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SPEAKERS PANEL (PLANNING)

Day: Wednesday
Date: 17 March 2021
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 Panel.	
3	MINUTES The Minutes of the meeting of the Speakers Panel (Planning) held on 24 February 2021, having been circulated, to be signed by the Chair as a correct record.	1 - 6
4	PLANNING APPLICATIONS To consider the schedule of applications:	
4a	19/00648/FUL - LAND OFF COACH ROAD, HOLLINGWORTH	7 - 26
4b	20/00970/FUL - BUCKTON BUILDING, TAMESIDE GENERAL HOSPITAL, FOUNTAIN STREET, ASHTON-UNDER-LYNE	27 - 48
4c	20/01055/FUL - LAND ADJACENT TO 7 WAKEFIELD ROAD, STALYBRIDGE	49 - 76
4d	20/01089/FUL - LAND TO THE NORTH OF WEIR MILL, MANCHESTER ROAD, MOSSLEY, OL5 9QA	77 - 90
5	APPEAL DECISION NOTICES	
5a	APP/G4240/D/20/3264079 - 15 ARNOLD ROAD, GEE CROSS, HYDE, SK14 5LH	91 - 92
5b	APP/G4240/W/20/3261539 - 151 KING STREET, DUKINFIELD, SK16 4JZ	93 - 94
5c	APP/G4240/D/20/3262756 - 20 MILLBROOK AVENUE, DENTON, M34 2DU	95 - 96
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.

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SPEAKERS PANEL (PLANNING)

24 February 2021

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

40. MINUTES

The Minutes of the proceedings of the meeting held on 16 December 2020, having been circulated, were approved and signed by the Chair as a correct record.

41. DECLARATIONS OF INTEREST

Member	Subject Matter	Type of Interest	Nature of Interest
Councillor Dickinson	Agenda Item 5(f) Planning Application: 20/00861/REM – 19 Early Bank, Stalybridge, SK15 2RU	Prejudicial	Pre-determined views against this proposal.

During consideration of the above item, Councillor Dickinson, left the meeting and played no part in the discussion and decision making process thereon.

42. OBJECTIONS TO THE PROPOSED TAMESIDE METROPOLITAN BOROUGH COUNCIL BUS STOP CLEARWAY (24 HOUR) CLARENDON ROAD, HYDE 2019

Following deferral at December's Panel, further consideration was given to a report of the Assistant Director, Operations and Neighbourhoods, outlining the objections received to the proposed 24-hour bus stop clearway. Members had requested further clarification from Transport for Greater Manchester (TfGM) and Stagecoach Manchester on a number of points relating to the proposals.

It was explained that the Council had been approached by TfGM on behalf of one of their bus operators whose services had experienced difficulties accessing the bus stop that was located on Clarendon Road, Hyde at its junction with Bedford Avenue. Parked vehicles at this location had caused the issue. Consequently, passengers using this stop had to alight and embark from the bus whilst it was stopped in a live lane of traffic presenting a risk to both passengers and causing congestion on an already busy road.

In response to the issues outlined, the Council proposed the introduction of a 24-hour bus stop clearway on Clarendon Road at its junction with Bedford Avenue for a distance of 30 metres in a north easterly direction.

During the 21-day consultation period, one objection to the proposal was received. The objector raised concerns that the implementation of the bus stop clearway at this location would result in the loss of 4-5 on street parking spaces in an area where residents did not have access to off street parking and where parking was already at a premium. They suggested that the proposed 24-hour bus stop clearway was a disproportionate response given that buses only needed to access the stop

for a couple of minutes at a time. The objector requested that the proposed restrictions were limited to hours during the working day, which would allow residents to park on street in the evenings and overnight at the location.

In response to the concerns related to parking raised by the objector, Members previously requested that the item be deferred in order to ascertain whether the bus stop could be removed; whether the bus stop could be relocated; if the bus stop clearway had to be operational for 24 hours; and details of the patronage figures for the bus stop.

In response to the first two questions, TfGM and Stagecoach Manchester advised that it was TfGM policy not to remove bus stops unless there were road safety grounds to do so. In this particular instance, the removal of this stop was considered to be detrimental owing to the distance between the previous stop (Victoria Street) and the next stop (Clarendon Road, just past Hyde police station). It was further explained that due to the residential nature of Clarendon Road there was no suitable, alternative location for the stop, without placing it outside other residential properties.

Regarding the operational hours of the clearway, Members were informed that if the clearway was only in force between 7am and 7pm this would not take away the accessibility issue for passengers boarding a bus from the carriageway as the 346 operated outside these hours. It was argued that if overnight parking was allowed, this could lead to confusion in terms of enforcement and residents would perhaps be reluctant to move their vehicles before 7am.

The Highways Manager explained that in response to the question regarding patronage figures for this bus stop, TfGM had advised that due to the way that ticket machines on buses worked, there were a limited number of fare stages on any given route. Therefore, it was not possible to provide usage figures for an individual stop without manually conducting a survey.

The Service Delivery Manager for Stagecoach Manchester, Ross Stafford, addressed the Panel in support of the proposals. Mr Stafford explained that the issue of vehicles parking at the bus stop was a longstanding one and it was therefore difficult for buses to pull up to the kerbside to allow passengers to alight and board as a result. Members were informed that the issue had been exacerbated during the Covid-19 pandemic, as there had been less movement of vehicles as more individuals worked from home. In order to ensure that disabled passengers and those with limited mobility could access the stop, it was considered vital that the bus stop clearway was introduced. In response to the query from Members that the bus stop appeared to have low usage, Mr Stafford hoped that the introduction of a clearway at the location would encourage more people locally to use the stop and it was:

RESOLVED

That authority be given to implement the 24-hour bus stop clearway on Clarendon Road, Hyde at its junction with Bedford Avenue for a distance of 30 metres in a north easterly direction.

43. 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:	15/01061/FUL English Braids Ltd
Proposed Development:	Outline planning application for the demolition of Britannia Mill and erection of approximately 750sqm retail floor space (A1)

	<p>and approximately 62 apartments and associated access with all other matters reserved.</p> <p>Britannia Mill, Manchester Road, Mossley</p>
Decision:	That planning permission be granted subject to the prior signing of a Section 106 Agreement and the conditions as detailed within the submitted report.

Name and Application No:	<p>20/01058/FUL</p> <p>Mr Andrew Murphy</p>
Proposed Development:	<p>Erection of a timber pagoda structure and a timber summerhouse building and associated landscaping working in secondary garden area (part retrospective).</p> <p>Land Opposite 20 Hill End Cottages, Hill End Lane, Mottram, SK14 6JP</p>
Speaker(s)/Late Representations	Russell Craig, on behalf of the applicant, addressed the Panel in relation to the application.
Decision:	That planning permission be refused for the reason outlined in the submitted report.

Name and Application No:	<p>20/01113/FUL</p> <p>Jigsaw Homes</p>
Proposed Development:	<p>Development of 16 houses and refurbishment of existing shops and maisonettes.</p> <p>Rydal Walk, Ambleside, Stalybridge</p>
Speaker(s)/Late Representations	David Smith, 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:	<p>20/00006/FUL</p> <p>Mr M Rigby</p>
Proposed Development:	<p>Erection of 1 No. residential dwellings on land south of John Street, Heyrod</p> <p>Land off John Street, Heyrod, Stalybridge</p>
Speaker(s)/Late Representations	Richard Mowat, 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:	19/00901/FUL Yu Group
Proposed Development:	Erection of a 4-storey building to provide two ground floor retail units and 49 residential apartments, with 13 parking spaces, following the demolition of the existing two and three storey building. 30-38 Old Street, Ashton-under-Lyne
Speaker(s)/Late Representations	Sam Thistlethwaite, on behalf of the applicant, addressed the Panel in relation to the application.
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:	20/00861/REM Mr R Dewsnap
Proposed Development:	Reserved matters approval for the demolition of existing bungalow and construction of three new houses pursuant to outline planning permission ref. 20/00325/OUT.
Speaker(s)/Late Representations	Councillor Doreen Dickinson addressed the Panel objecting to the application. Matt Hurst, 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:	20/00936/FUL Site of Former A-Plant Hire, Fairfield Road, Droylsden
Proposed Development:	Full planning permission to vary condition 2 (approved plans) of planning permission 20/01116/FUL.
Speaker(s)/Late Representations	Nick Scott, 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.

44. APPEAL DECISIONS

Application Reference/Address of Property	Description	Appeal Decision
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APP/G4240/D/20/3261633 15 Beechwood Drive, Mossley, Ashton-under- Lyne, OL5 0QJ	Proposed refurbishment of existing decking and construction of new decking to the side and rear of the property with balustrade and external steps.	Appeal allowed.
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45. URGENT ITEMS

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

CHAIR

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Application Number 19/00648/FUL

Proposal Erection of an agricultural building, tractor store, feed silos and associated works for the purposes of rearing cattle (part retrospective application).

Site Listed on the application form as 141 Mottram Moor, Hollingworth, Tameside, SK14 8LZ. Site is effectively west of Coach Road, Hollingworth.

Applicant Mr V Casale

Recommendation Refuse planning permission.

Reason for Report A Speakers Panel decision is required because residents have requested to address the meeting in relation to the proposals.

1.0 APPLICATION DESCRIPTION

1.1 The applicant seeks full planning permission for the erection of an agricultural building, tractor store, feed silos and associated works for the purposes of rearing cattle (part retrospective application).

1.2 The agricultural building has been constructed and is in situ/use as a cattle barn. It is a largely steel framed timber clad structure with a flat steel roof. The appearance is somewhat ad-hoc owing to various alterations; internally there are a series of bays which separate cattle into groups. The bays have an open frontage onto a concrete surfaced yard. Access is taken via a gated entrance from Coach Road to the east. The measurements of the building are approximately 33m (L) x 6.5m (B) x 4.8m (H).

1.3 The tractor shed has yet to be constructed. This would be a building of timber construction measuring 8m (L) x 6m (B) x 4.3m (H) and would be sited to the south of the Cattle Barn accessed from the courtyard.

1.4 The application also seeks to rectify a number of operational works including retaining features to the rear of the cattle barn, hardstanding and, drainage and position of grain feed silos.

1.5 Management plans have been submitted in support of the application. This is based upon a maximum head of 50 cattle. The statement raises the following:

- Feed will be delivered once or twice per month. This is to be stored in the 12 ton silo bin to the north east of the site and is shown on the application drawings;
- Haylage will be stored on site wrapped in plastic wrap, whilst the store to the rear of the cattle shed is constructed. The increase in height will allow the bales to be placed into the store via a tractor;
- Sawdust will be stored in part of the cattle barn until building work has been completed;
- Molasses will be stored in IBC containers in the yard.
- Cow dung is to be stored in a concrete bund, next to the cattle shed. The waste is currently being collected on a 7 to 10 day interval which is sufficient to keep the odour and flies to a minimum and this will be monitored and amended as necessary. Should the weather / amount of dung exceed the requirements, additional collections will be made;
- Slurry waste is collected in the three underground slurry tanks and sucked out with a tanker and taken away for disposal as and when required;
- Consideration will always be given to the environment (smell, insects and pests);

- When building works have been completed the cattle will also be turned out to graze with a view to purchase or rent more land for grazing.

2.0 SITE & SURROUNDINGS

- 2.1 The site is located on the rear (north) of properties which front Mottram Moor and is accessed from the east via Coach Road. The site sits in a hollow, it comprises of agricultural land within the Tameside Green Belt boundary. The application site concerns the siting of the shed and storage barns only, the applicants ownership extends to circa 0.6 hectares. The red line boundary extends to an area of 365sqm. The applicant has been raising cattle at the site for approximately 20 months. Prior to this the site was used as a small holding of a scale of not particular significance.
- 2.2 The main building is already constructed with cattle currently being reared from within it. The predominant material is timber, the design is not traditional and appears to have evolved across additional/phased alterations. The yard is of concrete construction and there is drainage to a septic tank. Feed is stored within the site either within silos or in stacked bails. Visits have confirmed the presence of outside storage of various building materials and construction paraphernalia. Machinery has been present on the site including a tractor and tipper. There is evidence of animal waste being stored/spread on land immediately adjacent to the building.
- 2.3 The site's access from Coach Road comprises of an un-adopted potholed track, this is in part shared by properties fronting Coach Road. There is evidence of some works undertaken to resurface and retain the track.
- 2.4 The nearest residential properties are those fronting Mottram Moor to the south and Coach road to the east, all of which occupy an elevated position to the site. The rear garden boundary is within approximately 20m of the site building. The properties on Mottram Moor are separated by a copse of trees and there is also a stream/brook running along their rear boundary.

3.0 PLANNING HISTORY

- 3.1 Record taken from 141 Mottram Moor:-
- 17/00417/FUL – Single storey rear garage – Refused

4.0 RELEVANT PLANNING POLICIES

4.1 Tameside Unitary Development Plan (UDP) Allocation: Green Belt

4.2 Part 1 Policies

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

4.3 Part 2 Policies

- OL1 Protection of the Green Belt
- OL10: Landscape Quality and Character
- OL11 - Support for Agriculture
- OL12 - Development Associated with Agriculture

C1: Townscape and Urban Form
T1: Highway Improvement and Traffic Management
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
U4 Flood Prevention

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; and,
Trees and Landscaping on Development Sites SPD adopted in March 2007.

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

Chapter 8 – Promoting Healthy and Safe Communities
Chapter 12 – Achieving Well-Designed Places
Chapter 13 – Protecting Green Belt Land
Chapter 15 – Conserving and Enhancing the Natural Environment

4.6 **Planning Practice Guidance (PPG)**

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

5.0 **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 on two occasions. A site notice was also erected. In response there have been 31 letters of objection received.

6.0 **RESPONSES FROM CONSULTEES**

6.1 Environmental Health Officer (EHO) - Based on its location, and the likely number of cattle in the shed at any one time, there is a strong possibility of this development causing both an odour and insect nuisance to nearby residential properties, particularly during the warmer months. However, EH are not currently able to confirm whether such nuisances exist which is, in part due to the current pandemic and restrictions placed upon us as a result.

6.2 Environmental Services (Animal Welfare) – No welfare issues identified.

- 6.3 Contaminated Land – No objections, no requirements for any remediation given the agricultural use. Any contamination of controlled waters would be regulated by the Environment Agency.
- 6.4 Environment Agency - No comments received.
- 6.5 Highways – No objections to the proposals. Do not wish to restrict approval of the application and no recommendations are made for conditions relevant to site access arrangements.
- 6.6 Tree Officer – Does not consider that any tree or vegetation would be affected by the proposals.
- 6.7 United Utilities – Confirmed that the building does not encroach upon the Longdendale aqueduct that passes through the site. Removed an initial objection, confirmed, and would not be prejudicial to its maintenance.

7.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- Since the building was erected and cattle moved to the site residents have been plagued by flies, which is a health hazard;
- Odour from the site is unbearable at times, it prevents residents from using gardens or drying washing;
- Amenity of residents has been severely impacted upon;
- Residents repeatedly have to clean and disinfect items as a consequence of the site issues;
- The applicant has no regard to the planning system and should not have constructed the building without planning permission;
- Increase in vermin within the area;
- Potential pollution of the nearby brook;
- Appearance of the building is unsightly and not appropriate for agricultural use;
- The site has never supported such an intensive use and is unsuited to the scale of the development;
- Site and fields are subject to flooding during heavy rainfall the development would add to this;
- The plans are misleading; the access track shown in blue on the plan is not owned by the applicant but by TMBC. Why are TMBC allowing this;
- Cattle and feed deliveries cause significant disturbance to residents on Coach Road preventing access;
- Loss of privacy when CCTV was unlawfully erected;
- Damage to Coach Road is damaging residents vehicles;
- Loss of open space / impact upon the landscape;
- Deliveries using the access is causing deterioration of Coach Road;
- Noise and disturbance throughout the day and from the concentration of cattle which sound distressed;
- There are too many cattle for such a limited space; and
- Animal welfare concerns that cattle can't graze outside.

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 decisions taken 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 application seeks retrospective planning permission for the erection of an agricultural building to house up to 50 head of cattle. In addition, it is proposed to erect a further building for the storage of on-site machinery.

9.2 The site is located within the Tameside Green Belt boundary. Policies OL1 and OL2 seek to protect the green belt against inappropriate development and encourage the reuse of existing buildings. Development associated with agriculture is however, compliant with Green belt Policies listed both within the UDP and NPPF.

9.3 The use of land for agricultural purposes does not require planning permission. However, the erection of buildings, engineering works and operational development require consent either through a prior approval procedure (for agricultural buildings) or via full planning consent. It is noted that the building constructed is not linked to any established farm and represents an independent enterprise introduced to the site by the applicant.

9.4 Policy OL12 states that development of agricultural buildings will be permitted provided that the proposals are sited and designed to:

- a) Minimise the visual impact on the landscape in accordance with policy OL10, and
- b) Relate well to existing farm buildings, and
- c) Minimise any adverse impact on the amenity of adjacent dwellings unconnected with the farm.

9.5 It is not disputed that the building is being used for the rearing of cattle, the principle would otherwise be considered acceptable within the Green Belt. However, in the applicants circumstances it is consideration against points a, b & c of policy OL12, where issues are raised and ultimately the site is considered not to lend itself to the scale of operations which the application seeks to establish.

9.6 Noting the retrospective nature of the proposal, Members are advised that a refusal of planning permission may require formal enforcement proceedings to be undertaken.

10.0 IMPACTS ON RESIDENTIAL AMENITY

10.1 The general thrust of UDP policies seek to ensure that neighbours are protected from harmful development. Policy OL12 (C) makes explicit reference to the need for new agricultural buildings to minimise any adverse impacts upon the amenity of adjacent dwellings. General policy/guidance is to site such buildings away from sensitive receptors.

10.2 Paragraph 180 of the NPPF states; 'Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including

cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development’.

- 10.3 The application has been under consideration by the Authority for a period of over 20 months. This perceived delay in decision-making has allowed officers to try to work with the applicant to resolve issues with site management; it has also allowed a degree of monitoring of site conditions. Observations during this period include:
- Cattle are reared within the building at all times;
 - Improvements to waste management have been introduced but waste still appears to be spread on adjacent fields;
 - Whilst intermittent, odour from the site is very strong/pungent and consistent with residents representations;
 - Adjoining land is being used for open storage of construction materials;
 - Building work continues to be undertaken with repeated alterations and extensions made; and
 - Relatively large quantities of animal feed are stored around the building.
- 10.4 Representations made from residents raised numerous points of concern. It should be noted that the initial consultation pre-dated current Covid-19 restrictions. It is considered reasonable to assume therefore that they are not reflective of heightened sensitivities from residents being confined to their properties. A consistent issue raised is one of malodour and flies attributed to the operations.
- 10.5 These observations are also consistent with observations from officers during periodic site visits to the building itself and neighbouring properties. Residents state the repeated need for fly traps throughout their houses and an inability to use outdoor gardens. The concerns have been expressed to the applicant and attempts have been made to introduce new management techniques. It appears that these techniques have not resolved matters to the satisfaction of local residents and due weight is apportioned to their comments in assessing the impact of the scheme on the residential amenity of neighbouring properties.
- 10.6 A balanced assessment is required of the proposals. It is accepted that the local environment is semi-rural in character, properties within the vicinity back onto agricultural land and there are several active farms within the vicinity. It is reasonable to assume that day-to-day activities associated with these farms may give rise to amenity issues. This established relationship and local character is a material consideration.
- 10.7 In a similar vein, it is noted that most farm complexes are relatively isolated from residential properties, and cattle are generally allowed to graze openly and not in a building which borders residential uses. The position of a building used solely for the rearing of cattle in close proximity to residential properties is not an established characteristic of local agricultural uses.
- 10.8 The merits of the proposal are considered in the context of the wider environment and requirements of the NPPF and policy OL12. In addition to paragraph 180, paragraph 183 of the NPPF states; ‘The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions’. The view taken is that agricultural use is an acceptable land use in principle, and that such uses are part of the fabric of the locality, however, the circumstances of the applicant are substantially different, particularly given that it is not related to an established farm enterprise.
- 10.9 To address concerns the applicant has attempted to implement new site management processes. However, evidence from representations suggest that these measures have not addressed the problem associated with malodour and continued nuisance from flies. Cattle

are not given the freedom to graze meaning that all associated waste is concentrated within a single area; such an arrangement appears to directly exacerbate the issues associated with odour, and amenity, which have been raised by the residents and which are material to the planning judgement.

- 10.10 Consideration has been given to the application for conditions to control the use of the building and the numbers of livestock that can use it. It is noted that at 214sqm (approx.) the building meets requirements of providing 4-5 square metres of floor area per animal (Farm Advisory Service Standards).
- 10.11 Discussions with the applicant to reduce the head of cattle have not culminated in any written commitment to do so. Adjacent land is not used for the grazing of the animals and the applicant continues to raise them solely from the building. Had alternative arrangements been available, conditions could have been applied limiting the use of the building to winter months. This, however, is an option that has not been forthcoming.
- 10.12 Adjoining land, within the applicant's ownership, offers limited outdoor grazing potential, and would not be sufficient to support the head of cattle involved. Whilst the use of this land would remove the concentration of activity from a single area, it would remain that cattle would need supplementary feeding and this would still need to take place from the building. It is also the case that the land is bordered by residential properties, so issues relating to amenity and disturbance are likely to occur.
- 10.13 In terms of disturbance to residents, it is understood that noise from the animals and vehicle movements could be another factor. Again, the concentration of cattle in a single area could give rise to relatively high levels of noise. The access arrangements can also interfere with that of properties on Coach Road, who access their parking from the track. The inability for larger vehicles to enter and manoeuvre within the site dictates that they will reverse and wait on the track obstructing access. This adds to the cumulative issues taken with the location of the building and its adverse impact upon residents.
- 10.14 The conclusion reached is that the concentration of the cattle within a building within close proximity of residential properties is not acceptable. The proposal represents an over intensive use of a constrained site. Observations made by officers on site visits, along with representations from residents, confirm that the proposals have an adverse impact upon the amenity of nearby residents and this is considered contrary to requirement of policy OL12 and relevant paragraphs of chapter 15 of the NPPF.

11.0 IMPACTS ON VISUAL AMENITY & LANDSCAPE CHARACTER

- 11.1 Policy OL10 emphasises the need for any development to be sympathetic to its surroundings. It strives to ensure that developments achieve high standards of siting, design, materials and landscaping. In addition to this, criteria (A&B) of Policy OL12 relate to design considerations of new agricultural development. The circumstances are unique; the agricultural activity which has been introduced in this case is not associated to an established farmstead. As a consequence, the building is an isolated form of development which does not relate to any existing farm buildings. The resulting impact upon the immediate landscape quality is considered to be negative.
- 11.2 Geographical features dictate that the building is not particularly prominent. It is sited within a hollow against an embankment. Trees to the south of the site offer some screening from properties on Mottram Moor, views are apparent particularly from late autumn to mid spring when trees are not in full leaf.
- 11.3 In terms of the visual acceptance of the proposals, the building has not been constructed to a recognised design. The building appears to have evolved as a series of extensions and alterations giving an overall ad hoc appearance. As well as the existing building, the visual

impact must also be considered in the context of the additional machine store, grain store and outside storage and the overall level of activity. It is considered that the building and associated storage would give rise to an undesirable cluttered appearance and represents an incongruous addition to the landscape. This would also be contrary to paragraph 141 of the NPPF which advises that Local Planning Authorities should plan positively to retain and enhance landscapes and visual amenity within the Green Belt.

12.0 HIGHWAY SAFETY

- 12.1 Access to the site is taken via an un-adopted track directly off Coach Road. Both the surface of the track and Coach Road are in a compromised condition, which is heavily potholed. Objections have been received, raising concern about increased vehicle movements resulting in further deterioration of Coach Road.
- 12.2 Coach Road itself serves a number of residential properties as well as Nettle Hall Farm. The day-to-day traffic movement are not deemed to be significant and consultation with the Local Highway Authority has not resulted in any objections.

