shall include details of any necessary remediation works to be undertaken. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.
4. No works to convert the building to the use hereby approved (including roof works, soft stripping) shall commence until a construction environmental management plan for biodiversity (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP for biodiversity shall include the following.
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of biodiversity protection zones within the site.
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to protected species and biodiversity features
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons during the construction phase and lines of communication to ensure that any potential ecological risk is identified and mitigated appropriately.

- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) The location of protective fences, exclusion barriers and warning signs to be installed on the site during the construction phase of the development.

The measures detailed in the approved CEMP shall be implemented in accordance with the approved details on the commencement of construction/conversion works phase of the development and shall be retained as such throughout the duration of that phase of the development.

- 5. 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 retaining 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.
- 6. The car parking spaces to serve the development hereby approved shall be laid out as shown on the approved proposed site (drawing no. PL03) prior to the first occupation of any of the dwellings hereby approved and shall be retained free from obstruction for their intended use thereafter.
- 7. Notwithstanding the details shown on the approved plans, no part of the development hereby approved shall be occupied until details of the means of storage and collection of refuse generated by the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans showing the location of storage and the means of enclosure. The bin storage arrangements for each dwelling shall be implemented in accordance with the approved details prior to the occupation of that dwelling and shall be retained as such thereafter.
- 8. Notwithstanding the details submitted with the planning application, no development above ground level shall commence until full details of a scheme of hard and soft landscaping to be incorporated into the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following specific measures:
 - A plan showing the location of all trees/hedges/shrubs to be planted, details of the species mix, the number of specimens to be planted, spacing between them and their height on planting; and
 - A plan showing the location and construction material of all hard surfacing.

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

- 9. The approved soft landscaping scheme to serve the development shall be implemented before the first occupation of any part of the development or in accordance with a programme agreed previously with the local planning authority. Any newly planted trees or plants forming part of the approved scheme which, within a period of 5 years from the completion of the planting, are removed, damaged, destroyed or die shall be replaced in the next appropriate planting season with others of similar size and species.
- 10. 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.

11. Prior to the first occupation of any of the dwellings hereby approved, details of a scheme for external lighting to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a scale plan indicating the location of the lighting to be installed, a LUX contour plan indicating the levels of light spillage and scaled elevations of lighting columns/supporting structures. The external lighting scheme shall be implemented in accordance with the approved details prior to the first occupation of any of the dwellings and shall be retained as such thereafter.
12. Notwithstanding the details submitted with the planning application, no development shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:
 - scaled plans showing the elevations of the development into which noise attenuation are to be installed; and
 - manufacturer's specifications of the glazing and trickle vent to be installed within the openings of the units in the above locations.

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.

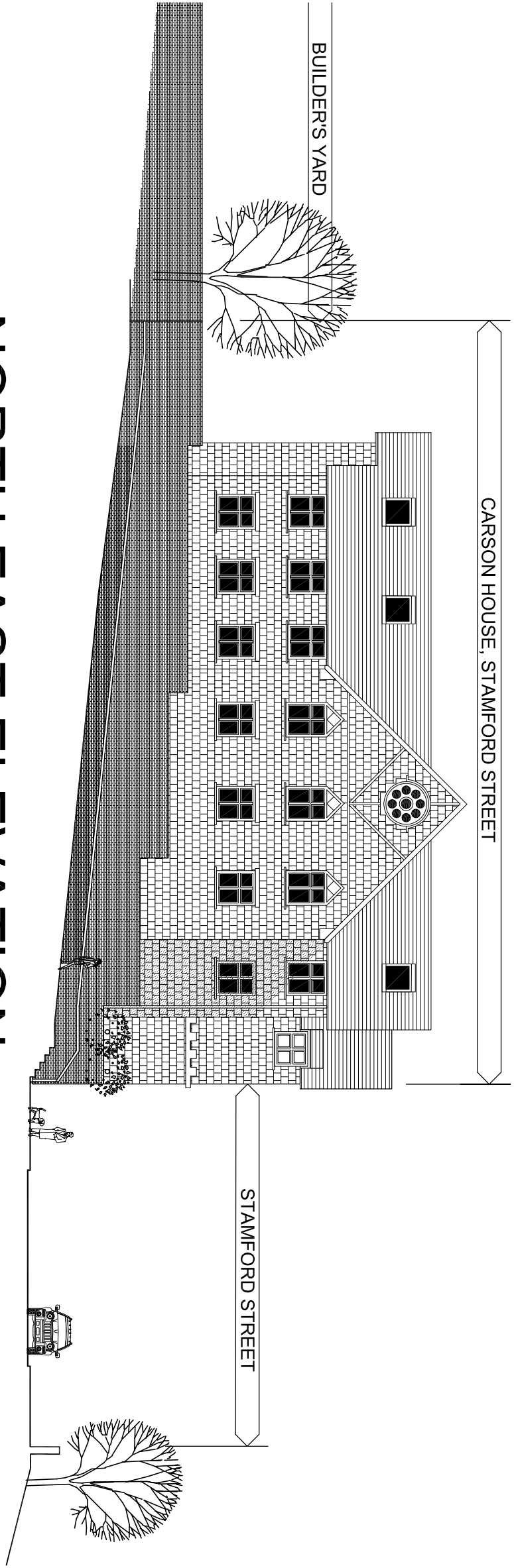
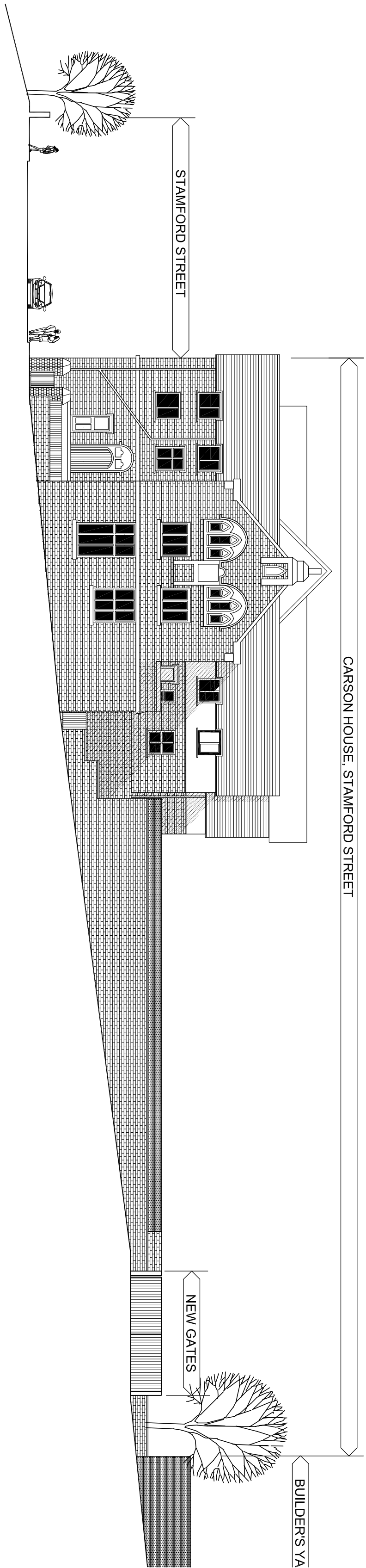
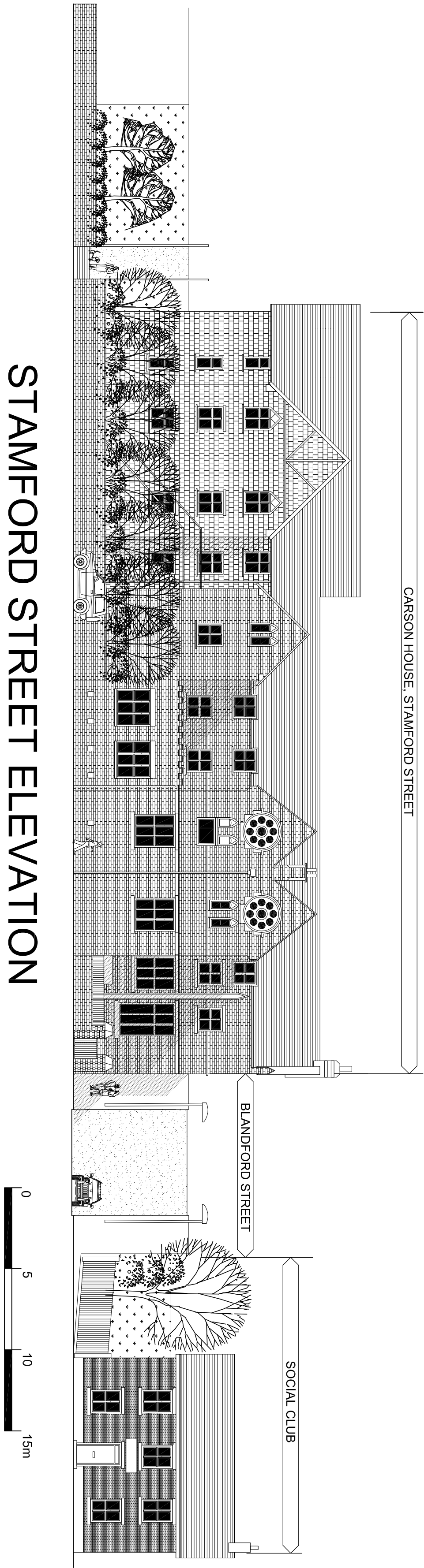
13. No development above ground level shall commence until a Crime Impact Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall detail the specific crime prevention measures to be installed as part of the development to ensure that the scheme achieves the requirements of the document Secured by Design Homes 2016 or guidance which supersedes that document. The crime prevention measures shall be implemented in accordance with the approved details, prior to the first occupation of any part of the development and shall be retained as such thereafter.
14. No development above ground level shall commence until details of an electric vehicle charging strategy for the development has been 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 any of the dwellings hereby approved and shall be retained as such thereafter.
15. 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.
16. Prior to the occupation of any part of the development hereby approved, visibility splays shall be provided on both sides of the site access where it meets the footway. The visibility splays shall measure 2.4 metres along the edge of the site access and 2.4 metres along the footway. It must be clear of anything higher than 600mm above ground level. The visibility splays shall be retained as such thereafter.
17. No development above ground level shall commence until details of Biodiversity enhancement measures to be installed as part of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The details shall include a specification of the installations and scaled plans showing their location within the

development. The approved enhancement measures shall be installed in accordance with the approved details, prior to the first occupation of any of the dwellings and shall be retained as such thereafter.

18. Notwithstanding the details illustrated on the approved plans, prior to the first occupation of any part of the development hereby approved, details of secured cycle storage (minimum of 33 spaces) to be installed within the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans showing the location of the storage and details of the means of enclosure. The secured cycle storage shall be installed in accordance with the approved details, prior to the first occupation of any part of the development and shall be retained as such thereafter.
19. No work shall take place in respect to the construction of the approved highway, as indicated on the approved site plan, until a scheme relevant to highway construction has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of:
 1. Phasing plan of highway works;
 2. Surface and drainage details of all carriageways and footways;
 3. Details of the works to the reinstatement of redundant vehicle access points as continuous footway to adoptable standards following the completion of the construction phase;
 4. Details of an Approval in Principle must be obtained for the proposed retaining structures to be installed/modified within the site;
 5. Details of the areas of the highway network within the site to be constructed to adoptable standards and the specification of the construction of these areas; and,
 6. Details of carriageway markings and signage.

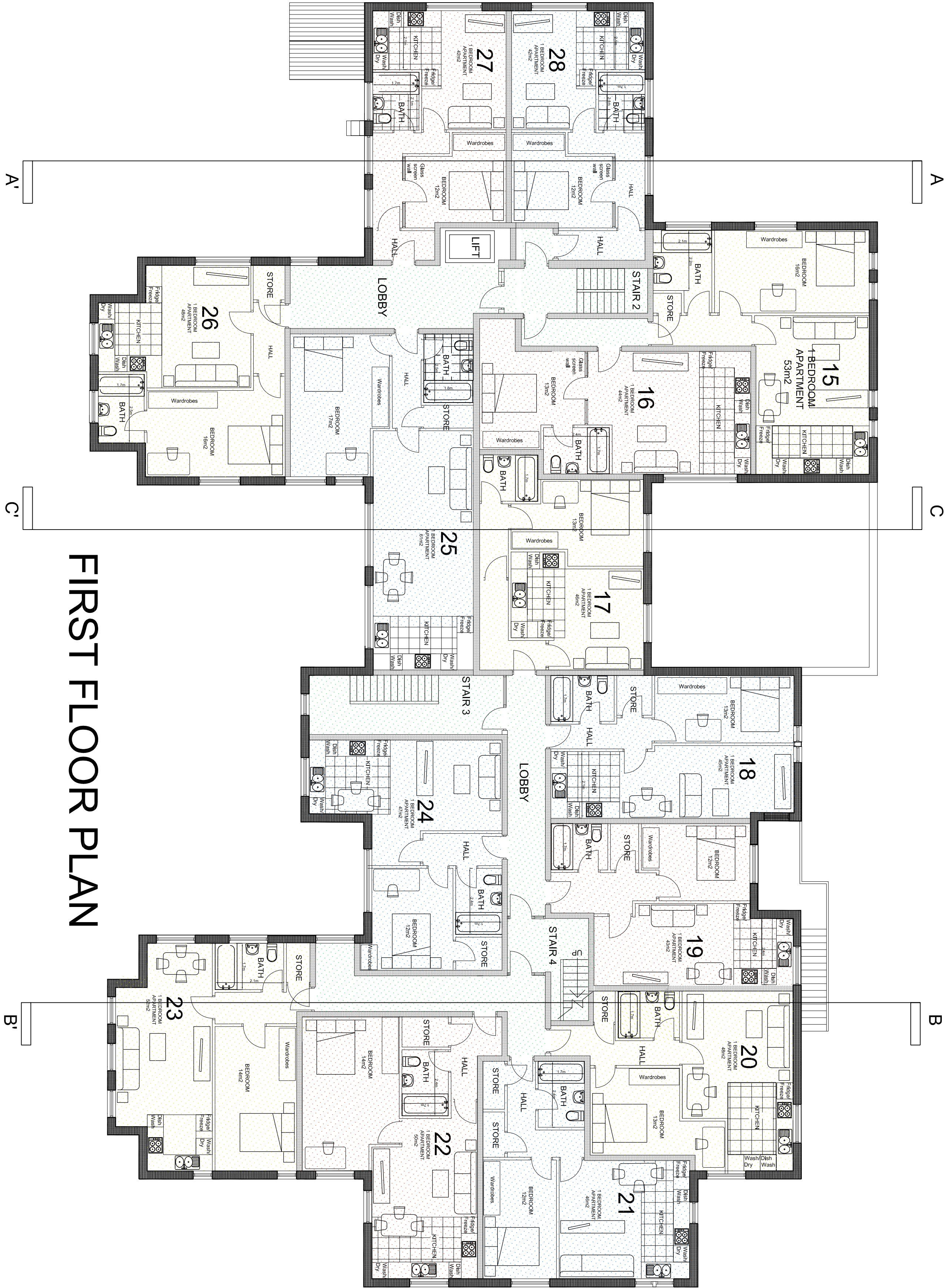
No part of the approved development shall be occupied until the approved highways works have been constructed in accordance with the approved details or phasing plan and the development shall be retained as such thereafter.

20. During demolition/construction no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.



This page is intentionally left blank

SCHEDULE OF ACCOMMODATION		
	1 BEDROOM APARTMENT	AREAS (m2)
LOWER GROUND FLOOR	3	217
GROUND FLOOR	14	664
FIRST FLOOR	14	674
SECOND FLOOR	2	152
TOTALS	33	1707



FIRST FLOOR PLAN

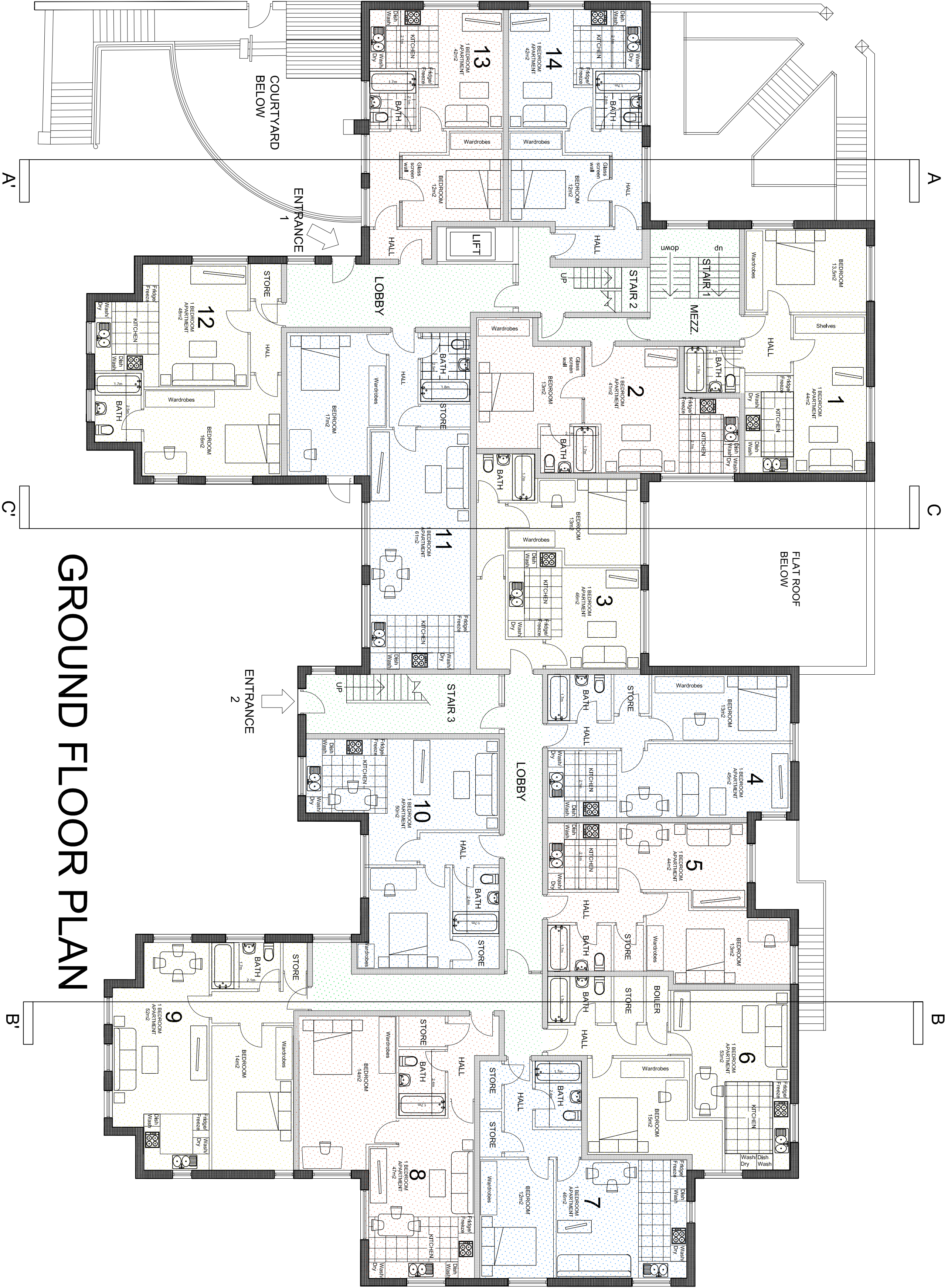
BM ARCHITECTURAL DESIGNS
APARTMENT 8
224 GREAT CLOWES STREET
MANCHESTER M7 2ZS
TEL: 07415 493002

PROJECT: PROPOSAL FOR 33 x1 BEDROOM APARTMENTS AT FORMER CARE HOME, CARSON HOUSE, STAMFORD STREET, SALTBRIDGE, SK16 1Z
CLIENT: CASSEL AND FLETCHER PROPERTY MANAGEMENT LTD.

