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SPEAKERS PANEL (PLANNING)

Day: Wednesday
Date: 16 June 2021
Time: 10.00 am
Place: Jubilee Hall, Dukinfield Town Hall

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 26 May 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:	
a)	20/01027/FUL - 164 MOTTRAM ROAD, STALYBRIDGE, SK15 2RT	7 - 50
b)	20/00594/FUL - FORMER ROE CROSS GREEN CAFE, ROE CROSS ROAD, MOTTRAM, SK14 6SD	51 - 80
c)	20/01113/FUL - LAND AT NIELD STREET/SMITH STREET, MOSSLEY, OL5 0PF	81 - 130
d)	20/00329/FUL - LAND ADJACENT TO 124 MOTTRAM OLD ROAD, HYDE, SK14 3BA	131 - 150
5.	APPEAL DECISION NOTICES	
a)	APP/G4240/W/21/3269085 - LAND BETWEEN PENTIRE & SPRINGFIELD, MOTTRAM ROAD, HYDE, SK14 3AR	151 - 156
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)

26 May 2021

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

Apologies: Councillors Choksi and Ward

Newly appointed Members: Councillors Affleck, Boyle and P Fitzpatrick did not take part in the business of the Panel.

1. MINUTES

The Minutes of the proceedings of the meeting held on 21 April 2021, having been circulated, were approved and signed by the Chair as a correct record.

2. DECLARATIONS OF INTEREST

There were no declarations of interest declared by Members.

3. THE PROVISIONAL COACH HOUSE/CHARLOTTE HOUSE, HYDE, TREE PRESERVATION ORDER (2021)

Consideration was given to a report of the Development Manager outlining representations received, and the circumstances in connection with a provisional Tree Preservation Order (TPO).

Members were informed that a planning application (15/01038/FUL) was submitted for the development of the site at Charlotte House Residential Home, Hyde in March 2016. The application proposed the demolition of the now demolished fire-damaged care home to facilitate the redevelopment of the site to form a new build block of 16no. two-bed self-contained apartments. The application was considered and approved by the Speakers Panel (Planning) on 25 May 2016.

It was further explained that on 10 July 2019, a planning application (19/00614/FUL) was submitted under Section 73 of the Town and Country Planning Act 1990 proposing minor material amendments to the planning permission granted under 15/01038/FUL. The amendments were approved by the Speakers Panel (Planning) on 13 November 2019 and the planning permission had since been implemented on site and the development was nearing completion.

The Development Manager advised the Panel that on 23 March 2021, the Council was contacted by the owner/occupier of the adjoining property known as The Coach House, Chapel Street, Hyde, which shared a boundary with the development site. The individual considered an elm tree, claimed to be within their boundary, was at risk of being felled by the contractors working on the application site. It was explained that the boundary between the two properties had formed part of a civil dispute.

Following contact from the resident at the adjoining property, the Council's Arboricultural and Countryside Estates officer undertook a survey of the tree and requested that a TPO be urgently made given the tree was under immediate threat of removal. A provisional Order was made on 30 March 2021 to afford the tree temporary protection until such time the situation could be fully investigated.

Members were informed that the owner of Charlotte House objected to the provisional TPO on the basis that the tree was identified for removal on the approved plans associated with planning application 19/00614/FUL. The Development Manager confirmed that the tree was in a location where its removal was required to facilitate the construction of the car park serving the development.

The Development Manager explained that given the removal of the tree formed part of, and was necessary to implement the extant planning application for the development of the site, there was no utility in confirming the provisional Order since it would be ineffective in preventing the tree from being felled under the Tree Preservation Regulations. Regulation 14(1)(a)(vii) within the Town and Country Planning (Tree Preservation) (England) Regulation 2012 allowed trees that were subject to a TPO to be felled if it was necessary to implement a planning permission granted on an application.

A neighbouring resident, Sophie Baugh, addressed the Panel objecting to the recommendation not to confirm the temporary Tree Preservation Order. Ms Baugh explained that she had contracted an independent arboriculturist to inspect the tree and had been advised that the specimen was estimated to be 95 years old and an important habitat for butterflies. The Panel were informed that the type of tree was becoming increasingly rare in North West England due to Dutch Elm Disease and there were no other elm trees in the area to provide a similar habitat for wildlife.

Ms Baugh claimed that she had not been consulted in the initial planning phase and did not believe that the tree was at risk of being felled when the application was originally submitted.

Members were informed that even if the tree was felled, it would not provide adequate land for four parking spaces as detailed within the approved plans. Ms Baugh believed the developer was attempting to claim land that did not belong to them. She explained that it had now been established independently of the Council that the tree sat on the boundary of the two properties.