13.0 OTHER MATTERS

- 13.1 Trees - The erection of the current building has not seen the removal of any trees and this would also be the case for the additional tractor building that is proposed.
- 13.2 Contamination – Representations have raised concerns about the potential contamination of the adjacent watercourse from materials and waste stored at the site. The applicant has installed a slurry tank which collects liquid waste from the building and is emptied by mechanical means. The control of waste and the appropriate provision of drainage, with regard to agricultural developments, are controlled by separate legislation, which is enforced by the Environment Agency. The Environment Agency have not expressed any interest when consulted on the application.
- 13.3 Coach Road – Queries have been raised on the ownership and responsibility of the access track off Coach Road. TMBC Estates confirmed that it is in fact 'common land' and that the Council merely act as custodian and land manager in order to enforce the provisions of the Commons Registration Act 1965. The applicant is afforded common 'rights to roam' across the land.
- 13.4 United Utilities – United Utilities had initially raised a dispute over the location of the building to a pipeline in their ownership. The matter has since been resolved.

14.0 CONCLUSION

- 14.1 The assessment of the proposals is balanced. It is clear that the building supports an agricultural activity, which is a compatible land use with Green Belt Policy. However, a major failing of the development is its close proximity to residential properties. The scale of the operations within a limited site is not conducive to maintaining appropriate levels of amenity to nearby residents. Ultimately, when considering the merits of the proposals it is considered to represent an overly intensive use of a limited site and the adverse impacts which arise are contrary to UDP policy OL10 and paragraphs 180 and 183 of the NPPF.
- 14.2 In addition to concerns in relation to the amenity of neighbouring residents, the cumulative impact of the poor design of the existing and proposed development, associated outside storage and ancillary works is considered to be harmful to visual character and overall quality of the local environment. This, in combination with the harmful impact upon residents

amenity caused by the building's size and intensity of use leads to the conclusion that the location is not suitable for the building or use and as such, officers conclude that the application should be refused.

RECOMMENDATION

Refuse, for the following reasons:

- 1) The agricultural building, by reason of its overall scale, footprint and location, has introduced an intensive operation into a sensitive location by virtue of the close proximity to residential properties. Such a use gives rise to unacceptable impacts on the amenity of nearby residents by virtue of nuisance generated from malodour from the scale of the sites operations. The constraints of the site are such that it is considered that these impacts cannot be adequately mitigated against. Consequently, the site is considered not to be suitable to support the building and its associated impacts. The proposals are therefore considered to be contrary to UDP policy OL12 and paragraphs 180 and 183 of the NPPF.
- 2) The building assumes a poor design not befitting of its location. The cumulative impact of the design, materials and scale of the development along with outside storage gives rise to an undesirable cluttered appearance. The isolation of the building (not tied to a farmstead) forms an incongruous feature within the landscape to the detriment of the character and visual amenity of the locality contrary to UDP policies OL10, OL12 and Paragraph 141 of the NPPF.

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Application Number: 19/00648/FUL

Erection of an agricultural building, tractor store, feed silos and associated works for the purposes of rearing cattle (part retrospective application)

Photo 1: Aerial view:- Location relative to Mottram and Hollingworth

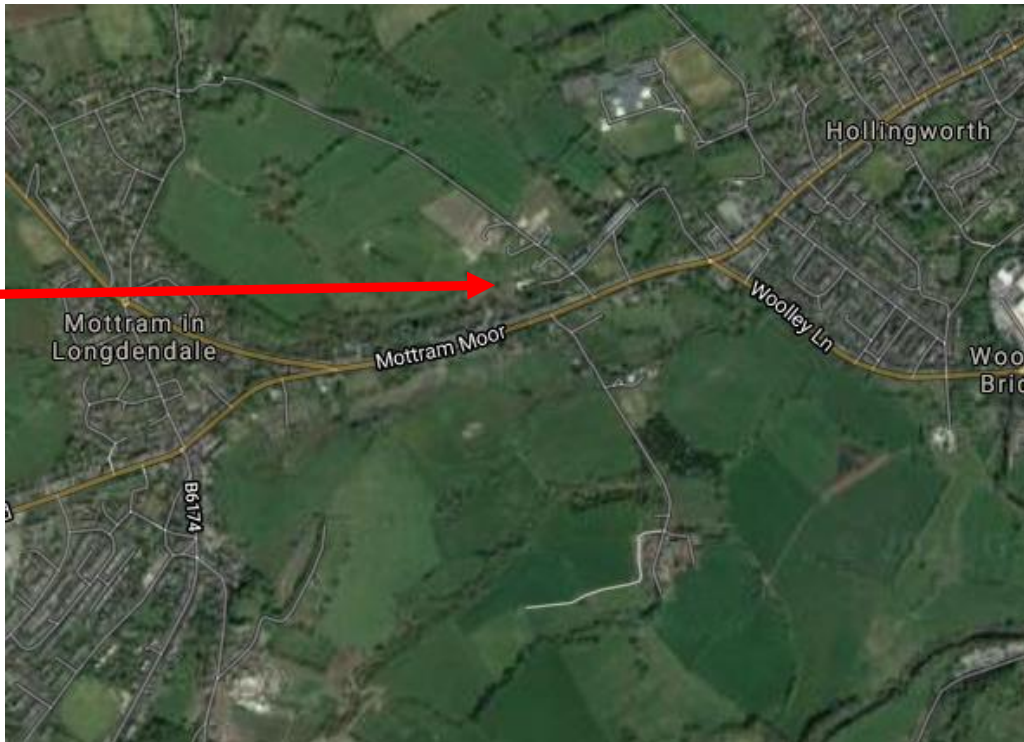


Photo 2: Front elevation of the building



Photo 3: Internal arrangement of the building



Photo 4: Example of materials seen within the site.



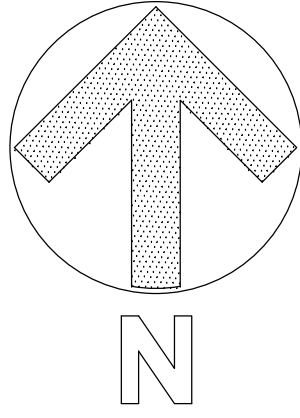
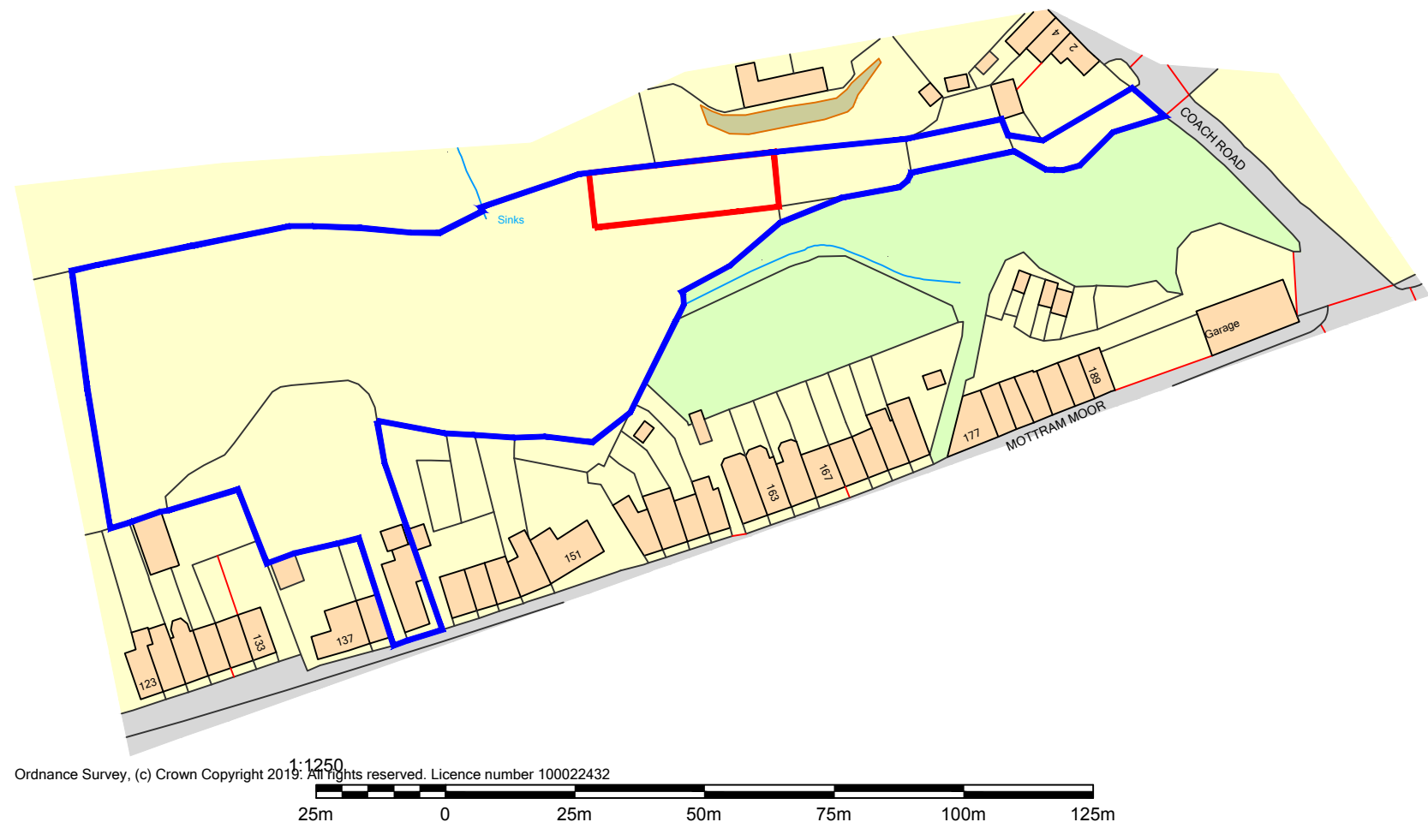
Photo 5: Access Track from Coach Road



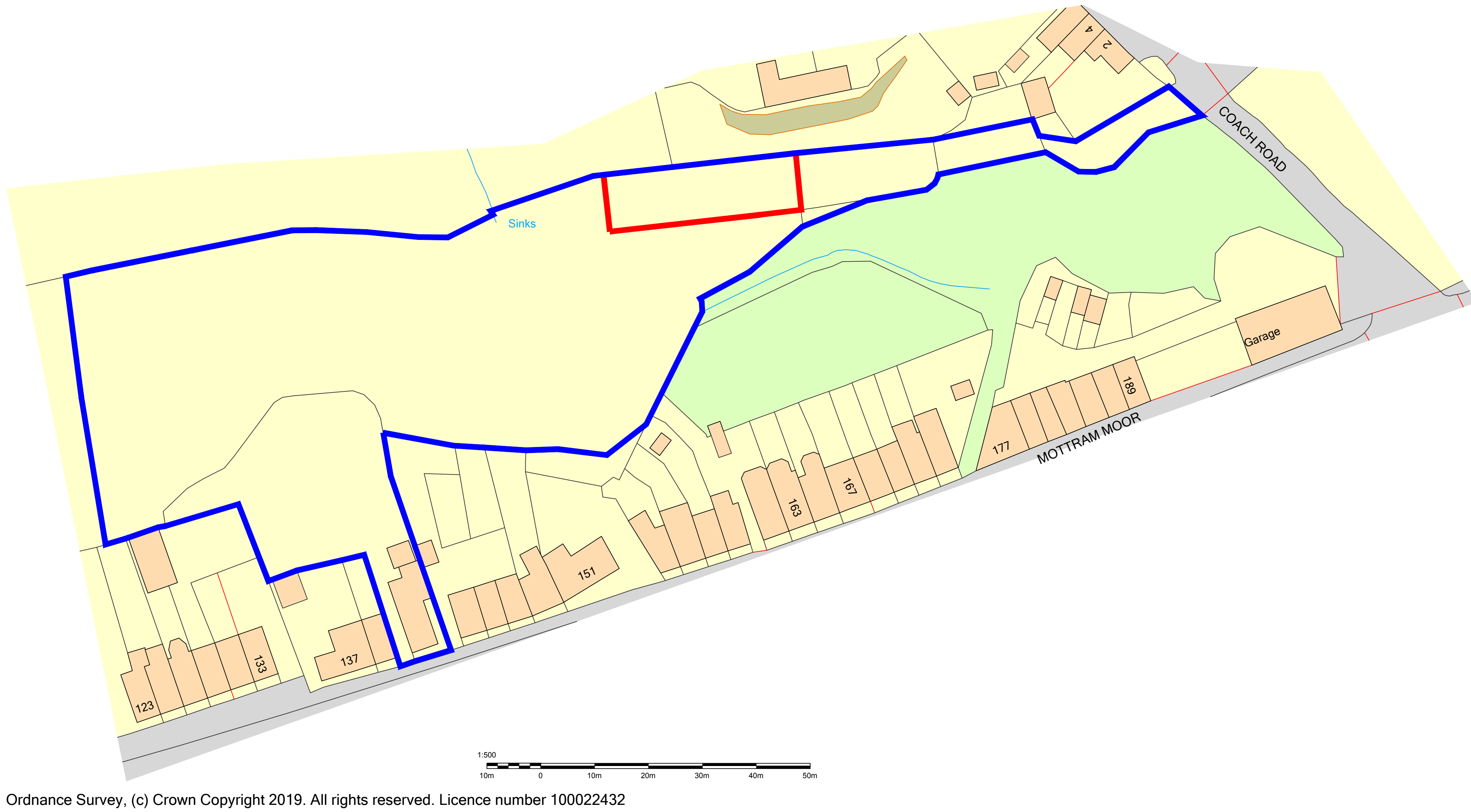
Photo 6: View of the site from Mottram Moor.



Location Plan 1:1250



Location Plan 1:500



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All levels and dimensions must be checked on site by contractor prior to commencement of works. Any variations must be reported to the client.

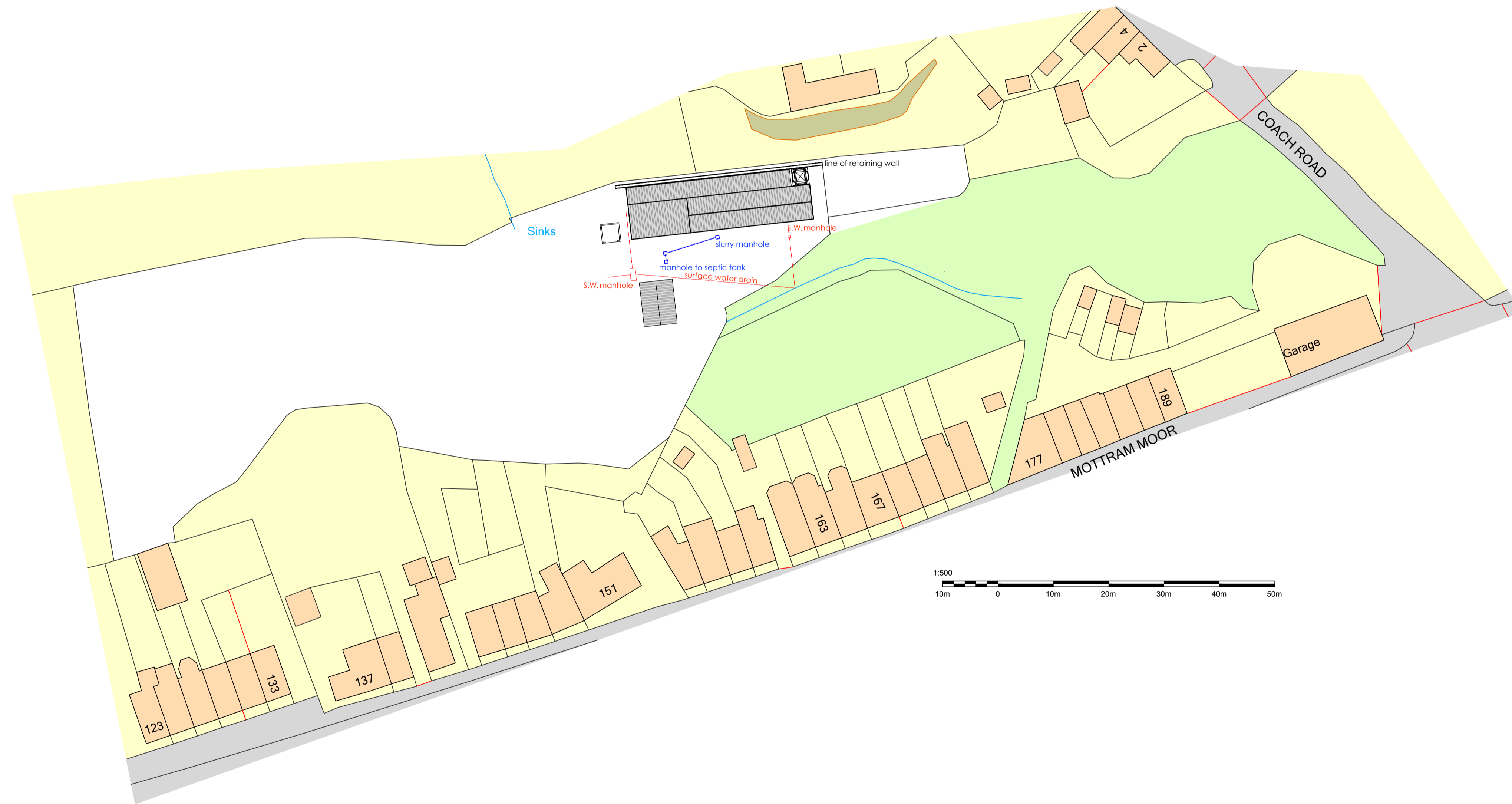
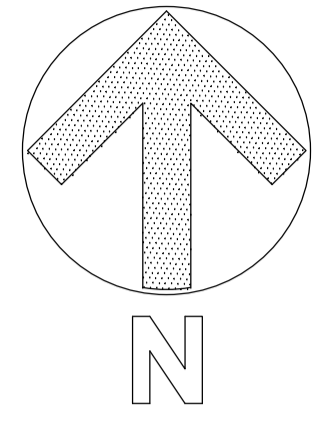
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Client	Mr V Casale
Project	Land to rear of 141 Mottram Moor, Hyde SK14 8LZ
Title	Location Plans

Revision	a
Drawing Number	692-p01
Dwg. Scale	1:500 a1

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Proposed Site 1:500



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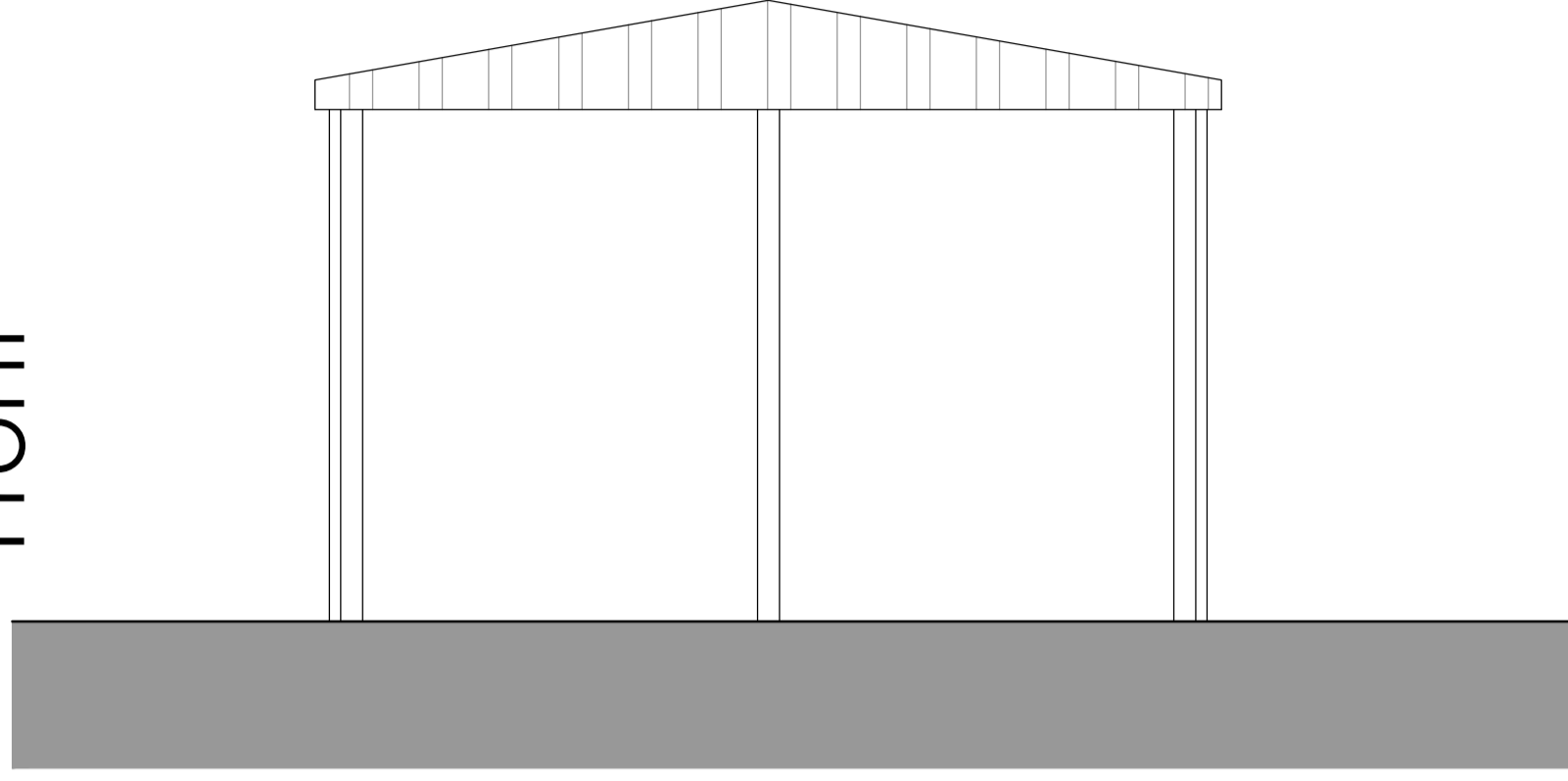
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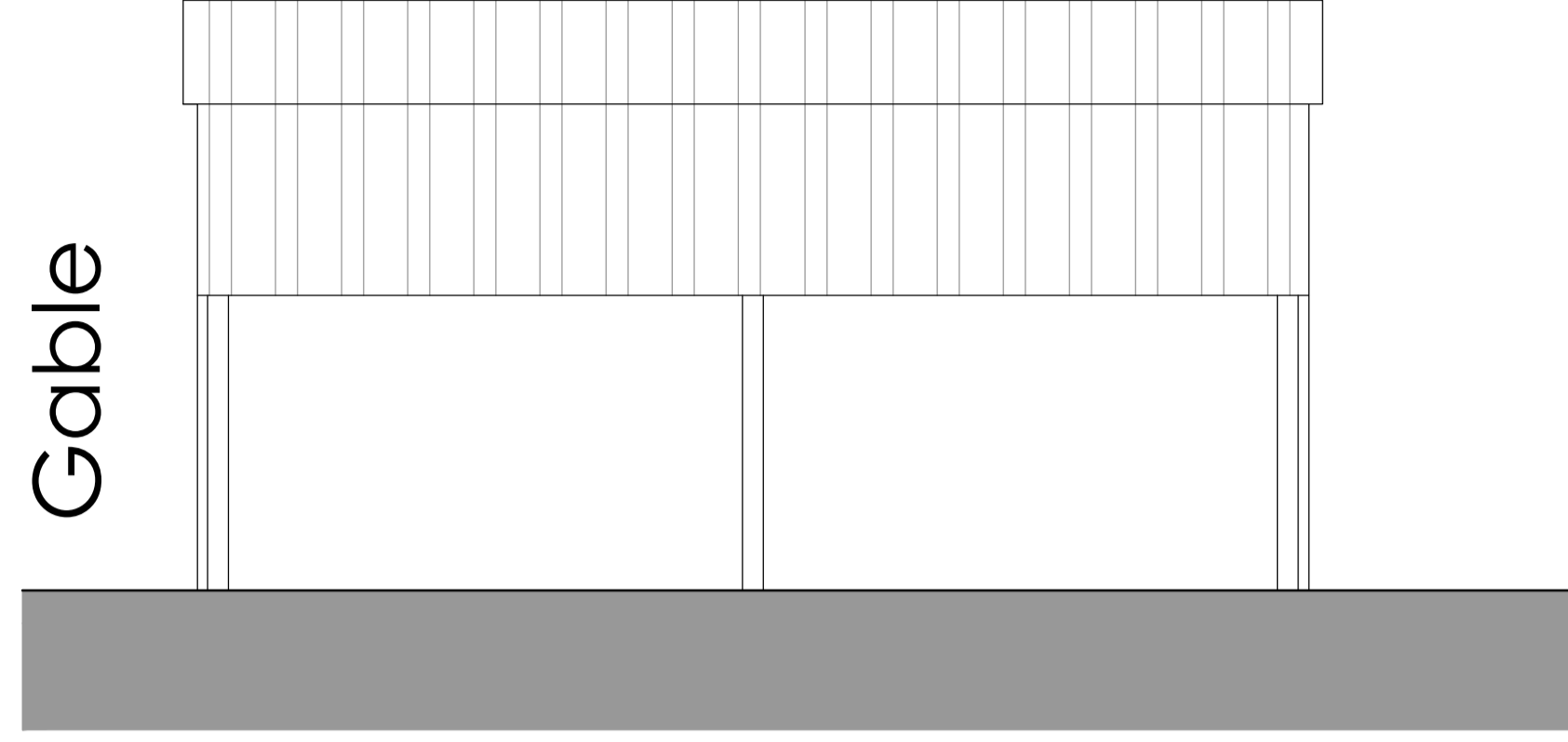
Client	Mr V Casale	Revision	a
Project	Land to rear of 141 Mottram Moor, Hyde SK14 8LZ	Drawing Number	692-p04
Title	Extension to Farm Building	Dwg Scale	1:500 a1