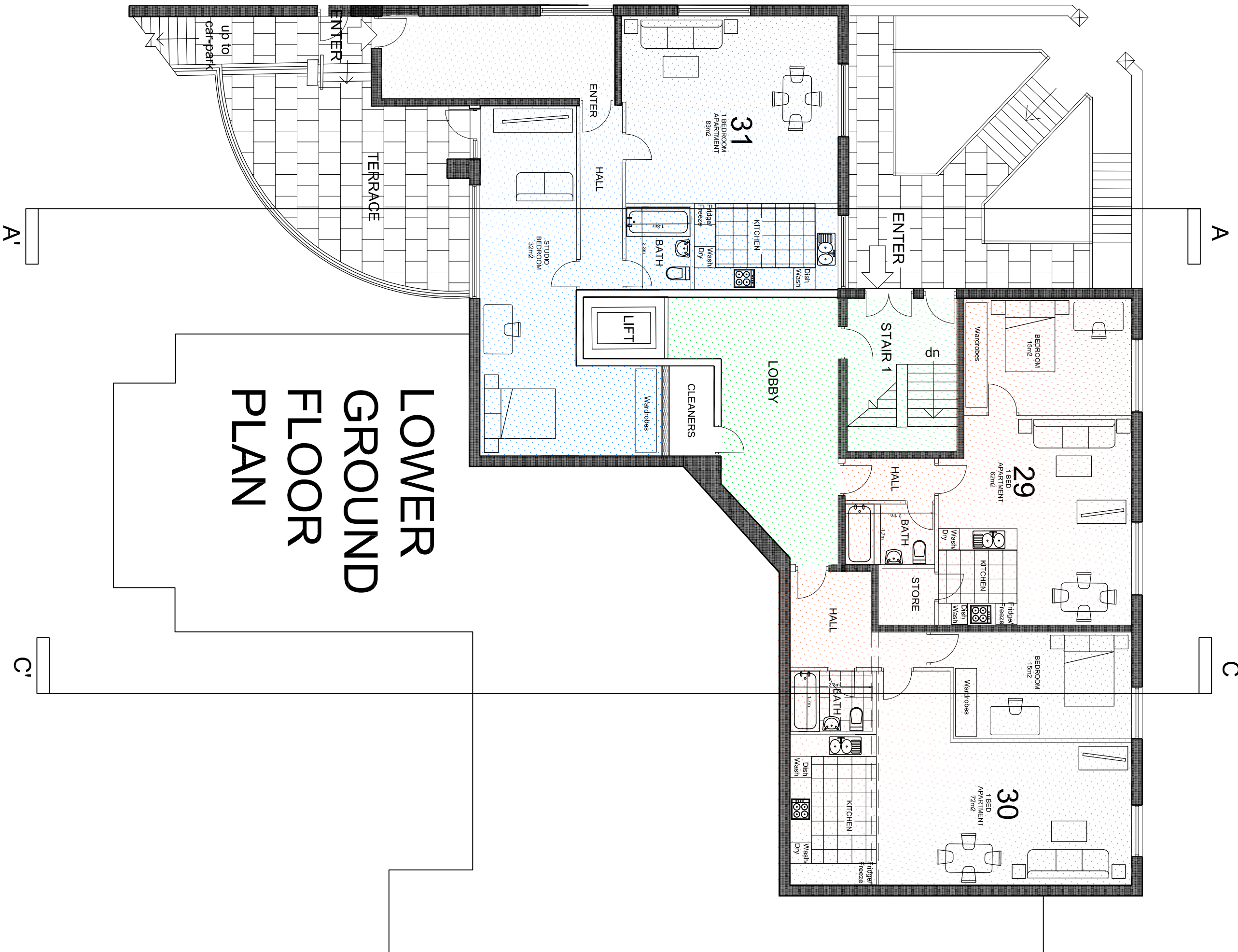
TITLE: PROPOSED FIRST FLOOR PLAN
SCALE: 1:100@A1 DATE: AUG. 2020 DRAWN: BM
STATUS: PLANNING CHECKED: NF
DRAWING NO: BPM02020/STAMP PLO5 REV: 1

This page is intentionally left blank

Copyright © 2020 BM Architectural Designs. All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of BM Architectural Designs. This document is the property of BM Architectural Designs and is loaned to the client for their use only. It is not to be distributed outside the project team. All dimensions and details should be noted on the drawings. BM Architectural Designs is not responsible for any errors or omissions on the drawings.



GROUND FLOOR PLAN



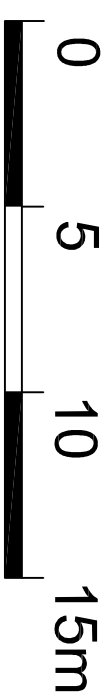
LOWER GROUND FLOOR PLAN

SCHEDULE OF ACCOMMODATION		
	1 BEDROOM APARTMENT	AREAS (m ²)
LOWER GROUND	3	217
GROUND FLOOR	14	664
FIRST FLOOR	14	674
SECOND FLOOR	2	152
TOTALS	33	1707

REF.	DATE	DETAILS
BM ARCHITECTURAL DESIGNS APARTMENT 8 224 GREAT CLOWES STREET MANCHESTER M7 2ZS TEL: 07415 493002		
PROJECT: PROPOSAL FOR 33 x 1 BEDROOM APARTMENTS AT 224 GREAT CLOWES STREET, MANCHESTER M7 2ZS		
CLIENT: CASSEL AND FLETCHER PROPERTY MANAGEMENT LTD.		
TITLE: PROPOSED GROUND AND LOWER GROUND FLOOR PLANS		
SCALE: 1:100@A1 DATE: AUG. 2020 DRAWN: BM		
STATUS: PLANNING CHECKED: NF		
DRAWING NO: BPW/0820/STAM/PL04, REV:		

This page is intentionally left blank

SCALE 1:200 @ A1



WASTE STORAGE AND COLLECTION STRATEGY	
NUMBER OF 1 BEDROOM APARTMENTS=	33
TOTAL NUMBER OF PEOPLE USING RATIO OF 1.5/ APARTMENT=	50
NUMBERS OF BINS PROVISION=	
GENERAL WASTE	2
PAPER RE-CYCLE	2
PLASTIC/ GLASS/ METAL RE-CYCLE	2
NOTE: 1 bin = 1280 litre (1280w x 1000d x 1450h) powder coated galvanised steel wheelite bin	

This page is intentionally left blank

Carson House Care Centre, 30 Stamford Street, Stalybridge, SK15 1JZ



Map area bounded by: 396258,398617 396400,398759. Produced on 24 August 2020 from the OS National Geographic Database. Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey. © Crown copyright 2020. Supplied by UKPlanningMaps.com a licensed OS partner (100054135). Unique plan reference: p2buk/497844/675018

This page is intentionally left blank

Photo 1: View of the north western section of the building, viewed from Stamford Street



Photo 2: view of the south eastern section of the building on the junction of Stamford Street and Blandford Street



Photo 3: View of the rear portion of the site from Blandford Street (south eastern boundary)



This page is intentionally left blank

Application Number 19/00489/FUL

Proposal	Proposed residential development of 21no. family homes and associated works - Amended plan to create temporary construction access from Stamford Road
Site	Land at Brookfields, Mossley
Applicant	Clements Court Properties limited
Recommendation	Members resolve to grant planning permission subject to completion of a Section 106 Agreement.
Reason for Report	A Speakers Panel decision is required because the application constitutes a major development. There have also been requests to speak.

1.0 APPLICATION DESCRIPTION

- 1.1 The application seeks full planning permission for a residential development of 21 detached 4 and 5 bedroom properties. The properties would be a mixture of 2 and 3 storeys in height.
- 1.2 The development would comprise of dwellings set around 2 cul-de-sacs with access taken from Spring Street. The properties would in the main be positioned along an east / west axis to address site levels. A number of retaining works would be required as part of the overall development proposals.
- 1.3 A series of highway improvements are proposed to Spring Street including the widening of the existing carriageway, provision of new pedestrian pavements and the provision of dedicated off-street car parking areas for 23 vehicles. A temporary layby access is proposed off Stamford Road to the west of the site to accommodate construction traffic. This area of land is owned by TMBC, access would be granted via licence agreement with the Council which would be agreed separate of the planning process. The intention is for vehicles to unload at Stamford Street via a tower crane located at a lower level. Once works are complete the existing wall to Stamford Street would be reinstated.
- 1.4 It is proposed to retain an area of land within the northern boundary as public open space, this would be maintained by a management company. An existing footpath linking Mill Lane to Stamford Street would be upgraded with new surfacing handrails and lighting where appropriate.
- 1.5 There would be 23 individual and 18 groups of trees lost to the development. A comprehensive landscaping package is proposed which also include the retention and management of 0.9ha of open space on a natural/amenity basis.
- 1.6 A viability appraisal has been tested as part of the application. With the provision of on-site managed open space and highway improvement works 25k is offered towards additional infrastructure.
- 1.7 The proposed accommodation would consist of 5 different house types including 11 x 4 bedroom and 10 x 5 bedroom dwellings. The accommodation would measure from 146sqm to 198sqm. Off road parking for a minimum of 2 vehicles and a garage would be provided to all units. It is proposed that the dwellings would be constructed from a modular system which allows for the quicker construction but also creates a very efficient building. The materials are stipulated as Buff Stone and Slate Grey Tile with anthracite Grey windows, other feature

include stone heads and cills and chimney stacks. The applicant requests that these details should be conditioned.

1.8 The application has been supported by the following document;

- Ecology survey;
- Economic Benefits Summary
- Phase 1 Desktop Study;
- Flood Risk Assessment;
- Invasive Species Treatment plan;
- Noise impact Assessment;
- Land Stability Report;
- Topographical Survey;
- Planning Statement;
- Design & Access Statement;
- Construction Management Plan;
- Statement of Community Involvement;
- Traffic Assessment;
- Tree Survey & Arboricultural Impact Assessment;
- Proposed Drainage Strategy;
- Full Plans Package and Landscaping Details;
- Viability Appraisal.

2.0 SITE & SURROUNDINGS

- 2.1 The application relates to an area of undeveloped land to the south of Mossley town centre. The site is irregular in shape and covers an area of approximately 2.2 hectares. The site is bounded by Stamford Road to the west, railway to the south, Spring/Archer Street to the East and Carhill Road to the north, levels falls steeply to the railway line boundary. The site has not been previously developed and is heavily vegetated with numerous mature trees and shrubs throughout the site and across its boundaries.
- 2.2 Mossley Town centre can be accessed via pedestrian footpath which crosses the site and links Mill Lane to Stamford Road. Spring / Archer Street loop around Vernon Street and connect to Mill Lane to the north, this is a steep road that connects to Manchester Road to the east via a restricted access under the railway line and Carhill Road to the north. Mill Lane also serves as the primary access to Milton Saint John's C of E primary school. Mill Lane and the surrounding streets are subject to a 20mph speed restriction.
- 2.3 The side streets off Mill Lane support dense terrace properties. On-street parking is in high demand with double parked vehicles. Land off Archer Street is used informally for vehicle parking.
- 2.4 The redline boundary extends toward Stamford Road. This includes land within the ownership of TMBC. Stamford Road is the main highway which connects "Bottom" Mossley to "Top" Mossley. The Red Line extends to the west of no. 46 Stamford Road. This includes a 3m wide pavement bordered by a 1m high stone boundary wall.

3.0 PLANNING HISTORY

- 3.1 889/03/24518 –Create residential development and public open space – Outline on land off Stamford Road and Brookfields - Planning Permission refused 29/11/89.

- 3.2 09/01066/FUL – Erection of 10no. houses with car parking on site adjacent to Spring Street and Brookfields – Withdrawn on 28/1/10.

4.0 RELEVANT PLANNING POLICIES

- 4.1 National Planning Policy Framework (NPPF)

- 4.2 Planning Practice Guidance (PPG)

- 4.3 **Tameside Unitary Development Plan (UDP) Allocation:** Unallocated immediately bordering Green Belt & Site of Biological Importance.

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;
- 1.11: Conserving Built Heritage and Retaining Local Identity;
- 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.
- Tameside Open Space Review 2018

4.7 National Planning Policy Framework (NPPF)

- Section 2 Achieving sustainable development
- Section 8 Promoting healthy and safe communities
- Section 9 Promoting sustainable travel

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
Section 15 Conserving and enhancing the natural environment

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.

5.0 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 affecting a Public right of way:

- Neighbour notification letters to 211 addresses on two occasions
- Display of site notices
- Advertisement in the local press

6.0 RESPONSES FROM CONSULTEES (SUMMARISED)

6.1 Arboricultural Officer – The proposals retain many of the existing trees on the boundaries that will provide screening to the surrounding properties. Also to be retained are many Category B2 trees and the only Category B1 tree on site. Recommend that all the trees to be retained should be protected to BS5837 during all works. The species for the proposed new street, native and ornamental plantings are appropriate to the planned development. The retention/enhancement of the naturalised wildlife area on the northern side of the development is particularly desirable.

6.2 Contaminated Land – No objections subject to recommended conditions requiring further site investigations.

6.3 Environment Health Officer – Supportive of recommendations within the submitted noise assessment and request that the mitigation measures are conditioned. Further recommendation relating to controls on construction hours.

6.4 Greater Manchester Ecology Unit – The development will result in the loss of over 1ha of semi-natural habitats. Around 0.9ha is however being retained providing potential for on-site mitigation. Other potential ecological issues include invasive species, nesting birds and potentially badgers.

No evidence of any protected species was found on the site and the site assessed as low risk for all species. GMEU have no reason to doubt these conclusions. As the site was densely vegetated however, making detailed surveys difficult in some areas, pre-cautionary measures have been recommended for badgers and slow worms which can be addressed by a condition.

Section 170 of the NPPF 2019 states that the planning system should contribute to and enhance the natural and local environment. The development will result in the loss of around 1.2ha of moderate and high value habitat, which are currently in poor condition and are widespread in Greater Manchester. It will also result in the loss of associated bird nesting

habitat. 0.9ha will be retained and broad enhancement measure proposed, including tree planting, management of the retained woodland and provision of bird boxes.

Given the nature of the habitats that would be lost, the area of land available for mitigation and the developers commitment to provide mitigation, GMEU are satisfied that net gain can be achieved, through production and implementation of a 5 year management plan that brings the retained habitat to a good condition (through removal of invasive species; diversification of age structure and species composition of the canopy, diversification of the shrub layer and introduction of native ground flora) and production of bird nest box strategy both within the retained woodland and a the proposed housing development. (Provision of boxes suitable for woodland species and provision for typical urban species on housing such as house martin, swift, house sparrow and starling on the new build). Recommend that conditions are applied to secure this.

6.5 Greater Manchester Archaeology Advisory Unit – 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.

6.6 Highway Authority – Recommend a conditional approval. Comments provided are as follows;

The original plan submitted to the LHA involved the majority of the site traffic to the development using Spring Street, Vernon Street and Archer Street requiring parking restrictions and excessive vehicle traffic movements around the side streets which was not acceptable to the LHA and local residents.

The revised plan proposes that a temporary access/delivery area be constructed off Stamford Road which will be route signed from all the major principle roads to the proposed temporary delivery area, this will result in Spring Street, Vernon Street and Archer Street no longer having HGV traffic accessing the new development and the side streets will be restricted to 10 tonne, four wheeled vehicles for any delivery's. This temporary access satisfies the LHA's concerns regarding visibility splays of construction vehicles entering and leaving the site and re-joining Stamford Road and along with the proposed managed delivery system and dedicated banksmen that we are satisfied with the proposals.

The extra Vehicle journeys generated from the proposed site are considered negligible and will not have a significant impact on the local highway in the vicinity of the site and along with:-

1. The proposed construction of residents' parking spaces relieving congestion at the junctions of Mill Lane with Spring Street, Vernon Street and Archer Street, improve traffic movements and pedestrian visibility at these locations.
2. Improved vehicular visibility splays at Archer Street with build outs to the existing footways
3. Footway improvements to adjoining streets with dropped crossing facilities and improved St. Lighting.

Therefore the LHA are satisfied that the Development does not have an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

This internal layout has been designed to promote low traffic speeds and create a safe environment for pedestrians and other road user's, incorporating various traffic calming measures within the site including speed tables and 20 mph zones.

A planning condition has been included for a requirement for an Electric Vehicle Strategy to be Implemented on the site, along with the necessary infrastructure to facilitate the use of electric vehicles promoting more sustainable modes of travel.

- 6.7 Lead local Flood Authority – Have reviewed the Flood Risk Assessment and drainage strategy. The application is considered to be generally acceptable from a drainage perspective up to submission of plans and subject to detailed design to be reviewed through the discharge of condition process.
- 6.8 Mossley Town Council – reviewed the amendments and object to the temporary access resulting in serious traffic concerns. This an extremely busy road and the proposals will result in additional danger to pedestrians and vehicles. Loss of a historic wall would be detrimental to visual amenity. Main concerns with the development include overdevelopment of the site, potential for HGV's to become stranded, impact on the safety school children, loss of wildlife and important habitat, description of trees in unrealistic, ecological aspects overlooked, development should be treated in the same manner as Greaves Street which recently had an appeal dismissed owing to its local open space function and recognised deficiencies in the area.
- 6.9 Network Rail – No objection in principle to the development of the land. Provide advice on construction adjacent to the railway boundary. The developer/applicant must ensure that their proposal, both during construction and as a permanent arrangement, does not affect the safety, operation or integrity of the existing operational railway / Network Rail land. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air space and no encroachment of foundations onto Network Rail land and boundary treatments. Any construction works on site and any future maintenance works must be conducted solely within the applicant's land ownership.
- 6.10 Police (Secure by Design) – Satisfied with the recommendations within the Crime Impact Statement which should be conditioned on any approval.
- 6.11 PROW – Note that a definitive footpath MOS/81 crosses the site in an east / west direction. This will need to be taken into account as part of the design of the scheme and during the construction period. Any changes to the path (whether temporary or permanent) will need the correct legal order to be processed.
- 6.12 TFGM – No objections note that the site is accessible with bus stops within a 3 minute walk (Manchester Road) and Mossley railway station within a 10 minute Walk. TMBC should determine if they are satisfied with the conclusion of the Traffic Assessment. Supportive of improvement to footpath connectivity and make recommendation for a residential Travel Plan.
- 6.13 United Utilities – Submitted drainage details are acceptable in principle. Request that the drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing SRM-SHD-00-ZZ-DR-C-0100, Rev P1 which was prepared by Scott Hughes Design Ltd. For the avoidance of doubt, no surface water will be permitted to drain directly or indirectly into the public sewer. The development shall be completed in accordance with the approved details.

7.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- 7.1 Councillors Sharif, S. Homer & J. Homer object to the proposals. Raise serious concerns regarding the access arrangements for both construction traffic using Stamford Road and the future residents using Archer Street which is heavily congested. Stamford Road is the main highway serving Bottom Mossley to top Mossley and the access would cause complete chaos. Further traffic movements would be a risk to pupils of the primary school. Note that the topography is very challenging and this could result in local flooding issues. Concerns with regard to the loss of valued Green Space noting an appeal at Greaves street was recently dismissed on these grounds.

- 7.2 Jonathan Reynolds MP raised objection to the initial development in addition to the proposed temporary access arrangements. Considers that construction access using Stamford road would be highly disruptive to vehicle and pedestrians on the main thoroughfare between top and bottom Mossley. Equal concerns raised in relation to highway safety given the proximity on a bend. Archer Street not a suitable access and there are concerns that development would exacerbate congestion around Milton St John's school. Concerns specifically raised around the sites topography, its importance for wildlife and the adverse impact on residents of Mossley as a whole.
- 7.3 In response to the consultation undertaken there have been 256 letters of objection including a request to speak at the time of writing.
- 7.4 The following concerns have been raised with the individual object letters which are summarised as follows:
- 7.5 Highways concerns:
- The local highway network is severely congested.
 - The increase in traffic, noise and pollution will have a serious impact on residents of Spring Street, Vernon Street and Archer Street.
 - During Winter months the roads are completely inaccessible, the development will add to this pressure.
 - The plans show insufficient parking - they only take resident parking into consideration and not the additional parking and/or turning need created by the nearby school.
 - Will also remove valuable safe parking areas on and around Archer Street, Vernon Street and Spring Street. This area is used by many parents, especially those with prams for whom it is far too dangerous to get their babies out of the car on Mill Lane. Less parking in this area will ultimately mean more congestion on Mill Lane and more danger to the children.
 - Proximity to Milton St John primary school. At peak times, parking and traffic around the school is already causing safety concerns for local residents and parents. An increase in traffic in an area where there will be a lot of pedestrians and small children is dangerous and will increase the probability of danger of accidents to children.
 - Parking to dwellings is not compliant with the Councils own parking guidelines SPD.
 - No betterment to the highway infrastructure which is wholly inadequate to support further development.
 - Disagreement to the conclusion of the transport statement.
 - Poor visibility on Mill Lane often hampered by parked vehicles.
 - Stamford Rod inadequate for construction traffic, increase in disruption would impact highways safety, mud on the highway would be a safety concern.
 - Lorries often get stuck on Mill Lane.
 - Emergency Services would not be able to adequately serve the site due to current access constraints.
- 7.6 Design Concerns:
- The proposed buildings will be obtrusive and out of character with their surroundings.
 - Retaining walls to parking areas and along Brookfields are a poor design solution
 - Buildings too large for the site
 - Gradient would not work
 - Large retaining walls would be needed in several places, leaving residents with an expanse of concrete looming over the end of the streets.
 - Out of keeping with the size, style and building materials of properties in the locality
 - Density is too high for the site
- 7.7 Amenity Concerns:
- Noise and air pollution to surrounding residents.
 - Increased disturbance to residents during construction and then from traffic movements.

- Overshadowing and loss of outlook.
- The impact on the neighbours, particularly in terms of privacy and overlooking which will be exacerbated by the tree loss and lack of planting.
- Little Amenity space within the development.
- Does not comply with Councils Spacing Standards.

7.8 Green Space Trees & Ecology concerns:

- Site is Green Field and of a high biological importance.
- Application should be consistent with the recent dismissal of an appeal at Greaves Street for development on Green Space.
- Unacceptable loss of trees and detrimental wildlife impact.
- Already few green spaces within the area and this will add to local deficiencies.
- Disingenuous for the applicant to describe the site a wasteland.
- Area of habitat proposed is meagre in size.
- Land is used by badgers as habitat.
- NPPF states that where significant negative impacts on biodiversity cannot be avoided development should be refused.
- Development is not environmentally sustainable.