The agent, Alan Boucker, on behalf of the applicant, addressed the Panel in support of the officer's recommendation. Mr Boucker explained that the disagreement over the felling of the tree had caused significant delay to the construction work on the site.

Members sought clarification on whether the elm tree in question had been included on the original plans when planning permission was granted. The Development Manager confirmed that this was the case and formed part of the area that had been earmarked for parking spaces.

It was stressed that the Council could only decide on the issue of whether or not to confirm the temporary Order and any dispute regarding the boundary between the two properties was a civil matter. The Panel therefore:

RESOLVED
That authority be given to not confirm the Coach House/Charlotte House Tree Preservation Order (2021).

4. 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:	21/00272/FUL Homes for Life Ltd
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Proposed Development:	Erection of 12 no. apartment block (Use Class C3) and associated landscaping, car parking and infrastructure works following demolition of existing building. 58 Spring Gardens, Hyde, SK14 4RZ
Speaker(s)/Late Representations:	Jim Seymour, 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:	21/00170/FUL Mr Darren MacKinnon
Proposed Development:	Creation of first floor roof terrace to rear in connection with existing bar/restaurant. 118-120 Market Street, Droylsden, M43 7AA
Speaker(s)/Late Representations:	The Planning Officer advised Members that Councillor Quinn had submitted a statement objecting to the application. Councillor Quinn expressed concern that individuals using the terrace could throw items into the playground of St Mary's CE Primary School and children attending the school could potentially overhear patrons swearing. Councillor Quinn also queried who would be responsible for the maintenance and upkeep of the proposed wall. Mrs Susan Marsh addressed the Panel objecting to the application. Mr Darren MacKinnon, 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:	20/00329/FUL Mr Paul Williamson
Proposed Development:	Detached dwelling house – retrospective. Land adjacent to 124 Mottram Old Road, Hyde, SK14 3BA
Speaker(s)/Late Representations:	The Planning Officer advised Members that Councillor Welsh had submitted a statement objecting to the application. Councillor Welsh believed that the applicant had disregarded the planning process by constructing a dwelling that did not have the relevant planning permission at the time of building. A number of previous planning applications for the site had been refused. Councillor Welsh claimed that additional land had been excavated to allow the property to be made bigger and believed

	<p>if the plans for the current property had been brought before the Panel prior to construction they would have been recommended for refusal.</p> <p>Dr Helen Mayall addressed the Panel objecting to the application.</p>
Decision:	That consideration of the application be deferred to a future meeting to enable the case officer to ensure that the height of the dwelling corresponded with the plans as detailed within the submitted report.

5. APPEAL / COST DECISIONS

Application Reference/Address of Property	Description	Appeal Decision
<p>APP/G4240/W/20/3265445</p> <p>Bridge Louvre Company, Units 1&2, Northend Road, Stalybridge, SK15 3AZ</p>	<p>Proposed extension to existing property at both ends and rear elevations.</p> <p>Dispute in relation to condition 3 of the approved planning application:</p> <p>Notwithstanding the plans hereby approved, no above ground construction work shall commence unless and until a scheme for providing flood barriers to external access points to the building, and details of finished floor levels, has first been submitted to and approved in writing by the Local Planning Authority. The development proceed in full accordance with the approved scheme and the measures within it shall be retained at all times thereafter.</p> <p>The reason given for the condition is:</p> <p>To ensure that appropriate flood mitigation measures are in place.</p>	Appeal allowed.
<p>APP/G4240/Z/21/3266801</p> <p>189 Ashton Road, Denton, M34 3LG</p>	Proposed upgrade of existing 48-sheet advertisement to support digital poster.	Appeal dismissed.
<p>APP/G4240/Z/21/3266485</p>	Proposed removal of existing billboards and replacement	Appeal allowed.

189 Ashton Road, Denton, M34 3LG	with 48-sheet freestanding digital advertisement.	
APP/G4240/W/20/3266035 189 Kings Road, Ashton-under-Lyne, OL6 8HD	Change of use from rear yard into hand car wash & valeting service without complying with a condition to planning permission ref 19/00879/FUL, dated 13 March 2020. Condition 5 restricted the businesses hours of operation between 1000 and 1600 hours, Monday to Friday.	Appeal dismissed.
APP/G4240/X/20/3262764 Land at easterly side of Bury Street, adjacent to 66a Bury Street, Mossley, OL5 9HN	Appeal against the non-determination of a certificate of lawfulness application relating to the use of land for purposes incidental to the use of a dwelling house.	Appeal dismissed
APP/G4240/W/20/3265228 Greenside Lane, Droylsden, M43 7UT	Proposed telecommunications upgrade. Proposed 20m AGL Phase 8 monopole c/w wrap-around cabinet at base and associated ancillary works.	Appeal allowed.
APP/G4240/W/21/3267049 Land adjacent to 325 Birch Lane, Dukinfield, SK16 5AU	Proposed two-storey detached dwelling house.	Appeal dismissed and award of costs refused.
APP/G4240/Z/21/3266916 Land bounded by Stamford Street and King Street, Stalybridge, SK15 1JP	Proposed upgrade of existing advertisement to support digital poster.	Appeal dismissed.