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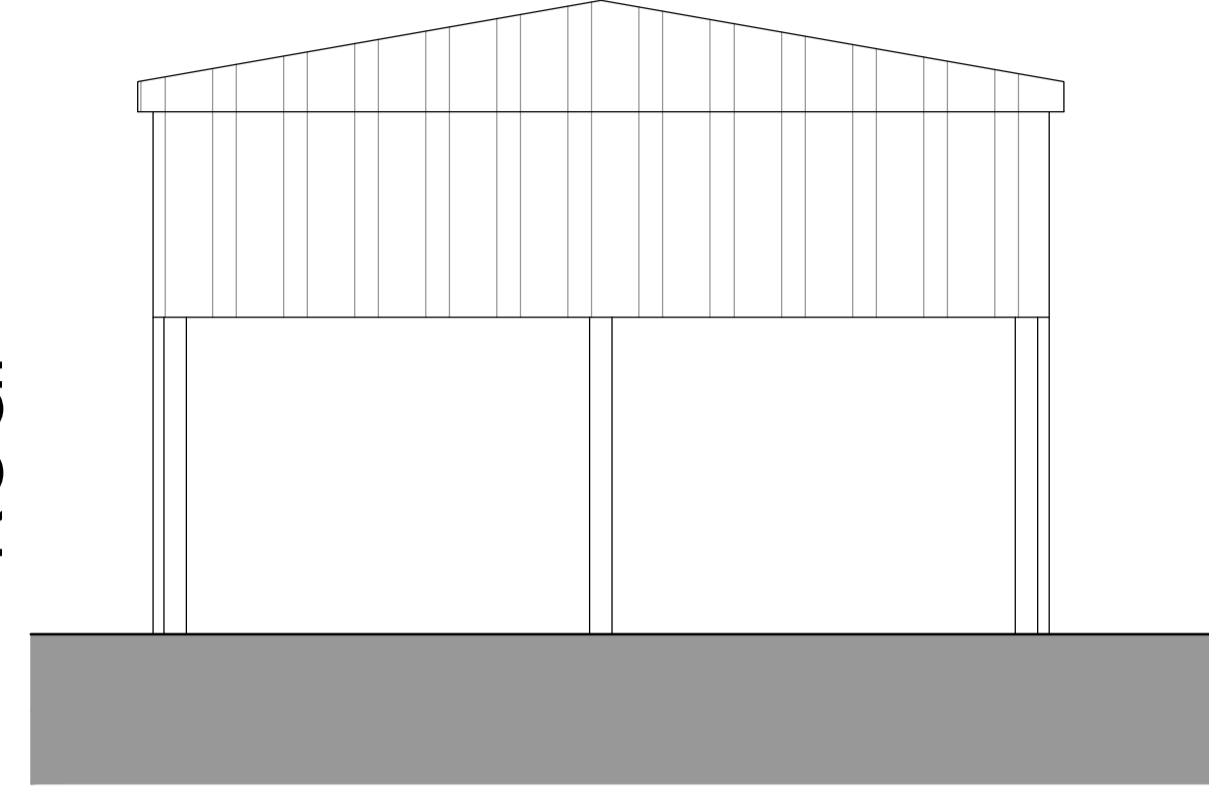
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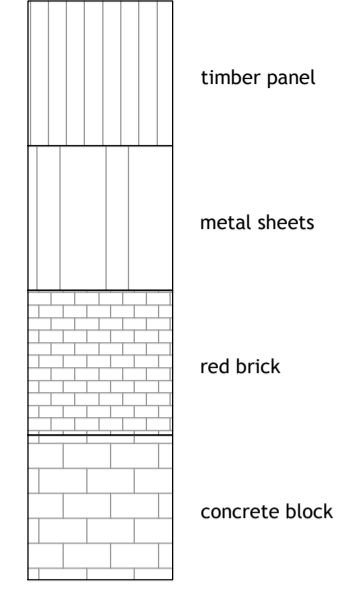
Gable



Rear

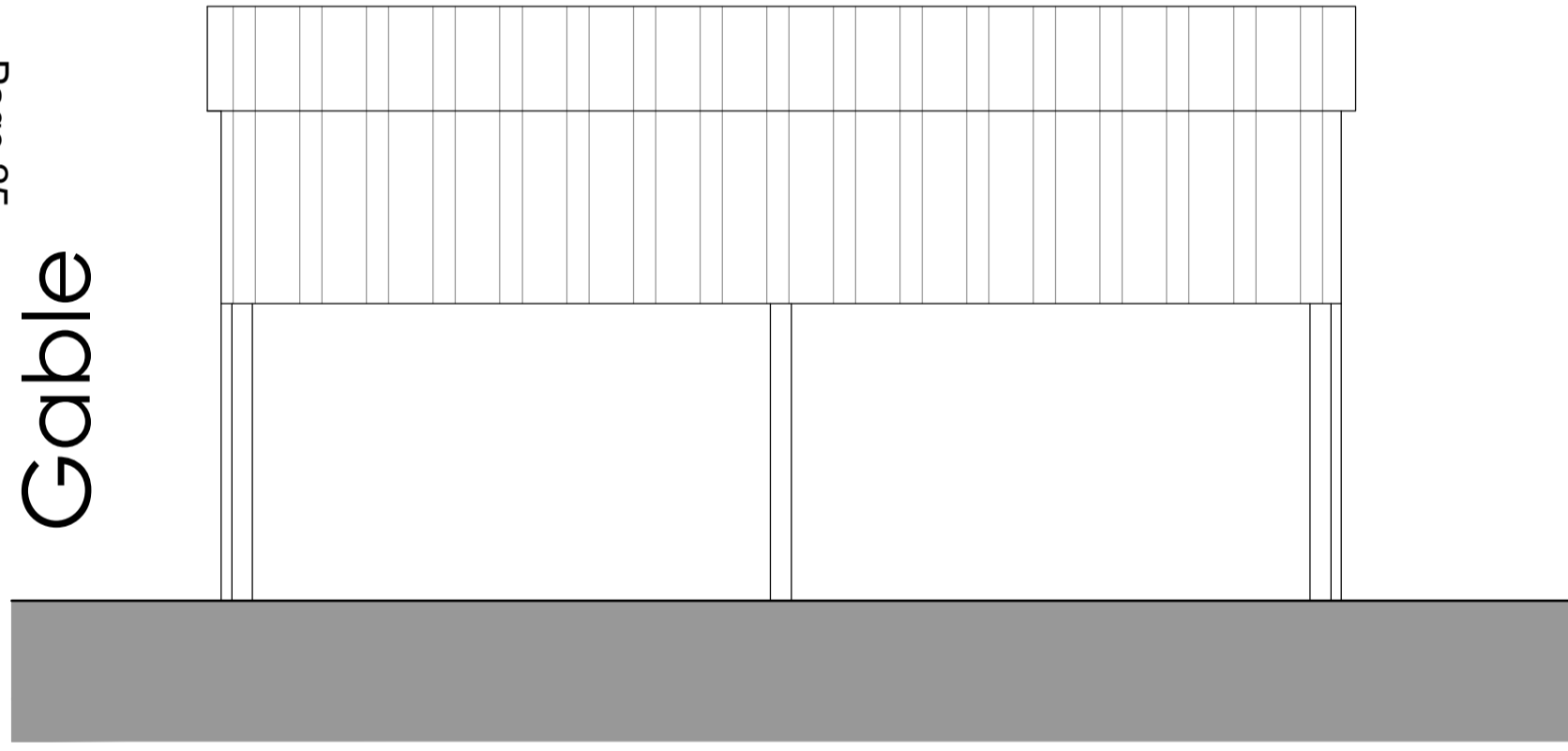


Key

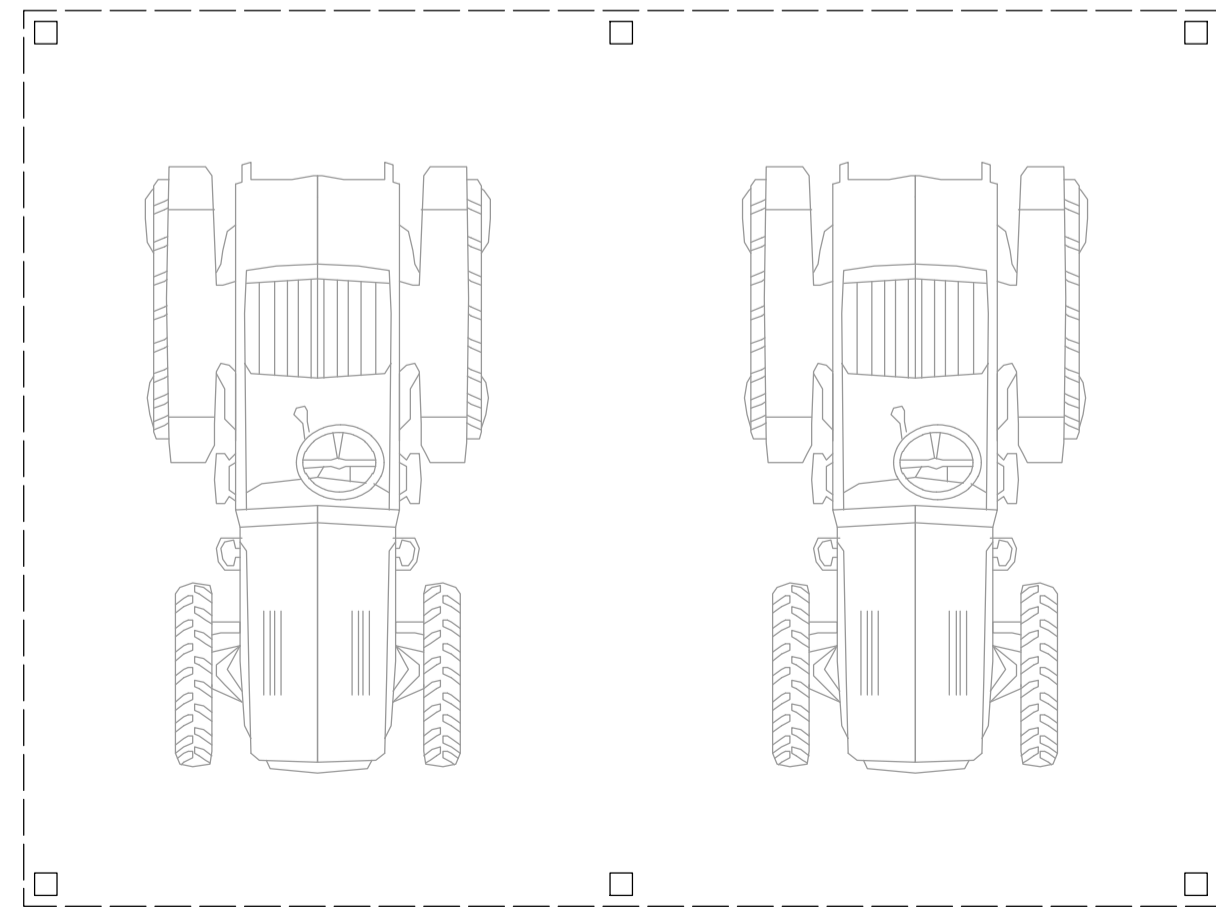


Page 25

Gable



Plan 1:50



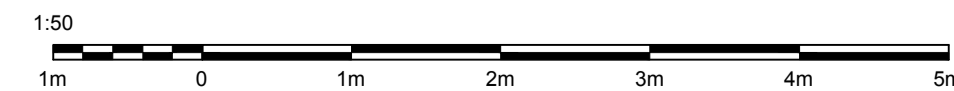
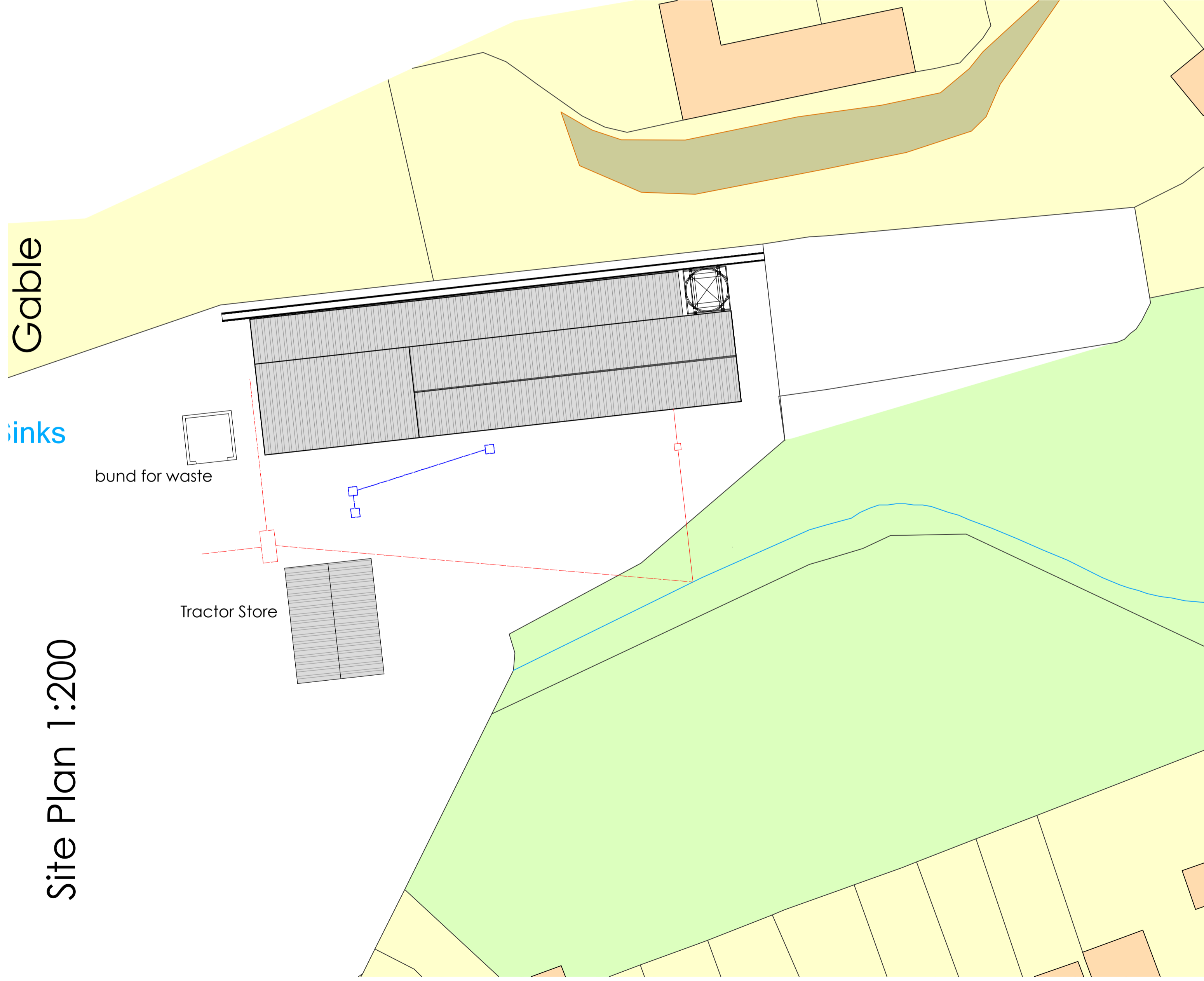
Gable

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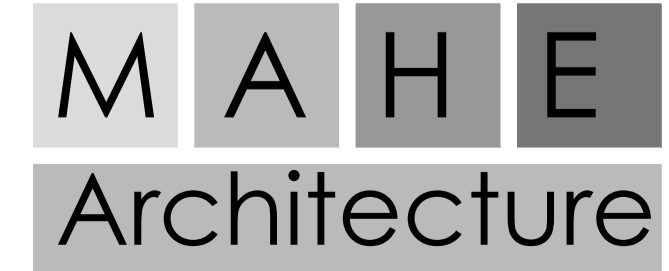
Tractor Store

Site Plan 1:200



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Client	Mr V Casale
Project	Land to rear of 141 Mottram Moor, Hyde SK14 8LZ
Title	Tractor Store
Drawing Number	692-p05
Dwg Scale	1:50 a1



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Application Number 20/00970/FUL

Proposal	Full planning permission to vary condition 2 (approved plans) to omit the main entrance and access bridge approved under application ref. 19/00503/FUL and replace this with a new pedestrian access, re-sited to the lower ground floor and amendment to the pedestrian access to the building.
Site	Buckton Building, Tameside General Hospital, Fountain Street, Ashton-under-Lyne
Applicant	Pennine Care NHS Foundation Trust
Recommendation	Grant planning permission, subject to conditions.
Reason for Report	A Speakers Panel decision is required because the application constitutes major development.

1.0 APPLICATION DESCRIPTION

- 1.1 The applicant seeks full planning permission to vary condition 2 (approved plans) of planning permission reference 19/00503/FUL, which approved the erection of a 12 bed, Psychiatric Intensive Care Unit (PICU), following the demolition of the existing low security mental health ward on the site.
- 1.2 The amendments sought in this application are summarised as follows:
- The removal of the bridged access to the upper floor level of the building within the extant scheme;
 - The installation of an access into the building at the lower ground level of the building; and
 - The relocation of the service user drop- off area.
- 1.3 Details of security fencing, up to a height of 5.2 meters, on the western edge of the site and on part of the eastern boundary and close boarded fencing on the southern boundary of the site (labelled only on the previously approved site plan) are shown in elevation form on the plans submitted with this variation of condition application.

2.0 SITE & SURROUNDINGS

- 2.1 The application relates to the building adjoined to the south western corner site of the Buckton Building, located on the south eastern edge of the wider Tameside Hospital site in Ashton-under-Lyne. Land levels on the site of the Buckton Building slope downwards in a south easterly direction, ensuring that the application site is at a lower level than the ground level of the main building. The building is immediately surrounded by tall wire mesh fencing, with trees and hedges demarcating the western boundary of the site. The taller part of the Buckton Building is located to the north east of the site, which fronts the car parking area associated with the whole building. The building is constructed of red brick elevations with a tiled roof.

3.0 PLANNING HISTORY

- 3.1 19/00503/FUL - Demolition of existing, 19 bed, low secure mental health ward. Erection of 12 Bed, Psychiatric Intensive Care Unit (PICU), low secure mental health unit.

- 3.2 13/00351/FUL - Extension to Buckton Building (retrospective) – approved.
- 3.3 12/00297/FUL- Extension to Buckton Building – approved.

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, within the settlement of Ashton-under-Lyne.

Part 1 Policies

- 1.3: Creating a Cleaner and Greener Environment.
- 1.5: Following the Principles of Sustainable Development
- 1.10 Protecting and Enhancing the Natural Environment
- 1.12: Ensuring an Accessible, Safe and Healthy Environment

Part 2 Policies

- OL10: Landscape Quality and Character
- T1: Highway Improvement and Traffic Management.
- T10: Parking
- C1: Townscape and Urban Form
- N3: Nature Conservation Factors
- N4: Trees and Woodland.
- N5: Trees within Development Sites.
- N7: Protected Species
- MW11: Contaminated Land
- MW14 Air Quality
- 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; 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 8 Promoting Healthy and Safe Communities;
- Section 11: Making Efficient Use of Land;

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 and a notice displayed adjacent to the site for 21 days, 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.

6.0 RESPONSES FROM CONSULTEES

- 6.1 Borough Environmental Health Officer (EHO) - no objections to the proposed amendments.
- 6.2 Local Highway Authority - no objections to the proposed amendments.
- 6.3 Borough Tree Officer – no objections raised. The proposals would not result in any further impact on trees adjacent to the site when compared to the extant permission.
- 6.4 Greater Manchester Ecology Unit – no objections raised. The proposals would not result in any further impact on biodiversity when compared to the extant permission.

7.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- 7.1 No representations have been received.

8.0 ANALYSIS

- 8.1 National Planning Practice Guidance promotes flexible options for planning permissions. Section 73 of the Town and Country Planning Act 1990 allows for applicants to apply to the Local Planning Authority to amend or vary conditions placed on a planning consent. Where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended. The only restriction under section 73 is that planning permission cannot be granted to extend the time limit within which a development must be started.
- 8.2 The PPG states that; 'In deciding an application under section 73, the Local Planning Authority must only consider the disputed condition's that are the subject of the application – it is not a complete re-consideration of the application.' The original planning permission will continue to exist.
- 8.3 The principle of development was established through the granting of planning permission ref. 19/00503/FUL. This application seeks to make minor amendments to the extant permission.
- 8.4 The issues to be assessed in the determination of this planning application are:

- The impact of the revisions to the previously approved scheme on the character of the surrounding area;
- The impact of the revisions to the previously approved scheme on the residential amenity of neighbouring properties; and
- Any additional impact on highway safety compared to the extant scheme.

9.0 CHARACTER

- 9.1 The bridged pedestrian entrance to the building proposed in the extant scheme was a feature of interest but the creation of a more 'standard' entrance at lower ground level would not detract from the overall design quality of the scheme. The amended scheme would retain the dominance of the gable features on the north western, south western and south eastern elevations of the scheme as was approved under the extant scheme.
- 9.2 The security fencing to be installed along sections of the site boundary (shown in elevation form on the plans submitted with this variation of condition application) is sited in the locations indicatively shown on the site plan, which was approved as part of the extant scheme.
- 9.3 The height of the fencing on the north western elevation (which is the part of the building visible from the widest public vantage points) would sit comfortably below the eaves height of the building (as a result of the significant drop in land levels within the site). This would reduce the prominence of the fencing in public views of the development.
- 9.4 The fencing in the south western and north eastern parts of the site would be less prominent, sitting further back from the highway (south western) and less visible in public views of the site (north eastern). Subject to details of the appearance of the fencing being secured by condition, it is considered that this element of the scheme would not have a greater impact on the character of the area than the extant scheme.
- 9.5 The amended pedestrian access on the western edge of the development proposes a stepped footway to negotiate the change in levels between the existing car park and the level of the entrance to the proposed building. A level access point would be provided at the boundary of the site with the existing highway. In visual terms, these changes to the extant scheme would be relatively minor and would not detract from the design quality of the development.
- 9.6 Following the above assessment, it is considered that the proposed amendments to the extant scheme would not result in an adverse impact on the character of the site or the surrounding area.