7.9 Social Infrastructure concerns:

- Local school are at capacity.
- Health Care provision is oversubscribed.
- Overdevelopment within Mossley which has seen a 12% population growth between 2001 – 2011 and infrastructure investment has not kept abreast.

7.10 Administrative concerns

- The agreement to allow construction traffic to access via Council land demonstrates bias and pre-determination.
- Breach of practice from the Council officers have obviously discussed and colluded with the developer in seriously inappropriate ways and reached a deal in a way which is in blatant conflict with the public scrutiny demanded in this legal process.

7.11 Other Concerns:

- Loss of functioning Space contrary to policy OL4.
- Development would cause mental and physical health issues.
- Development does not provide affordable housing suitable for the demographic of Mossley.
- Increase in flooding.
- Damaging to the character of Mossley.
- Reduction in property values.
- Abundance of 4bed+ properties for sale in Mossley.
- Development does not benefit community only greedy developers.
- Development of the site has been refused previously and this should be upheld.
- Safe levels could not be achieved and this would impact upon the safe use of the Public Right of Way through the site by increasing the gradient to 1 in 4.
- Queries raised over the ownership of the land and ability to provide parking spaces.
- Poor natural surveillance to the proposed parking areas.
- Existing drainage infrastructure inadequate.
- This is not sustainable development when people decide to move house due to this development and break up existing communities. Removing this amenity space is not in the best interests of resident's health and wellbeing.
- Gradients are unresolved and completely misleading.
- Development will upset the water table resulting in localised flooding.

- 7.12 An online petition with 564 signatures (accurate at the time of writing) objecting to the proposals under the following headline;

'Mossley, has an already at breaking point infrastructure, please help save this truly peaceful haven of green space, that children can and do enjoy exploring safely. Help save the wildlife and trees. Help stop the added congestion to Mill Lane and the school. Manchester Road residents are majorly affected too in the severe winter months, when access to Mill Lane is unavailable due to the heavy snow. This development will NOT benefit the community it will only benefit the developers and the government coffers!'

8.0 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.

9.0 INTRODUCTION

- 9.1 It is understood that the developer has been in consultation with the Council Estates department and has reached agreement in principle to access Council land as per details in the submitted construction management plan. The application has been assessed on the merits of these proposals. Conversations between the developer and the Council as landowner are independent of the planning process.

10.0 PRINCIPLE OF DEVELOPMENT

- 10.1 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.
- 10.2 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.

- 10.3 The site is located immediately to the south of Mossley Centre with easy access to both bus and train links. Commensurate to its central location within Mossley, the site would represent a sustainable location with regard to access to transport, local services and relevant amenities provided within Mossley. Historically there is some evidence that parts of the site having been developed, this also included, in part, landfill operations. Excluding peripheral areas which abut existing highways the land is wholly naturalised and should be considered as Greenfield for planning purposes.
- 10.4 It is unallocated and is not subject to any designations. Policy H2 applies to unallocated sites, it gives preference to the reuse of previously developed sites. It permits the development of Greenfield sites where an adequate five year supply of housing land cannot be demonstrated.
- 10.5 The site was included within a larger parcel of land which had been included within the Councils Strategic Housing Land Availability Assessment (SHLAA) it was identified under Ref MO133. This allocation effectively included the Brookfield's land in addition to TMBC land which abuts Stamford Road. It was envisaged that collectively this land parcel would support 84 dwellings. The parcel was however, dropped from the SHLAA, this appears to coincide with the Open Space review in 2018. The sites exclusion from the SHLAA does not prohibit its development, that can only be determined in the event of a successful planning case being presented.
- 10.6 By virtue of its undeveloped nature the site functions in a Green Space capacity, its function / typology within the Open Space review is identified as an area of Natural Space / Countryside. Policy OL4 of the UDP offers protection to non-designated functioning areas of land in similar use but which are not shown as Protected Green Spaces on the Proposals Map. Due consideration to policy OL4 is required as part of the assessment process.
- 10.7 Policy OL4 identifies a number of exceptions which may permit the release or redevelopment of land which functions both formally and informally as Green Space. The policy makes clear reference that the criteria should not apply if: *'part or all of the land involved would continue to fulfil a local need for amenity space, provide a valued sense of openness in the street scene, maintain the character and environmental quality of the area, maintain an open land corridor or substantial enclave of open space within the urban area, provide links to or continuity with wider areas of countryside, or form a wildlife corridor'*.
- 10.8 The sites value/function for the purposes of policy OL4 is as a natural area, its recreational function is limited by virtue of access constraints associated with the density of vegetation growth and local topography. The Open Space Assessment identifies that within Mossley 100% of the population have an acceptable access standard to Natural Space / Countryside (defined as a 10min walk). This reflects the towns position in relation to the Pennines / Peak Park and Huddersfield Canal. Within Tameside Borough only Longdendale is comparable to this standard. The Open space Strategy identifies within Mossley access to Amenity Space (managed space) is lower than the Borough average with only 64% of the population meeting the accessibility standard.
- 10.9 It is without doubt, from the number of representations received that, local support for the site is high and value is taken from its associated function as a wildlife haven within the locality. A balanced assessment is however, needed of the proposals and this is informed in part by the evidence base of the Open Space Assessment, in addition to consultation undertaken with the Arboricultural officer and Ecologists within GMEU. Crucially, both note that the site would not be developed in its entirety with a significant area to be retained and managed in perpetuity. The undeveloped managed area would equate to approximately 1.1ha, or 45% of the development site area.

- 10.10 GMEU have reviewed the Ecology survey and the recommended mitigation package and are satisfied with the conclusions. The habitat which would be lost to the development, is in a poor condition, being densely overgrown, home to invasive species and having had no routine management. They have assessed the proposals against Paragraph 170 of the NPPF and identified that adequate onsite net gain can be achieved by bringing the retained habitat up to a much improved condition which would secure the diversification of native flora and wildlife habitat. Management of all natural areas would be conditioned as part of a Landscape Ecological Management Plan and further conditions would ensure protection of wildlife during construction. The Arboricultural officer adds further weight to the planning balance by confirming that an adequate level of mitigation can be secured to compensate for the associated tree cover that would be lost.
- 10.11 With reference to the environmental effect of the development there would be a clear quantitative loss of natural open space as a result of the proposals. There would however, remain an adequate supply of Open Space within the locality, and in this regard it cannot be demonstrated that supply within the local community would be undermined. In recognition of the above an objection against policy OL4 could not be sustained, it is clear that this loss can be appropriately mitigated so as not to erode the wider ecological value or function of the area. The management of the onsite open space would improve accessibility and secure qualitative improvements to local habitats and the sites overall ecological value. The provision of managed amenity space would also help to address the identified deficiency of this typology of open space within the Mossley area.
- 10.12 Housing Supply, 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.
- 10.13 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.
- 10.14 The site is located on the periphery of Mossley town centre which is directly accessible via the public right of way which crosses the site. Its central location within the urban fabric means that it is within catchment of essential services and amenities. The location is considered accessible and 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.

11.0 HIGHWAYS AND ACCESS

- 11.1 The development would take its primary pedestrian and vehicle access from Spring Street, which along with Vernon Street and Archer Street provide access to the wider highway network via Mill Lane and Carrhill Road. To address current parking capacity issues, visibility and pedestrian safety associated with Spring Street, Vernon Street and Archer Street the following improvements are proposed which would need to be secured through a section 106 agreement:
- Construction 23 residents parking spaces off Spring Street;
 - Realignment to Spring Street carriageway to allow build out of the existing footways and improved visibility;
 - Improved footways, dropped crossing and street lighting to Spring Street; and

- Any relevant signage.
- 11.2 A development of 21 dwellings does not generate a significant number of daily vehicle movements. The location of the site within walking distances of Mossley town centre and public transport options would also be a mitigating factor. A Transport Statement has accompanied the application which identifies that vehicle movements are predicted as 4 into the site / 8 out in the am peak (1 vehicle trip every 5 min) and 7 in / 4 out in the PM peak, crucially the PM movements would be outside of the core school opening times of Milton St Johns Primary School. The Local Highway Authority (LHA) have assessed the traffic generation against the TRICS database and confirm that it represents an adequate assessment. The Transport statement concludes that vehicle movements would not be perceivable from existing traffic flows and this position is supported by the LHA and TFGM in their independent assessments.
- 11.3 Spring Street along with Archer Street and Vernon Street which feed onto Mill Lane are all adopted but the width of the carriageway is restricted in places. The terraced nature of the local housing stock dictates that there is high dependence upon on street car parking, double parking is common and vehicles also tend to park informally on land alongside of Archer Street, this results in disturbance to the ground and impacts negatively on visual amenity. Site visits confirm that current parking arrangements can present an obstacle to highway users. These concerns, along with general issues over the capacity of the highway, have been raised extensively within the representations received.
- 11.4 Policy T1 requires all developments are designed to improve the safety for all road users. Likewise Paragraph 109 of the NPPF confirms that development should be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 11.5 The LHA comments are detailed within the consultation section of the report. The current conditions and highway capacity of the locality is well understood. The LHA accept that the mitigation measures proposed would represent a significant improvement to the existing circumstances for highway users of Spring Street, Archer Street and Vernon Street, and this would be secured in perpetuity. They also confirm that trip generation for the site would not be significant and that the development accords with the objectives of Manual for Streets, in terms of visibility splays, and highway geometry. It would be recommended that the highway mitigation measures are delivered as part of an initial phase of the development proposals to improve safety and capacity at the sites access.
- 11.6 Whilst the LHA have been comfortable with the scale of the development they had maintained concerns in relation to construction traffic and the ability access via Carrhill Road / Mill Lane. This would have required parking restrictions and excessive vehicle traffic movements around the side streets that was not acceptable to the LHA, such an arrangement would cause significant disruption to local residents, the ability to mitigate this through a construction management plan would not have been practical to enforce by the LHA or LPA.
- 11.7 The inclusion of the temporary access has been scrutinised within many of the objections received, including those from Local Members. Concerns have also been raised with regard to the Councils involvement as landowner. In terms of the planning process the applicant has extended the redline boundary to include the land concerned and they have also served relevant notice on the Council. The planning merits are informed by the technical consultation responses in addition to matters raised within the representations.
- 11.8 The revised plan allows for a temporary construction access on Stamford Road. This is the main connecting highways between Manchester Road and Mossley town centre; it presently serves commercial traffic and has sufficient capacity to accommodate movement associated during a temporary construction period. A Construction Management Plan (CMP) has been submitted which details how vehicle routing would be accommodated. This would comprise

of a dedicated layby created on made ground to allow vehicles to pull in off Stamford Road and not prohibit the movement of traffic. The visibility splay at the point of exit would be 2.4m x 43m which accords with Manual for Streets and is acceptable to the LHA. Proposals include signage along all local (principle) roads directing vehicles to the proposed temporary delivery area, this will result in Spring Street, Vernon Street and Archer Street not having to accommodate HGV traffic. This temporary access mitigates the LHA's concerns regarding construction traffic being able to serve the development in a safe manner. It presents a viable solution to an identified problem which would also have the least intrusive impact upon residents. Agreement for the access arrangement would require further approval from the landowner (TMBC Estates) via a separate arrangement to a planning application. Planning conditions would need to be applied governing the proposed managed delivery system as detailed in the CMP, highway construction details and overall phasing of the development.

- 11.9 The internal road within the development is designed with traffic management measures including speed tables 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 a minimum of 2 off street parking spaces which are accessible and well overlooked. The design layout ensures there is also adequate capacity for on-street visitor parking as well as appropriate turning provision for refuse and fire appliances. The design and highway layout is deemed acceptable against the standards of the Tameside Residential Design Guide.
- 11.10 The site is crossed by footpath MOS/81. The path would be retained along its alignment with additional points of access to both the site and Spring Street also proposed. Improvements are proposed to the surfacing, lighting and handrails which would be included as part of wider site landscaping details. The gradient of the existing footpath is extremely steep in parts, the development would provide an added option of pedestrian access being taken via the access road / cul-de- sac to circumvent the steepest section. Whilst there would inevitably be some disruption to the use of the PRow during the construction period this would be for a limited period of time only, careful planning of the construction phases of the development can ensure it remains accessible which may or may not require a temporary diversion of the right of way.
- 11.11 In recognition of the above issues the development has appropriately demonstrated that safe and convenient access can be achieved to meet all highway users' requirements. The disruption associated with traffic during the construction period can be managed in a viable manner to ensure minimal disruption would occur during the temporary period. The development would secure a positive intervention by virtue of increased parking capacity on Spring Street, new pedestrian footways and improved visibility splays Vernon/Archer/Spring Street junction would also secure a positive highway legacy. This is therefore considered to be in compliance with the requirements of T1, T7, T10 and T11 and NPPF paragraph 109.

12.0 DESIGN AND LAYOUT

- 12.1 Policies C1 and H10 seeks to ensure that developments are designed to respect their surroundings and contribute positively to the character of the area, having particular regard to the layout, density, design, scale, height, massing, appearance, materials and landscaping prevalent in the area. New development should be compatible with the local character and encourage local distinctiveness through the use of appropriate and high-quality building materials, architectural detailing and boundary treatment.
- 12.2 The development would be around two cul-de-sacs which lead off from the primary access onto Spring Street. The accommodation includes 5 house types which would all be of a detached nature, the design includes a traditional 2 storey to split level 2/3 and outright 3 storey dwellings. The range of house types and design is influenced by topography within

the site. The site levels are challenging but not insurmountable and the layout as presented responds appropriately to this by ensuring suitable levels of access and interface distances can be achieved to all proposed dwellings.

- 12.3 In addition the larger area of managed open space there would be further pockets to the rear of plots on Stamford Road. The level of retained open space along with the parking provision off Spring Street give a very low housing density of just 9 dwellings per hectare. Whilst planning policy seeks to maximise densities within urban areas served by public transport, owing to site constraints, it would not be desirable in this instance.
- 12.4 The properties proposed would provide desirable family housing. They would be large dwellings benefiting from well-proportioned internal and external space. All of the properties have usable gardens and they would be served with private front to rear access which allow for the storage of bins outside of the public domain.
- 12.5 The design and housing mix would create visual interest. The elevations are traditional in appearance and draw upon features and materials which are well established in the locality. The exact materials would need to be agreed as part of a condition, however, a commitment to the use of stone, slate and features such as heads/cills along with chimneys provide a sufficient quality.
- 12.6 The siting of the properties follows a structured hierarchy based around the access road. This would provide clear legibility throughout the site with good levels of surveillance. Parking is well integrated within plots ensuring that hard surfacing would not dominate frontages. The provision of well-proportioned garden spaces also allows for structured tree planting to the highway boundary to the significant benefit of overall amenity and place. Key features include the retained onsite public open space, improvements to PRoW MOS/81 and structured landscaping to the Archer Street boundary, all of which would aid integration to the existing settlement and soften the impact of the development considerably.
- 12.7 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 and providing a complimentary structure to the estates highway. It is noted that retaining structure will be required within some public facing areas, the details and construction of these would need to be addressed by a condition. The hard landscaping materials would need to be of a sufficient quality to ensure no visual harm occurs.
- 12.8 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. The scale and density of the development is reflective to that of properties within Mossley which has a broadening housing mix, the traditional approach to design would allow the developments to integrate successfully and promote the regeneration of the overall area. It is therefore considered that the proposal adheres to the objectives of policy C1 and H10.

13.0 DESIGN AND RESIDENTIAL AMENITY

- 13.1 The adopted policies within the Council's Residential Design Guide Supplementary Planning Document 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. Paragraph 127 of the NPPF states that development should seek to provide a high standard of amenity for existing and future users alike. This is reflected in

policy H10 and the recommendations of the Residential Design Guide SPD, the guidelines of which seek to ensure that all development has regard to the amenity of existing and proposed properties.

- 13.2 Whilst the site is located within a relatively central location to Mossley it is somewhat isolated from surrounding development. Stamford Road and the adjacent Transpennine railway line provide strong boundaries and the site is somewhat detached from existing properties as a result. Dwellings on Stamford Road occupy a much higher level, which taken with the intervening spacing distance would ensure that levels of privacy and outlook are not impacted. Likewise the orientation and separation to properties on Spring, Archer and Vernon street dictates that occupants of these properties would not be overlooked.
- 13.3 Disruption from the development would be mainly attributable to the construction phase of the development. To minimise this conditions would need to be applied to address working practices to address noise and dust controls, as stated within the CMP are adhered to, further to this working hours can also be conditioned to ensure residents amenity is protected. Environmental Health have no objections to the proposals. As stated, vehicle movements to/from the site would not be discernible above that of existing highway users, the proposals would not give rise to undue impacts.
- 13.4 With regard to the amenity which will be afforded to the residents of the development it is of note that each of the properties meets with the technical housing standards. The close proximity of the site to existing Mossley Town Centre, transport links, nearby local amenities, employment opportunities and open space means that residents would also benefit from good access to local services.

14.0 LANDSCAPING & TREES

- 14.1 As identified previously Paragraph 170 of the NPPF 2018 states that the planning system should contribute to and enhance the natural and local environment. The site currently has a good ecological value, associated with the level of tree and vegetation cover.
- 14.2 The tree survey identified 87 individual and groups of trees within the site. Species include mature Oak, Sycamore, Ash, Birch and Willow. The survey identifies that in total 23 individual and 18 groups of trees would require removal
- 14.3 The applicant states that the hard and soft landscaping in this scheme is designed to be sympathetic to the surrounding area.
- 14.4 An indicative Landscape Masterplan and Biodiversity Enhancement Strategy has been submitted with the application setting out the overall strategy for the site. All of the retained onsite open space, including the car parking areas, would be subject to a private management agreement with future occupiers. In summary, this involves the following:
- Retaining existing vegetation wherever possible and ensuring its protection during the proposed construction work using industry standard methods;
 - Retaining the existing drystone walling within the site (where feasible);
 - Invasive vegetation management;
 - Woodland management to retained area of open space;
 - Introduction of native tree planting within open space areas and gardens where feasible;
 - Introduction of native wildflower planting to open areas;
 - Ornamental hedgerow and shrub planting will be provided within the development plots to define external spaces;
 - Habitat provision in the form bird, bat, insect boxes through the landscaped area of the layout.

- 14.5 The proposals have been considered by the Council's Tree Officer along with GEMU who are supportive with the strategy and the overall level of planting which is proposed. The Tree Officer requires further assurance about the methods to be used for tree protection and recommends that a condition be attached to any approval requiring submission of additional information. Subject to this requirement, the proposals are considered to be in accordance with the requirements of policy N4, N5 and NPPF paragraph 170.
- 14.6 The level of retained onsite open space is significant and well proportioned to the scale of the development. The landscaping strategy makes appropriate provision for a suitable level of wildlife habitat. Whilst comments have been received regarding the potential impact of the proposals upon wildlife there is no evidence of any adverse effect upon protected species and the proposals are in accordance with policy N7: Protected Species.

15.0 DRAINAGE

- 15.1 The site is in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. There are a number of public sewers on the site, each of these will either be diverted to facilitate the development, or the recommended easement will be applied. A drainage strategy has been submitted with the application which has been reviewed respectfully by both the LLFA and United Utilities. They are satisfied with the level of investigation undertaken, the local geology would not support infiltration options but there is adequate opportunity to address surface water management via geocellular storage tanks. The full methodology of the site drainage is a matter of detail to be conditioned but for the purposes of the planning application Flood Risk and overall Water management has been appropriately investigated.

16.0 GROUND CONDITIONS

- 16.1 The Coal Authority records indicate that the site is not within a high risk mining area and, therefore, no specific coal mining risk investigation is required and any approval would be subject to the Coal Authority's standing advice only.

17.0 CONTRIBUTIONS

- 17.1 The scale of the development constitutes a major development which would otherwise be expected to meet thresholds for Affordable Housing, Green Space, Education and Highways contributions. The Council does not currently have an adopted SPD for infrastructure contributions, but financial contributions are identified via the online developer contributions calculator, they would equate as follows:
- Green Space £13,268
 - Education £27,895
 - Highways: £16,451
 - Total £57, 614
- 17.2 The applicant has submitted a viability report which has been reviewed by an independent consultant to provide an objective assessment. The report provides comment on the sites financial viability taking into account current market conditions. It includes assessment of a series of viability appraisals to assess the impact of the section 106 contributions. The result of this exercise has identified that viability is a material consideration. There are site specific abnormal costs associated with the ground conditions and engineering works equating to approximately £996k above expected costs.
- 17.3 The NPPF advises that the affordable housing should be provided on all major developments of 10 units or more unless it would exceed the level of affordable housing required in the

area. Policy H4 sets an affordable housing threshold of 25 or more dwellings or 1 hectare or more in size. The scale of the development falls below the 25 units threshold, whilst the redline does qualify on the sites area the site constraints are such that the actual development area for housing compared to that for open space and other infrastructure is not exceeded.

- 17.4 The independent viability appraisal has identified that a section 106 contribution of £25k could be secured. This position has been robustly tested for the purposes of the planning application. The Green Space contribution would be met through the on-site management of retained amenity space and enhanced connections, the highways mitigation was relating to Spring Street improvement and residents parking address would exceed any contribution otherwise identified by the developer contribution generator. It is therefore recommended that the 25k is allocated for education purposes.