6. 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 20/01027/FUL

Proposal Demolition of existing detached bungalow and detached garage building and construction of 7 no. dwellinghouses and associated works on the land.

Site 164 Mottram Road, Stalybridge, SK15 2RT

Applicant Mr Mahmood

Recommendation Grant planning permission subject to conditions.

Reason for Report A Speakers Panel decision is required because the applicant has been called in by one of the ward councillors.

1.0 APPLICATION DESCRIPTION

1.1 The applicant seeks full planning permission for the demolition of existing detached bungalow and detached garage building and construction of 7 no. dwellinghouses and associated works on the land.

1.2 The scheme proposes to take access from Mottram Road on the eastern boundary, with a pair of semi-detached properties positioned either side of the access on the eastern edge of the development. Due to relatively steep drop in levels in a westerly direction on the site, the dwellings would be 2 storeys in height on the elevations fronting onto Mottram Road, rising to 3 storeys on their western elevations.

1.3 The access road would scale the drop in land levels on the site (to be regraded as part of the proposed development), down to the level of 3 detached dwellings in the rear portion of the plot. As with the units in the eastern portion of the site, the front elevations of the properties in the rear portion of the plot would be 1.5 storeys in height (with accommodation in the roofspace), rising to 2.5 storeys on the rear elevations, facing the western boundary of the site.

1.4 The scheme proposes a mix of 1 x 3 bedroom, 4 x 4 bed and 2 x 5 bedroom properties.

1.5 The following documents have been submitted in support of the planning application:

- Planning Statement;
- Indicative Drainage Strategy;
- Updated Ecological Appraisal;
- Tree Survey; and
- Contaminated Land Assessment.

2.0 SITE & SURROUNDINGS

2.1 The application site comprises the bungalow and associated curtilage at 164 Mottram Road and open land to the north and west of that property. The existing dwelling is located in the eastern portion of the site where land levels have been built up to be relatively flat. In the western portion of the site, land levels drop steeply away in a westerly direction from the eastern boundary of the site (fronting Mottram Road) down to the rear boundary of the site. Given the significant change in levels on the site, large retaining walls have been erected on the northern and western boundaries of the bungalow plot. There are trees protected by group Tree Preservation Orders on the land, adjacent to the northern and southern boundaries of the site.

3.0 PLANNING HISTORY

- 3.1 17/00925OUT - outline planning permission (all matters reserved) for the erection of 5 dwellings on the land following the demolition of the existing bungalow on the site – approved, 31 July 2018.

4.0 RELEVANT PLANNING POLICIES

4.1 Tameside Unitary Development Plan (UDP) Allocation:

The site is not allocated and is located within the settlement of Stalybridge.

4.2 Part 1 Policies

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

4.3 Part 2 Policies

- H2: Unallocated Sites
- H4: Type, Size and Affordability of Dwellings
- H5: Open Space Provision
- H7: Mixed Use and Density.
- H10: Detailed Design of Housing Developments
- OL10: Landscape Quality and Character
- T1: Highway Improvement and Traffic Management.
- T10: Parking
- C1: Townscape and Urban Form
- N4: Trees and Woodland.
- N5: Trees within Development Sites.
- N7: Protected Species
- MW11: Contaminated Land.
- U3: Water Services for Developments
- U4 Flood Prevention
- U5 Energy Efficiency

4.4 Other Policies

Greater Manchester Spatial Framework - Publication Draft October 2018;

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

Residential Design Supplementary Planning Document (SPD);
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 Effective Use of Land;
Section 12: Achieving Well-Designed Places; and
Section 15: Conserving and enhancing the natural environment

4.6 Planning Practice Guidance (PPG)

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

5.0 PUBLICITY CARRIED OUT

5.1 Neighbour notification letters were issued 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 Local Highway Authority – no objections to the proposals, subject to a number of conditions being imposed on any planning permission granted. Conditions requiring details of the phasing of the highways works, the submission and approval of a Construction Environment Management Plan, the provision of secured cycle storage within each of the plots and the retaining structures to be installed and the retention of sufficient visibility spays from the access should be attached to any planning permission granted.