10.0 RESIDENTIAL AMENITY

- 10.1 The fact that the building would remain sited in the same location on the land and would be of the same scale as the extant scheme ensures that the separation distances to be retained to all neighbouring properties would remain as per the extant scheme. The amendments would not result in additional overshadowing of, or overlooking into, any of the neighbouring properties.

11.0 OTHER MATTERS

- 11.1 To facilitate the creation of the pedestrian access at the lower level within the proposed building, a new footway is proposed along the western edge of the development, connecting to the existing highway that runs through the wider hospital site.

- 11.2 The applicant has agreed to the imposition of a Grampian condition requiring details of a scheme to provide a pedestrian crossing within the adjacent highway. This would facilitate safe passage between the application site and the existing footway network on the opposite side of the highway that runs parallel with the western edge of the site. Such a condition is attached to the recommendation and would ensure that pedestrian connectivity and safety would not be adversely affected by the proposed amendments to the extant scheme.
- 11.3 Other than this change, the proposals would not result in any further impact on highway safety over and above the extant scheme, with the scale and siting of the development remaining in the approved position. This assessment is corroborated by the lack of objection from the Local Highway Authority to the proposals.
- 11.4 Condition 1 of the recommendation reflects the fact that the three year commencement period of the original consent cannot be extended. Condition 2 has been amended to include the revised proposed plans. All of the other conditions attached to the original permission remain relevant and necessary and are therefore proposed to be re-imposed.

12.0 CONCLUSION

- 12.1 The minor nature of the modifications to the elevations of the development and associated changes to the access arrangements are considered not to result in a detrimental impact on the character of the area, the residential amenity of neighbouring properties or highway safety. None of the other material considerations would be materially affected by the proposed amendments.
- 12.2 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 conditions:

1. The development must be begun not later than the expiration of three years from the date of 27 November 2019 (i.e. the date on which planning permission ref. 19/00503/FUL was approved).
2. The development hereby approved shall be carried out in accordance with the following approved plans / details:
 - 1:1250 Site location plan (drawing no. TSHPCT-GDA-V1-XX-DR-A-05_20-0005 Rev. P09);
 - 1:200 Proposed site plan (drawing no. TSHPCT-GDA-V1-XX-DR-A-05_20-0007 Rev. P13);
 - 1:100 Proposed roof plan (drawing no. TSHPCT-GDA-V1-R1-DR-A-05_20-0002 Rev. P04);
 - 1:100 Proposed lower ground floor plan (drawing no. TSHPCT-GDA-V1-B1-DR-A-05_20-0001 Rev. P18);
 - 1:100 Proposed ground floor plan (drawing no. TSHPCT-GDA-V1-00-DR-A-05_20-0001 Rev. P16);
 - Proposed elevation A plan (drawing no. TSHPCT-GDA-V1-ZZ-DR-A-05_20-0002 Rev. P09);
 - Proposed elevation B plan (drawing no. TSHPCT-GDA-V1-ZZ-DR-A-05_20-0003 Rev. P08);

- Proposed elevation C plan (drawing no. TSHPCT-GDA-V1-ZZ-DR-A-05_20-0004 Rev. P08); and,
 - Preliminary Roost Assessment with Dusk Echolocation Report (dated August 2019) produced by Syntegra Consulting.
3. No development, other than site clearance and site compound set up, shall commence until such time as the following information has been submitted in writing and written permission at each stage has been granted by the Local Planning Authority:
- i) A preliminary risk assessment to determine the potential for the site to be contaminated shall be undertaken and approved by the Local Planning Authority. Prior to any physical site investigation, a methodology shall be approved by the Local Planning Authority. This shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration.
 - ii) Where necessary, a scheme of remediation to remove any unacceptable risk to human health, buildings and the environment (including controlled waters) shall be approved by the Local Planning Authority prior to implementation.
 - iii) Any additional or unforeseen contamination encountered during development shall be notified to the Local Planning Authority as soon as practicably possible and a remedial scheme to deal with this approved by the Local Planning Authority.
 - iv) Upon completion of any approved remediation schemes, and prior to occupation, a completion report demonstrating that the scheme has been appropriately implemented and the site is suitable for its intended end use shall be approved in writing by the Local Planning Authority.

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

4. No development shall commence until details of a scheme to provide a pedestrian crossing within the highway adjacent to the western boundary of the site, connecting the levelled access point on the western edge of the development (as identified on the approved site plan) and the footway on the western side of the adjacent highway have been submitted to, and approved in writing, by the Local Planning Authority. The scheme shall include scaled plans showing the location of the crossing and a specification of the proposals. The pedestrian crossing shall be installed in accordance with the approved details prior to the first occupation of the development hereby approved and shall be retained as such thereafter.
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 the retaining wall on the southern boundary of the site, which shall be constructed from natural stone), fences and railings; and, in the finishes to all external hard-surfaces have been submitted to, and approved in writing by, the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.
6. No development shall commence until such time as a Construction Environment Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of:
- Wheel wash facilities for construction vehicles;
 - Arrangements for temporary construction access (indicating that access shall be taken from Mellor Road);
 - Contractor and construction worker car parking;

- Turning facilities during the remediation and construction phases; and
- Details of on-site storage facilities.

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

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 shall be implemented in accordance with the approved details prior to the occupation of the development and shall be retained as such thereafter.
8. Notwithstanding the details submitted with the planning application, no above ground development shall commence until full details of a scheme of hard and soft landscaping to be incorporated into the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following specific measures:
 - A plan showing the location of all trees/hedges/shrubs to be planted, details of the species mix, the number of specimens to be planted, spacing between them and their height on first 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 part of the development hereby approved.

9. The approved scheme of landscaping 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 five 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. 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 Secured by Design status. 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.
12. 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 part of the development and shall be retained as such thereafter.

13. 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.
14. Prior to the commencement of development above ground level, details of the solar panels to be installed on the roof of the building, including scaled plans of their location, a manufacturers specification of the panels to be installed, details of the external colour and finish and the proportion of the energy needs generated by the development that would be achieved by the panels shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.
15. The development hereby approved shall be carried out in accordance with the mitigation measures contained within the ecology survey submitted with the planning application; Preliminary Roost Assessment with Dusk Echolocation Report (dated August 2019) (produced by Syntegra Consulting). In the event that demolition of the existing building(s) on the site has not commenced by March 2021, no demolition works shall commence until an updated ecological appraisal of the site has been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in strict accordance with the approved details.
16. Prior to the installation of any plant and / or ventilation equipment on the external surfaces of the building, details of the equipment to be installed (including scaled plans showing their location on the building and elevations of the equipment, a manufacturers specification of the installations and details of any means of enclosure) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.

20/00970/FUL – Buckton Building, Tameside Hospital

Photo 1 – view of Buckton Building from southern boundary of the site



Photo 2 – view of north western corner of the existing building



Photo 3 – view of western boundary of the site from the adjacent access road which connects to the wider hospital site.



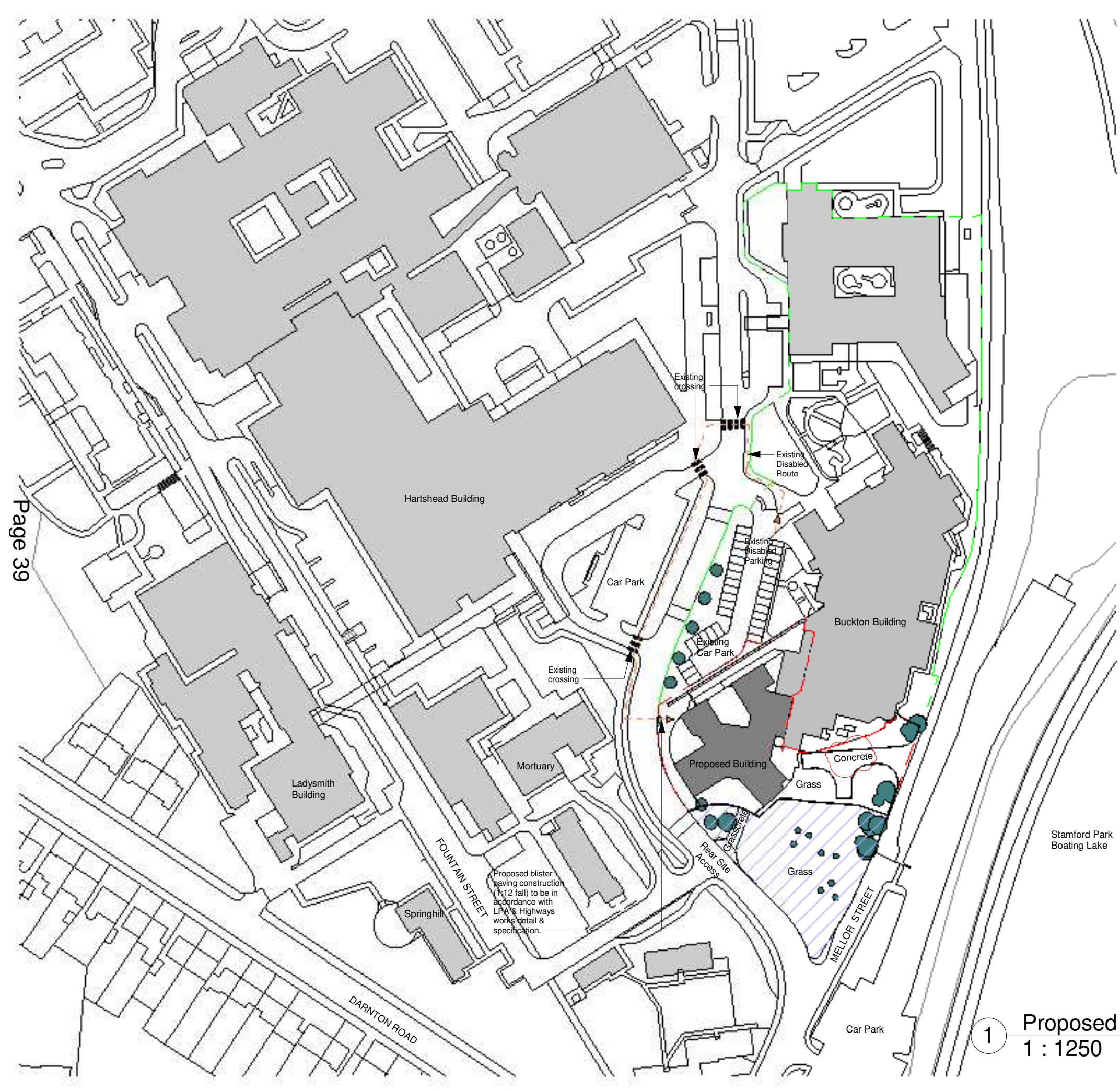
Photo 4 – view looking southwards along western edge of the existing building



Photo 5 – view looking southwards towards the site from within the car parking serving the wider Buckton Building, located to the north of the site



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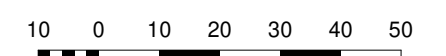
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SCALE 1: 1250 m

ALL BOUNDARY POSITIONS ARE APPROXIMATE TAKEN FROM IMAGE 'PENNINE OVERLAY P03'.

Key:

- Pennine Care Demise
- Tameside & Glossop Integrated Care Demise
- Pennine Care PICU Development Boundary
- Pedestrian Route
- Existing Trees

P09	CT	Issued for Information. Grasscrete omitted, see revision cloud	29/09/20
P08	CT	Value Engineering & Planning Issue	18/09/20
P07	CT	Value Engineering Issue	03/04/20
P06	NB	TENDER ISSUE	18/10/19
P05	PW	Issued for Coordination	30/08/19
P04	CS	Issued for Information	04.06.19
P03	NB	PLANNING ISSUE	24/05/19
P02	RB	Updated Building Layout	21/05/19
P01	CS	Work in Progress	04/04/19
Rev	By	Description	Date



The Cruck Barn, Duxbury Park, Chorley, Lancashire. PR7 4AT
t: 01257 260070 f: 01257 260071

Client Name:
Pennine Care NHS FT

Site Name:
Tameside Hospital

Project Name:
Pennine PICU

Drawing Title:
Proposed Location Plan

Project No: 8278a	Sheet Size: A3	Scale: 1 : 1250
Drawn by: CS	Checked by: PW	Approved by: TGR
		Revision: P09

Suitability:
Suitable for Tender

Status:
D2

Drawing Number:
TSHPCT-GDA-V1-XX-DR-A-05_20-0005

1 Proposed Location Plan
1 : 1250

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Two existing crossing at the North of the site, please refer to TSHPCT-GDA-V1-XX-DR-A-05_20-0005

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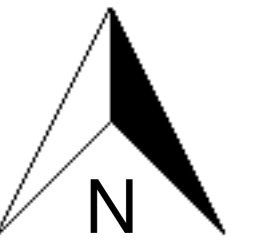
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Key	
	Pennine Care Demise
	Tameside & Glossop Integrated Care Demise
	Pennine Care PICU Development Boundary
	PeDESTRAIN ROUTE
	Existing Trees
	Proposed Trees



FOUNTAIN STREET

MELLOR STREET

Blue area denotes Contractor to make good on completion of the works, once the site cabins/material storage has been removed from site.
Final Contractor cabins/storage units positions are to be agreed with Pennine Care

Access for emergency vehicles & essential entrance into Pennine Care NHS FT/Land. Electronic barrier system linked back to nurse base/ reception area. Allow for audio/ visual intercom

P13	CT	Issued for information. Grasscrete & boundary treatment omitted, see revision cloud	29/09/20
P12	CT	Value Engineering & Planning Issue	18/09/20
P11	CT	Value Engineering Issue	03/04/20
P10	NB	TENDER ISSUE	18/10/19
P09	PW	Issued for information	30/08/19
P08	RB	Existing Car Park Ammended	04/07/19
P07	NB	PLANNING ISSUE	24/05/19
P06	RB	Updated Building Layout	21/05/19
P05	CS	Work in Progress	04/04/19
P04	CS	Work in Progress	01/04/19
P03	CS	Work in Progress	12/03/19
P02	CS	Boundary Areas and Drainage / Service Locations added to drawing	12/03/19
P01	PLW	First Issue	06/03/19
Rev	By	Description	Date



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Client Name:	Pennine Care NHS FT		
Site Name:	Tameside Hospital		
Project Name:	Pennine PICU		
Drawing Title:	Proposed Site Plan		
Project No:	8278a	Sheet Size:	A1
Scale:	As indicated		
Drawn by:	PLW	Checked by:	MC
Approved by:	TGR	Revision:	P13
Suitability:	Suitable for Tender		Status:
Drawing Number:	TSHPCT-GDA-V1-XX-DR-A-05_20-0007		

1 Proposed Site Plan
1 : 200

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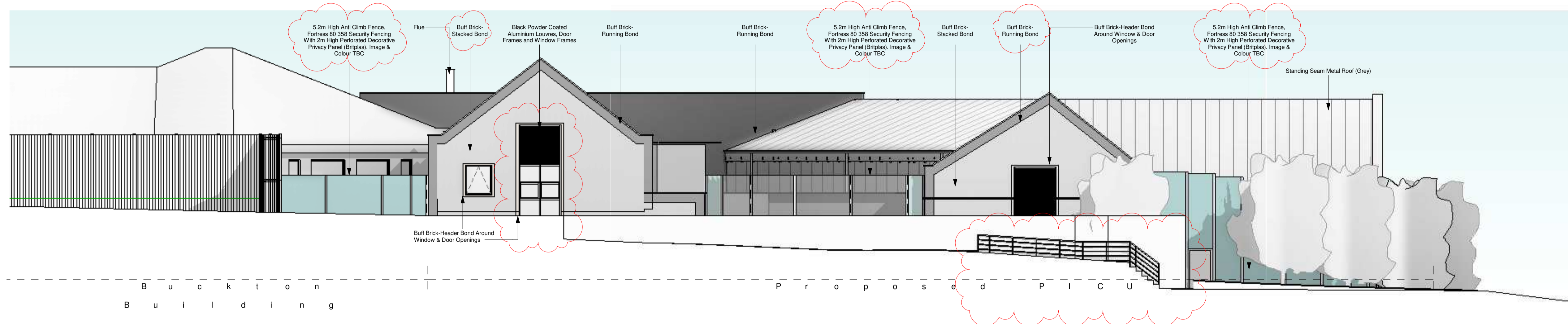
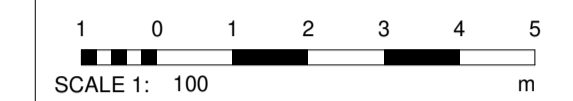
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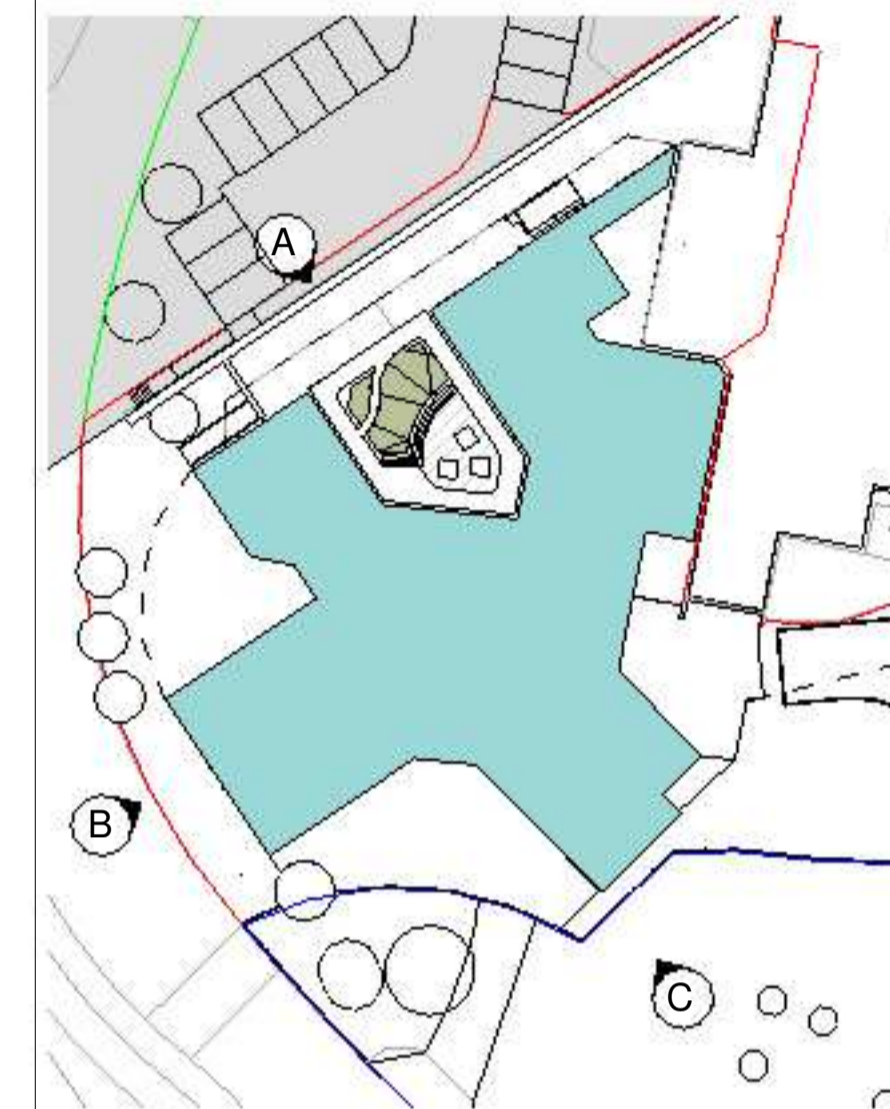
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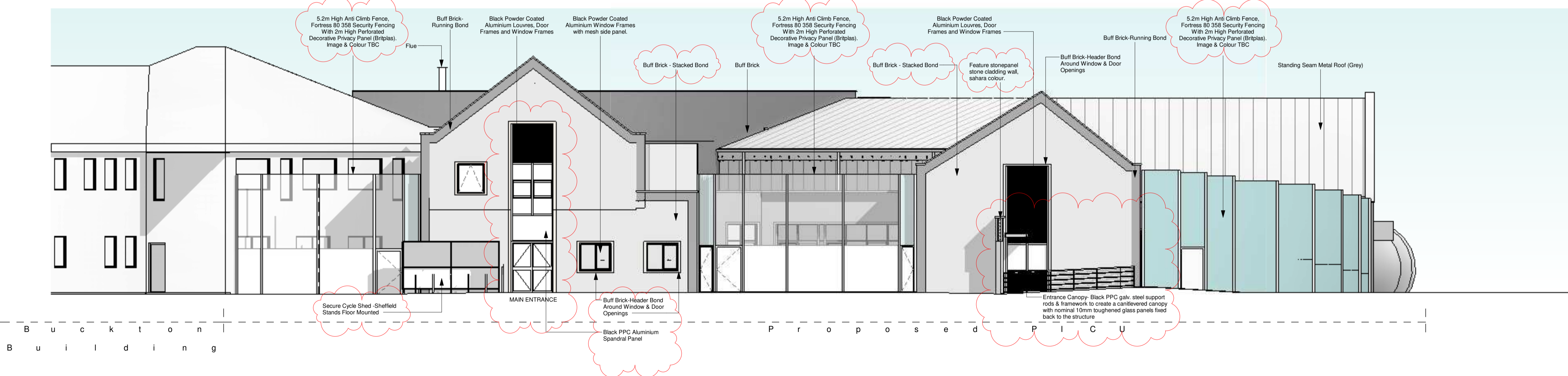
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2 A - North Elevation (Street View)
1 : 100



1 Key Plan
1 : 500



3 A - North Elevation (Full View)
1 : 100

Rev	By	Description	Date
P08	CT	Value Engineering & Planning Issue	18/09/20
P08	CT	Value Engineering Issue	03/04/20
P07	NB	TENDER ISSUE	18/10/19
P06	NB	Window sizes amended	30/09/19
P05	PLW	Issued for Coordination	30/08/19
P04	CS	Issued for Information	11/07/19
P03	NB	Revised Planning Issue	14/06/19
P02	PLW	Issued for Information	07/06/19
P01	CS	PLANNING ISSUE	24/05/19

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Client Name:
Pennine Care NHS FT

Site Name:
Tameside Hospital

Project Name:
Pennine PICU

Drawing Title:
Proposed Elevation A

Project No: 8278a	Sheet Size: A1	Scale: As indicated
Drawn by: AT	Checked by: PW	Approved by: MC
Suitability: Suitable for Tender		Status: D2
Drawing Number: TSHPCT-GDA-V1-ZZ-DR-A-05_20-0002		