18.0 OTHER ISSUES

- 18.1 Noise: - The majority of noise is transport based associated with rail traffic line. The EHO is satisfied that a suitable standard of amenity level can be achieved for the dwellings subject to recommendations for the noise survey.
- 18.2 Security:- Concerns have been raised with regard to the lack of surveillance across the proposed parking areas. The proposals are deemed a significant improvement to the unregulated parking arrangements currently experienced along Spring and Archer Street. New street lighting would ensure the areas are well lit which is also an improvement on current somewhat ad-hoc arrangements.
- 18.3 Economic: - In addition to jobs associated with the construction phases of development. The proximity of the dwellings to Mossley Town centre is likely to secure offsite local economic benefits associated by increased spend, in turn contributing to the viability and vitality of the centre.
- 18.4 Ground Conditions: - In view of the sites topography a desk study land stability appraisal accompanied the application. This identified that further site investigation will be required to inform the detailed design of the engineering solution. This detail can be suitably conditioned along with matters relating to the design of any retaining structures.

19.0 CONCLUSION

- 19.1 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.
- 19.2 A balanced assessment has been undertaken of the proposals and it is recommended that the application should be approved having regard to the policies of the Development Plan, National Guidance and all material considerations raised.
- 19.3 Policy H2 identifies that the development of Green Field sites can be tolerated where the Council cannot demonstrate a 5 housing supply. The sites former inclusion in the SHLAA identifies that the site was previously earmarked for residential development. The application relates to the partial development of a larger area of functioning open space. The adopted Opens Space Strategy has confirmed that land lost to the housing aspect of the development would not result in deficiencies within the Mossley Area. The management of the open space

to be retained would offset the impact of the developmental in accordance with NPPF paragraph 170.

- 19.4 The site is located within a sustainable location as demonstrated by immediate access to Mossley Town centre and the public transport network. The highways impacts have been reviewed and the LHA are satisfied that the site can be appropriately accessed. The temporary construction access can be accommodated and presents a viable alternative to preventing heavy construction vehicles having to navigate Mill Lane and Spring Street. Once constructed traffic movements associated with the development would not be significant. The improvements to the existing carriageway and footways on Spring & Archer Street along with dedicated parking mitigates the impact will secure long-term benefits to the amenity and safety of existing residents and highway users.
- 19.5 The redevelopment for residential purposes would be compatible with the Housing Strategy and would also be readily compatible with the residential nature of adjoining uses. The development would add to and contribute to much needed, good quality family housing in a period of documented under supply.
- 19.6 The design creates a positive and welcoming residential environment. The high quality properties would make a positive contribution to the local housing stock, in accordance with core principles of the NPPF.
- 19.7 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 would meet sustainability requirements and contribute positively to the Borough's affordable housing supply.

RECOMMENDATION

That the Assistant Director of Operations and Neighbourhoods be authorised to process any Traffic Regulation Order considered necessary (in connection with the approved development and indicated on the attached plan and in accordance with the Road Traffic Regulation Act 1984. Subject to the resolution of any objections received during the public consultation period.

That Members resolve that they would be MINDED TO GRANT planning permission for the development subject to the following:

- (i) To complete a suitable legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) to secure:
 - Management arrangements for open space
 - Provision of highway improvements to Spring/Archer Street including realignment of carriageway, new pedestrian footways and street lighting
 - Scheme to secure the provision of 23 parking spaces
 - Education provision: £25,000 to fund improvements at Milton St Johns School
- (ii) To have discretion to refuse the application appropriately in the circumstances where a S106 agreement has not been completed within a reasonable period of the resolution to grant planning permission;
- (iii) That Officers are afforded discretion to amend the wording of any conditions; and,
- (iv) That upon satisfactory completion of the above legal agreement that planning permission be GRANTED subject to the following conditions:

Planning Conditions:

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

- 2) The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved unless required by any other conditions in this permission.

2234-PL-700-02 Location Plan rev 2
2234-PL-700-01 Proposed Site Plan rev 7
2234-PL-700-06 Developable Area
2234-MG-SE-700-01 Site Section
2234-MG-SE-700-02 Site Section
2234-A-PL-200-01 The Elmstead - Proposed Plans rev 1
2234-B-PL-200-01 The Bromley - Proposed Plans rev 1
2234-C-PL-200-01 The Tilbury - Proposed Plans
2234-D-PL-200-01 The Oakley - Proposed Plans rev 1
2234-E-PL-200-01 The Westcliff - Proposed Plans rev 1
2234-PL-A-200-00 Single Garage Overview rev 1
2234-A-EL-200-01 The Elmstead - Proposed Plans
2234-B-EL-200-01 The Bromley - Proposed Plans
2234-C-EL-200-01 The Tilbury - Proposed Plans
2234-D-EL-200-01 The Oakley - Proposed Plans
2234-E-EL-200-01 The Westcliff - Proposed Plans
2234-VS-200-01 V1 House Type A
2234-VS-200-02 V2 House Type B
2234-VS-200-03 V3 House Type C
2234-VS-200-04 V4 House Type D
2234-VS-200-05 V5 House Type E
2234-VS-200-06 V6 Site Overview
0535-PLI-ZZ-GF-DR-L-0300 Tree Retention / Removal Plan
0535-PLI-ZZ-GF-DR-L-0120 Proposed Site Plan (landscaping) P01
Soft Landscape and Ecological Enhancement P01
3453-SHD-00-ZZ-DR-C-0001 Proposed Levels P4
3526-SHD-00-ZZ-M3-C-0002 Drainage Strategy Plan P1
3526-SHD-00-ZZ-M3-C-0003 Overland Flood Flow Routes P1

Reports:

5789.01 TS JUL 18 Tree Survey R8
Design and Access Statement REV 1
Brookfields Construction Management Plan Construction Management Plan Rev 1
Methodology & Construction Management plan REV 2
Planning Addendum & Update 01/10/20
Economic Benefits Summary Statement
Planning Statement
Statement of Community Involvement
Crime Impact Statement 19-0237 Carrhill Road
MG.5789.TSR.JUL18 Tree Survey Report
Brookfields Ecological Appraisal
Environmental Noise Study R1640-REP01-JR
MC/18618/TS/00 Transport Assessment
SCP_18618_TS Addendum November 19 Transport Statement Addendum
C19462 Phase 1 Desktop Study Phase 1 Desktop Study - C19462 Rev A
18056 ReV A Full Land Stability Report Land Stability Assessment rev A

Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policies and relevant national Planning Guidance

- 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.

Reason: In the interests of the visual amenities of the locality, in accordance with policies H10: Detailed Design of Housing Developments, OL10: Landscape Quality and Character and C1: Townscape and Urban Form

- 4) The car parking indicated on the approved plan 2234-PL-700-01 Proposed Site Plan rev 7 shall be provided to the full satisfaction of the Local Planning Authority and thereafter kept unobstructed and available for its intended purpose. The areas shall be maintained and kept available for the parking of vehicles at all times.

Reason: In the interest of highway safety, in accordance with UDP Policy T1: Highway Improvement and Traffic Management.

- 5) No work shall take place in respect to the construction of the approved highway, as indicated on the approved site plan, until a scheme relevant to highway construction has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of:

1. Phasing and implementation plan of all highway works
2. Wheel Washing Facilities;
3. Provisions for Staff/Visitor parking;
4. Temporary access and turning facilities;
5. Surface and drainage details of all carriageways and footways;
6. Details of the works to the reinstatement of redundant vehicle access points as continuous footway to adoptable standards following the completion of the construction phase;
7. Details of an Approval in Principle must be obtained for the proposed retaining wall/culverted watercourses shown on the approved plan including reinstatement of the retaining wall at Stamford Road for temporary works and submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, (note this does not define adoption of the asset but merely the design constraints should they be approved by the LHA.)
8. Full construction details relevant to surfacing, signage, lighting and hand rails to PRow MOS/81;
9. Details of the areas of the highway network within the site to be constructed to adoptable standards and the specification of the construction of these areas;
10. Details of carriageway markings and signage; and
11. Details of a lighting scheme to provide street lighting (to an adoptable standard), to the shared private driveway and pedestrian/cycle pathways 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.

No part of the approved development shall be occupied until the approved highways works have been constructed in accordance with the approved details or phasing plan and the development shall be retained as such thereafter.

Reason: In the interest of highway safety, in accordance with UDP PolicyT1: Highway Improvement and Traffic Management.

- 6) The phasing of highway improvement works to Spring and Archer Street required by condition 5 shall be completed within the first phase of the development within a strict time scale to be agreed in writing with the Local Planning authority. Approval to the phasing shall be agreed prior to the commencement of development.

Reason: To mitigate the impacts of the development in the interest of highway safety, in accordance with UDP PolicyT1: Highway Improvement and Traffic Management.

- 7) The car parking spaces to serve each dwelling as part of the development hereby approved shall be laid out as shown on the approved site plan prior to the first occupation of that dwelling and shall be retained free from obstruction for their intended use thereafter. Driveways shall be constructed on a level which prevents displacement of materials or surface water onto the highway and shall be retained as such thereafter.

Reason: In the interest of highway safety, in accordance with UDP Policy T1: Highway Improvement and Traffic Management.

- 8) Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety, in accordance with UDP Policy T1: Highway Improvement and Traffic Management.

- 9) Notwithstanding the details shown on the approved plans, prior to the commencement of development above ground level, details of traffic calming measures to be installed within the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- Scaled plans showing the exact locations in which the traffic calming measures are to be installed;
- Scaled section plans showing the dimensions of each of the traffic calming measures to be installed; and
- Details of the construction materials and finish of the traffic calming measures to be installed.

The traffic calming measures shall be installed in accordance with the approved details, prior to the internal highway is opened up to the general public and shall be retained as such thereafter.

Reason: In the interest of highway safety, in accordance with UDP PolicyT1: Highway Improvement and Traffic Management.

- 10) As indicated on the approved plan, prior to the first occupation of the development hereby approved each house shall be provided with an electric vehicle charging facility. The specification of the charging points installed shall:
 - i. be designed and installed in accordance with the appropriate parts of BS EN 61851 (or any subsequent replacement standard in effect at the date of the installation);

- ii. have a minimum rated output of 7 kW, measured or calculated at a nominal supply voltage of 230VAC;
- iii. be fitted with a universal socket (known as an untethered electric vehicle charge point);
- iv. be fitted with a charging equipment status indicator using lights, LEDs or display;
- v. a minimum of Mode 3 or equivalent.

Reason: In the interests of sustainability to promote reduced carbon transport.

- 11) Prior to occupation details of a residential Green Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan along with any relevant monitoring techniques shall be implemented to the satisfaction of the local Planning Authority prior to occupation of any part of the development.

Reason: In the interest of promoting use of public transport and reducing environmental impact, in accordance with UDP Policies T1: Highway Improvement and Traffic Management and T11 Travel Plans

- 12) 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.

Reason: To protect the amenities of occupants of nearby properties/dwelling houses in accordance with UDP policies 1.12 and E6.

- 13) 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.

Reason: To ensure any unacceptable risks posed by contamination are appropriately addressed and the site is suitable for its proposed use in accordance with paragraph 178 of the National Planning Policy Framework.

14) No development shall take place until detailed drainage details have been submitted for approval in writing to the Local Planning Authority the details shall include:

- (a) That foul and surface water shall be drained on separate systems unless otherwise agreed with the utility provider.
- (b) Submission of full foul and surface water drainage details including CCTV surveys and assessment of existing culverts and sewer diversions as deemed necessary
- (c) a scheme to reduce surface water run-off by a minimum of 30% and a programme of works for implementation.

Thereafter no part of the development shall be occupied or brought into use until the approved scheme has either been fully implemented or implemented within an agreed timescale. The approved scheme shall be retained throughout the life of the development.

Reason: To ensure proper drainage of the area, in accordance with UDP policy U3 Water Services for Developments and Section 14 NPPF.

15) The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing SRM-SHD-00-ZZ-DR-C-0100, Rev P1 which was prepared by Scott Hughes Design Ltd. For the avoidance of doubt, no surface water will be permitted to drain directly or indirectly into the public sewer. The development shall be completed in accordance with the approved details.
Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

Reason: To ensure proper drainage of the area, in accordance with UDP policy U3 Water Services for Developments and Section 14 NPPF.

16) No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.

Reason: In the interests of biodiversity in accordance with policy N7: Protected Species

17) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans (0535-PLI-ZZ-GF-DR-L-0300 Tree Retention / Removal Plan) and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To safeguard existing trees, in the interest of visual amenity.

18) Notwithstanding any description of boundary treatments and materials listed in the application or detailed on the approved plans, no works shall be undertaken to any retaining walls or features until full details have been provided in writing to the Local Planning Authority. The details shall include specification of all materials, cross-sections and elevation drawing. The approved details shall be implemented in accordance with a timetable to be agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality, in accordance with policies H10: Detailed Design of Housing Developments, OL10: Landscape Quality and Character and C1: Townscape and Urban Form.

- 19) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas for shall be submitted to and approved by the Local Planning Authority prior to the occupation of the first dwelling. The landscape management plan shall be carried out in accordance with the approved plan and in accordance with timetable to be agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality, in accordance with policies H10: Detailed Design of Housing Developments, OL10: Landscape Quality and Character and C1: Townscape and Urban Form.

- 20) Dust suppression equipment in the form of sprinklers or water bowsers shall be employed at the site at all times. During periods of hot or dry weather water suppression shall be undertaken at regular intervals to prevent any migration of dust from the site. All surface water run off associated with the equipment shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway at any time.

Reason: In the interests of air quality and local residential amenity.

- 21) During vegetation clearance an ecological clerk of works will be present to check for evidence of badgers and other potential ecological issues. If a badger sett is found work will cease in proximity to the sett and a badger report produced to assess the potential level of impact to the local badger population and describe any avoidance and or mitigation measures that are required, supplied to and agreed in writing by the LPA.

Reason: In the interests of biodiversity to ensure sufficient protection is afforded to wildlife in accordance with policy N7: Protected Species.

- 22) Prior to any site clearance a reasonable avoidance measures method statement for slow worms shall be supplied to and agreed in writing by the LPA.

Reason: In the interests of biodiversity to ensure sufficient protection is afforded to wildlife in accordance with policy N7: Protected Species.

- 23) Prior to any earthworks a method statement detailing eradication and/or control and/or avoidance measures for Himalayan balsam, Japanese knotweed and rhododendron should be supplied to and agreed in writing to the LPA. The agreed method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the LPA.

Reason: in the interests of biodiversity to secure nature improvement.

- 24) No development shall take place until a landscape and environmental management plan has been submitted to and approved in writing by the LPA. The contents of the plan shall include:

- A 5 year management plan for retained habitats demonstrating how the habitats will be put in to good condition;
- A bird box strategy for the site including appropriate bird nesting opportunities both within the retained habitats and the development;

Reason: In the interests of biodiversity to ensure sufficient protection is afforded to wildlife in accordance with policy N7: Protected Species.

- 25) No development shall commence until full design details of the mitigation measures recommended in the Environmental Noise Study undertaken by Red Acoustics, reference R1640-REP01-JR, dated 29th March 2019, have been submitted to and approved in writing by the Local Planning Authority. 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.

Reason: To protect the amenities of future occupants from external noise in accordance with UDP policy H10.

- 26) Prior to the completion of the development a scheme shall be submitted to the Local Planning Authority for approval in writing detailing remediation works to the temporary construction access on Stamford Road. The scheme shall take account of the reinstatement of the boundary wall, any highway repairs, levelling and landscaping relevant to the works undertaken. The scheme shall be implemented prior to the completion of the development or in accordance with a timescale to be agreed in writing.

Reason: In the interest of visual amenity and highway safety, in accordance with UDP Policy T1: Highway Improvement and Traffic Management.

- 27) The development hereby approved shall be carried in accordance with the measures listed in the Security Strategy (Section 4) of the Crime Impact Statement version A: 18 April 2019 ref 2019/0237/CIS/01 submitted with the planning application and shall be retained as such thereafter.

Reason: In the interests of security local residential amenity.

- 28) A scheme for the Biodiversity Enhancement Measures, as set out in section 4.0 of the Ecological Assessment ref May 2019 by Dunelm Ecology 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.

Reason: In the interests of biodiversity to raise the biodiversity value of the site.

- 29) The details of an emergency telephone contact number for the site manager shall be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete.

Reason: In the interests of local residential amenity.

- 30) Unless otherwise instructed by the Local Planning Authority the development shall be constructed in full accordance with the recommendations and working practices detailed within the submitted Construction management Plans: Brookfields Construction Management Plan Construction Management Plan Rev 1 Methodology & Construction Management plan REV 2 throughout the construction of the development.

Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with UDP Policies H10: Detailed Design of Housing T1 Highway Improvement.

This page is intentionally left blank



This page is intentionally left blank

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 Group Ltd. All information hereon in is the copyright of Millson Group Ltd. Copying in full or part is forbidden without written permission from Millson Group Ltd.



Front Elevation
1 : 100



Right Elevation
1 : 100



Rear Elevation
1 : 100



Left Elevation
1 : 100

Rev	Revision History	By	Date
Client:			
Clements Court Properties Ltd			
Drawing:			
The Bromley - Proposed Elevations			
Drawing Number:			
2234 - B-EL-200-01			
Scale:	Size:	Date:	
1 : 100	A3	06/02/18	
Drawn:	Checked:	Rev:	
LS	JW		
Status:			
PLANNING			



Byron House
10-12 Kennedy St
Manchester M2 4BY
0161 228 0558
www.millsongroup.co.uk
info@millsongroup.co.uk

2234 - Brookfields

This page is intentionally left blank



Rev	Revision History	By	Date
-----	------------------	----	------

Client:

Clements Court Properties Ltd

Drawing:

Development Areas

Drawing
Number:

2234 - PL-700-06

Scale: 1 : 1000	Size: A2	Date: 03/11/2020
Drawn: LS	Checked: PJM	Rev:
Status: PLANNING		



Millson
GROUP

Byron House
10-12 Kennedy St
Manchester M2 4BY
0161 228 0558
www.millsongroup.co.uk
info@millsongroup.co.uk

2234 - Brookfields, Mossley

This page is intentionally left blank



LEGEND

- 01 Terraced upper gardens maximising retention of boundary trees
- 02 Terraced lower gardens creating usable lawn space
- 03 Landscape buffer planting
- 04 Community/neighbour/visitor parking to be formalised
- 05 Enhanced open space-biodiversity, local play
- 06 Maintain and enhance existing pedestrian access routes and 'desire lines'
- 07 Residential street trees and planting
- 08 Buffer planting between path and rear gardens
- 09 Management of existing open space for habitat, removal of dead trees and opening up views along existing paths
- 10 Low speed pedestrain priority spaces /turning areas shared by dwelling clusters.

DRAWING NOTES:

GENERAL:

1. COPYRIGHT OF THIS DRAWING IS VESTED IN PLINCKE AND IT MUST NOT BE COPIED OR REPRODUCED WITHOUT CONSENT.
2. DO NOT SCALE FROM THIS DRAWING - DIMENSIONS GOVERN. IF IN DOUBT ASK.
3. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE. ONLY FIGURED DIMENSIONS ARE TO BE TAKEN FROM THIS DRAWING.
4. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK. ALL CONTRACTORS MUST VISIT SITE AND BE RESPONSIBLE FOR TWINING AND CHECKING ALL DIMENSIONS RELATIVE TO THEIR WORK.
5. PLINCKE SHALL BE NOTIFIED IMMEDIATELY BY EMAIL, OF ANY DISCREPANCIES.
6. PLINCKE ACCEPTS NO LIABILITY FOR ANY EXPENSE, LOSS OR DAMAGE OF WHATSOEVER NATURE AND HOWEVER ARISING FROM ANY VARIATION MADE TO THIS DRAWING OR IN THE EXECUTION OF THE WORK TO WHICH IT RELATES WHICH HAS NOT BEEN REFERRED TO THEM AND PRIOR APPROVAL OBTAINED.
7. ALL PLINCKE DRAWINGS TO BE READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECTURAL, CIVIL ENGINEERS AND M&E ENGINEERS DRAWINGS AND SPECIFICATIONS.