6.2 Lead Local Flood Authority – acknowledge that the site is in flood zone 1 and do not raise an objection to the proposals. Further information is requested prior to the determination of the application in relation to the feasibility of a sustainable surface water drainage strategy to serve the development.

6.3 Borough Tree Officer – expressed concerns in relation to the original proposal, specifically in relation to the loss of the trees identified as T3, 4, 5 and 6 (adjacent to the Mottram Road boundary of the site). Following revisions to the proposals and retention of these trees, the initial objection is withdrawn. Details of replacement planting for those trees that are to be lost should be secured by condition, along with the means of protecting the trees to be retained (including those that are subject to Tree Preservation Orders).

6.4 Borough Environmental Health Officer (EHO) – no objections to the proposals, subject to the imposition of conditions requiring the submission and approval of measures to mitigate the impact of external noise on the residential amenity of the future occupants of the development and limiting the hours of work during the construction phase of the development.

6.5 Greater Manchester Ecology Unit (GMEU) – there is evidence of the use of the existing garage on the site as a bat roost. The garage would be demolished as part of the proposed development and regard must therefore be had to the derogation tests in protected species legislation. In this case, it is considered that the mitigation measures proposed are of a standard sufficient to outweigh potential harm. Conditions requiring the implementation of these mitigation measures, the submission and approval of an external lighting scheme, details of the boundary treatments to be installed, details of a soft landscaping scheme (including the protection of trees to be retained) and details of a biodiversity enhancement scheme should be attached to any planning permission granted. Conditions limiting the timing of tree removal and the submission and approval of a method statement relating to the management of Himalayan Balsam are also recommended.

- 6.6 Borough Contaminated Land Officer – no objections to the proposals. Concur with the conclusions within the information submitted with the planning application regarding the potential contamination issues that need consideration and that a Remediation and Enabling Works Strategy is needed before movement of materials/soils at the site. A condition to this effect should be attached to any planning permission granted.
- 6.7 United Utilities - No objection to the proposed development subject to conditions relating to the details of foul and surface water drainage (including management of maintenance of sustainable drainage systems to be installed) being attached to any approval.

7.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- 7.1 Seven objections to the proposals have been received from neighbouring properties (following two rounds of notification), raising the following concerns (summarised):
- The Horse Chestnut trees adjacent to the Mottram Road boundary should be retained;
 - The boundary wall on the Mottram Road frontage should be constructed from stone as opposed to the brick wall that is proposed;
 - The proposals will result in harmful overlooking into and overshadowing of the neighbouring properties at no.s 3-11 Early Bank and on Acresbrook, adjacent to the site due to their close proximity and excessive height;
 - The removal of a substantial number of trees from the land has resulted in surface water draining from the site into neighbouring properties;
 - Evidence has been provided of the flooding of properties on Early Bank. The impact of surface water drainage from the site is made worse by the significant drop in levels down to the neighbouring properties. This scheme will increase the amount of hardstanding/developed area on the site and is therefore likely to increase flood risk;
 - Highway safety concerns associated with a net increase in dwellings in the locality and the intensification of an access point onto Mottram Road within close proximity of the junction with Early Bank;
 - The proposals will result in harm to the biodiversity value of the site;
 - The proposals involve substantial engineering works to change the land levels on the site, this will add to the surface water drainage concerns identified above;
 - The noise and disturbance that will occur during the construction phase of the development will result in harm to the residential amenity of neighbouring properties;
 - Protected trees appear to have been removed from the land without the required consent;
 - Four storey properties are considered to be of a scale that is out of character with the surrounding area;
 - The proposals that were granted outline planning permission were modest in scale and commensurate with the scale of neighbouring properties. Conversely, the proposals in this application are considered to be detrimental to the character of the area; and
 - The rear gardens of plots 5 to 7 are higher up than the properties on Early Bank and Acresbrook. This will result in a detrimental impact in relation to overlooking and surface water run-off.

Councillor Patrick has also written in response to the notification exercise, requesting that the application be determined at Speakers Panel if the officer recommendation is to approve, in light of the above objections and in particular those regarding flood risk.

8.0 ANALYSIS

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

- 1) The principle of development
- 2) The impact on the residential amenity of neighbouring properties;
- 3) The impact of the development on the character of the area;
- 4) The impact on highway safety;
- 5) The impact on the ecology and trees;
- 6) The impact on flood risk/drainage; and
- 6) Other matters.