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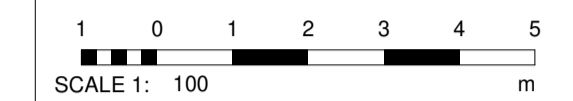
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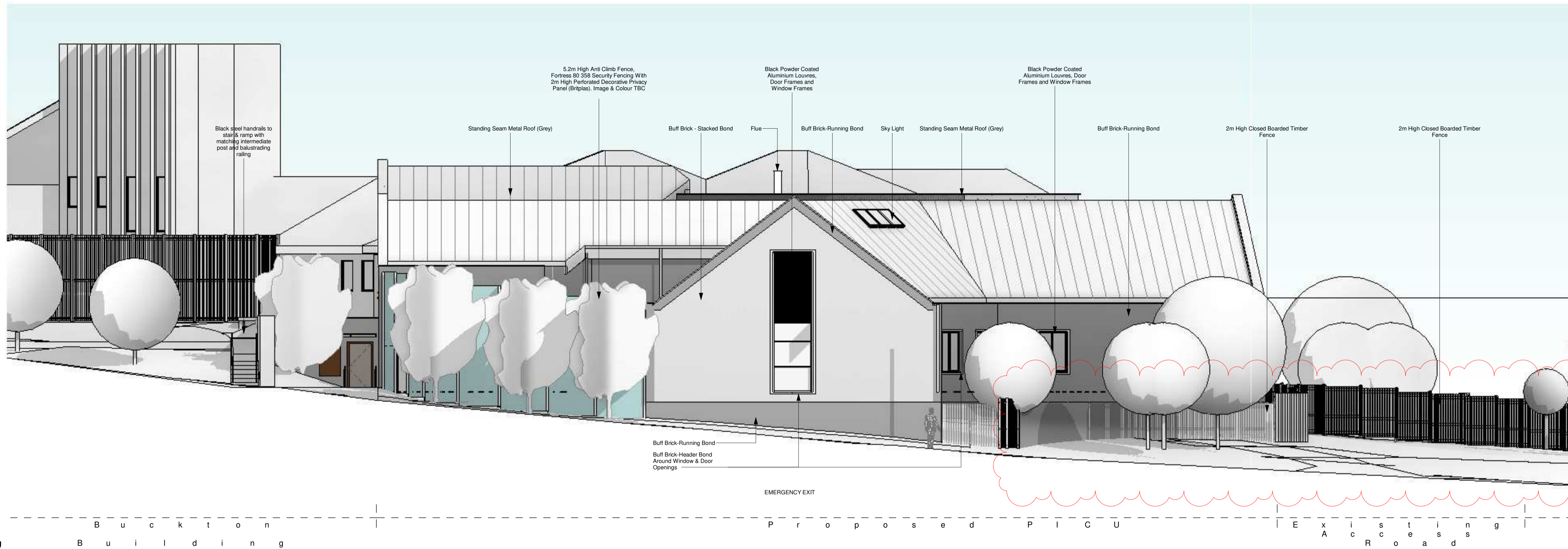
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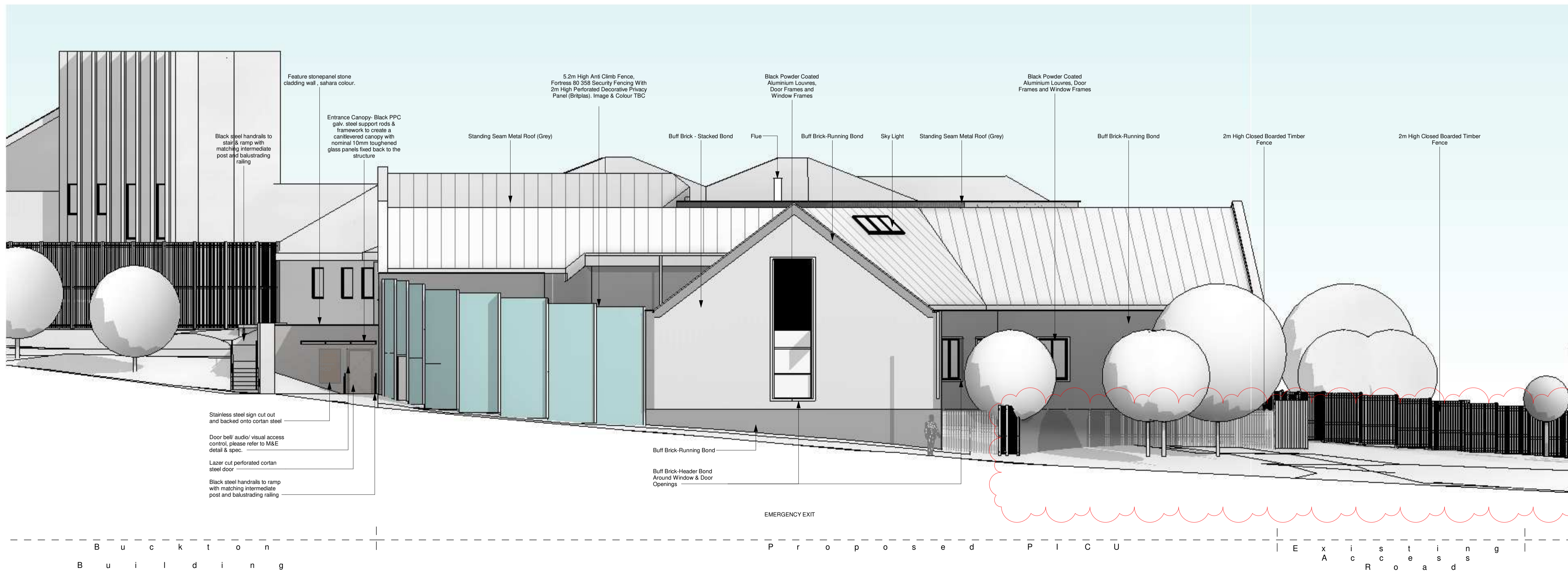
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1 Key Plan
1 : 500



2 B - West Elevation (Street View)
1 : 100



3 B - West Elevation (Full View)
1 : 100

P08	CT	Issued for Information. Boundary treatment omitted, see revision cloud	29/09/20
P07	CT	Value Engineering Issue	03/04/20
P06	NB	TENDER ISSUE	18/10/19
P05	PLW	Issued for Coordination	30/08/19
P04	CS	Issued for Information	11/07/19
P03	NB	Revised Planning Issue	14/06/19
P02	PLW	Issued for Information	07/06/19
P01	CS	PLANNING ISSUE	24/05/19
Rev	By	Description	Date



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Client Name:
Pennine Care NHS FT

Site Name:
Tameside Hospital

Project Name:
Pennine PICU

Drawing Title:
Proposed Elevation B

Project No: 8278a	Sheet Size: A1	Scale: As indicated
Drawn by: AT	Checked by: PW	Approved by: MC
Suitability: Suitable for Tender	Revision: P08	Status: D2
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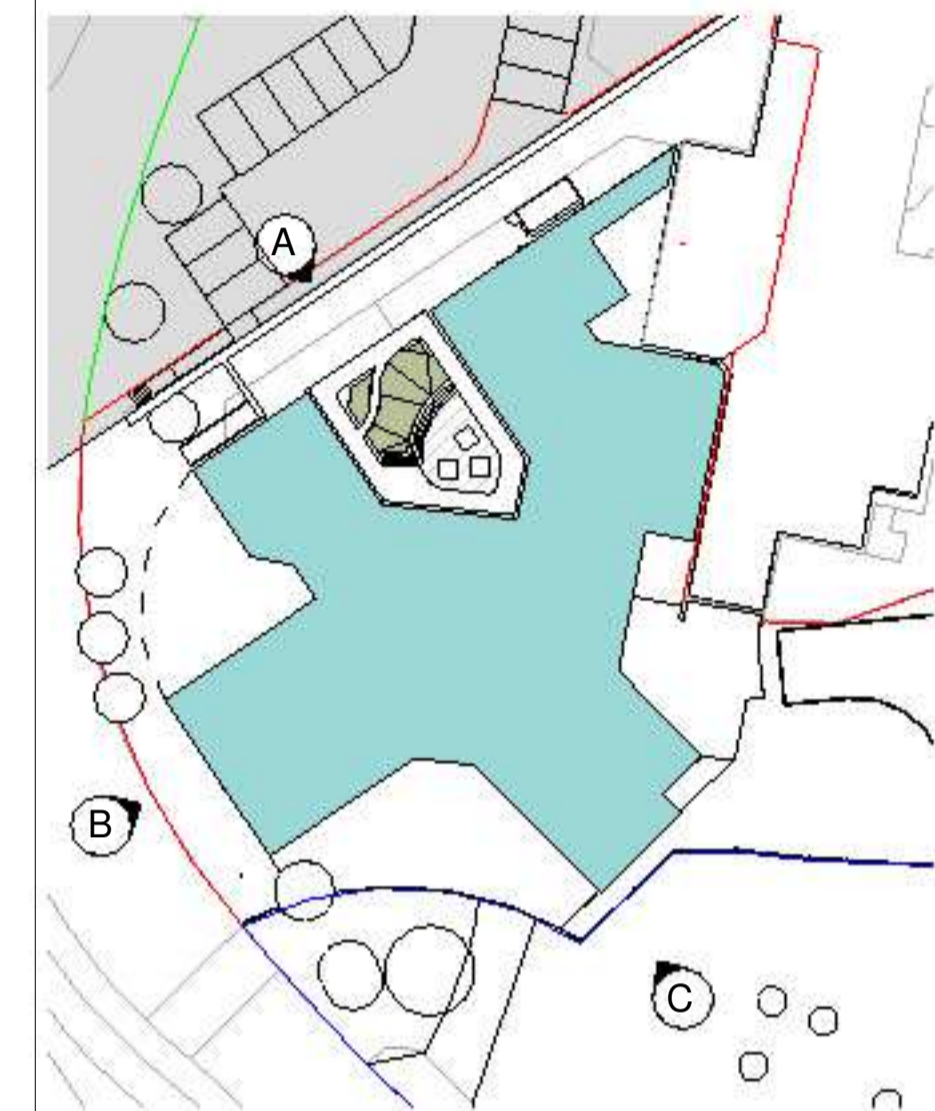
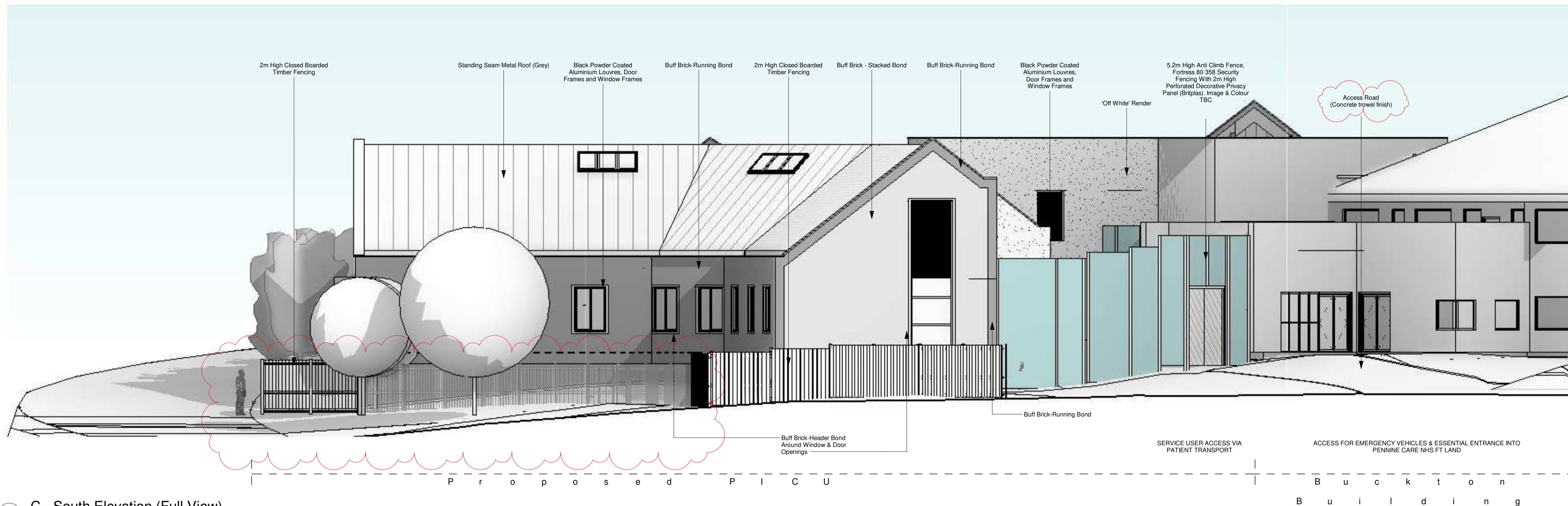
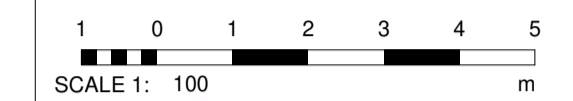
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1 Key Plan
1 : 500

2 C - South Elevation (Full View)
1 : 100

Rev	By	Description	Date
P08	CT	Issued for information. Boundary treatment omitted, see revision cloud	29/09/20
P08	CT	Value Engineering & Planning Issue	18/09/20
P07	CT	Value Engineering Issue	03/04/20
P06	NB	TENDER ISSUE	18/10/19
P05	PLW	Issued for Coordination	30/08/19
P04	CS	Issued for information	11/07/19
P03	NB	Revised Planning Issue	14/06/19
P02	PLW	Issued for information	07/06/19
P01	CS	PLANNING ISSUE	24/05/19



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Client Name:
Pennine Care NHS FT

Site Name:
Tameside Hospital

Project Name:
Pennine PICU

Drawing Title:
Proposed Elevation C

Project No: 8278a	Sheet Size: A1	Scale: As indicated
Drawn by: CS	Checked by: PW	Approved by: Approver
Suitability: Suitable for Tender		Status: D2
Drawing Number: TSHPCT-GDA-V1-ZZ-DR-A-05_20-0004		

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Application Number 20/01055/FUL

Proposal Full planning application for the erection of five dwellings.

Site Land adjacent to 7 Wakefield Road, Stalybridge

Applicant Mr Joe Campbell

Recommendation Approval, subject to conditions.

Reason for Report One of the objectors to the application has requested to address the Speakers Panel meeting.

1.0 APPLICATION DESCRIPTION

- 1.1 The applicant seeks full planning permission for the erection of five dwellings on the land. The scheme proposes a terrace of five dwellings that would front on to Kinder Street, which runs parallel with the northern boundary of the site. The gardens of the properties would be located in the southern portion of the site, with land levels dropping in a southerly direction through this area, down to the level of the existing wall on the southern boundary of the site, which runs parallel with Wakefield Road.
- 1.2 The proposed dwellings would each be four bedrooms in size, with accommodation split over four levels (the upper floor being within the roofspace). Due to the steep variation in levels on the site, the dwellings would present a two storey high elevation to Kinder Street on the northern boundary, rising to three storeys to the rear (facing towards Wakefield Road).

2.0 SITE & SURROUNDINGS

- 2.1 The application relates to a parcel of undeveloped land at the western end of Wakefield Road, located to the north of Stalybridge town centre. The site is immediately east of the junction between Stamford Street and Wakefield Road. Land levels on the site fall steeply from the northern boundary (which fronts Kinder Street) to the southern boundary of the site (fronting Wakefield Road). The southern boundary of the site is demarcated by a low rise stone wall, with established landscaping above.
- 2.2 The western gable end of the neighbouring property at no. 7 Wakefield Road faces the eastern boundary of the site, separated from the land via an external flight of stairs within the curtilage of that neighbouring property. A publically accessible set of stone steps providing access between Wakefield Road and Kinder Street runs parallel with the western boundary of the site.

3.0 RELEVANT PLANNING POLICIES

3.1 Tameside Unitary Development Plan (UDP) Allocation

Unallocated, within the settlement of Stalybridge

3.2 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
- 1.12: Ensuring an Accessible, Safe and Healthy Environment

3.3 **Part 2 Policies**

- C1: Townscape and Urban Form
- 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
- OL4: Protected Open Space
- OL7: Potential of Water Areas
- 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

3.4 **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

3.5 **Planning Practice Guidance (PPG)**

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

3.7 **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; and,
Trees and Landscaping on Development Sites SPD adopted in March 2007

4.0 PUBLICITY CARRIED OUT

4.1 Neighbour notification letters were issued and a notice displayed adjacent to the site for 21 days, 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.

5.0 RESPONSES FROM CONSULTEES

5.1 Local Highway Authority – no objections to the proposals subject to the imposition of conditions covering the following matters on any planning permission granted:

- Details of secured cycle storage provision;
- The laying out of the car parking spaces prior to the occupation of the dwellings;
- Approval of a Construction Environment Management Plan for the construction phase of the development;
- Details of the phasing of the highways works;
- Requiring the submission and approval of a highway condition survey, an electric vehicle charging strategy; and
- Approval in principle for retaining structures within the site.

5.2 Greater Manchester Ecology Unit (GMEU) – no objections to the proposals subject to an investigation relating to the presence of invasive species on the site, the inclusion of biodiversity enhancements within the scheme and a limit on the timing of tree/vegetation removal being secured by condition on any planning permission granted. Informatives relating to the developer's duties with regard to protected species should also be attached to any planning permission granted.

5.3 Borough Environmental Health Officer (EHO) – no objections to the proposals, subject to the imposition of conditions limiting the hours of work during the construction phase of the development and soundproofing measures being installed within the elevations of the dwellings to preserve the residential amenity of the future occupiers of the development.

5.4 Borough Tree Officer – no objections to the proposals. The site has been cleared of trees and vegetation although aerial view records indicate that these were of low amenity value. Details of a replacement landscaping scheme should be secured by condition on any planning permission granted.

5.5 Borough Contaminated Land Officer – no objections to the proposals, subject to the imposition of a condition on any planning permission granted requiring an intrusive investigation into sources of potential contamination on the site.

5.6 Lead Local Flood Authority (LLFA) – consider that further information in relation to the means of draining surface water from the site should be submitted prior to the determination of the application.

5.7 United Utilities - no objections to the proposals subject to the imposition of conditions requiring the submission and approval of a sustainable surface water drainage strategy prior to the commencement of development and stipulating that surface and foul water should be drained from the site via separate mechanisms.

5.8 Coal Authority – confirm that the site is located in an area considered to be at high risk of the land stability issues associated with coal mining legacy. Following review of the Coal Mining Risk Assessment submitted with the planning application, raised no objections, subject to the imposition of a condition on any planning permission granted requiring the undertaking of a further investigation into the circumstances of the site and any necessary remediation.

- 5.9 Transport for Greater Manchester (TfGM) – no objections raised to the proposals.
- 5.10 Greater Manchester Archaeological Advice Service (GMAAS) - no objections raised to the proposals.

6.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED

6.1 Representations in objection to the application have been received from 17 neighbouring properties, raising the following concerns (summarised):

- Given the current issues with congestion on Kinder Street and other neighbouring streets, the proposal is considered to make inadequate provision for car parking on the site. Either the number of car parking spaces should be increased, or the number of dwellings within the development reduced to improve this situation;
- The noise and disturbance caused by the construction phase of the development will have a detrimental impact on the residential amenity of neighbouring properties;
- Additional traffic in the locality as a result of the proposed development is likely to result in an adverse impact on highway safety, particularly given the narrow nature of Kinder Street and the other adjacent roads;
- The access points to the proposed houses would be located close to the junction between Kinder Street, Church Walk and Regina Avenue, with a bend in Kinder Street immediately north west of the site. The potential conflict between cars moving with close proximity of the access points to each dwelling would be harmful to highway safety; and
- Development of this site could set a precedent for further residential development along Kinder Street in the future, which would lead to a cumulatively worse impact on highway safety.

6.2 Representations in support of the application have been received from two neighbouring properties, raising the following concerns (summarised):

- The site is visually unattractive currently and would benefit from suitable development, which the proposal is considered to be.

6.3 Councillor Jackson has objected to the application as Ward Councillor, raising the following concerns:

- The access arrangements serving the proposed development via Kinder Street are considered to be detrimental to the amenity of existing residents.

7.0 RELEVANT PLANNING HISTORY

7.1 08/00804/FUL - Erection of five dwellings (Re-submission of application 07/01477/FUL which was withdrawn) – approved.

7.2 06/00147/OUT - Proposed development of four, three storey split level town houses – approved.

7.3 88/01583/FUL – Change of use from amenity area to private garden – approved.

8.0 ANALYSIS

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

- The principle of development;
- The residential amenity of neighbouring properties;
- The character of the surrounding area;
- The impact on highway safety;
- The impact on ecology and trees; and
- The impact on flood risk and drainage.

9.0 PRINCIPLE OF DEVELOPMENT

9.1 This section of the report is split between an assessment of the principle of development on open, undeveloped land and the suitability of the location for residential development.

Principle of the development of the open space:

9.2 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 48-50 of the NPPF set out how its policies should be implemented and the weight that should be attributed to the UDP policies.

9.3 Paragraph 48 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.

9.4 Policy OL4 of the UDP seeks to retain areas of protected green space, including not only designated spaces (this site is not designated in this regard) but also 'areas of land in similar use but which are too small to be shown as Protected Green Spaces on the Proposals Map'.

9.5 Criterion (d) of the policy states that an exception to the policy requirement to retain green space can be made where the retention of a site or facilities for sport or recreational use is not necessary and the site has no special significance to the interests of sport and recreation. Tameside has produced a Playing Pitch Strategy and Action Plan report that does not identify the application site as being necessary to deliver the Council's aspirations to develop leisure space in the long term (next six years+).

9.6 The application site is within a 10 minute walk of Stamford Park (located to the west of the site). That park offers a substantial area of public open space and a range of associated facilities and is allocated as an area of Protected Green Space within the UDP. In that regard, Stamford Park provides a more valuable recreation resource than the application site and is within relatively close proximity of the land.

9.7 The mature planting on the southern edge of the site does connect to the soft landscaped edge that runs parallel with the northern side of Stamford Road. However, the plans submitted indicate that the dwellings would be sited in the northern portion of the site, allowing space for a soft landscaped edge to be retained in the southern portion of the site.

9.8 Paragraph 100 of the NPPF states that Local Green Space designation will not be appropriate for most green areas or open space and that the designation should only be used where the following criteria apply:

- Where the green space is in reasonably close proximity to the community it serves;
- Where the green space is demonstrably special to a local community and hold particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and

- Where the green area is local in character and does not apply to an extensive tract of land.

9.9 Whilst the land would comply with criterion 1 and 3, it is considered that the land does not hold the value required by criterion 2. The land is not publically accessible or considered to be of a scale or level that gives it significant recreational value. The amenity value of the land as an undeveloped gap on the Stamford Street frontage would be weakened but at a point immediately next to existing development. The long swathe of tree lined frontage to the west would be unaffected by the proposed development.

9.10 Overall, whilst the proposal would result in the loss of part of the open space, the land is not designated to be protected for this purpose, does not meet the requirements of the NPPF in terms of designation and is not subject to any natural or historic environment designations.

Principal of the proposed residential development:

9.11 The land is considered to be situated in a sustainable location, within close proximity of regular bus services accessible from Stamford Street and within a less than 10 minute walk of Stalybridge railway station and the services and facilities within Stalybridge town centre. It is also the case that the Council cannot currently demonstrate a five year supply of housing land. Within this context, it is considered that the principle of residential development on the site is acceptable.

9.12 On the basis of the above assessment, the principle of development is considered to be acceptable, subject to all other material considerations being satisfied.

10.0 RESIDENTIAL AMENITY

10.1 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 a habitable room and a corresponding blank elevation directly face each other. An additional three metres should be added to these distances for each additional storey where buildings are taller than two storeys in height.

10.2 The neighbouring property to the east (no. 7 Wakefield Road) is the existing dwelling most directly affected by the built form of the proposals. The proposed dwellings would be sited to the north west of the main bulk of that neighbouring property, with the rear building line of the terrace running parallel with the rear elevation of no. 7.

10.3 There is an outrigger to the rear of no.7 which projects northwards, close to the common boundary with the application site. That outrigger does not contain any habitable room windows that overlook the application site or could be affected by the proposed development. The outlook towards the application site from the closest ground floor window in the rear elevation of that neighbouring property is largely obscured by the existing outrigger.

10.4 There is a window at first floor level in the rear elevation of no.7 and the eastern gable of the proposed dwellings would intersect the 45 degree line drawn from that neighbouring window towards the application site. However, given the separation distance to be retained to the point of intersection and the fact that the proposed dwellings would be northwest of that neighbouring property, it is considered that the proposals would not result in harmful overshadowing of or loss of outlook to that neighbouring property.

10.5 The plans indicate that the eastern gable end of the proposed development would be blank and as such, direct overlooking into the rear garden area associated with no.7 could not

occur. Due to the siting of the proposed dwellings relative to that neighbouring property, no harmful overlooking could occur into any of the habitable room windows of that dwelling.