REFERENCE FILES:

1. THIS DRAWING IS BASED ON THE FOLLOWING EXTERNAL CONSULTANTS' DRAWINGS:

CONSULTANT	REFERENCE FILE	DATE RECEIVED

HEALTH, SAFETY & ENVIRONMENTAL INFORMATION:

1. IT IS ASSUMED THAT ALL WORKS ON THIS DRAWING WILL BE CARRIED OUT BY A COMPETENT CONTRACTOR AND, WHERE APPROPRIATE, WORKING TO AN APPROVED METHOD STATEMENT.
2. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER HAZARDS / RISKS WHICH HAVE BEEN IDENTIFIED AND RECORDED WITHIN THE PRE-CONSTRUCTION INFORMATION PACK AND / OR THE CONSTRUCTION PHASE H&S PLAN.
3. IN ADDITION TO THE HAZARDS / RISKS NORMALLY ASSOCIATED WITH THE TYPES OF WORK DETAILED ON THIS DRAWING, NOTE THE FOLLOWING:

ITEM N°	RISK REGISTER DETAILS

P01	STAGE 3, PLANNING	SS	AA	29/03/19
REV	DESCRIPTION	DRAWN	CHECK	DATE
KEY PLAN				



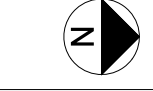
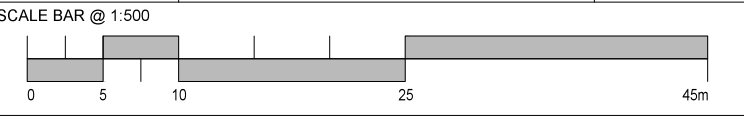
MANCHESTER
t:0161 237 9223
e:north@plincke.co.uk

LONDON
t:0207 739 3330
e:london@plincke.co.uk

PROJECT TITLE
BROOKFIELDS

DRAWING TITLE
PROPOSED SITE PLAN

PROJECT No. 0535
DRAWING No. 0535-PLI-ZZ-GF-DR-L-0120
REVISION P01

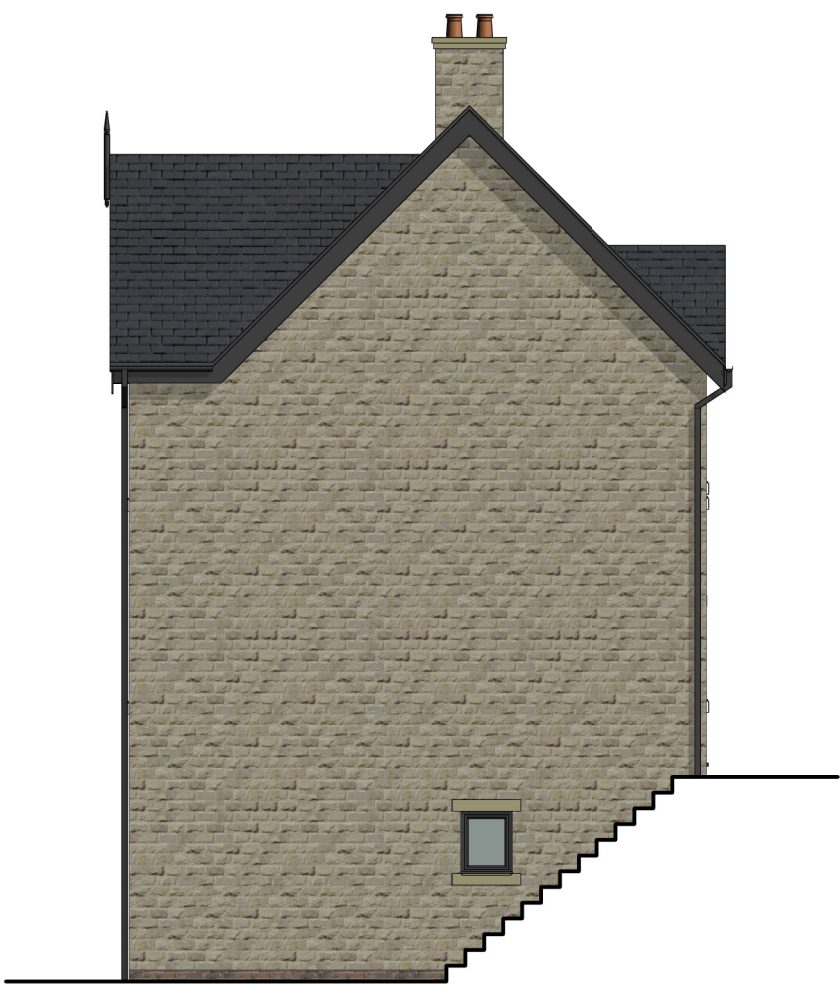


SCALE @ A1
1:500
DATE
29/03/19

This page is intentionally left blank



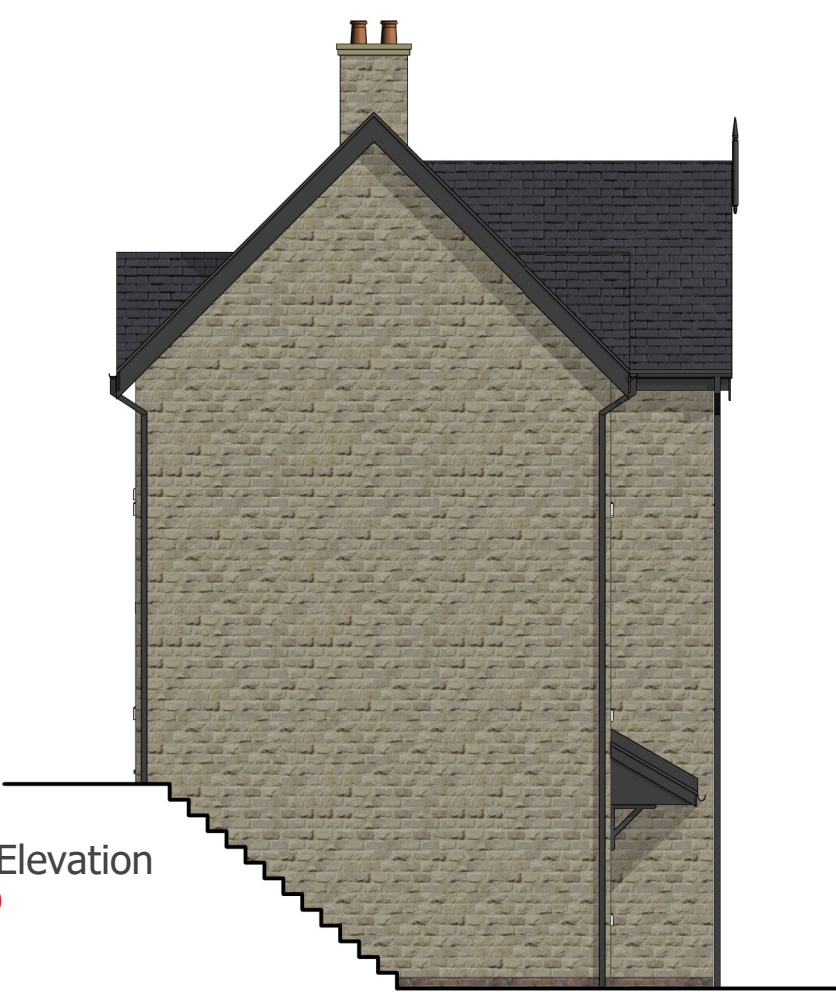
Front Elevation
1 : 100



Right Elevation
1 : 100



Rear Elevation
1 : 100



Left Elevation
1 : 100

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 Group Ltd. All information hereon in is the copyright of Millson Group Ltd. Copying in full or part is forbidden without written permission from Millson Group Ltd.

Rev	Revision History	By	Date
-----	------------------	----	------

Client:

Clements Court Properties Ltd

Drawing:

The Oakley - Proposed Elevations

Drawing Number:

2234 - D-EL-200-01

Scale: 1 : 100	Size: A3	Date: 06/02/18
Drawn: LS	Checked: JW	Rev:
Status: PLANNING		



Millson
GROUP

Byron House
10-12 Kennedy St
Manchester M2 4BY
0161 228 0558
www.millsongroup.co.uk
info@millsongroup.co.uk

2234 - Brookfields

This page is intentionally left blank



Accommodation Schedule					
House Type	Abbr.	Building Type	Bedrooms	Count	Gross Internal Floor Area m²
The Elmstead	A	Detached	4	1	182
The Bromley	B	Detached	5	6	198
The Tibury	C	Detached	4	2	146
The Oakley	D	Detached	5	4	186
The Westcliff	E	Detached	4	8	177

Drawings
Reference
The drawings must be checked against the contract prior to construction of works. Any variation must be reported to Millers
Group Ltd. All information contained herein is the property of Millers Group
Ltd. Copying in full or part is forbidden without written permission from
Millers Group Ltd.

- Dashed Blue Line
Indicates Drop Kerbs
- Green Hatch Indicates
Tactile Paving

1	Residents car parks labelled	JW	23/03/2020
2	Residents car parks labelled	JW	23/03/2020
3	Residents car parks labelled	JW	23/03/2020
4	Residents car parks labelled	JW	23/03/2020
5	Residents car parks labelled	JW	23/03/2020
6	Residents car parks labelled	JW	23/03/2020
7	Residents car parks labelled	JW	23/03/2020
8	Residents car parks labelled	JW	23/03/2020
9	Residents car parks labelled	JW	23/03/2020
10	Residents car parks labelled	JW	23/03/2020
11	Residents car parks labelled	JW	23/03/2020
12	Residents car parks labelled	JW	23/03/2020
13	Residents car parks labelled	JW	23/03/2020
14	Residents car parks labelled	JW	23/03/2020
15	Residents car parks labelled	JW	23/03/2020
16	Residents car parks labelled	JW	23/03/2020
17	Residents car parks labelled	JW	23/03/2020
18	Residents car parks labelled	JW	23/03/2020
19	Residents car parks labelled	JW	23/03/2020
20	Residents car parks labelled	JW	23/03/2020
21	Residents car parks labelled	JW	23/03/2020
22	Residents car parks labelled	JW	23/03/2020
23	Residents car parks labelled	JW	23/03/2020
24	Residents car parks labelled	JW	23/03/2020
25	Residents car parks labelled	JW	23/03/2020
26	Residents car parks labelled	JW	23/03/2020
27	Residents car parks labelled	JW	23/03/2020
28	Residents car parks labelled	JW	23/03/2020
29	Residents car parks labelled	JW	23/03/2020
30	Residents car parks labelled	JW	23/03/2020
31	Residents car parks labelled	JW	23/03/2020
32	Residents car parks labelled	JW	23/03/2020
33	Residents car parks labelled	JW	23/03/2020
34	Residents car parks labelled	JW	23/03/2020

Clements Court Properties Ltd

2234 - PL-700-01

Scale: 1:500

Drawn: L1

Checked: PH

Revised: 6

PLANNING

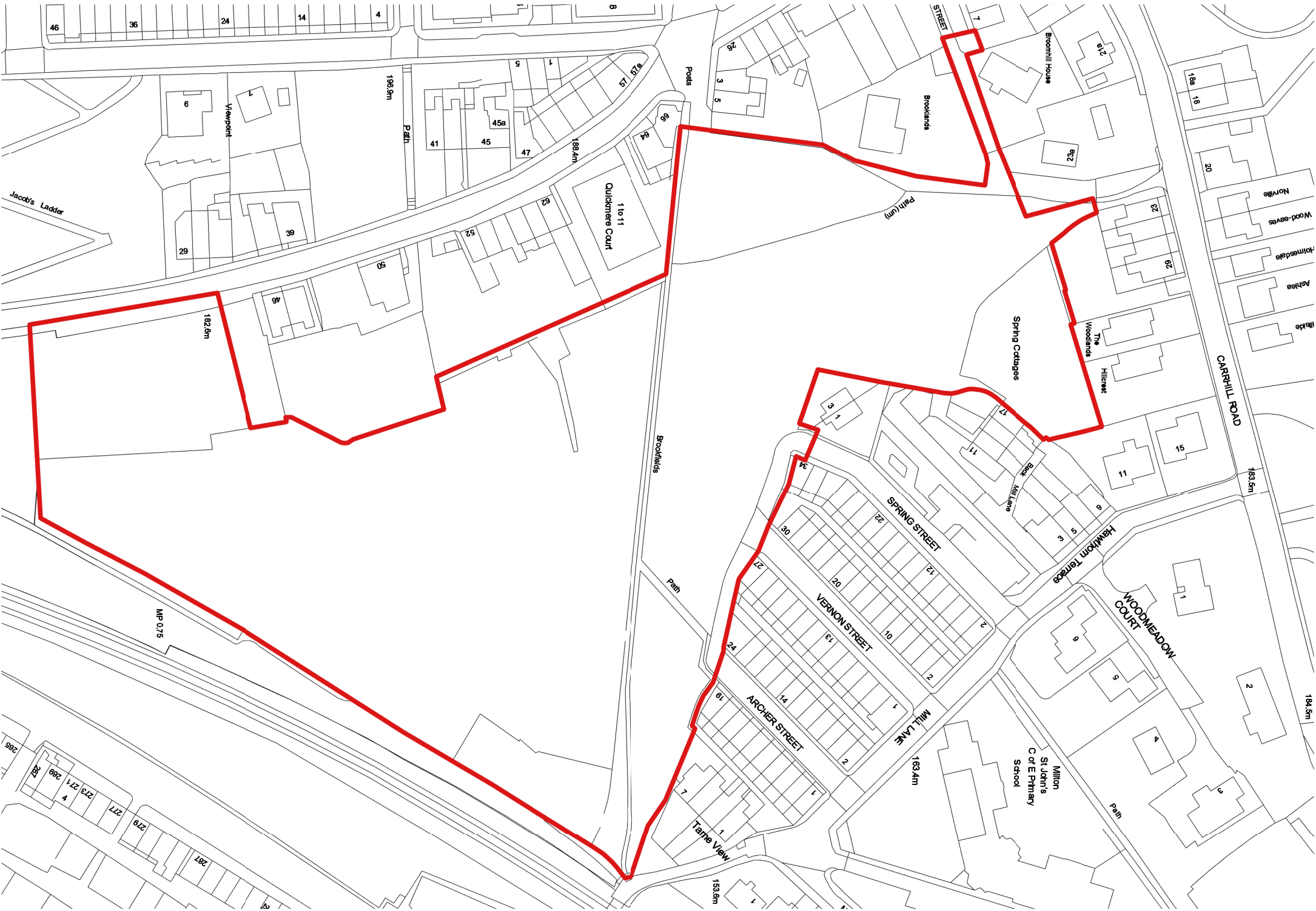
Millions GROUP

Byron House
20-22 Kennedy St
Manchester M2 4BY

0161 226 0558
www.millionsgroup.co.uk
info@millionsgroup.co.uk

2234 - Brookfields, Mossley

This page is intentionally left blank



2	Increased red line boundary	LS	29/09/2020
1	Revised site boundary line	JW	19/06/2019

Rev	Revision History	By	Date
-----	------------------	----	------

Client:

Clements Court Properties Ltd

Drawing:

Location Plan

Drawing
Number:

2234 - PL-700-02

Scale: 1 : 1250	Size: A3	Date: 21/06/18
--------------------	-------------	-------------------

Drawn: LS	Checked: PJM	Rev:
--------------	-----------------	------

Status:
PLANNING

2



Millson
GROUP

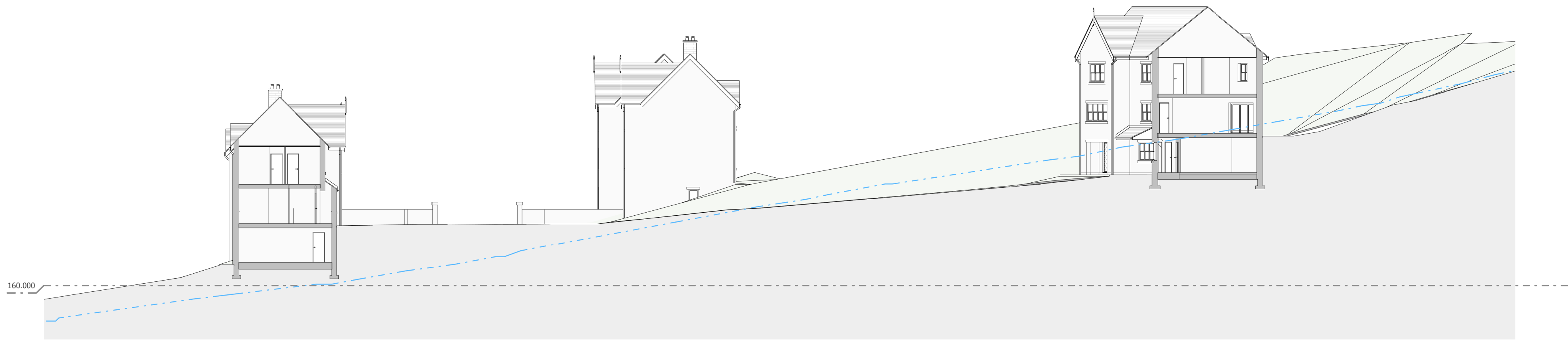
Byron House
10-12 Kennedy St
Manchester M2 4BY
0161 228 0558
www.millsongroup.co.uk
info@millsongroup.co.uk

2234 - Brookfields, Mossley

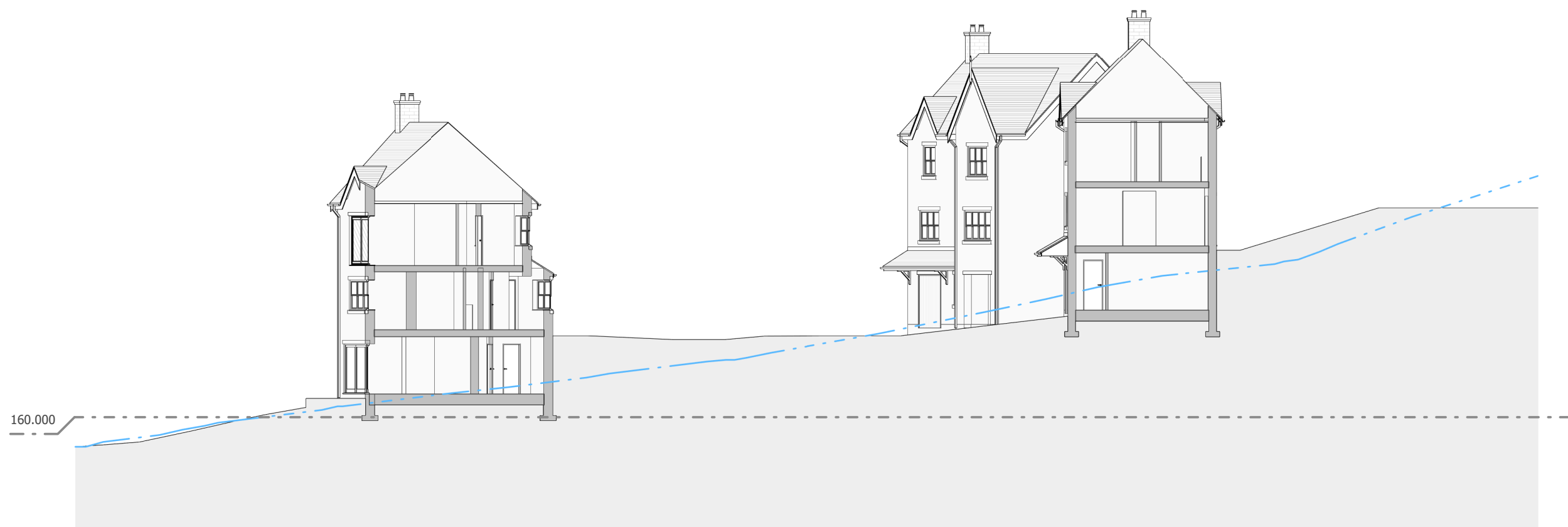
This page is intentionally left blank



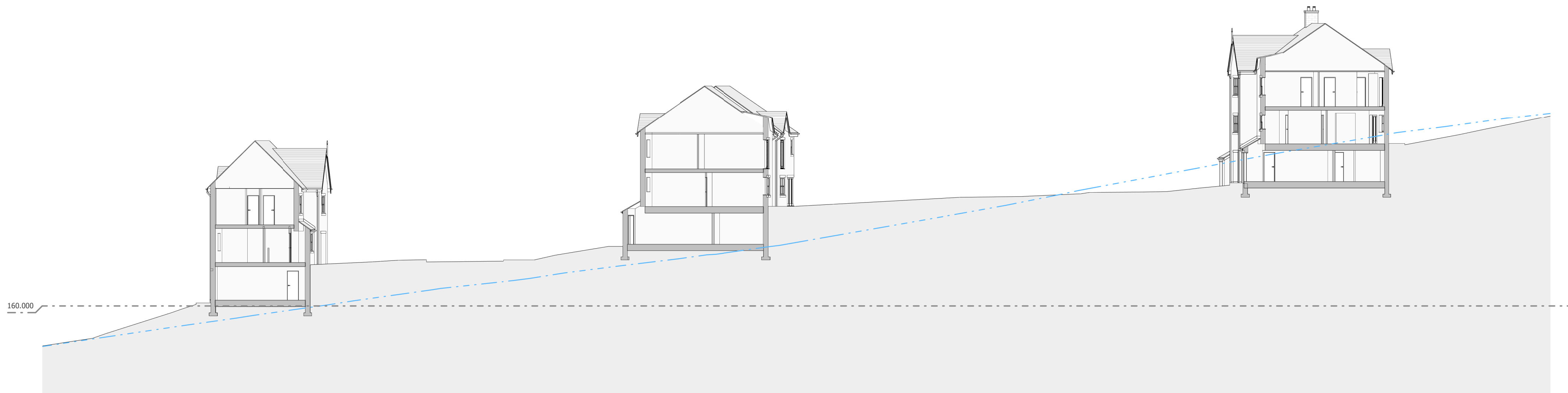
Section 2.