9.0 PRINCIPLE OF DEVELOPMENT

- 9.1 For the avoidance of doubt, the land to the north and west of the dwelling is enclosed and is therefore not publically accessible. On that basis, the provisions of policy OL4 of the UDP are considered not to be relevant to the determination of this planning application.
- 9.2 The site is approximately one mile from the services and facilities in central Stalybridge. Whilst this is beyond reasonable walking distance, there are regular bus services running along Mottram Road, connecting to these facilities. The bus services along Mottram Road connect to Glossop, Stalybridge and Ashton, all of which are locations with services, facilities and sources of employment. Residential development surrounds the site. The site is therefore considered to be a sustainable location for residential development.
- 9.3 The site area is just over 0.3 hectares. The erection of seven dwellings on the site equates to a density of approximately 23 dwellings per hectare. Policy H7 of the UDP states that the Council will encourage schemes to make efficient use of land through development of densities between 30 and 50 dwellings per hectare. Clearly this scheme falls short of this density. However, the developable area of the site is limited by the presence of protected trees on the northern and southern edges and the implications of the dramatic drop in levels on the relationship with neighbouring properties. On that basis, it is considered that a lower density of development is justified in principle in this case.
- 9.4 Following the above assessment, it is considered that the principle of development is 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 face each other. An additional 3 metres should be added to these distances for each additional storey where buildings are taller than 2 storeys in height and 1 metre for every 1 metre change in ground levels between sites.

Impact on 20 Acresbrook (neighbouring property adjacent to the western boundary of the site):

- 10.2 The proposed plans indicate that a separation distance of approximately 17.4 metres would be retained between the rear elevation of the unit at plot 7 and this neighbouring property. The section plans demonstrate that the proposed basement level of plot 7 would be approximately 1.8 metres above the ground level of no. 20 Acresbrook, with the garden level of plot 7 approximately 2.3 metres higher than the neighbouring property.
- 10.3 There are two windows in the gable elevation of no. 20 Acresbrook. The first floor window is obscurely glazed and serves a bathroom. The ground floor window is a secondary window to a habitable room. Whilst that room is served by a window on the rear elevation of that

property and this provides another source of light into and outlook from that room, the issue of overlooking remained a concern in the original proposals, which included habitable room windows at the upper floor levels within the rear elevation of plot 7.

- 10.4 Officers have secured amendments to the proposed scheme to ensure that there are no primary habitable room windows on the west facing rear elevation of unit 7 above the basement level, save for rooflights which would not be at an angle that would allow direct overlooking into that neighbouring property. Those windows above basement level that would otherwise allow overlooking can therefore be obscurely glazed and fixed shut below a height that would prevent harmful overlooking into that neighbouring property, without harming the amenity of future occupiers.
- 10.5 The openings at basement level within plot 7 would be set sufficiently below the ground level of the neighbouring property to ensure that a treatment of 1.8 metres in height on the common boundary would prevent unreasonable overlooking from plot 7 into the habitable window on the corresponding gable elevation of no. 20 Acresbrook.
- 10.6 On the basis of the above, the rear elevation of the dwelling proposed at plot 7 can be treated as a 'blank' elevation for the purposes of applying the guidelines set out within the RDG, as outlined above. Following amendments to the height, the rear portion of the dwelling proposed at plot 7 is effectively 2.5 storeys in height, with direct overlooking not possible above the second storey. Given these circumstances, the proposed separation distance is considered to avoid any unreasonable overshadowing or overbearing impact on that neighbouring property.
- 10.7 Plots 5 and 6 within the proposed development would have a more oblique relationship with that neighbouring property, to a degree that would ensure that unreasonable overlooking between habitable rooms would be avoided. Following amendments to reduce the ridge height of the dwellings on those plots, it is considered that the separation distances to be retained to the western boundary of the site would be sufficient to prevent an overbearing impact on the amenity of the neighbouring property at 20 Acresbrook.
- 10.8 The upper floor windows on the rear elevation of plot 5 have been modified so that direct overlooking into the rear amenity space of 20 Acresbrook would be avoided. Given the fact that the proposed units at plots 5 and 6 are sited north east of that neighbouring property, unreasonable overshadowing would not occur.

Impact on the neighbouring properties on Early Bank (north of the site):

- 10.9 A separation distance of approximately 21 metres would be retained between the northern gable of plot 5 and the corresponding rear elevation of no. 11 Early Bank. The only window in the northern gable of plot 5 would serve a first floor landing and can therefore be required to be obscurely glazed and fixed shut below a height that would prevent any opportunities for overlooking, without harming the amenity of future occupiers.
- 10.10 The proposed section plans indicate that there would be approximately six metres difference between the ground floor level of the property at plot 5 and the floor level of the property at no. 7 Early Bank. The dwellings at plots 5 to 7 are split level between 1.5 storeys to the front and 2.5 storeys in the rear portions of those units. As the height of these units increases through the plot, the extent of the elevation above the level of the properties on Early Bank decrease.
- 10.11 Applying the RDG guidelines, the approximately 21 metre separation distance to be retained to the rear elevation of no. 11 Early Bank would exceed the requirements for a situation where a blank elevation of either a 3 storey building or a 2 storey building elevated 6 metres higher, faces a neighbouring property, by approximately 1 metre. It is therefore considered that there

would not be a harmful impact on the outlook from that neighbouring property as a result of the development.