- 10.6 A separation distance in excess of 17 metres would be retained between the front elevation of the proposed terrace and the corresponding southern gable elevation of no. 2 Church Walk. Kinder Street highway would also be located in the intervening distance. Given that situation, the separation distance to be retained is considered to be sufficient to preserve the residential amenity of that neighbouring property.
- 10.7 A separation distance of approximately 14 metres would be retained between the front elevation of no. 1 Church Walk, the closest neighbouring property to the west of the site. Given that the western gable elevation of the proposed development would be blank and that the relationship between the dwellings would be oblique, the separation distance to be retained is considered to be sufficient to preserve the residential amenity of that neighbouring property. The same conclusion is reached in relation to no. 3 Church Walk, with the relationship between that property and the application site being more oblique.
- 10.8 A separation distance of approximately 17 metres would be retained between the front elevation of the terrace of dwellings and the corresponding elevation of 76 Kinder Street to the north east of the site. Given the separation distance to be retained, the fact that the highway is located in the intervening distance and the oblique relationship between the dwellings, it is considered that the proposals would not result in an adverse impact on the residential amenity of that neighbouring property or any of the other properties to the north east of the site.
- 10.9 In terms of the amenity of future occupiers of the development, the scheme does include some bedrooms that are slightly below the 7.5 square metres required by the Technical Housing Standards for a single room. However, the deficit against those standards in those cases is marginal and the proposed bedrooms at third floor level significantly exceed the minimum space requirements for double bedrooms. It is therefore considered that any harm arising to the amenity of the future occupiers in this regard would not be sufficient to warrant refusal of the application.
- 10.10 Following the above assessment, it is considered that the amended proposed development would not result in an adverse impact on the residential amenity of any of the neighbouring properties, within the context of the existing situation on site, or the residential amenity of the future occupiers of the development.

11.0 CHARACTER

- 11.1 The proposal would provide an active frontage to Kinder Street on the northern edge of the site. The topography and depth of the site provide a constraint in terms of how residential development can be organised on the land. A consequence of the proposal is that the rear gardens of the properties would extend down to the Wakefield Road frontage, resulting in a lack of activity on that edge of the site.
- 11.2 Whilst not ideal from an urban design perspective, in this case, the lack of active frontage to Wakefield Road is considered not to be detrimental to the character of the area. Subject to appropriate forms of boundary treatment being installed on that edge of the development and the retention of a soft landscaped edge (both of which can be controlled by condition), it is considered that the scheme could retain the 'gap' within the built frontage along Wakefield Road, a character of the locality to which the site currently contributes.
- 11.3 In addition, it is considered that the alternative of positioning dwellings in the southern portion of the site, with gardens backing on to Kinder Street would result in a more detrimental impact on the character of the area than the proposed scheme. An active frontage on the northern

boundary would contribute positively to the character of Kinder Street at the junction with Church Walk and Regina Avenue.

- 11.4 The proposal also allows dwellings commensurate with the scale of the two storey properties on Kinder Street front that boundary, with the taller southern elevations set back in views from Wakefield Road, ensuring that the split level nature of the buildings would not result in an overbearing impact on the character of the surrounding area.
- 11.5 Following the above assessment, it is considered that the proposals would not result in a detrimental impact on the character of the surrounding area.

12.0 HIGHWAY SAFETY

- 12.1 The concerns expressed by objectors to the application in relation to the impact of congestion on the local highway network and additional pressure for on street car parking provision are noted. It is acknowledged that Kinder Street and the adjacent roads are relatively narrow and therefore, whilst parking restrictions within the highway are limited, it is the case that parking on both sides of the highway would result in a safety hazard.
- 12.2 The scheme proposes seven car parking spaces to the front of the five dwellings, to be accessed directly from Kinder Street, with a new footway being provided on the northern edge of the development. The plans indicate that one of the spaces would be of additional width to accommodate disabled access. Whilst that is a positive element of the scheme, policy RD8 of the RDG does not set a specific standard for this provision, stating instead that this should be negotiated on a site by site basis.
- 12.3 Given that policy position, it is considered that specific harm could not be identified should the scheme replace this wider space with 2 x 'standard' car parking spaces, increasing the total number of car parking spaces to eight. The RDG indicates that three car parking spaces should be provided per four bedroom property in locations such as this, but also sets this level as a maximum. The scheme clearly falls short of this standard.
- 12.4 However, the application of maximum parking standards is no longer consistent with national planning policy. This is considered to reduce the weight to be given to policy RD8 in the decision making process.
- 12.5 It is also the case that the site is within close proximity of regular public transport services (buses on Stamford Street and Wakefield Road and Stalybridge railway station). Given this situation and the fact that cycle storage can be required to be provided for each dwelling by condition, the level of harm attributed to the deficit in car parking provision against the requirements of RD8 is considered not to be sufficient to warrant refusal of the application.
- 12.6 Conditions requiring the submission and approval of a Construction Environment Management Plan, details of secured cycle storage and the provision of adequate pedestrian visibility splays are considered to be reasonable and are attached to the recommendation. Given the extent of the change in levels across the site, it is considered necessary to require details of the retaining structures required to facilitate the development and a condition to this effect is included in the recommendation.
- 12.7 Given the limited nature of works that would affect the condition of the existing highway, it is considered that phasing works in this regard and a condition survey of the highway are not necessary to make the scheme acceptable in planning terms. An electric vehicle charging strategy is considered to be a reasonable requirement and a condition to that effect is attached to the recommendation.

12.8 On the basis of the above assessment, it is considered that the proposals would not result in a detrimental impact on highway safety.

13.0 ECOLOGY AND TREES

13.1 In relation to ecology, the Greater Manchester Ecology Unit has not raised any objections to the proposals. Conditions requiring an investigation into the presence of invasive species on the site, the inclusion of biodiversity enhancements within the scheme and a limit on the timing of tree/vegetation removal are considered to be reasonable and are attached to the recommendation.

13.2 In relation to the impact on trees, the Borough Tree Officer has not raised any objections to the proposals. The site has been cleared of trees and vegetation although aerial view records indicate that these were of low amenity value. A condition requiring details of a replacement landscaping scheme is attached to the recommendation.

14.0 FLOOD RISK/DRAINAGE

14.1 The LLFA considers that further information in relation to the means of draining surface water from the site should be submitted prior to the determination of the application. It is important to note however that the site is located in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. United Utilities has not raised any objections to the proposals. Given these factors and the relatively small scale of the scheme within an established residential area, it is considered that further details with regard to how the site is to be drained can be secured by condition. Such a condition is attached to the recommendation.

15.0 OTHER MATTERS

15.1 In relation to comments from neighbours not addressed previously in this report, whilst the concern regarding the impact of the construction phase on residential amenity are noted, this would be a temporary impact and cannot therefore be afforded weight sufficient to outweigh the benefits of increasing the supply of housing in a sustainable location. The condition requiring the submission and approval of a Construction Environment Management Plan will help to mitigate the impacts of this temporary phase.

15.2 The other issue raised is the setting of a precedent for further development on Kinder Street. Planning applications must be assessed on their own merits. Granting planning permission for residential development on this site has no bearing on the outcome of any future application that may be submitted on land on Kinder Street or anywhere else within the locality. The cumulative impact of development on matters such as highway safety is a material consideration. Given the assessment in previous sections of this report, it is considered that there is insufficient evidence to demonstrate any adverse cumulative impacts would arise from this proposal, to a degree that would outweigh the benefit of boosting the supply of housing in a sustainable location. Again, the impacts arising from any future proposal would need to be assessed at that point in time.

15.3 The Borough EHO has not raised any objection to the proposals. The requirement to provide details of how the residential amenity of future occupiers of the dwellings would be safeguarded is considered reasonable given the close proximity of noise sources, particularly the arterial route that runs parallel with the southern boundary of the site. Such a condition is attached to the recommendation. A condition limiting the hours of work during the construction phase of the development is also considered to be reasonable given the close proximity of neighbouring residential properties.

- 15.4 The Borough Contaminated Land Officer has not raised any objections to the proposals. A condition requiring an intrusive investigation is undertaken in relation to any sources of ground contamination on the site, prior to the commencement of development, is considered to be reasonable given the undeveloped nature of the site.
- 15.5 The site is located in an area at high risk with regard to the land stability implications of coal mining legacy. The Coal Authority has reviewed the Coal Mining Risk Assessment submitted with the planning application and has raised no objections to the proposals, subject to the imposition of a condition requiring an intrusive investigation into coal mining legacy issues on this site and the implementation of any necessary remediation. Such a condition is attached to the recommendation.
- 15.6 GMAAS were consulted on the application and raised no objections, with no conditions relating to potential impact on archaeology being considered necessary.

16.0 CONCLUSION

- 16.1 The site is considered to be in a sustainable location for residential development and for the reasons detailed in the main body of this report, the site is considered not to be of a recreation or amenity value that warrants designation as a protected area of open space.
- 16.2 Whilst the concerns of residents in relation to highway safety are noted, it is considered that the close proximity of regular public transport services (both bus and train) needs to be weighed against the harm arising from the deficiency against the car parking standards set out in the RDG.
- 16.3 This current application proposes the same number and size of dwellings and the same number of car parking spaces as the 2008 application and would therefore not have a materially greater impact on highway safety to that approved scheme. Given that the changes in national policy in the intervening period (namely the NPPF and PPG) require the Council to boost the supply of housing, it is considered that the material changes since 2008 weigh further in favour of approval.
- 16.4 The proposals are considered not to result in harm to the residential amenity of any of the neighbouring properties or the character of the surrounding area, for the reasons covered in the main body of this report. There are no objections to the proposals from any of the statutory consultees and it is considered that all material considerations can be satisfied through the imposition of appropriate conditions, where necessary.
- 16.5 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 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 (Dated October 2008);
1:200 Proposed site plan (Dated February 2008);
Proposed floor plans (Dated February 2008);

Proposed streetscene elevations, section and eastern gable elevation plan (Rev. B Dated October 2008);

Proposed streetscene elevations, section and western gable elevation plan (Dated June 2007);

3. No development, other than site clearance and site compound set up, shall commence until such time as the following information has been submitted in writing and written permission at each stage has been granted by the Local Planning Authority.
 - i. A preliminary risk assessment to determine the potential for the site to be contaminated shall be undertaken and approved by the Local Planning Authority. Prior to any physical site investigation, a methodology shall be approved by the Local Planning Authority. This shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration.
 - ii. Where necessary a scheme of remediation to remove any unacceptable risk to human health, buildings and the environment (including controlled waters) shall be approved by the Local Planning Authority prior to implementation.
 - iii. Any additional or unforeseen contamination encountered during development shall be notified to the Local Planning Authority as soon as practicably possible and a remedial scheme to deal with this approved by the Local Planning Authority.
 - iv. Upon completion of any approved remediation schemes, and prior to occupation, a completion report demonstrating that the scheme has been appropriately implemented and the site is suitable for its intended end use shall be approved in writing by the Local Planning Authority.

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

4. No development, other than site clearance and site compound set up, shall commence until such time as the following information has been submitted in writing and written permission at each stage has been granted by the Local Planning Authority:
 - i. A preliminary risk assessment and methodology for an investigation to determine the potential for the site to be affected by coal mining legacy issues shall be undertaken and approved by the Local Planning Authority;
 - ii. Where necessary a scheme of remediation to remove any unacceptable risk to human health, buildings and the environment (including controlled waters) shall be approved by the Local Planning Authority prior to implementation;
 - iii. Any additional or unforeseen coal mining legacy issues encountered during development shall be notified to the Local Planning Authority as soon as practicably possible and a remedial scheme to deal with this approved by the Local Planning Authority; and
 - 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.

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. 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.
7. Notwithstanding the details shown on the approved plans, no development other than site clearance and compound set-up shall commence until scaled plans detailing the existing and proposed ground levels on the site, the levels of the proposed access arrangements and the finished floor and ridge levels of the dwellings (including sections and with reference to a fixed datum point) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.
8. Notwithstanding the details shown on the approved plans, prior to the occupation of any of the dwellings hereby approved, details (including scaled plans) of a minimum of eight car parking spaces to be located within the site shall be submitted to and approved in writing by the Local Planning Authority. The car parking spaces shall be installed in accordance with the approved details prior to the first occupation of any of the dwellings and shall be retained free from obstruction for their intended use thereafter.
9. Prior to the first occupation of any part of the development hereby approved, details of the boundary treatments to be installed as part of the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans of the treatments and details of the construction material and the finish to be applied and shall indicate that the southern boundary of the site shall be treated with a natural stone wall. The boundary treatments shall be installed in accordance with the approved details prior to the first occupation of any of the dwellings.
10. No development shall commence until such time as a Construction Environment Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of:
 - Wheel wash facilities for construction vehicles;
 - Arrangements for temporary construction access;
 - Contractor and construction worker car parking;
 - Turning facilities during the remediation and construction phases; and
 - Details of on-site storage facilities.

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

11. No development shall commence until a survey of the site for invasive species (including but not limited to Japanese Knotweed and Himalayan Balsam) has been undertaken by a suitably qualified professional and submitted to and approved in writing by the Local Planning Authority. The survey shall be accompanied by a remediation strategy for any invasive species recorded on the site. The development shall be carried out in accordance with the approved remediation strategy.

12. 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.
13. Notwithstanding the details submitted with the planning application, no above ground development shall commence until full details of a scheme of hard and soft landscaping to be incorporated into the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following specific measures:
 - A plan showing the location of all trees/hedges/shrubs to be planted, details of the species mix, the number of specimens to be planted, spacing between them and their height of planting; and
 - 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 part of the development hereby approved.

14. 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 five 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.
15. 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.
16. 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.
17. Prior to the commencement of development above ground level, the following details shall be submitted to and approved in writing by the Local Planning Authority:
 - Scaled plans showing the exact locations, dimensions and elevations of the retaining structures to be installed (as annotated on the approved plans) as part of the development; and
 - A structural survey (undertaken by a suitably qualified professional) detailing how the retaining structures will maintain land stability on the site.

The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.

18. 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.

19. 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.

20. 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.

21. 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.

22. 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 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.

23. 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.

24. Notwithstanding the provisions of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions shall be erected on any of the dwellings without the prior granting of planning permission by the Local Planning Authority.

25. Notwithstanding the provisions of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-

enacting that Order with or without modification), no window openings shall be installed in the eastern and western gable elevations of the development hereby approved.

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20/01055/FUL - Land adj 7 Wakefield Rd Stalybridge

Photo 1 – Aerial view of the site



Photo 2 – view looking northwards along the north western boundary of the site, adjacent to the neighbouring properties at 1 and 3 Church Walk



Photo 3 – view from Kinder Street looking towards the application site, with the rear elevation of no. 7 Wakefield Road in the foreground



Photo 4 – view looking westwards along the southern boundary of the site (Wakefield Road frontage)



Photo 5 – view looking eastwards along the southern boundary of the site (Wakefield Road frontage)



Photo 6 – view looking towards the application site from the junction between Kinder Street and Church Walk to the north west of the site



Photo 7 – view looking westwards towards the application site along Kinder Street





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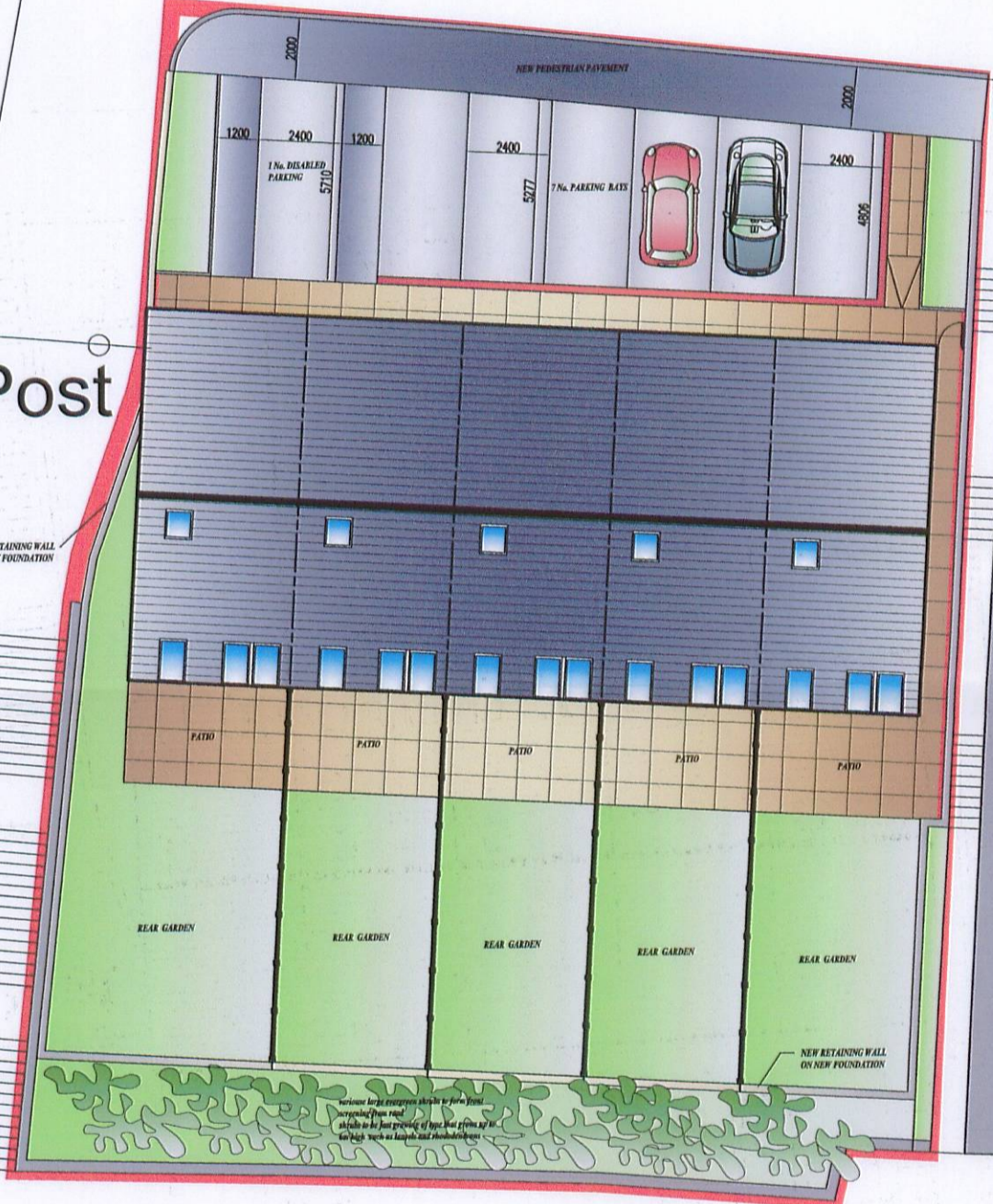
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PROPOSED SITE PLAN scale 1:200

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Client: MR. S. ROWBOTHAM	
Project: 5 No. NEW DWELLINGS	
Location: LAND NEXT TO 7 WAKEFIELD ROAD, STALYBRIDGE	
Local Authority: TAMESIDE	
	