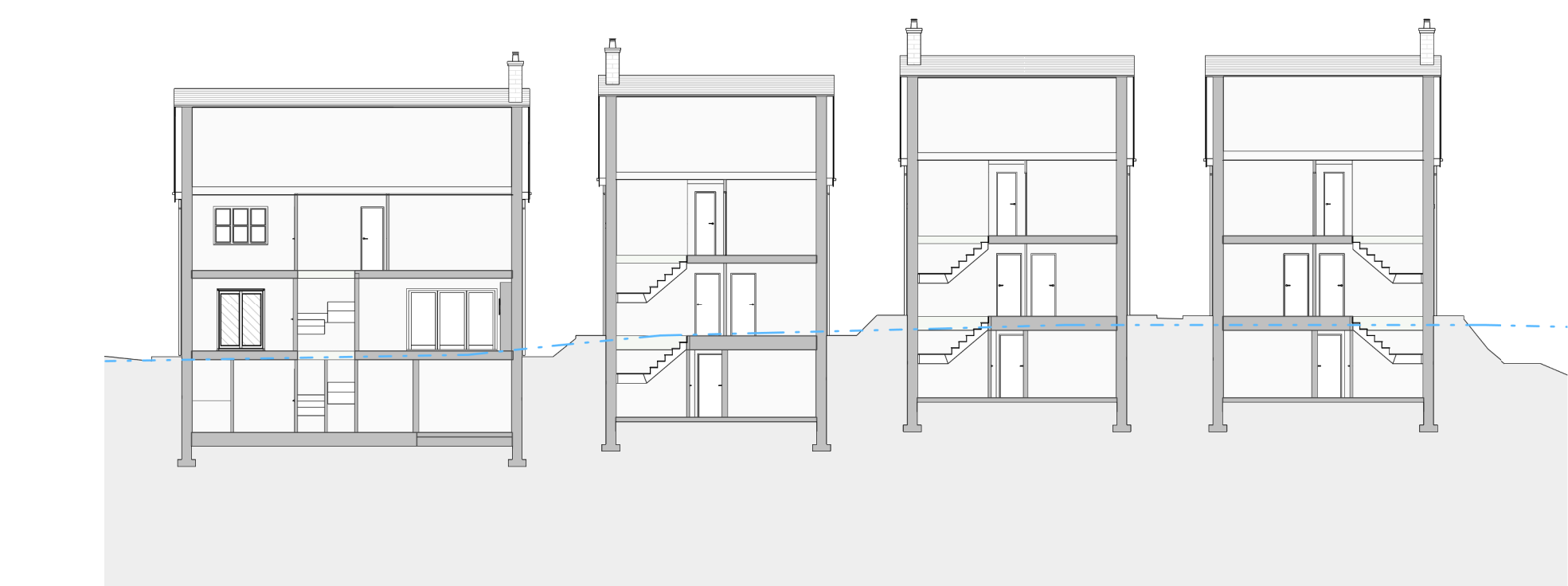
Section 5



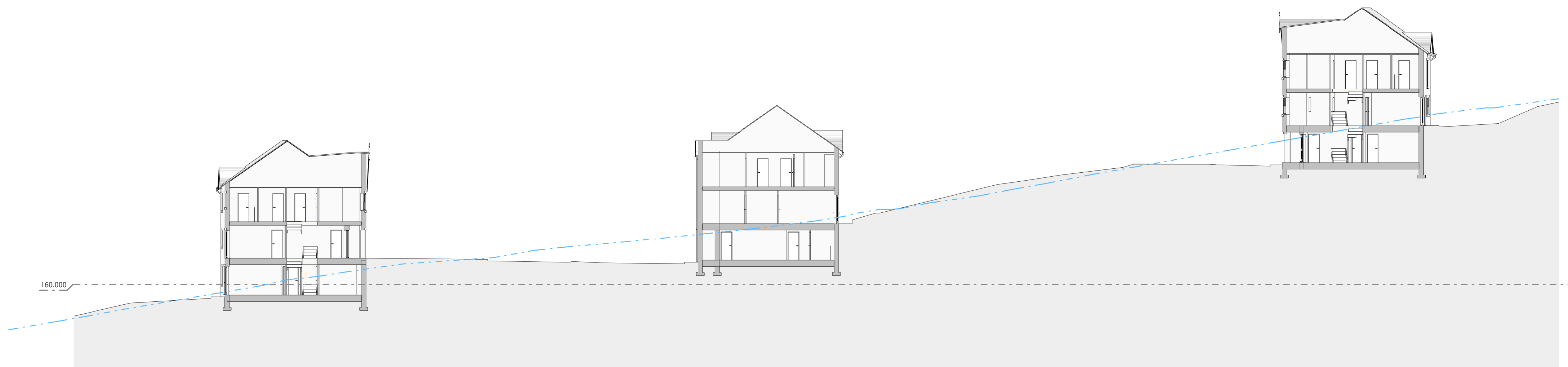
Section 3



Section 6



Section 4



Section 7

Key:
--- Line of existing ground level

This page is intentionally left blank

Application Number 19/00489/FUL

Proposed residential development of 21No. family homes and associated works - Amended plan to create temporary construction access from Stamford Road

Photo 1:

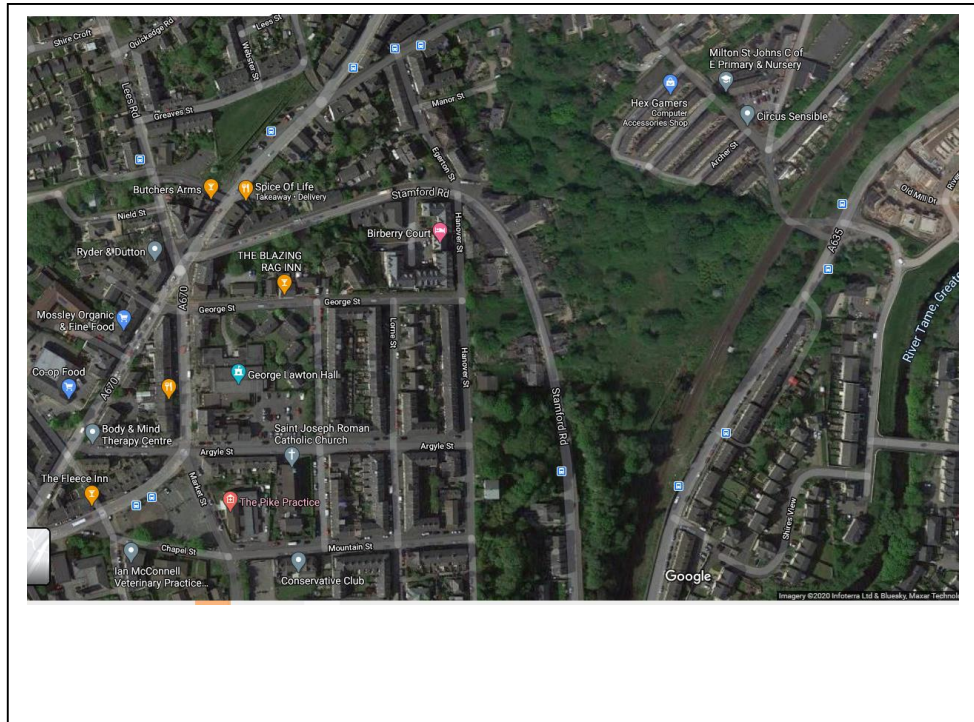


Photo 2: Stamford Road



Photo 3 : Archer Street looking into the site



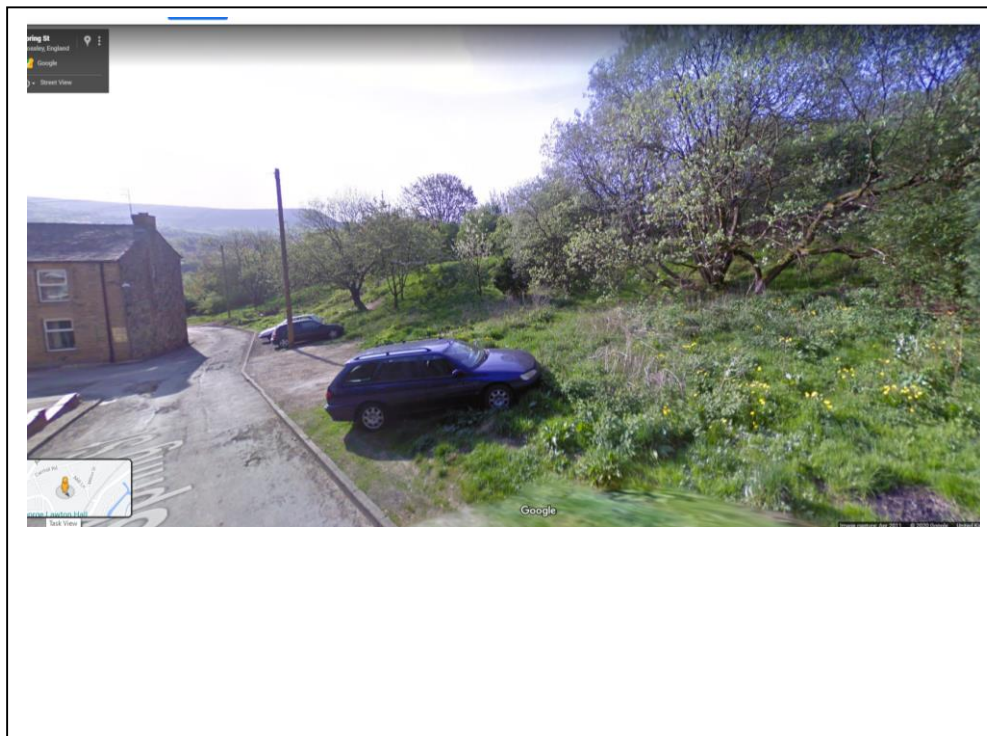
Photo 4: Archer Street from Mill Lane



Photo 5: Looking towards Stamford Road Public Right of Way



Photo 6: Looking south from Spring Street



This page is intentionally left blank



Existing trees

The trees within the development site are predominantly Sycamore and Goat Willow, with some Ash species located towards the site edges in both the top (western) and lower (eastern) boundaries.

The trees are predominantly self-seeded groups with some individual specimens, with the majority being Category 'C', with some category 'B', mainly B2 or C, therefore offering no significant collective arboricultural or landscape value.

Trees/tree groups towards the western (upper) boundary are desirable to be retained as these reinforce separation between this development and existing dwellings to the west.

Where new pedestrian routes are proposed within the protection areas of existing trees these are to consist of a 'ho-dig' detail using stabilised gravel laid on type 3 porous sub-base.

Species such as Goat Willow could be coppiced to open up views along pedestrian routes and through open spaces.

Proposed Trees

STREET TREES

Trees to provide a medium scale reinforcing local character, promoting well-being and adding seasonal interest.

All species are selected to be tolerant of occasional inundation by surface water runoff and urban heat island effect.

If tree planting is to take place outside the tree planting season (late October-late March) then containerised stock must be used.

Medium crown, conical form with spring blossom and /or autumn colour.

Outline Specification:
Semi-mature tree, 18-20cm girth, 25-30cms girth, 450-500cms high, clear stem to 200cm, 4x transplanted, Root balled.

NATIVE TREES/PLANTING

Trees and edge boundary screening, feathered and single trees. To offset loss of trees removed

Trees: Sessile Oak, Beech, Sycamore
Edge mix: Rowan, Holly, Larch, Hazel, Elder, Hawthorn, Dog Rose, Honeysuckle

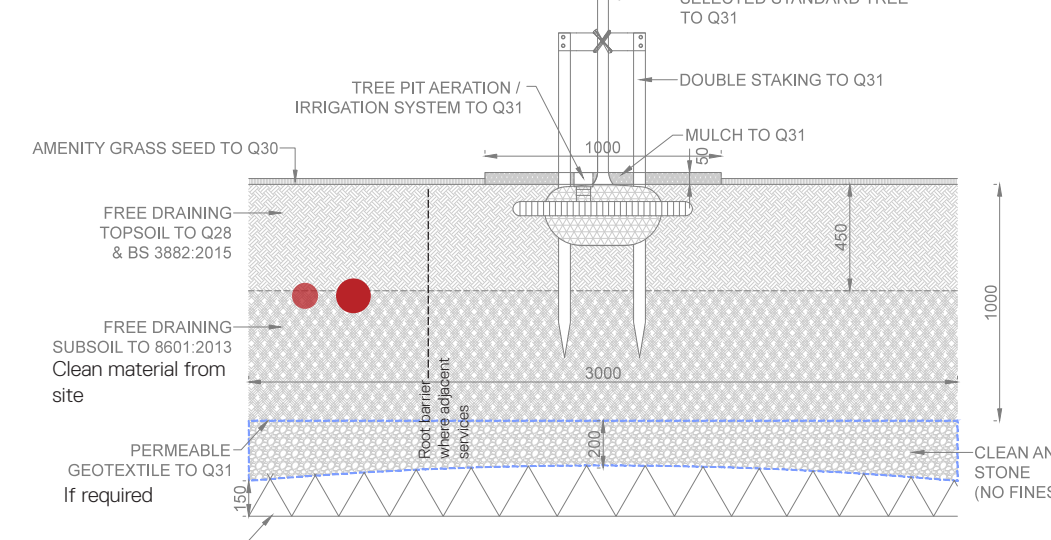
Outline Specification:
Heavy standard tree, 12-14cm girth,
Feathered tree 150-200cm
Whip planting 1+1 60-80cms with vermin guards. All bare root

ORNAMENTAL TREES

Trees to provide a human scale providing feature and attracting pollinating insects. Fruit trees also suggested.

Outline Specification:
Standard tree, 8-10cm girth,
Espalier trained (rear gardens) 100-125cm espalier
Bare root

Typical tree planting detail



Acer rubrum 'Brandywine'
Red maple



Malus 'Evereste'
Flowering crab apple



Aesculus carnea 'Brioti'
Red Horse Chesnut



Sorbus aucuparia
Rowan



Quercus petraea
Sessile Oak



Acer pseudoplatanus
Sycamore (replaces Ash)



Prunus institia
Shropshire Prune Damson



Amelanchier lamarckii
Snowy mespilus



Malus domestica 'Newton Wonder' and Egmont Russet'
Apple (espalier)

ECOLOGY/HABITAT (ref notes)

Ecology report recommendations include planting of native species and features to encourage fauna, such as bird and bat boxes.

Legend:

- 1-Hedgehog gaps to fences
- 2-Bird boxes
- 3-Log piles
- 4-Meadow
- 5-Retain drystone walling



Hedgehog gaps in all fences



Bird and bat nest boxes



Native wildflower meadow
bespoke mix based local flora



Retain existing drystone
walling where feasible



Log piles /reptile hibernaculum
placed strategically reclaimed
from felled trees and brush

SHRUB/HERBACEOUS/GROUND COVER PLANTING

Ornamental character to front gardens/to enhance residential character
Taller shrubs between houses and to ends of turning heads

Outline Specification:
2L pot, generally average 5 plants per sqm, some 5L stock (10%). Bulb planting within mix.

Typical Species

Ajuga reptans
Athyrium spp
Bergenia stracheyi 'Alba'
Carex evergold
Choisya ternata
Cornus alba 'Siberica'
Dryopteris felix-mas
Eleagnus xebbingei
Hakonechloa 'All Gold'
Lavandula 'Hidcote'
Liriope muscari
Lonicera pileata
Pachysandra 'Green Carpet'
Rudbeckia fulgida var. sullivanti 'Goldsturm'
Skimmia japonica 'Fragrans'
Spirea japonica 'Gold Heart'
Viburnum opulus
Viburnum plicatum 'Mariesii'



Athyrium niponicum



Bergenia stracheyi 'Alba'



Hakonechloa 'All Gold'



Skimmia japonica
'Fragrans'



Lavandula 'Hidcote'



Rudbeckia fulgida var. sullivanti 'Goldsturm'

HEDGES

To provide structure, along with ornamental value, but also low level shelter for birds.

Outline Specification:
1+1 Whip planting 5 per m
(Semi formal) 3L Container grown. 2 per m



Fagus sylvatica
Copper Beech



Semi formal hedge-Prunus
lusitanica
Portugal Laurel

DRAWING NOTES:

GENERAL:

1. COPYRIGHT OF THIS DRAWING IS VESTED IN PLINCKE AND IT MUST NOT BE COPIED OR REPRODUCED WITHOUT CONSENT.
2. DO NOT SCALE FROM THIS DRAWING - DIMENSIONS GOVERN. IF IN DOUBT ASK.
3. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE. ONLY FIGURED DIMENSIONS ARE TO BE TAKEN FROM THIS DRAWING.
4. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK. ALL CONTRACTORS MUST VISIT SITE AND BE RESPONSIBLE FOR TWINING AND CHECKING ALL DIMENSIONS RELATIVE TO THEIR WORK.
5. PLINCKE SHALL BE NOTIFIED IMMEDIATELY BY EMAIL, OF ANY DISCREPANCIES.
6. PLINCKE ACCEPTS NO LIABILITY FOR ANY EXPENSE, LOSS OR DAMAGE OF WHATSOEVER NATURE AND HOWEVER ARISING FROM ANY VARIATION MADE TO THIS DRAWING OR IN THE EXECUTION OF THE WORK TO WHICH IT RELATES WHICH HAS NOT BEEN REFERRED TO THEM AND PRIOR APPROVAL OBTAINED.
7. ALL PLINCKE DRAWINGS TO BE READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECTURAL, CIVIL ENGINEERS AND M&E ENGINEERS DRAWINGS AND SPECIFICATIONS.

REFERENCE FILES:

1. THIS DRAWING IS BASED ON THE FOLLOWING EXTERNAL CONSULTANTS' DRAWINGS:

CONSULTANT	REFERENCE FILE	DATE RECEIVED

HEALTH, SAFETY & ENVIRONMENTAL INFORMATION:

1. IT IS ASSUMED THAT ALL WORKS ON THIS DRAWING WILL BE CARRIED OUT BY A COMPETENT CONTRACTOR AND, WHERE APPROPRIATE, WORKING TO AN APPROVED METHOD STATEMENT.

2. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER HAZARDS / RISKS WHICH HAVE BEEN IDENTIFIED AND RECORDED WITHIN THE PRE-CONSTRUCTION INFORMATION PACK AND / OR THE CONSTRUCTION PHASE H&S PLAN.

3. IN ADDITION TO THE HAZARDS / RISKS NORMALLY ASSOCIATED WITH THE TYPES OF WORK DETAILED ON THIS DRAWING, NOTE THE FOLLOWING:

ITEM N°	RISK REGISTER DETAILS

P01	STAGE 3, PLANNING	SS	AA	29/03/19
REV	DESCRIPTION	DRAWN	CHECK	DATE
KEY PLAN				



MANCHESTER **LONDON**
t:0161 237 9223 t:0207 739 3330
e:north@plincke.co.uk e:london@plincke.co.uk

PROJECT TITLE BROOKFIELDS	SCALE @ A1 1:500	DATE 29/03/19
DRAWING TITLE SOFT LANDSCAPE AND ECOLOGICAL ENHANCEMENT	REVISION P01	
PROJECT No. 0535	DRAWING No. 0535-PLI-ZZ-GF-DR-L-0310	
SCALE BAR @ 1:500		

This page is intentionally left blank



Front Elevation
1 : 100



Left Elevation
1 : 100



Rear Elevation
1 : 100



Right Elevation
1 : 100

Rev	Revision History	By	Date
Client:			
Clements Court Properties Ltd			
Drawing:			
The Tilbury - Proposed Elevations			
Drawing Number:			
2234 - C-EL-200-01			
Scale:	Size:	Date:	
1 : 100	A3	06/02/18	
Drawn:	Checked:	Rev:	
LS	JW		
Status:			
PLANNING			



Millson
GROUP

Byron House
10-12 Kennedy St
Manchester M2 4BY

0161 228 0558
www.millsongroup.co.uk
info@millsongroup.co.uk

2234 - Brookfields

This page is intentionally left blank



Front Elevation
1 : 100



Right Elevation
1 : 100



Rear Elevation
1 : 100



Left Elevation
1 : 100

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 Group Ltd. All information hereon in is the copyright of Millson Group Ltd. Copying in full or part is forbidden without written permission from Millson Group Ltd.

Rev	Revision History	By	Date
Client:			
Clements Court Properties Ltd			
Drawing:			
The Westcliff - Proposed Elevations			
Drawing Number:			
2234 - E-EL-200-01			
Scale:	Size:	Date:	
1 : 100	A3	06/02/18	
Drawn:	Checked:	Rev:	
LS	JW		
Status:			
PLANNING			



Millson
GROUP

Byron House
10-12 Kennedy St
Manchester M2 4BY
0161 228 0558
www.millsongroup.co.uk
info@millsongroup.co.uk

2234 - Brookfields

This page is intentionally left blank

Application Number 20/00472/OUT

Proposal	Residential development comprising of 4No. houses (OUTLINE - for access, appearance, layout and scale)
Site	Land on the west side of 327 Birch Lane Dukinfield
Applicant	Mr Shaun McGrath
Recommendation	Refuse planning permission
Reason for Report	A Speakers Panel decision is required because the applicant requested a committee decision.