- 10.12 There would be a more direct relationship between the proposed development and the properties at 7 and 9 Early Bank. However, the separation distances to those units would be comparable with no.11 and are therefore considered to be acceptable.
- 10.13 The property at no. 13 Early Bank extends closer to the northern boundary of the application site than no.11. However, the oblique relationship to be retained between plot 5 and that neighbouring property would be sufficient to prevent unreasonable overshadowing of or overlooking into that neighbouring property, in accordance with the RDG guidelines.
- 10.14 Plots 1 and 2 would be sited in the north eastern corner of the site. The plans indicate that a separation distance of approximately 21.8 metres would be retained between the rear elevation of plot 1 and no. 7 Early Bank. There would be two windows in the northern elevation of plot 1, both of which would serve a landing as opposed to habitable rooms.
- 10.15 These openings could therefore be obscurely glazed and fixed shut below a height that would prevent any opportunities for overlooking into no.7 or the other neighbouring properties on Early Bank, without harming the amenity of future occupiers. The oblique nature of the relationship to be retained between plots 1 and 2 and those neighbouring properties ensures that the separation distance would be sufficient to prevent an overbearing impact on or unreasonable overshadowing of any of the existing dwellings on Early Bank.

Impact on other neighbouring properties:

- 10.16 The neighbouring property at 170 Mottram Road to the south of the site sits at a higher ground level than the application site. Given this situation, the separation distances and oblique relationships to be retained, it is considered that none of the proposed dwellings would result in unreasonable overlooking into or overshadowing of that neighbouring property.
- 10.17 Sufficient separation distances would be retained between the proposed development and the properties at 3 and 5 Early Bank to the north west of the site and also the properties on the opposite side of Mottram Road (east of the site) to prevent any harmful overlooking into or overshadowing of any of those neighbouring properties.

Impact on the future occupiers of the development:

- 10.18 Approximately 19 metres would be retained between the corresponding elevations of plots 1-4 in the eastern portion of the site and units 5, 6 and 7 in the western portion of the plot. There would be a relatively significant change in levels (downwards in a westerly direction). However, the separation distance to be retained is considered to be sufficient to prevent unreasonable overlooking of or overshadowing to any of the future occupiers of the development. This assessment is made with regard to the fact that the relationship between the corresponding elevations would be similar to that across a street frontage, as per the RDG guidelines quoted above.
- 10.19 To conclude the matter of residential amenity, it is considered that the amended proposals would retain sufficient separation distances to ensure that the residential amenity of both existing neighbouring residents and future occupiers of the development would be adequately preserved, subject to the imposition of a condition requiring aforementioned openings to be obscurely glazed and fixed shut.

11.0 CHARACTER

- 11.1 Section 12 of the NPPF is entitled Achieving well-designed places. Paragraph 127 states that planning decisions should ensure that development achieves the following criteria (those relevant to this proposal):
- Developments that will function well and add to the quality of the area;
 - Developments that are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - Developments that are sympathetic to local character and history, including the surrounding built environment and landscape setting, whilst not preventing or discouraging appropriate innovation or change (such as increased densities);
 - Developments that establish or maintain a strong sense of place, using the arrangements of streets, spaces, building types and materials to create attractive, welcoming and distinctive places;
 - Developments that optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space); and
 - Developments that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 11.2 Paragraph 130 of the NPPF states that ‘permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards....’
- 11.3 UDP policy C1 states ‘In considering proposals for built development, the Council will expect the distinct settlement pattern, open space features, topography, townscape and landscape character of specific areas of the borough to be understood, and the nature of the surrounding fabric to be respected. The relationship between buildings and their setting should be given particular attention in the design of any proposal for development.
- 11.4 The four dwellings that would be located adjacent to the eastern boundary of the site would back on to the Mottram Road boundary. This is contrary to the urban design principle that development should be outward facing to ensure positive engagement with its surroundings.
- 11.5 However, in this case there are considered to be material considerations that justify this design approach. There is a need to retain sufficient separation between the proposed buildings and the trees that are the subject of Tree Preservation Orders on the eastern boundary of the site. The mature trees provide a significant screen to the activity on the site at present.
- 11.6 It is also the case that the dormer windows on the elevation of the four dwellings that would front Mottram Road would give prominence to the design of the buildings when seen through the trees from public views on Mottram Road. In considering these elements collectively, it is considered that the treatment of the eastern edge of the proposed development would not result in a detrimental impact on the character of the surrounding area.
- 11.7 Objectors have referred to the scale of the buildings being excessive in relation to the height of neighbouring buildings. It is acknowledged that the existing building on the site is single storey and that the tallest of the properties to the north and west are predominantly 2 storeys in height. However, the detached dwelling to the south of the site is of much taller proportions and stands at 2 storeys with accommodation in the roof above. It is considered that the scale of the properties that would face Mottram Road would be commensurate with that of the property to the south.
- 11.8 The units in both the eastern and western portions of the site would be taller at the rear than the front due to the proposed treatment of the relatively steep change in land levels in a