1ST FLOOR BOROUGH MILL NEILD STREET OLDHAM, OL8 1QG Tel : 0161 633 0484 Fax : 0161 633 0484 Web site www.plans.uk.com e-mail info@plans.uk.com	
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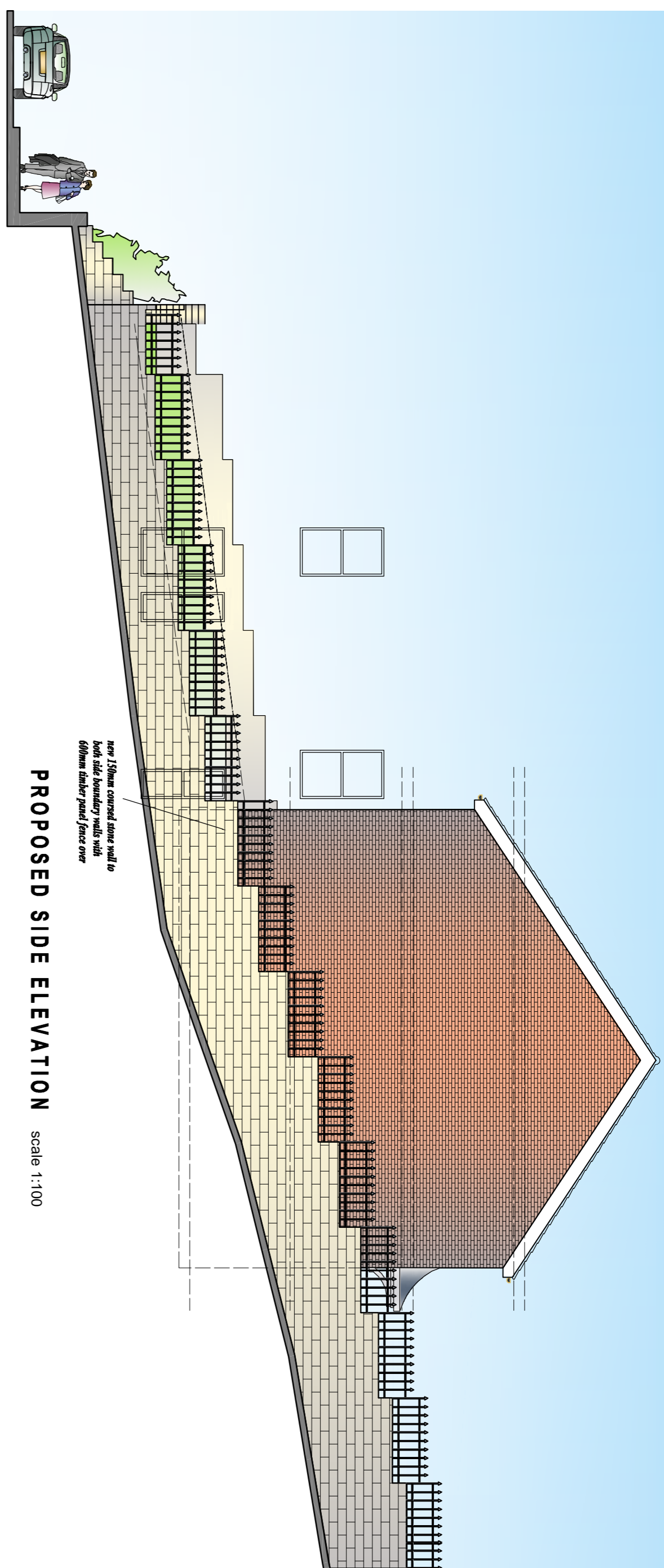
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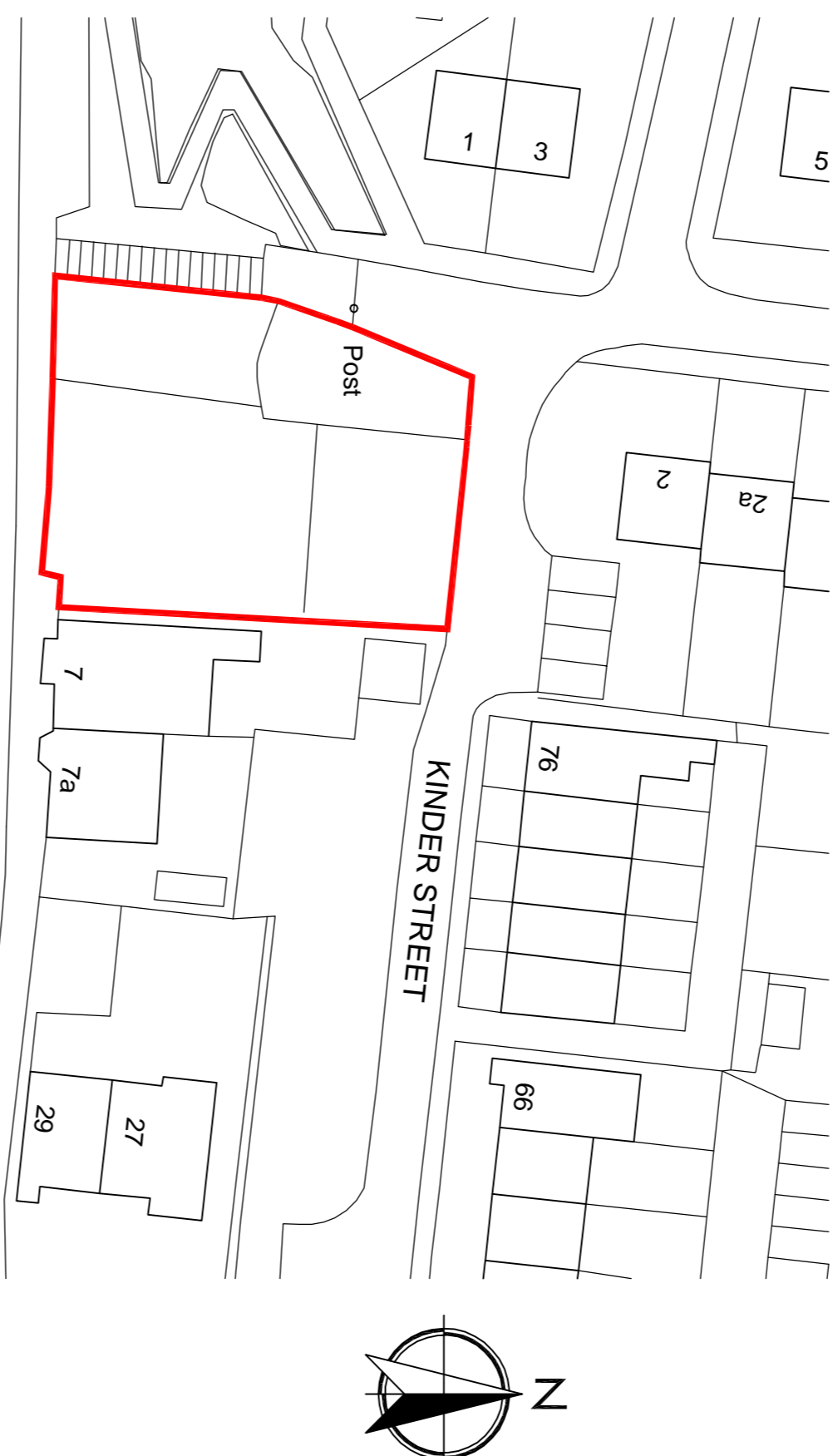
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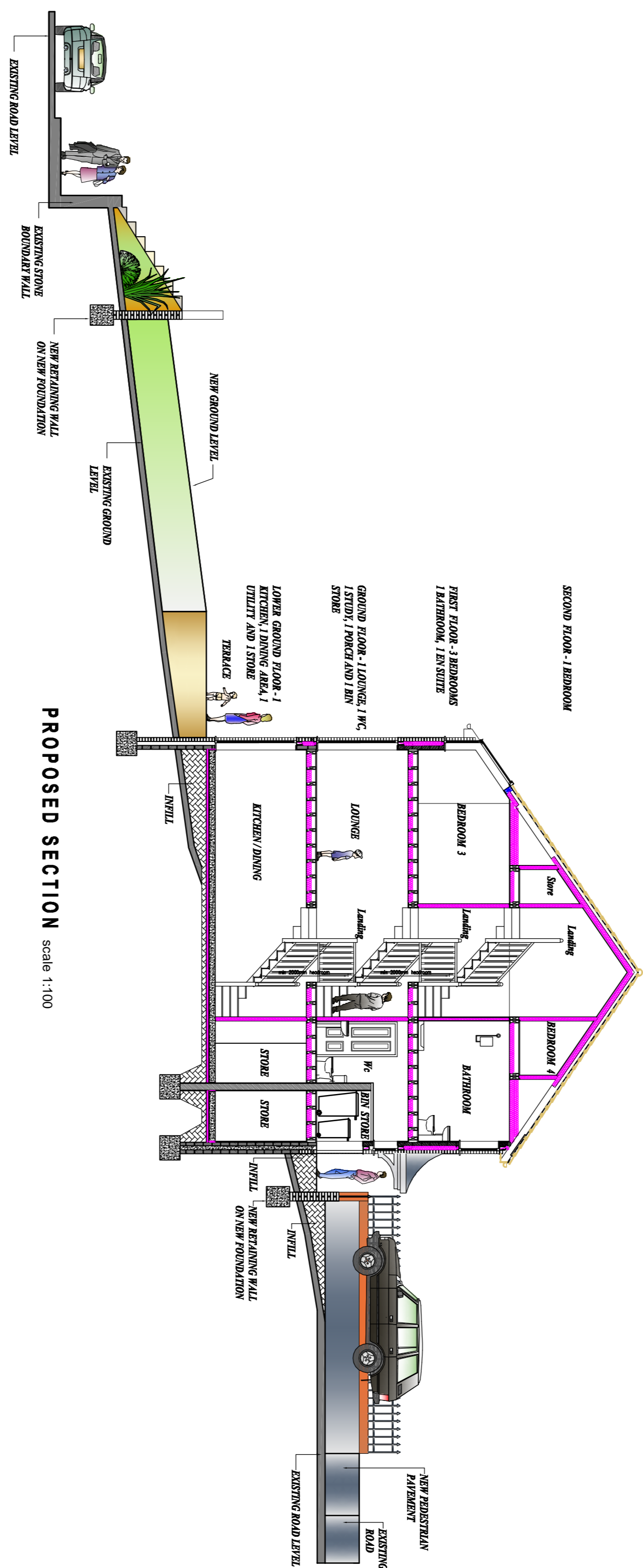
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PROPOSED SIDE ELEVATION scale 1:100



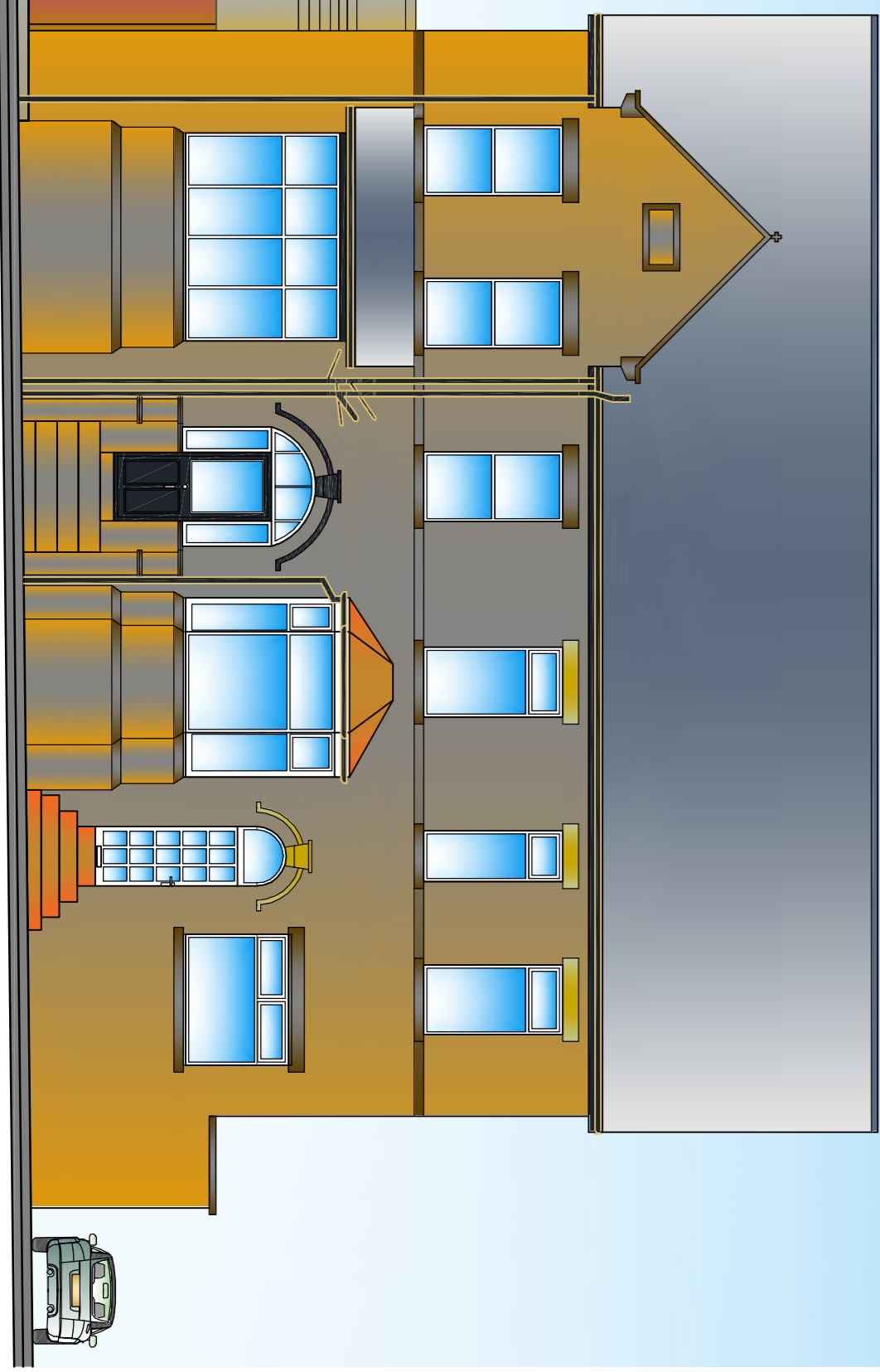
LOCATION PLAN scale 1:300



PROPOSED SECTION scale 1:100



PROPOSED REAR STREET SCENE scale 1:100



26. Unlawful building
 27. Unlawful excavation
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Application Number 20/01089/FUL

Proposal Change of use of existing yard area to use for Storage (Use Class B8) including provision of shipping containers, extension of previously undeveloped land consisting of paving, siting of additional shipping containers and car parking (part retrospective).

Site Land to the north of Weir Mill, Manchester Road, Mossley, OL5 9QA

Applicant Mr D Wilcox C/O Civitas Planning Limited

Recommendation Refuse planning permission.

Reason for Report A Speakers Panel decision is required upon the request of the Planning Agent (Endaf Robert, Civitas Planning Limited) and following a request made by Councillor Jack Homer.

1.0 APPLICATION DESCRIPTION

1.1 The application seeks retrospective planning permission for the change of use of a pre-existing yard area associated with Weir Mill to land used for the provision of self-storage facilities (Use Class B8) and the clearance of land to the north of the existing yard area to provide additional land for storage. The application also seeks planning permission for the proposed siting of 48.no storage containers and provision of car parking to the far north of the application site with access taken from Manchester Road.

1.2 It is understood that the applicant undertook works to address drainage issues on the site following the collapse of two culverts and that the land was cleared to facilitate access for those works to be carried out. It is understood that the applicant subsequently positioned storage containers on the land for self-storage purposes and to provide a use for the site in October/November 2016. However, additional containers have since been added.

2.0 SITE & SURROUNDINGS

2.1 The application site is located immediately to the north of Weir Mill with part of the application site being its former yard area. Manchester Road runs to the east and north of the site and is at a higher elevation than the application site itself and separated by a low stone wall. The River Tame bounds the east of the application site beyond which is a mixture of open land and woodland.

3.0 PLANNING HISTORY

3.1 No records relating to the application site itself exist.

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:** Green Belt

4.4 **Part 1 Policies**

1.5 Following the Principles of Sustainable Development
1.10 Protecting and Enhancing the Natural Environment

4.5 **Part 2 Policies**

OL1: Protection of the Green Belt
OL15: Openness and Appearance of River Valleys
T1: Highway Improvement and Traffic Management
T10: Parking
N3: Nature Conservation Factors
N4: Trees and Woodland
N5: Trees within Development Site
U3: Water Services for Developments
U4: Flood Prevention

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

Section 2 Achieving Sustainable Development
Section 13 Protecting Green Belt Land
Section 14 Meeting the Challenge of Climate Change, Flooding and Coastal Change
Section 15 Conserving and Enhancing the Natural Environment

4.7 **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 dispatched 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 on the 8 July 2020 and a Site Notice displayed close to the application site on Manchester Road on 14 December 2020.

6.0 **RESPONSES FROM CONSULTEES (SUMMARISED)**

6.1 Canal & Rivers Trust: No comments made.

6.2 Local Highway Authority: Commented that the general arrangement drawing should demonstrate the proposed parking layout that would meet the requirements of the Unitary Development Plan in terms of required parking provision. This plan has been received and as a result is accepted by the Local Highway Authority subject to the imposition of a condition requiring details of cycle storage facilities be provided which serve the development.

6.3 Greater Manchester Ecology Unit (GMEU): Commented that the development proposed under the application would likely lead or have led to ecological impacts that would require addressing. In particular, comments were made on the impact caused by the loss of vegetation and woodland habitat, potential impacts on the River Tame and increased runoff into the River Tame, as well as the likely presence of invasive plant species, particularly Himalayan Balsam.

6.4 Arboricultural Officer: Observed that it is likely that a significant amount of vegetation/woodland has been removed to make way for the development. However, the Arboricultural Officer also acknowledged that the trees were not protected and thus had no additional comments or recommendations to make.

7.0 SUMMARY OF THIRD PARTY AND COUNCILLOR RESPONSES RECEIVED

7.1 Following the consultation exercise undertaken one letter of objection has been received raising the following (summarised) points:

- Felling of a large number of mature trees;
- Destruction of habitats; and,
- Potential impacts on the River Tame.

7.2 Councillor Jack Homer has written in support of the application offering the following (summarised) points:

- The storage area is used by local businesses and loss would be detrimental; and,
- The storage site is not readily visible from public vantage points.

8.0 ANALYSIS

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

- 1) The principle of development in the Green Belt;
- 2) Impact on the purposes of the Green Belt;
- 3) The impact on the character of the site and the surrounding area;
- 4) The impact upon the amenity of neighbouring properties;
- 5) The impact on highway safety;
- 6) Flood risk / drainage implications;
- 7) The impact on the ecological significance of the site and trees; and,
- 8) Other matters.

9.0 PRINCIPLE OF DEVELOPMENT (GREEN BELT)

9.1 Section 38 of the Planning and Compulsory Purchase Act 2004 states that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Consideration will also be necessary to determine the appropriate weight to be afforded to the development plan following the publication of the National Planning Policy Framework (NPPF). Paragraphs 212 - 217 of the NPPF set out how its policies should be implemented and the weight which should be attributed to the UDP policies.

9.2 The site is located in the Green Belt as identified by the Proposals Map associated with the Unitary Development Plan for Tameside. Policy OL1 states that the Green Belt will be protected from inappropriate development and that approval will not be given for the construction of new buildings except in specific purposes. The wording of this policy is slightly at variance with updated guidance of the NPPF. However, the fundamental requirement is to keep Green Belts open, and only to allow built development for specific purposes or where very special circumstances can be demonstrated.

9.3 As a starting point, paragraph 134 of the NPPF, sets out the five main purposes of Green Belt which are:

- a) To check the unrestricted sprawl of large built-up areas;
- b) To prevent neighbouring towns merging into one another;
- c) To assist in safeguarding the countryside from encroachment;
- d) To preserve the setting and special character of historic towns; and,
- e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

- 9.4 Paragraph 146 of the NPPF states that material changes in the use of land will not amount to inappropriate development in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. In order to determine whether the development (i.e. the change of use) represents inappropriate development requires an assessment to be made as to whether there is conflict with the main aims and objectives of Green Belt policy and whether the openness of the Green Belt is preserved.
- 9.5 Although it is understood there is a well-established area of hardstanding to the south of the application site historically associated with Weir Mill, the extension of this area of hardstanding to accommodate shipping containers for self-storage uses and car parking cannot preserve its openness since this is essentially a freedom from operational development.
- 9.6 Given the increase in size of the hardstanding and the provision of shipping containers and parking areas it is considered that the proposal would have a greater impact on the openness of the Green Belt than the existing/former development on the site. The additional impact of the development would result in more prominent development encroaching beyond the main site area of Weir Mill and associated curtilage. Furthermore, there is conflict with the aims and objective of Green Belt policy since it results in the urbanisation and encroachment into what was previously open land (albeit characterised by trees and scrubland).
- 9.7 It is considered that the development that is the subject matter of this application represents inappropriate development within the Green Belt. Paragraph 143 of the NPPF states that inappropriate development in the Green Belt is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 of the NPPF states that when considering any planning application, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 9.8 In addition to being inappropriate, to determine whether very special circumstances exist first requires consideration of *other harm* that arises from the development, and this is covered in the sections of the report below. As such, the principle of development is dependent upon the assessment of the totality of harm, and whether this is clearly outweighed by other considerations.

10.0 CHARACTER OF THE SITE AND THE SURROUNDING AREA

- 10.1 It is recognised that part of the hardstanding was already present prior to the provision of shipping containers and change of use to storage. However, a large portion of the north of the site was mature woodland which has been removed and replaced with hardstanding to accommodate a use for the storage of shipping containers and car parking. This results in harm to the character of the area when compared to its pre-existing condition.
- 10.2 When travelling along Manchester Road to the east of the site, the area of hardstanding, containers and car parking is largely screened from view due to the site being at a lower level. However, the character of the area from open countryside to the east of the River Tame is changed considerably, changing from woodland to an area of hardstanding and shipping containers.

11.0 AMENITY OF NEIGHBOURING PROPERTIES

- 11.1 The application site is not in close proximity to any residential properties. Although Weir Mill is occupied by various businesses it is not expected that the location of the storage area and associated access has any significant impacts on the occupiers and users of these businesses.

12.0 HIGHWAY SAFETY

- 12.1 Access to the application site is obtained from Manchester Road to the southwest of the main area of the application site. As this is an existing and long-established access, other than a small increase in traffic generation, it is not expected that this arrangement would have undue impacts on highway safety. Any impact caused is not considered to amount to a severe impact on highway safety which is the relevant test having regard to the requirements of paragraph 109 in the NPPF.
- 12.2 The Local Highway Authority initially raised concerns in that the submitted plans, showing an increase in land taken up by hardstanding and change of use to storage, without the requisite amount of parking required and was thus in conflict with the requirements of UDP Policy T1 and more specifically T10. However, amended plans were received demonstrating proposed parking, with standard parking to the north end of the application site and disabled parking and bicycle parking provision shown towards the southeast corner of the application site. This proposed arrangement satisfied the Local Highway Authority and they withdrew their concerns in this regard subject to the imposition of a condition requiring cycle parking facilities to be provided.

13.0 ECOLOGY CONSIDERATIONS

- 13.1 A large portion of the application site was formerly covered by mature woodland. This woodland has since been cleared to make way for a larger area of hardstanding and siting of shipping containers. Unitary Development Plan policies N4 requires that trees of amenity value are only removed where appropriate and good arboricultural practices adhered to. In addition, appropriate replacement planting is required. UDP Policy T5 also requires that trees or areas of woodland are not unnecessarily lost or damaged. Where development affects a site containing woodland, a full arboricultural impact assessment is generally required to enable an appropriate assessment of the quality of the woodland.
- 13.2 The application site is also adjacent to the River Tame to the east. UDP Policy OL15 provides that the Council will not generally permit developments that would adversely affect the character of river valleys. In addition, UDP Policy U3 requires that developments incorporate sustainable drainage systems to control water run-off and minimise potential pollution and environmental damage related to run-off. Due to its close proximity and potential for impact the Greater Manchester Ecology Unit (GMEU) have raised concern that there is a risk of negative impacts on the ecological potential of the River Tame through the increase in surface water discharge. As such, in the event the application is approved they recommend the imposition of a condition requiring such information to be submitted for approval.
- 13.3 GMEU and the Council's arboricultural officer have indicated that ecological issues will have resulted from the development given the removal of mature trees. However, the trees were not protected by any Tree Preservation Orders, and so could be removed without consent. GMEU have also identified that Himalayan Balsam, an invasive plant species, is highly likely to have been or will continue to be prevalent on the application site. In the event the application is approved, GMEU have recommended the imposition of a condition requiring a survey of Himalayan Balsam and Japanese Knotweed within 7m of the site and that the

findings be submitted to the local planning authority. If such species are found to be present a methodology is to be submitted demonstrating how such species would be treated.

- 13.4 Having regard to paragraph 170 of the National Planning Policy Framework, which requires planning decisions contribute to and enhance the natural and local environment, the development has resulted in the loss of approximately 0.1 hectares of mature woodland. GMEU have identified that there is potential for tree planting to the north of the site and that bird boxes should also be provided. As such, GMEU have recommended a condition requiring a landscaping plan including mitigation measures for the loss of trees, shrubs and bird nesting habitats be submitted for approval in the event that the application is approved.

14.0 FLOOD RISK

- 14.1 Storage is a use of land categorised as 'less vulnerable' when considering development that is located in High Flood Risk areas by the technical guidance that accompanies the Framework. The guidance confirms that 'less vulnerable' uses in Flood Zones 2 and 3 do not require additional information. As such, there is no objection to the principle of the development in terms of potential flood risk. UDP Policy U4 (Flood Prevention) has also been taken into account when reaching this conclusion.

15.0 VERY SPECIAL CIRCUMSTANCES

- 15.1 The applicant considers that there are factors present that clearly outweigh the harm to the Green Belt, which they therefore believe amount to the 'very special circumstances' required to justify the inappropriate development.
- 15.2 Specifically, the applicant's case is based upon the use supporting the storage requirements of a number of local businesses and individuals. To evidence this the applicant has provided details of the agreements with businesses / individuals for each container.
- 15.3 It is important to acknowledge that the storage use of the site provides benefits for those using such facilities and demonstrates a local need. However, the applicant has not provided any evidence of why alternative sites (including those outside of the Green Belt) cannot be used to fulfil such demand as part of a sequential approach.
- 15.4 It is considered that although the proposals benefit users of the storage facilities this does not clearly outweigh the harm caused to the Green Belt, by reason of inappropriateness, and other harm as identified above. Therefore, it is considered that very special circumstances do not exist, and therefore the principle of the proposals cannot be supported.

16.0 CONCLUSION

- 16.1 The proposal would constitute inappropriate development in the Green Belt that is by definition harmful and should not be approved except in very special circumstances. Such circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 16.2 Part of the application site was previously covered by hardstanding. However, the majority of the development has taken place on land formerly covered by trees, with hardstanding laid to accommodate the siting of a number of additional storage containers. The development (change of use) results in a greater impact on the openness of the Green Belt and conflicts with its main aims and objectives set out in paragraph 134 of the National Planning Policy Framework given it results in encroachment into the countryside. The applicant has also not

(as part of their justification) demonstrated that other locations would be sequentially favourable.

- 16.3 In relation to the other harm to the Green Belt, it is considered that the scale of the hardstanding, clearing of woodland and provision of a number of shipping containers to the site would result in a detrimental impact to the character of the landscape. In particular, the removal of mature trees and provision of areas of hardstanding and shipping containers to the north of the application site impacts on a sensitive area.
- 16.4 In conclusion, there are no very special circumstances present which clearly outweigh the harm caused to the Green Belt, and therefore the principle of the development is unacceptable and cannot be supported.

RECOMMENDATION:

Refuse planning permission for the following reason:

- 1) By virtue of the size, scale and intensification of development caused by the change of use of the land for storage, enlargement of the hardstanding, provision of shipping containers and clearing of woodland, the development represents inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and must not be approved except in very special circumstances. The applicant has failed to demonstrate that there are other considerations which clearly outweigh the harm and therefore very special circumstances do not exist. As such, the development fails to comply with Policies OL1 and OL2 of the Unitary Development Plan for Tameside and paragraphs 133, 134, 143, 144, and 146 in the National Planning Policy Framework.

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Photo taken from the east side of Manchester Road, facing north over site.