1.0 APPLICATION DESCRIPTION

- 1.1 The applicant seeks outline planning permission including detail of access, appearance, layout and scale (landscaping reserved) for the erection of 4 dwellings on land located to the front of 327/325 Birch lane Dukinfield. The properties would be constructed in 2 pairs of 2 bedroom semi-detached, they would be of a traditional 2 storey hipped roof design. The properties would front onto Birch Lane where direct vehicle and pedestrian access would be taken to the highway, the existing driveway serving 327 & 325 Birch Lane would be retained.. Boundary treatments would comprise of either Pier and Panel walls, fencing and planted hedgerows.
- 1.2 The application has been accompanied with the following documents;
- Nosie Assessment
 - Planning Statement
 - Drainage Strategy

2.0 SITE & SURROUNDINGS

- 2.1 The site is located within an established residential environment off Birch Lane, Dukinfield. The land is located to the front no.s 327 & 325 Birch Lane which are a pair of nineteenth century semi-detached properties of substantial construction. The properties are served by a shared private driveway which extends along the southern boundary, the land subject to the application is located to the north of this drive and to the front of the neighbouring property 325 Birch lane. Levels are flat and there is a hedgerow / stone wall to the sites highway frontage. The site is in a poor physical condition owing to activities undertaken by the applicant. Across the northern boundary are no,s 323/321 Birch Lane and to the south is the rear garden of no. 3 Bramhall Close. Bus services are located within the area and Hyde North train station is located within a short walking distance.

3.0 PLANNING HISTORY

- 3.1 19/00764/OUT – Residential development comprising of 6no 3 bed semi-detached dwellings with off road car parking, refuse areas and associated landscape works.
- 3.2 20/00010/PREAPP – Proposed 2 pairs of semi-detached 3 bed / 2 storey dwellings (4no. dwellings) total.
- 3.3 A section 215 notice has been served on the applicant to address a legacy of activity at the site. The period of compliance is 19 January 2021 the notice requires:

- Removal of all waste, scrap and recyclable materials
- Removal of used vehicles
- Removal of all plant equipment
- Removal of all car parts and accessories
- Removal of boarded up caravan

3.4 Applications at the neighbouring property 325 Birch Lane:

3.5 19/00521/OUT – Proposed two storey detached dwelling house on land adjacent to 325 Birch Lane to be accessed from Bylands Fold – Refused and dismissed at appeal.

3.6 20/00749/OUT – Proposed 2 storey detached dwelling on land adjacent to 325 Birch Lane to be accessed from Bylands Fold – Pending Decision

4.0 RELEVANT PLANNING POLICIES

Tameside Unitary Development Plan (UDP) Allocation

The site is unallocated.

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

Part 2 Policies

- H2: Unallocated sites
- H4: Type, size and affordability of dwellings
- H5: Open Space Provision
- H7: Mixed Use and Density
- H9: Backland and Garden Development
- H10: Detailed Design of Housing Developments
- OL4: Protected Green Space
- OL10: Landscape Quality and Character
- T1: Highway Improvement and Traffic Management
- T7: Cycling
- T10: Parking
- C1: Townscape and Urban Form
- N4: Trees and Woodland.
- N5: Trees Within Development Sites.
- N7: Protected Species
- MW11: Contaminated Land
- MW12: Control of pollution
- MW14: Air Quality
- U1: Utilities Infrastructure
- U3: Water Services for Developments
- U4 Flood Prevention
- U5 Energy Efficiency

Other Policies

Greater Manchester Spatial Framework - Publication Draft October 2018;

The Greater Manchester Combined Authority (GMCA) has consulted on the draft Greater Manchester Spatial Framework Draft 2019 ("GMSF") which shows possible land use allocations and decision making polices across the region up to 2038. The document is a material consideration but the weight afforded to it is limited by the fact it is at an early stage in its preparation which is subject to unresolved objections

Residential Design Supplementary Planning Document; and,
Trees and Landscaping on Development Sites SPD adopted in March 2007.

National Planning Policy Framework (NPPF)

Section 2: Achieving sustainable development
Section 5: Delivering a sufficient supply of homes
Section 8: Promoting healthy and safe communities
Section 11: Making efficient use of land
Section 12: Achieving well designed places
Section 15: Conserving and enhancing the Natural Environment

Planning Practice Guidance (PPG)

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

5.0 PUBLICITY CARRIED OUT

- 5.1 Neighbour notification letters were issued 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. In response there have been 3 letters of objection received.

6.0 RESPONSES FROM CONSULTEES

- 6.1 Coal Authority – Raise no objection site is outside of the defined High Risk Area recommend standing advice.
- 6.2 Environmental Health Officer (EHO) - No objections to the proposals.
- 6.3 Contaminated Land – Identify that the site was used as an engineering works. Recommend that condition be applied for site investigations to determine level of remediation the site may require.
- 6.4 Tree Officer – No objections – confirmed that no trees or vegetation of any significance which would prohibit development.
- 6.5 Highways – No objections raised to the access arrangements. Recommend that conditions are applied to any approval.
- 6.6 United Utilities – No objections, reviewed the submitted drainage strategy which is deemed to be acceptable in principle. Recommend that if planning permission is granted the drainage strategy is conditioned.

7.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- Loss of privacy from overlooking
- Would impact upon the access of properties on the opposite side of Birch Lane
- Result in additional parking problems on the highways if all parking spaces are in sue
- Adverse impact upon wildlife
- Owner has misused the land for years systematically removing all vegetation and burying rubbish
- Every project undertaken at the site has resulted in mess and disturbance to neighbours
- Loss of existing stone boundary wall and hedgerow
- Prejudices ability to develop land at 325 Birch Lane
- Building line does not respect 327/325 Birch Lane
- Would form an incongruous addition
- Parking is not integrated in the development

8.0 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 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 taking 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:-
 - 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
 - specific policies in the Framework indicate development should be restricted.

9.0 PRINCIPLE

9.1 The land is not allocated on the saved UDP proposals map. The surrounding area has an established residential use and in this regard infill residential development would be compatible with surrounding uses. Residential curtilage is excluded from the definition of previously developed land as identified in the annex of the National Planning Policy framework (NPPF) regardless of a LPA's position on the supply of housing. UDP policy H2 applies to non-allocated sites permits the redevelopment of previously developed land, limited weight is afforded to this in light of the NPPF definition.

9.2 The site is located within an established residential environment. The host property is one of a pair of semi-detached dwellings, unusually the applicant owns land to the front of the neighbouring property 325 Birch lane. It is noted that the owner of 325 Birch Lane is also trying to secure planning permission on land to the side of their property.

9.3 UDP Policy H9 'Backland and Garden Development' states that new residential development within the curtilage of existing dwelling will only be permitted where:

- a) Arrangements can be provided for access and parking for both the existing and proposed dwellings, and
- b) Garden areas can be retained, and
- c) Privacy can be maintained between existing and proposed dwellings and

d) No serious detriment will occur to the character of the area enjoyed by other areas.

9.4 Policy RD22: 'Infill & Backland Sites' of the Tameside Residential Design Guide is also of relevance. This 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

9.5 In instances where the principle of residential development is considered to be acceptable it is imperative that any such application adheres to the requirements of policy H10 and (Detailed Design Of housing Developments) and the adopted Residential Design SPD particularly with reference to design, scale and the relationship to the street scene and existing properties. It is on the latter points that the application raises issues.

10.0 DESIGN AND CHARACTER

10.1 The existing property is one of a pair of semi-detached which is setback considerably from Birch Lane. The front garden area currently forms a gap site within an otherwise built frontage with neighbouring properties to the site occupying a reasonably consistent building line to Birch Lane.

10.2 Concerns have been consistently raised with applicant about the need to address the scale of the development. Whilst amendments have been submitted during the course of the application they have not addressed the issues which have been raised. These concerns have centred upon the;

- The relationship of the development to Birch lane and host property.
- Character of Birch Lane.
- The impact upon the amenity/outlook of 325 Birch Lane.

10.3 The prevalent character of Birch Lane comprises of Semi-detached properties of relatively equal proportions. Front boundary treatments are a strong feature and car parking is generally accommodated to the side of dwellings, building lines are also consistent. These features contribute to a relatively uniform street scene. The applicant site is the exception to this, it marking a break in the building line owing to the setting of no.s 327 and 325 so far back from the carriageway. The challenge to the success of any infill development is the ability for it to successfully assimilate into its surroundings, the associated constraints of the site, i.e. its relationship to no.s 327 & 325 Birch Lane does make this more difficult.

10.4 The development of the site for 4 dwellings would represent a strong departure from the established character. It would see removal of the front boundary treatment in lieu of twin parking areas to each property separated by a modest landscaping strip. The frontage would appear dominated by the pairing and this would be harmful to the setting of the street scene. In addition to this. The properties would sit marginally forward of the neighbouring properties to the east (no. 323/321) and would have no meaningful relationship to either no. 327 and 325 which would effectively become back land development with a further compromised road frontage. It is considered that this relationship would be jarring and would result in a loss of character at the locality contrary to the objectives of RD2, RD21, RD22.

- 10.5 Having regard to the above it is considered that the proposals represent an overdevelopment of the site. The proposals would not forge a meaningful relationship to 327/325 Birch Lane, these would appear hemmed in and the loss of their frontage/presence within the highway would result in an undesirable form of tandem development. In addition to this the site has no meaningful relationship to land adjoining no. 325 Birch Lane, the owner of which is also trying to obtain planning consent. There could be scope to develop land in a comprehensive manner as advocated by Development Plan policies. To address each land holding separately is considered to represent a form of piecemeal development which would be in conflict with the above policy requirements along with that of National Planning guidance which promotes the effective use of land.

11.0 DESIGN AND RESIDENTIAL AMENITY

- 11.1 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 that of existing properties.
- 11.2 It is noted that there is a pending 215 notice served on the applicant to address a legacy of storage on the land in question. The amenity of neighbouring properties has been impacted by this hence the escalation to enforcement action. The determination of the application should not be seen as a means to addressing the associated issues.
- 11.3 Concerns are taken about the relationship of the proposals to no.325 Birch Lane. The amendments submitted sought to improve the outlook and amenity of no. 325 Birch Lane by the relocation of a communal parking court previously proposed at the rear of the dwellings. This was an improvement on the previous arrangement; it would reduce the potential level of disturbance from oncoming vehicles along the shared driveway. The amendments have resulted in a sense of enclosure to no.325, which, would have a fence located within 9.4m of its front window. Therefore notwithstanding the separation distances, it is considered that the owner no.325 would have an outlook from their principal elevation which is dominated by rear the boundary treatment/elevation of the proposed dwellings. This design and layout is therefore not considered to be inclusive or respectful to the setting or amenity of the inhabitants of no.325.

12.0 HIGHWAY SAFETY

- 12.1 The LHA have reviewed the proposals and raised no objections. Each of the properties would have 2 off street parking spaces which exceeds the minimum standards for 2 bedroom properties, in addition there would be 2 dedicated bin and cycle storage provision.
- 12.2 Whilst there are concerns raised on residential amenity perspective the access arrangements are suitable from a Highways aspect, consultation with the LHA confirmed that the arrangements would protect all road users. Traffic movements to and from the site would be acceptable in terms of local capacity. The accessible location means that the site is well served with access to public transport (bus and rail), in addition local services and relevant amenities are also within a reasonable walking distance.
- 12.3 The concerns expressed within the representations in relation to the pressure for potential on-street parking are noted. The proposal exceeds parking requirements and should not exacerbate parking issues. The proximity to local services reduces car reliance which gives credibility to the sustainability of the site. Outside of the site the frontage of Birch Lane is subject to parking restrictions which would police any potential overspill. Given this situation,

in accordance with the guidance contained within paragraph 109 of the NPPF, it is considered that planning permission should not be refused on highway safety grounds.

13.0 TREES & ECOLOGY

- 13.1 The site has been cleared of tree cover and the overall ecological value is limited. There would be a requirement for some hedgerow removal but this could be compensated for by the replacement planting. The provision of soft landscaping measures along with bird and bat boxes presents a modest opportunity to secure biodiversity enhancements as per the requirements of policy N7 and para 170 NPPF.

14.0 GROUND CONDITIONS

- 14.1 Levels are flat across the site, consultations with the Coal Authority and EPU have raised no concerns. As a precautionary measure it is recommended that ground investigation would be required in the event of any planning approval. This could be adequately addressed via a pre-commencement condition the details of which will be reviewed the Councils contaminated land department.

15.0 OTHER MATTERS

- 15.1 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 within the submitted drainage strategy and recommend that this should be conditioned.
- 15.2 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.
- 15.3 The scale of the development falls below the threshold of requiring any section 106 contributions.

16.0 CONCLUSION

- 16.1 The NPPF places a strong emphasis upon securing good quality design. Paragraph 124 of the framework identifies that this is fundamental to the planning/development process. The proposed properties would not create a successful form of infill development without harm occurring to the visual amenity and character of the street scene and the outlook, and residential amenity afforded to no. 325 Birch lane.
- 16.2 The development would result in the loss of a gap site within the Birch Lane frontage. The construction of 4 dwellings would be at odds to the building line of 321/323 Birch Road and that of the 325 and 327 Birch Lane. This would create an undesirable form of tandem development with no. 325 and 327 Birch being hemmed in having their frontage significantly encroached upon. The properties frontage would be dominated by parking, the loss of any front boundary enclosure and garden arrangements would be at odds to the strong/prevaling character of the street scene.
- 16.3 The relationship to of the properties to no.325 would also be particularly awkward. The proximity of the rear boundary treatments and elevation would be jarring, the resulting sense of enclosure to their principle elevation would imply a loss of privacy and outlook to these occupants which is considered to be unreasonable.

- 16.4 Given the relationship of the site to nos 325 and 327 Birch Lane it is considered that the proposals represent an undesirable form of piecemeal development. It is clear through the planning history that both land owners have tried to pursue independent development proposals to no avail. Both local and national planning policy promotes the effective use of land and this is best achieved through single comprehensive development, the proposals are prejudicial to this.
- 16.5 The proposal is therefore considered to represent an overdevelopment of a limited site which is unsuited to the local context owing to the poor relationship to the street scene and adjoining properties. This is not consistent with the design standards required by H10, the Design SPD or with the advice of the NPPF which champion good design which reflects positively on a locality as a key aspect to achieving sustainable development. Consequently the proposals are considered to be contrary to the requirements of UDP policies H9, H10, C1, RD22 in addition to the guidance contained within the NPPF.

RECOMMENDATION

Refuse planning permission:-

1. The NPPF identifies that development of a poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions should not be accepted. The dwellings would have a poor relationship to nos 327 and 325 Birch Lane whose setting within the street scene would be significantly compromised. The dwellings would result in the loss of a gap site within the street scene, they would read as a cramped form of development at odds with the building line, parking and front garden arrangements of the local housing stock and overall prevailing character. As such it is considered that the dwellings would form a discordant and intrusive feature which would be detrimental harmful to the general character and setting of the local street scene. This would be contrary to the advice of the NPPF and the provisions of Tameside UDP policies H9: Backland and Garden Development, H10: Detailed Design of Housing Developments and RD22 of the adopted residential Design Guide SPD.
2. The dwellings by virtue of their siting would result in a loss of privacy and outlook to the occupants of no.325 Birch Lane. The dwellings would be hemmed in and result in an undue sense of enclosure to the detriment of their residential amenity. This would be contrary to the requirements of UDP policy H9: Backland and Garden Development and H10: Detailed Design of Housing Developments
3. The development represents an undesirable form of piecemeal development which would prejudice the opportunity to secure comprehensive development of adjoining land associated with no.325 Birch which has sought separate planning approvals. The approach is in conflict with the advice of the NPPF and the provisions of Tameside UDP policies H9: Backland and Garden Development and RD22 of the adopted residential Design Guide SPD.

Application Number 20/00472/OUT

Residential development comprising of 4No. houses (OUTLINE - for access, appearance, layout and scale)

Photo 1: Aerial View

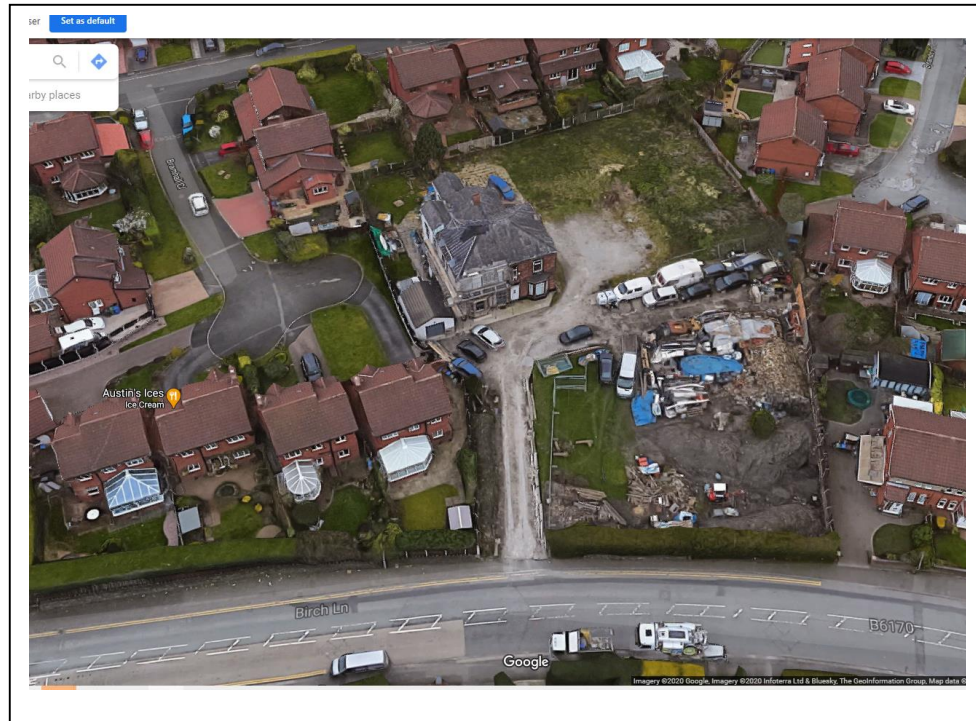


Photo 2: View From Birch Lane



Photo 3 : View looking North up Birch Lane





This page is intentionally left blank

Costs Decision

Site visit made on 9 June 2020

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 July 2020

Costs application in relation to Appeal Ref: APP/G4240/D/20/3244243 94 Granada Road, Denton M34 2LA

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
- The application is made by Mr Steven Wynne for a full award of costs against Tameside Metropolitan Borough Council.
- The appeal was against the refusal of the Council to grant planning permission for a single storey rear extension and two storey side extension.

Decision

1. The application for an award of costs is allowed in the terms set out below.

Reasons

2. The Planning Practice Guidance (the PPG) advises that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. The application for costs in this case was made by the applicant against the Council on two grounds, firstly in relation to a procedural matter, and secondly in respect of the substance of the appeal.

The Procedural Claim

4. Paragraph 047 of the PPG¹ indicates that local planning authorities will be at risk of an award being made against them for reasons including lack of co-operation with the other party or parties, or a delay in providing information or other failure to adhere to deadlines.
5. The applicant has provided e-mails relating to the planning application, and claims that the Council failed to respond or cooperate in respect of the issues raised. It is also claimed that the Council also failed to adhere to deadlines to determine the application. For its part, the Council indicates that they responded to the e-mails by telephone, and that the delay in reaching a decision arose from amendments they had suggested to the appellant which could have led to a grant of planning permission.
6. The evidence before me from both parties on this element of the claim is limited, and so does not demonstrate either that the Council failed or refused

¹ Reference ID: 16-047-20140306

to cooperate with the applicant, or that the failure to adhere to deadlines in respect of the planning application amounted to unreasonable behaviour.

The Substantive Claim

7. Paragraph 049 of the PPG² indicates that local planning authorities will be at risk of a substantive costs award being made against them for, among other things, not determining similar cases in a consistent manner.
8. The planning application to which the appeal decision relates was refused for one reason, relating to the proposal's effect on the character and appearance of the street scene. It is the applicant's case that the Council did not have sufficient regard to its decisions in respect of several similar extensions to the proposed development in this case, including at 92 Granada Road opposite the appeal site, as well as at Nos 100 and 102.
9. For the reasons set out in my main decision, I accepted the applicant's arguments that these other extensions have helped to define the character and appearance of the area. I therefore found that the proposed extension would complement the prevailing character and appearance of the area, and concluded that the appeal should be allowed, although this in itself does not indicate unreasonable behaviour on the part of the Council.
10. The Council acknowledged that there are examples of two-storey side extensions on corner plots in the locality and went on to state that 'such examples serve to highlight how harmful such extensions can be to the locality'. However, the type or extent of harm which the Council consider to be caused by those other examples was not described, quantified or otherwise explained. Their role in defining the character of the street scene was not otherwise acknowledged in the Council's delegated officer report.
11. I have not been provided with full information of the circumstances in which the other extensions were granted planning permission. However, that at No 100 was approved in 2017³ and, while not identical to the proposal before me, in the key matters of scale, appearance and its relationship with its side street, in that case Melton Avenue, the two schemes are in my view almost as alike as could be. I have not been provided with the Council's delegated officer report for the 2017 permission, but an earlier report in respect of a similar 2015 planning permission at No 100⁴ indicated that an extension could be 'adequately accommodated within the side garden area of the property without there being any adverse impact on the general street scene or character of the area'. The similar proposals for No 94 and No 100 were appraised against the same 2004 Tameside Unitary Development Plan and the same 2010 Residential Design Supplementary Planning Document (the SPD), but the Council came to very different conclusions about their effects.
12. In response, the Council indicates that it is concerned that the further approval of such two-storey side extensions on corner plots will ultimately erode the ability of the SPD to restrict such extensions. To my mind there is no reason why this should necessarily be so, although this should be on the basis of the effects and merits of individual cases, rather than an 'in principle' objection to such development which its choice of words perhaps suggests. It has also

² Reference ID: 16-049-20140306

³ Tameside Planning Application Reference 16/01155/FUL

⁴ Tameside Planning Application Reference 15/00693/FUL

brought to my attention a dismissed appeal relating to a side extension of a corner plot property⁵. However, while I do not know the full details of that proposal, from the information before me it relates to an extension of a very different appearance to its modern detached host property, in an area of a different character, some distance from Granada Road. Other than that it relates to a corner plot there appear to be few similarities between that case and the appeal at 94 Granada Road. That decision therefore adds little weight to the Council's arguments in this case.