westerly direction through the site. As a result of pre-application discussions, the applicant has proposed shorter units in the rear portion of the plot than the semi-detached units that would back on to the Mottram Road frontage. The three detached units in the rear portion of the plot would be 1.5 storeys (rooms in the roof above a single storey) on the front elevation, rising to 3 storeys at the rear.

- 11.9 The section plans indicate that the basement floor level of all of the detached units would be set below the garden level of the units by approximately 0.5 metres and it is also the case that the ridge height of the tallest of the detached house types has been reduced by 1 metre.
- 11.10 Given this combination of factors, it is considered that the scale of the development would not be detrimental to the character of the area and would respond appropriately to the change in land levels across the site and between the site and neighbouring properties.
- 11.11 The design of the houses would include tall gable features on the front elevations, which would give the development vertical emphasis, referencing the proportions of other properties on the Mottram Road frontage, particularly to the south of the site. Dorner windows would line through with the openings on the main elevations of the buildings, creating a uniformity that is again typical of period properties in the locality. The treatments of the boundaries of the plots and in particular the eastern edge of Mottram Road are important details that can be secured by condition.
- 11.12 In terms of overall plot layout, the central position of the access road on the eastern boundary would allow a symmetry to the Mottram Road frontage and the gable feature on the front elevation plot 6 would provide a strong terminating vista, at the end of the access road that will scale the declining land levels through the site.
- 11.13 On the basis of the above assessment, the proposals are considered to preserve the character of the site and surrounding area.

12.0 HIGHWAY SAFETY

- 12.1 The plans indicate that the proposed development would be accessed from Mottram Road on the eastern edge of the site. The access road would be positioned centrally along that edge of the site, allowing adequate visibility splays to be retained when using the proposed junction with Mottram Road.
- 12.2 The scheme would result in an intensification of the use of the site when compared to the established position. Although close to expiring, the outline planning permission for 5 dwellings remains extant at the time of assessing this full planning application. The net increase of two dwellings over the quantum of development approved by the outline permission is considered to have a limited impact on the capacity of the highway network. The assessment is corroborated by the lack of objection to the proposals from the Local Highway Authority (LHA).
- 12.3 Policy RD8 of the RDG indicates that two car parking spaces should be provided for 3 bedroom properties, with three spaces to be provided for properties with 4 or more bedrooms in locations such as this site. In the proposed scheme, the 4 x semi-detached units in the eastern portion of the site would be served by two car parking spaces, one being within an integral garage. The 5 bedroom units would be served by three car parking spaces with one being within an integral garage. The 3 bedroom unit at plot 7 would be served by two car parking spaces to the front of the dwelling.
- 12.4 The scheme therefore falls short of the standards set out in the RDG in respect of the 4 bedroom properties. Policy RD8 suggests that cycle parking is not required for properties that include integral garages. To provide mitigation for the deficit against the above

standards, it is considered reasonable to require cycle parking provision within each of the plots of the development, including those with garages.

- 12.5 As identified previously in this report, the site is considered to be situated in a sustainable location, with regular bus services within extremely close proximity of the site. These services allow connection to the services and facilities in Stalybridge and further afield by an alternative mode of transport to the private car. On that basis and given the additional cycle storage required as detailed above, it is considered that the level of parking provision would not be so low as to result in the displacement of car parking beyond the boundaries of the site to a degree that could be considered detrimental to highway safety.
- 12.6 In addition to cycle storage, the LHA recommends conditions requiring the submission and approval of a management plan for the construction phase of the development and the provision of the car parking spaces on the approved plans prior to the occupation of the apartments.
- 12.7 These conditions are considered reasonable and are attached to the recommendation. Details of the phasing of highway works and structural calculations relating to associated retaining structures can also be secured by condition.
- 12.8 Following the above assessment, it is considered that the proposals would not result in a detrimental impact on highway safety, subject to the imposition of appropriate conditions.