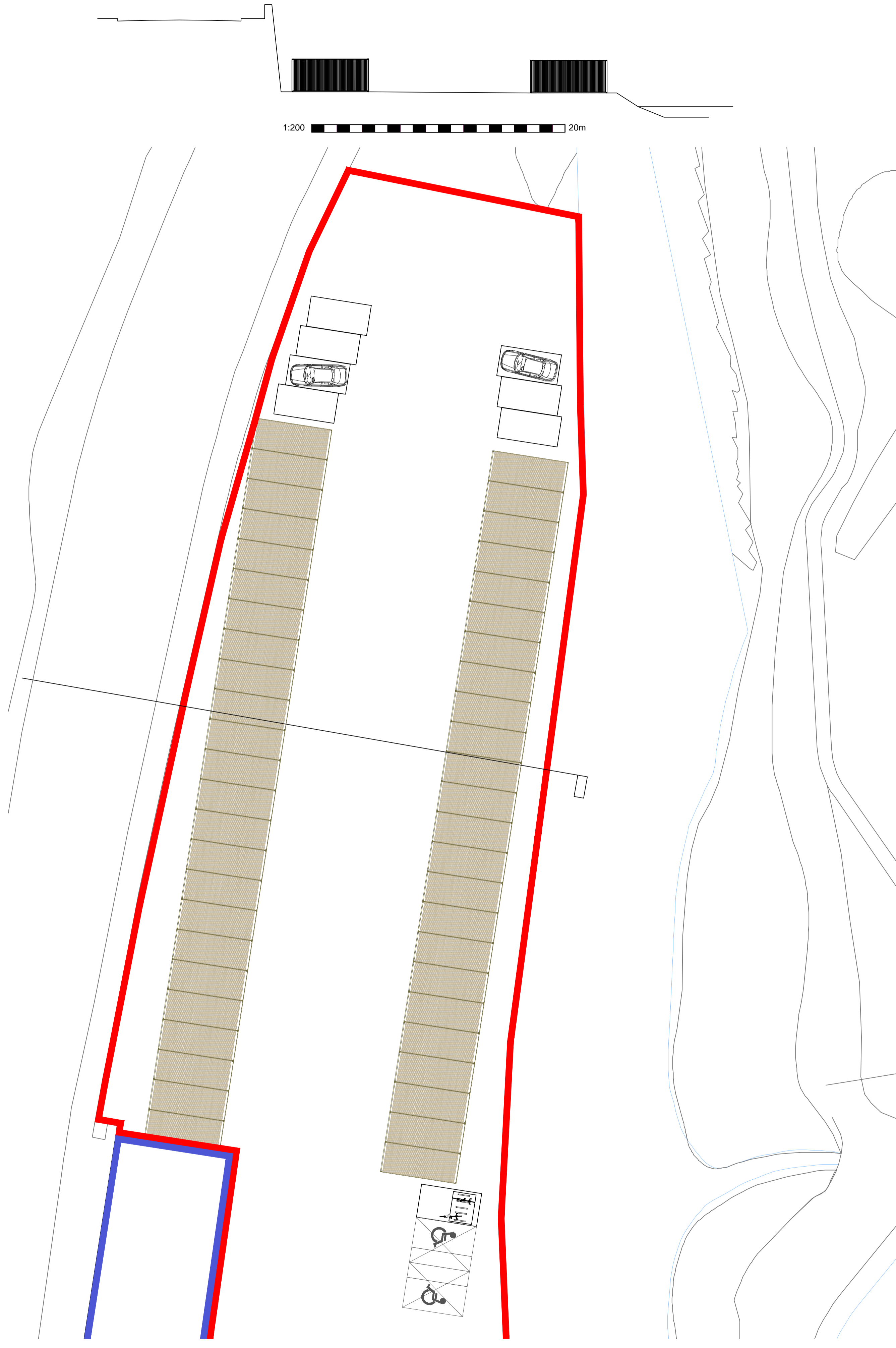
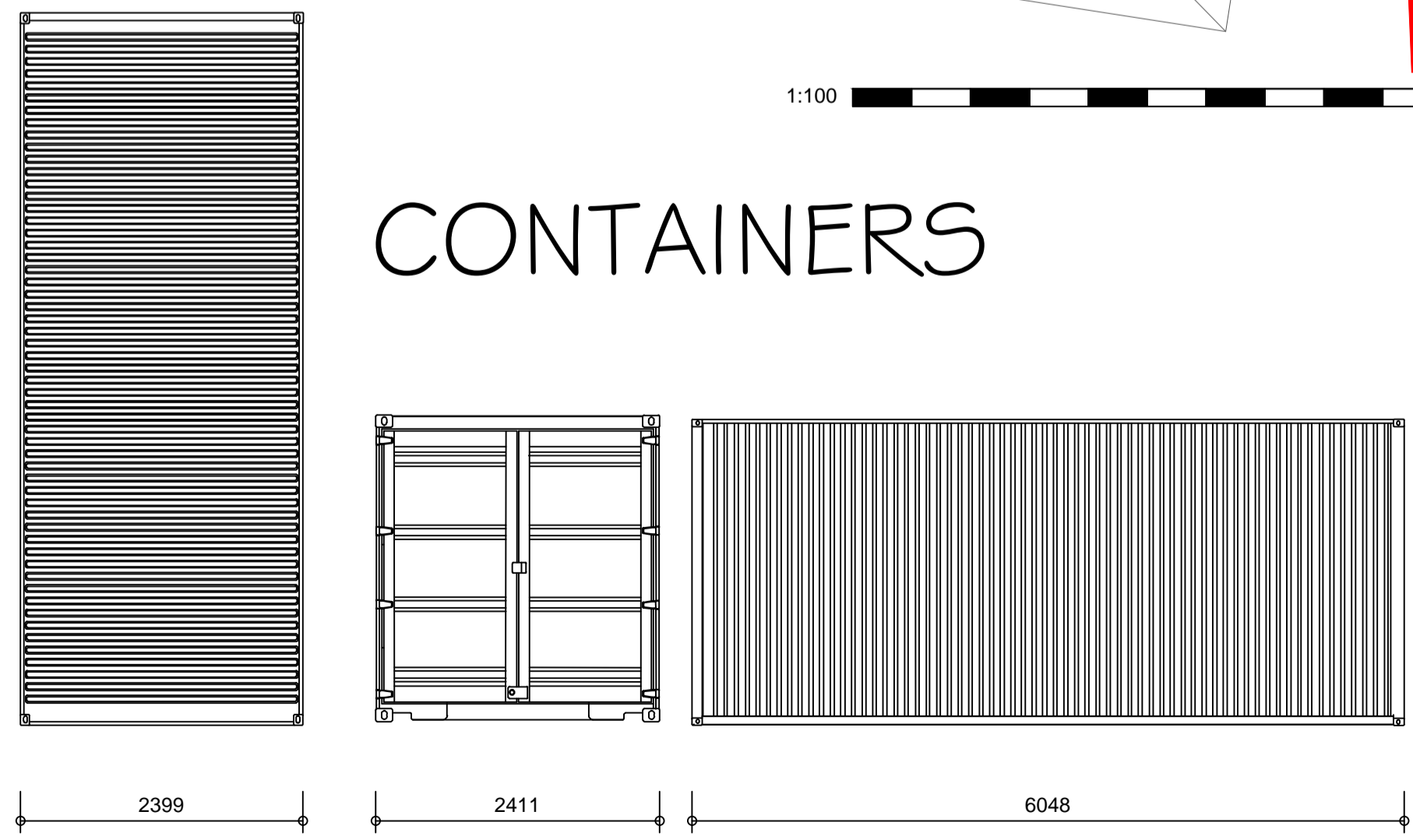
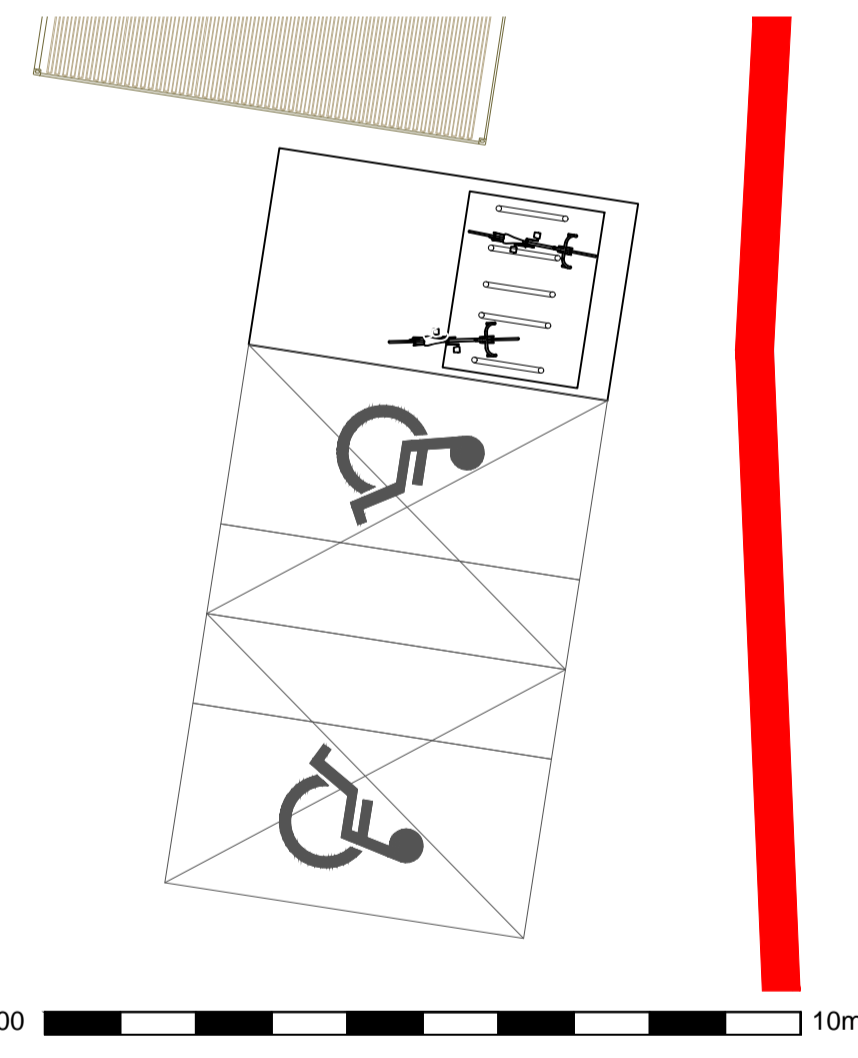
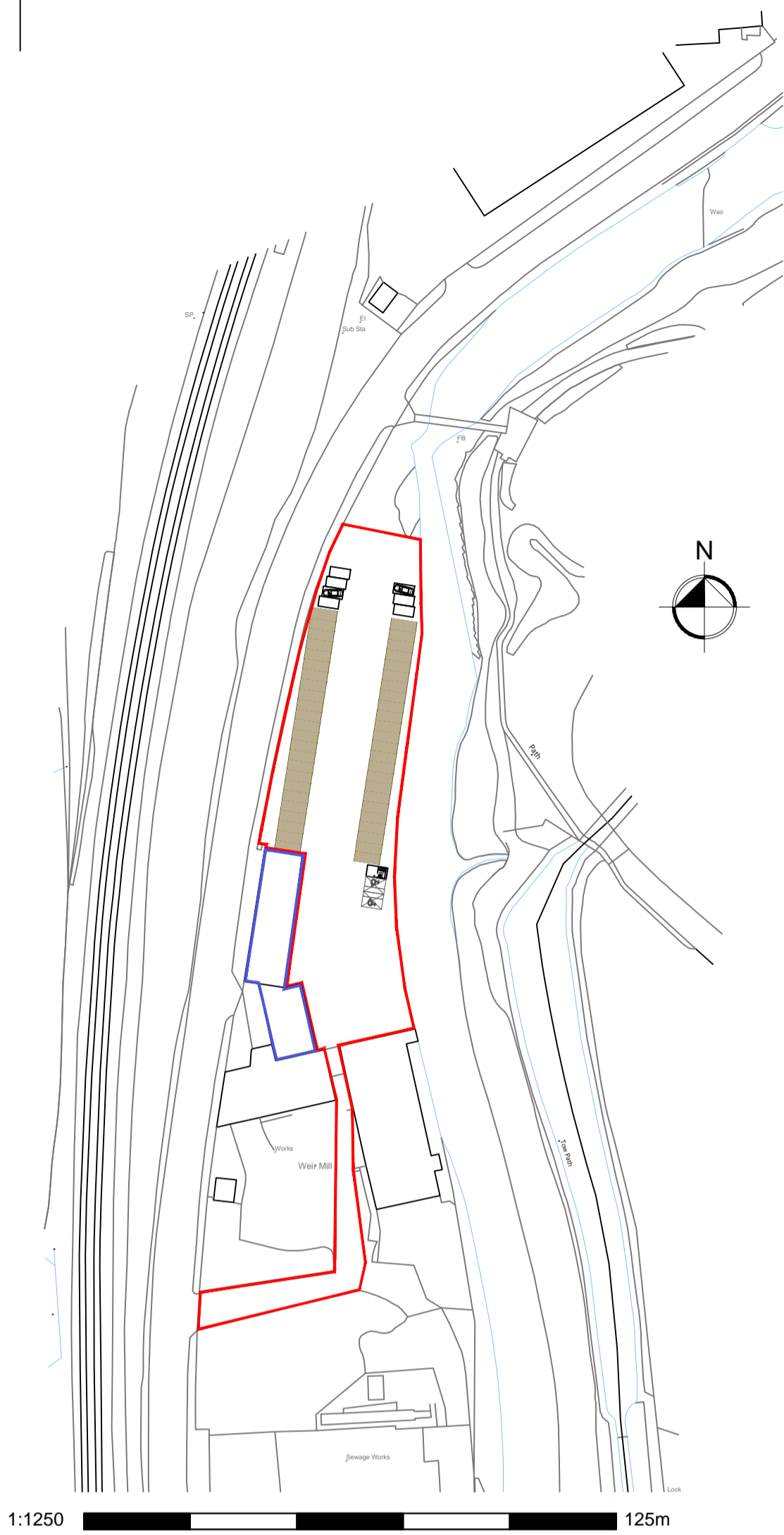
Photo taken from Manchester Road, facing east over the site.



Photo taken from Manchester Road facing north/northeast over the north portion of the site.



Photo taken from Manchester Road facing south/southeast over the site.



All levels and dimensions must be checked on site by the contractor prior to commencement of works. Any variations must be immediately reported to GreenSkyArchitecture.

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Notes

Revision	Date	Note

GREENSKY ARCHITECTURE

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Client
Mr D Wilcox

Project Title
Weir Mill Mossley

Drawing Title
Site Plan

Drawn **MS** | Checked | Date **08.10.2020**

Drawing Number **1381.100** | Scale **1:50 @ A1** | Revision **D**
 | **1:100 @ A3**

Drawing Status	Information	Draft	Approval	Tender	Construction	As Built
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Appeal Decision

Site visit made on 16 February 2021

by R Hitchcock BSc(Hons) DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 February 2021

Appeal Ref: APP/G4240/D/20/3264079

15 Arnold Road, Gee Cross, Hyde SK14 5LH

- 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 Steven Lomax against the decision of Tameside Metropolitan Borough Council.
 - The application Ref 20/00902/FUL, dated 16 September 2020, was refused by notice dated 13 November 2020.
 - The development proposed is the demolition of existing single storey side garage extension and replacement with new two storey side extension comprising ground floor store, new entrance and first floor bedroom.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the dwelling and its locality.

Reasons

3. The site lies adjacent to a public footpath and an area of public open space at the end of a row of semi-pairs set within a residential estate. The building lies behind a landscaped front garden set below the level of the road with an inclined driveway. The pairs of properties on the road have consistent modern design with uniform brick and tile finishing that provide a sense of place and distinct character to the immediate locality.
4. The house has previously been extended at ground floor to provide, amongst other things, a front-facing entrance integrated with a garage. The proposal includes the removal of an existing single-storey side extension for replacement with a two-storey addition with eaves and ridge lines to match the main part of the house. The proposal would utilise complementary materials.
5. The regular design of the semi pairs and spacing between them provides a strong sense of rhythm and consistency to development along the street. On Arnold Road, various forms of extension and alteration have taken place to some of the houses. However, the majority of these are single storey with a subordinate appearance which preserve the proportioning and focus of the main two-storey elements of the pairs.
6. The alignment of the extension with the front elevation of the original building with matching ridge and eaves heights would integrate the extension in a manner to alter the overall massing of the semi-pair. Notwithstanding a

- contrasting panel of brickwork above the main bowed window, the resultant extensive area of continuous brickwork along the building's frontage and large roofscape would give rise to a bulky appearance that would shift the focus and visual interpretation away from a semi-pair to that of a short terrace. The width and matching height of the extension would compete with the scale of the original two-storey part to undermine it as the focal element and remove the strong sense of symmetry with the adjoining dwelling.
7. Whilst the architectural styling would be similar to the existing building, the significant additional width of the extension would cause the combined building's massing to stand out in the consistent pattern of local development and sharply contrast with the prevalent scale of development in the streetscape. Although it would be positioned at the end of the row, the proposal would fail to retain the regular rhythm of development and principal proportions of the paired buildings to jar with the predominant appearance of the dwellings in the locality.
 8. This design approach would directly conflict with the requirements set out in Policies RED1 and RED5 of the Tameside Residential Design Supplementary Planning Document [2010] which seek to preserve the aspects of scale, mass and styling of existing buildings and their context. This includes the subordinate sizing and positioning of side extensions.
 9. In support of the proposal, the appellant has referred me to a number of cases in other streets where two-storey extensions have been added to similar properties, including side extensions aligning with the main front elevations. Of these, I observed that the majority were more limited in width and included elements designed to break up the resultant massing. There is little detail before me in respect of the circumstances of a comparable example at 5 Hillcrest. However, this example is in the minority and precedent is rarely an argument that should carry great weight in planning decisions which should be made on their own merits in the context of the development plan and other material considerations.
 10. I also acknowledge that the site benefitted from a previous permission for a smaller side extension aligning with the front elevation. However, there is little detail of that proposal before me to enable me to draw comparisons or otherwise. It therefore carries little weight in my determination of the case, a case I have considered on its own merits.
 11. For those reasons, I find that the proposal would cause significant harm to the character and appearance of the existing dwelling and its locality. It would conflict with Policy H10 of the Tameside Unitary Development Plan [2004] as it seeks attractive design which complements and enhances the character and appearance of the surrounding area. This is a policy which is consistent with the National Planning Policy Framework in relation to securing high standards of design which are visually attractive and sympathetic to local character.

Conclusion

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

R Hitchcock INSPECTOR

Appeal Decision

Site Visit made on 15 February 2021 by Hilary Senior BA (Hons) MCD MRTPI

Decision by R C Kirby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 March 2021

Appeal Ref: APP/G4240/W/20/3261539

151 King Street, Dukinfield SK16 4JZ

- 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 Ikhlaq Mohammed against the decision of Tameside Metropolitan Borough Council.
 - The application Ref 20/00565/FUL, dated 1 July 2020, was refused by notice dated 18 September 2020.
 - The development proposed is Change of use from a shop to hot food take away together with external alterations including new shop front and installation of flue to rear elevation.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. The description of development in the banner heading above is taken from the decision notice as it is more concise than the application form.

Main Issue

4. The main issue is the effect of the proposal on the living conditions of neighbouring occupiers with particular regard to noise and disturbance.

Reasons

5. The appeal premises comprise the ground floor of a two storey end of terraced property located at the junction of King Street and Hope Street, in an area of commercial and residential development. Next door and attached to the appeal premises is No 149, a residential dwelling. There is a flat on the upper floor of the premises, and residential properties nearby in Hope Street. The rest of the terrace includes retail and commercial premises, including a hot food takeaway at No 145, which is located between commercial uses.
6. The appellant has indicated that he wishes the premises to be open from 16.00 hours to 23.00 hours, seven days a week. The proposed use of the takeaway would generate noise from customers coming and going to the premises, whether on foot or by motor vehicle. Consequently conversations held outside

- the premises, in close proximity to the ground and first floor windows of No 149 and the windows of the flat above would be likely to result in noise and disturbance, particularly late at night, when background noise levels are likely to be less, when occupiers might reasonably expect a reasonable degree of peace and quiet as they relax or sleep in their homes.
7. Moreover, whilst noting that King Street is subject to double yellow lines and zigzag road restrictions there would be the potential for vehicles to stop on the road outside the premises and their drivers pick up food, with the attendant engine noise and door closing which would cause disturbance to nearby occupiers particularly in the evening and late at night.
 8. I note that the Council's Environmental Health team raised no objection to the proposal, subject to conditions. Nevertheless, no substantive evidence has been submitted which persuades me that there is reasonable certainty that the impact of the noise and disturbance as a result of customers arriving and leaving the premises, and potentially congregating outside on the pavement, would not adversely affect the living conditions currently enjoyed by the neighbouring occupiers.
 9. I note the suggestion that nearby hot food takeaways have closed, and that customer activity in the vicinity of the property will not increase, however there is no certainty that such uses will not resume and this matter does not provide justification for the proposal.
 10. The appellant has indicated that they run a long-standing business and would employ apprentices in collaboration with local colleges. Whilst the proposal may bring economic and social benefits to the area there is no evidence of these benefits before me and in any event these matters do not overcome the identified harmful effect on the living conditions of nearby occupiers.
 11. In conclusion, I find that the proposal would harm the living conditions of neighbouring occupiers and accordingly there is conflict with Policies 1.12 and S7 of the Tameside Unitary Development Plan (2004) which amongst other things, seek to ensure that development does not harm the residential environment of nearby occupiers. The proposal also conflicts with paragraph 127 of the National Planning Policy Framework which seeks to create places which promote health and well-being, with a high standard of amenity for existing and future users.

Recommendation

12. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is dismissed.

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

R C Kirby INSPECTOR

Appeal Decision

Site Visit made on 15 February 2021 by Hilary Senior BA (Hons) MCD MRTPI

Decision by R C Kirby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 March 2021

Appeal Ref: APP/G4240/D/20/3262756

20 Millbrook Avenue, Denton M34 2DU

- 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 Geoff Hobin against the decision of Tameside Metropolitan Borough Council.
 - The application Ref 20/00785/FUL, dated 19 August 2020, was refused by notice dated 22 October 2020.
 - The development proposed is first floor extension to existing building.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and the surrounding area.

Reasons

4. The appeal site is located in a prominent position at the junction of Millbrook Avenue with Warren Close. It comprises a detached property with a prominent front gable feature, similar to a number of dwellings on the opposite side of the junction. At the time of my visit a 2 storey side extension was being constructed.
5. Although No 22 has been extended to the side adjoining No 24, this property and the original host dwelling, provide a sense of symmetry at the junction of Warren Close, with their steep roof forming an attractive feature in the street scene.
6. The new extension would add significant bulk and mass to the side of the dwelling, fundamentally altering its design and proportions such that the resultant dwelling would not reflect the character and appearance of the host property.
7. Given the above, the contribution that the extended host dwelling would make to the character and appearance of the area would be significantly reduced. The proposal would introduce a dominant gable feature which would erode the

symmetry of the junction and would result in harm to the character and appearance of the area.

8. Whilst noting that a number of similarly designed dwellings in the locality have been extended to the side, I find that other than at No 28 Millbrook Avenue, none are directly comparable, in either their design or location within the street scene. Moreover, the extension at No 28 does not make a positive contribution to the street scene and it is noteworthy that this extension was granted planning permission in the early 1990s, and is therefore likely to have been assessed under a different policy context to that before me. This example does not provide justification for the appeal proposal.
9. For the reasons above I conclude that the proposed extension would harm the character and appearance of both the host dwelling and the local area, and would conflict with Policy C1 of the Tameside Unitary Development Plan (2004) (UDP) and Policies RED1 and RED5 of the Tameside Residential Design Supplementary Planning Document (2010) which require development to conserve and enhance the built environment and for extensions to reflect the architectural style of the existing dwelling and not detract from the street scene. Moreover, the proposal conflicts with paragraph 127 of the National Planning Policy Framework, which requires, amongst other matters that developments are sympathetic to local character and establish or maintain a strong sense of place.
10. The Council has referred to Policy H10 of the UDP in its decision notice. This policy relates to the detailed design of housing developments and is not directly relevant in this appeal for an extension to an existing dwelling.

Conclusion and Recommendation

11. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is dismissed.

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

RC Kirby

INSPECTOR