13. Having seen a planning application for a similar proposal approved three doors along the street in 2017, in the circumstances I consider that the applicant should have had a reasonable expectation that his proposal would have been treated similarly. The application was refused and the other side extensions, including that permitted in 2017, which form part of the character of the area immediately around the appeal site were dismissed as harmful without further explanation. In my view the Council clearly took an inconsistent approach to determining very similar proposals in very close proximity to one another and within a relatively short period of time. This amounts to unreasonable behaviour.
14. As a consequence of this unreasonable behaviour the applicant has incurred unnecessary expense in preparing the grounds of appeal. Had the planning application been determined consistently with other applications in the immediate vicinity, notably those at No 100 Granada Road, it is unlikely that the appeal would have been necessary.

Conclusion

15. On the basis of the information before me I find no unreasonable behaviour in respect of the procedural element of the claim. However, for the reasons set out above I conclude that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has been demonstrated and that a full award of costs is therefore justified.

Costs Order

16. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that Tameside Metropolitan Borough Council shall pay to Mr Steven Wynne, the costs of the appeal proceedings described in the heading of this decision; such costs to be assessed in the Senior Courts Costs Office if not agreed.
17. The applicant is now invited to submit to Tameside Metropolitan Borough Council, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount.

M Cryan

Inspector

⁵ Appeal Ref: APP/G4240/D/18/3203387

This page is intentionally left blank

Appeal Decision

Site visit made on 1 September 2020

by A A Phillips BA(Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 September 2020

Appeal Ref: APP/G4240/C/20/3249746

Godley Green Cottage, Godley Green, Hyde SK14 3BE

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mr Martyn Tomlinson against an enforcement notice issued by Tameside Metropolitan Borough Council.
- The enforcement notice was issued on 21 February 2020.
- The breach of planning control as alleged in the notice is:
The carrying out of building operations at the Property without the required planning permission:
 1. Non-compliance with the approved plans associated with planning permission granted under reference 15/00664/FUL which include:
 - The inclusion of a dormer with balcony on the rear elevation of the extension;
 - The inclusion of a first floor balcony on the rear elevation of the extension;
 - The erection of a porch/canopy to the front elevation of the extension along with the provision of a door;
 - General arrangement of fenestration does not comply with the approved drawings.
 2. The unauthorised extension to the outbuilding.
- The requirements of the notice are:
 1. Remove the rear dormer and balcony and make good the roof with materials to match those used in the construction of the existing roof;
 2. Remove the first floor rear balcony and install a Juliet balcony (black railing) flush with the rear elevation of the extension;
 3. Remove the porch/canopy and door from the front elevation of the extension and fill the resulting void with materials to match the existing stone used in its construction;
 4. Remove the extension to the outbuilding to the rear of the property; and
 5. Remove all materials associated with the demolition from the site.
- The period for compliance with the requirements is three months.
- The appeal is proceeding on the grounds set out in section 174(2) (e), (f) and (g) of the Town and Country Planning Act 1990 as amended.

Summary of Decision: The appeal is dismissed and the enforcement notice is upheld.

Applications for costs

1. Applications for costs were made by Mr Martyn Tomlinson against Tameside Metropolitan Borough Council and by Tameside Metropolitan Borough Council against Mr Martyn Tomlinson. These applications are the subject of a separate Decision.

The appeal on ground (e)

2. The ground of appeal is that the notice was not properly served on everyone with an interest in the land. The appellant's criticism is that the notice was not

- served on other occupiers of the appeal property who are equally as affected by the enforcement notice.
3. The requirements relating to the service of an enforcement notice in S172(2) of the Act provide that an enforcement notice shall be served on the owner and occupier of the land to which it relates and on any other person having an interest in the land, being an interest which in the opinion of the authority is materially affected by the notice. Furthermore, S176(5) of the Act states that if a person who was required to be served was not served, that fact may be disregarded if neither the appellant nor the person required to be served has been substantially prejudiced by the failure to serve.
 4. The appellant contends that there are other occupiers of the appeal property who have an interest in the land and the failure of the Council to serve on all occupiers has impacted on their ability to make an appeal in respect of the enforcement notice. It is my understanding that the property is occupied as a single dwellinghouse (the appellant comments that he is the registered owner and lives there with other occupiers/parties). That being the case it is reasonable to expect that members of that same household would discuss matters affecting them. Furthermore, the actions of the Council have clearly not prevented the appellant from appealing and presenting his case in full. Therefore, no prejudice has been demonstrated.
 5. Secondly, under ground (e), the appellant argues that the notice is imprecise with particular reference to the alleged unauthorised extension to the outbuilding, stating that the notice does not clearly identify the exact or approximate position of the outbuilding in question. It is argued that this should be clearly shown on the accompanying plan or photographs included for clarity. According to the evidence before me, the appellant has submitted a retrospective planning application with respect to the extension to the outbuilding and is aware of the extent of the development that has taken place and which the Council requires to be removed under the enforcement notice.
 6. At my site visit I observed a number of outbuildings and structures within the curtilage of the appeal property. From my site observations, the description of the alleged breach and the requirements of the notice I have been able to identify the outbuilding to which the alleged breach relates. In addition, with his detailed knowledge of the appeal property and relevant planning history, including the submission of a retrospective planning application, I do not consider it plausible for the appellant to have been confused by what the Council requires through the Notice.
 7. The appellant also contends that Martyn Leigh Development Manager does not have the authority to issue an enforcement notice under the Council's Constitution and Scheme of Delegation dated 25 July 2019. I understand that the Council's Constitution in 2017 gave delegated powers to the Executive Director (Place) to carry out a number of responsibilities in consultation with the Borough Solicitor, including issuing planning enforcement notices. On 11 September 2017 the Executive Director (Place) authorised the Head of Planning and Development Manager to carry out delegated powers, including serving enforcement notices on their behalf. Subsequently, on 4 April 2019 the appointed Director of Growth confirmed to the Development Manager that the delegated powers stood until further notification.

8. The evidence before me is that the Development Manager consulted the Head of Legal Services before issuing the Notice using the powers delegated to him by the Director of Place under the terms of the Council's Constitution.
9. The appeal on ground (e) fails.

The appeal on ground (f)

10. The ground of appeal is that the steps required by the notice to be taken exceed what is necessary to achieve its purpose. The purposes of an enforcement notice are set out in s173 of the Act and are to remedy the breach of planning control or to remedy injury to amenity. Since the notice requires the removal of the unauthorised elements of the extension and the removal of the extension to the outbuilding, the purpose is clearly to remedy the breach. Leaving any of these elements in place would not achieve that purpose.
11. The appellant suggests that access to the upper storey of the property is closed to mothball the contentious area. He contends that such lesser steps represent an appropriate course of action. However, such an action would not remedy the breach of planning control and furthermore, case law¹ states that where the appellant has chosen not to pursue an appeal on ground (a), general planning considerations or argument about amenity cannot be introduced under (f). Therefore, in the absence of an appeal on ground (a) in this case I am only able to consider whether the steps exceed what is necessary to remedy the breach.
12. I have also taken account of the appellant's detailed comments with respect to Godley Garden Village and the impact on his property and the wellbeing of him and his family. I am aware of his frustration with respect to the future of his property and the way the Council has dealt with the current planning enforcement matter, but that does not mean that the steps required by the enforcement notice are excessive, and lesser steps would overcome the Council's objections.
13. Consequently, the appeal on ground (f) fails.

The appeal on ground (g)

14. The ground of appeal is that the time given to comply with the requirements is too short. The three months given would be sufficient to undertake the requirements of the notice. The twelve month compliance period suggested by the appellant would be excessive given the continuing ongoing harm caused by the development in question. However, I understand that it may be difficult to obtain contractors to undertake the necessary works within the three month timescale. I understand the appellant's concerns with respect to the costs of the required works, disruption to his family and the uncertainty with respect to Godley Garden Village, but such matters do not justify a long extension to the period for compliance.
15. Therefore, given the above, I consider the period should be increased to enable the appellant to appoint a suitable contractor and undertake the requirements of the Notice. In this respect I consider six months would strike an appropriate balance. To this limited extent the appeal on ground (g) succeeds.

¹ Wyatt Bros (Oxford) Ltd v SSETR & Oxfordshire CC [2001] Civ 1560

Human Rights

16. The appellant states that the enforcement notice will interfere with the rights under the United Nations Convention on Human Rights which are enshrined in Articles 8 and 10 of the Human Rights Act 1998, which states that everyone has a right to respect and family life, and their home, among others. These are qualified rights, whereby interference may be justified if in the public interest, but the concept of proportionality is crucial. In this particular case it is in the public interest and proportional to control the development in order to protect the Green Belt, the character and appearance of the area and the living conditions of the occupants of a nearby residential property.

Formal decision

17. The enforcement notice is varied by:

The deletion from paragraph 6 of the words "three months" and the substitution therefor of the words "six months" as the time for compliance with the requirements.

18. Subject to this variation the appeal is dismissed and the enforcement notice is upheld.

A A Phillips

INSPECTOR



Appeal Decision

Site visit made on 6 October 2020

by Robert Hitchcock BSc DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 October 2020

Appeal Ref: APP/G4240/D/20/3247982

18 Maddison Road, Droylsden M43 6ES

- 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 Krzysztof Szady against the decision of Tameside Metropolitan Borough Council.
- The application Ref 19/00913, dated 9 October 2019, was refused by notice dated 12 December 2019.
- The development proposed is a retrospective single storey rear orangery and new proposed porch at front entrance.

Decision

1. The appeal is allowed and planning permission is granted for a single storey rear orangery and porch at the front entrance at 18 Maddison Road, Droylsden M43 6ES in accordance with the terms of planning application Ref 19/00913, dated 9 October 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: A101 Rev P1; A103 Rev P1 and A104 Rev P1.
 - 3) The development hereby permitted shall not be occupied until the side-facing windows of the rear extension which address the common boundary with 16 Maddison Road have been fitted with obscured glazing, and no part of those windows that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.
 - 4) 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.

Preliminary Matters

2. The description in the banner heading above is taken from the planning application form. However, a rear extension similar to that shown on the appeal plans was substantially complete at the time of my site visit. Some deviations were apparent between the development and the submitted plans

described as 'as-built'. For the avoidance of doubt, this appeal is determined on the basis of the plans submitted with the planning application. I have therefore removed the reference to it as a retrospective development.

Main Issues

3. The main issues are the effect of the rear extension on:

- the living conditions of nearby residents with particular regard to outlook and privacy; and,
- the character and appearance of the building.

Reasons

Living conditions

4. The site accommodates a two-storey end of terrace dwelling. The plot width is slightly wider than the dwelling on account of a pedestrian path to the side. Beyond this lies 16 Maddison Road a separate end of dwelling property set off the common boundary and further forward in its plot. The attached neighbour is 20 Maddison Road.
5. The single storey flat-roofed design of the rear extension would mean that, whilst it would be readily visible, it would not dominate, or appear overbearing in the views from the first floor rear windows of the neighbouring dwellings at nos16 and 20. At ground floor, no20 has a single storey outbuilding sited alongside the common boundary of the appeal site. This extends to almost halfway along the depth of the proposed extension and has no rear facing windows. The position and height of the outbuilding at no20, combined with the original element of the extension at no18, substantially encloses the views from the ground floor openings in the original rear wall of that building. Although a small part of the upper wall and eaves line of the proposal would be visible over the outbuilding this would have little effect on the outlook of the occupiers.
6. Within the garden area of no20 the additional part of the extension would be visible beyond the outbuilding. The effect would be similar to that of other single storey rear extensions and outbuildings in the locality. Combined with the modest eaves height shown, this would not have a significant impact on residents using the garden area. The extension would not, therefore, cause significant harm to the users of the rear garden at no20 with respect to outlook or as an oppressive form of development.
7. The Tameside Residential Design Supplementary Planning Document (March 2010) (SPD) states that a single storey development that would breach a 60° line taken from the centre of the nearest habitable room window of a neighbouring property can result in overshadowing, loss of privacy and/or reduced outlook for neighbours.
8. Due to the combined length of the extension and staggered positions of nos16 and 18, the extension would breach the theoretical line from the nearest rear ground floor window at no16 by a short distance. The majority of the length of the combined extensions would be visible over the boundary from the rear windows and garden area of no16. However, the effect of the proposal on those views would be tempered by the low roof profile, the offset distance from the

boundary and, to a small extent, the part screening of the development by the boundary fence. In combination these would ensure that the proposal would not appear overbearing, oppressive or dominate the main rearward views from the neighbour's window or patio doors.

9. Although the effect within the neighbouring garden would be increased, I find that, for the same reasons, this would not amount to significant harm to the living conditions of the occupiers of that property. It would therefore not warrant a refusal of planning permission with regard to outlook or as an oppressive form of development.
10. The proposal shows windows within the side elevation that would directly address the common boundary and the rear garden area of no16 at short distance. The internal arrangement of the extension would have potential to concentrate activity within the rear room and provide marginally elevated views over the third-party area. This would include the more sensitive area immediately to the rear of the house.
11. Although views across the neighbouring garden are available on account of the limited height of the boundary fencing, the effect would be to undermine any sense of privacy enjoyed by the neighbour. This arrangement would contrast sharply with the previous single door and rear facing window arrangement at the appeal site and result in significant harm to the living conditions of the occupiers at no16 through loss of privacy and overlooking.
12. However, the appellant has advised that this could be addressed through the installation of obscure glazing to the side facing windows. This approach would be consistent with that advocated at Paragraph 54 of the National Planning Policy Framework (the Framework) and I agree that it would overcome the harm I have identified.
13. For the above reasons, I find that the proposed development would avoid unacceptable impacts on the neighbouring properties. It would therefore meet the requirements of Policy H10 of the Tameside Unitary Development Plan Written Statement (Nov.2004) (UDP) and the SPD as they seek to protect the living conditions of neighbouring residents.

Character and Appearance

14. The site is located in a suburban area of primarily residential development. On Maddison Road two-storey dwellings are arranged in mixed length terraces and semi-detached dwellings set behind front gardens. Private amenity spaces are provided to the rear. The buildings generally have hipped tiled roofs and are finished in brick. Some of the terraces' frontages feature render, including no18.
15. The rear extension is proposed to be added to a previous flat roof extension and have matching height and similar width. The use of a flat roof with lightweight roof lantern would limit the sense of scale and massing. At the time of my site inspection I saw that flat roofed rear extensions were common in the locality and whilst they do not reflect the hipped roofs of the primary buildings they are typical of the area such that the extension does not appear out of character with it.
16. Although the combined extension would have a footprint similar to the original dwelling, the low height design would ensure that it appears as a subordinate

addition. Furthermore, the rows of terraces are closely sited such that views to the rear of the properties are significantly limited from public areas. The rear location ensures that the extension would have little effect on the Maddison Road street scene and no harm would arise to it.

17. There is no dispute between the main parties that the proposed porch would be of an appropriate scale and design in the context of the streetscape. Having visited the site I concur with that view.
18. For those reasons, I find that the proposed extensions would be consistent with the requirements of Policy H10 of the UDP and the SPD as it seeks to secure designs which complement or enhance the character and appearance of the surrounding area.

Conditions

19. I have considered the suggested conditions from the Council and had regard to Paragraph 55 of the Framework and the National Planning Practice Guidance in terms of the use of planning conditions. In addition to the standard condition limiting the lifespan of the planning permission, I have imposed a condition specifying the relevant drawings as this provides certainty. A condition requiring the use of matching external surfaces is necessary and reasonable in the interest of the character and appearance of the area.

Conclusion

20. For the above reasons, the appeal should be allowed.

R Hitchcock

INSPECTOR



Appeal Decision

Site visit made on 6 October 2020

by Robert Hitchcock BSc DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 October 2020

Appeal Ref: APP/G4240/W/20/3247222

1 Moorcroft Street, Droylsden M43 7YB

- 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 Lee Trelfa against the decision of Tameside Metropolitan Borough Council.
- The application Ref 19/00714/FUL, dated 26 June 2019, was refused by notice dated 30 October 2019.
- The development proposed is described as a detached garage at the back left hand side of our property. Our property is the end terraced with land on the side.

Decision

1. The appeal is dismissed.

Procedural Matter

2. Section 5 of the planning application form references application for a 'dropped curb and relay new driveway leading to the garage'. These acts of development lie beyond the description of the proposed development. For the avoidance of doubt, aside from reference to them in respect to the proposed garage, they fall outside the scope of the development under consideration within this appeal.

Main Issue

3. The main issue is the effect of the development on highway safety in the locality.

Reasons

4. The site is located close to the junction of Moorcroft Street with Ashton Road. Moorcroft Street is a narrow cul-de-sac serving about 8 residential properties, a pub car park, a training centre and access to the rear of some commercial premises which front Ashton Road (A662). On-street parking is prohibited along its length. Ashton Road is a busy radial route linking the outer ring road to the city centre.
5. The main parties agree that the proposed garage building would have no adverse impacts other than those potentially arising from the use of a vehicular access to it. The presence of a garage building would facilitate parking that, in the absence of ability to turn vehicles within the site, necessitate vehicular manoeuvring within the carriageway of Moorcroft Street on either entry to or exit from the site.

6. Given the close proximity to the junction and narrow width of the carriageway such manoeuvring has significant potential to prevent vehicle passing and cause vehicles to wait in the respective carriageways close to the junction. Furthermore, those manoeuvres would be in close proximity to users of the adjacent footways and crossing at the mouth of the junction.
7. Although vehicles waiting in Moorcroft Street would be unlikely to cause a significant risk, this would not be the case for the main road. Ashton Road is divided by Droylsden Metrolink Station immediately opposite the junction such that opposing vehicular traffic is separated into two lanes in each direction and no right turn into Moorcroft Street is possible from the A662. However, the junction lies on the approach to the larger signalled-controlled junction with Market Street where traffic splits into right turn or ahead/left lanes.
8. Although forward visibility along Ashton Road is generally good, vehicles waiting in the carriageway would impede the free flow of traffic along it requiring vehicles to stop or move into the adjacent lane. This would be particularly hazardous in a location where lane changing on approach to the Market Street junction is also taking place. Those risks could be heightened by drivers attention to the proximity of the pedestrian crossing ahead of the Moorcroft Street junction, the anticipation of the traffic lights at Market Street and potential distractions from the tramway. Any increase in the incidents of vehicles waiting within the carriageway of Ashton Road would therefore have an attendant increase in the risk of collisions.
9. In addition, the close proximity of the Metrolink station, bus stop, a primary school and a local shopping and commercial centre provide a focus for relatively high use of the nearby footways and crossing at the mouth of Moorcroft Street. The requirement to manoeuvre close to the crossing point at the mouth of the road would be hazardous to those road users. Although inter-visibility between footway users and the driver could be improved by reduction or removal of the boundary fencing on the forward part of the site, the requirement to observe three directions and monitor vehicular traffic would give rise to an elevated potential for accidents in comparison to driveways positioned away from road junctions.
10. In support of the appeal the appellant has provided examples of other access points in close proximity to junctions. However, from the limited evidence available, they do not appear to share the same circumstances as the case before me, a case I have considered on its own merits. A driveway at 15 Moorcroft Street is at significantly greater distance from the junction and the adjacent access to a parking court would not present the same risks associated with Ashton Road such that its effects on highway safety would be significantly lower.
11. For the above reasons, I find that the proposed development would result in an unacceptable impact on highway safety in the vicinity of the site. It would therefore conflict with Policy T1 of the Tameside Unitary Development Plan Written Statement (Nov.2004) as it seeks to improve safety for all road users.

Other Matters

12. At the time of my site inspection the enclosed site had a double-gated vehicular entrance and a hardstanding at the side of the dwelling. This was being used for car parking. However, the existing vehicular access was not serviced by a

formal vehicle crossing. The Council has provided evidence of the highway authority's previous refusal to provide a dropped kerb at the site. That decision is subject to control under different legislation and is a matter between the appellant and the relevant authority. As such, those circumstances are a neutral consideration in my determination of this appeal.

13. I acknowledge that the garage would provide a benefit to the family and neighbours in terms of improving privacy to parts of the property, particularly in respect of views afforded from buses stopping at the adjacent bus stop. However, this benefit would not outweigh the harm I have identified in relation to highway safety.

Conclusion

14. For the above reasons, the appeal should be dismissed.

R Hitchcock

INSPECTOR

This page is intentionally left blank