13.0 ECOLOGY AND TREES

- 13.1 As the scheme involves the demolition of a currently vacant building, any potential impact on protected species during this process must be given consideration. The applicant submitted a bat survey of the site, referring to previous surveys in which bat activity on the site was recorded. The garage of the existing dwelling on the site is considered to be a roost site for the purposes of assessing the scheme against the relevant protected species legislation.
- 13.2 Therefore, as identified in the updated survey report some form of Protected Species Licence (EPS) will be required from Natural England, to derogate from the provision of the legislation in order to implement the proposals should an application receive permission. In order to provide for a derogation under the legislation three tests exist, which the local planning authority must have regard to in their decision making:
- That the action is for the purposes of preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature;
 - That there is no satisfactory alternative; and
 - That the action authorised will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range.
- 13.3 GMEU has assessed the proposals and consider that the presence of small numbers of widely distributed frequent species of bat (a Common Pipistrelle was recorded in the survey period referred to above) at an occasional/transitional roost is considered to be of low conservation status. Following this assessment, GMEU consider that favourable conservation status (the third test) of the species can be maintained via the implementation of mitigation measures. They consider that the mitigation measures proposed in the survey submitted with the application (including details of any external lighting being approved) are adequate and compliance with these, along with a biodiversity enhancement scheme, can be secured by condition.
- 13.4 On the basis that these conditions are attached to any planning permission granted, along with details of soft landscaping scheme, limitation of the timing of tree/vegetation removal,

the protection of trees to be retained during the construction phase and a management plan for the treatment of invasive species on the site, GMEU has raised no objections to the proposals.

- 13.5 In relation to the impact on trees, the scheme has been amended to address concerns expressed by the Borough Tree Officer in relation to the original proposal, specifically in relation to the loss of the trees identified as T3, 4, 5 and 6 (adjacent to the Mottram Road boundary of the site). Following amendments to the scheme, the Tree Officer has confirmed that the initial concerns have been overcome, with these trees now all to be retained.
- 13.6 The trees to be removed in the amended scheme are considered to be of low amenity value and are therefore not a constraint to development from the Tree Officer's perspective. Subject to the aforementioned tree protection and soft landscaping conditions, there are no objections to the revised proposals in relation to the impact on trees, with the Tree Officer content that the revisions would avoid any harm to the protected trees on the site.

14.0 FLOOD RISK/DRAINAGE

- 14.1 The applicant has submitted an indicative drainage strategy in support of the application, which indicates the proposed location of drainage infrastructure to serve the development. The site is in Flood Zone 1 and is therefore considered to be at a lower risk of flooding in relation to surface water.
- 14.2 The comments received from neighbouring properties regarding flooding of neighbouring properties on Early Bank are noted and the flooding caused to neighbouring properties is obviously a matter of concern. Paragraph 163 of the NPPF states that 'When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.' There are more stringent tests (sequential and exception) for residential development proposals in areas considered to be at a higher flood risk. However, as identified above, this site is not located in such an area.
- 14.3 The planning policy test for this proposal is therefore not to increase the rate of surface water run off above the existing situation. The LLFA consider that further information is required prior to the determination of the application in this regard. United Utilities have however raised no objection to the proposed development subject to conditions relating to the details of foul and surface water drainage (including management of maintenance of sustainable drainage systems to be installed) being attached to any approval.
- 14.4 The evidence provided of surface water flooding occurred without any substantive changes to the land levels on the application site. This current situation includes a rapid and significant drop in levels beyond the northern and western edges of the curtilage of the dwelling that currently occupies the site. The land levels are also higher on the application site at the common boundaries than the garden levels of the properties to the north and west of the site.
- 14.5 The proposed development would involve significant excavation and alteration of the land levels on the site to accommodate the proposed development. The main area of change in this regard would be in the central part of the site, between the two rows of dwellings. The alteration would include raising sections of the ground levels to create a more gradual descent in a westerly direction, with the dwellings built to accommodate the still significant change in levels through the site, as described previously in this report.
- 14.6 The proposed change in levels would result in a more gradual change through the site in a westerly direction. The section plans demonstrate that land levels in the south western part of the site (the location of plot 7) would reduce quite substantially. It is the case that levels would rise on the north western part of the site as part of the levelling exercise but it is considered that overall, the opportunities for draining surface water from the site before it

reaches the northern edge would increase as the extent of level change across the site would be substantially less when comparing the proposed and existing situations.

- 14.7 In relation to the potential impact of surface water run off on the neighbouring property to the west of the site (20 Acresbrook), the land levels would increase slightly to the rear of plot 5 compared to the existing situation, with smaller degree of change occurring to the rear of plot 6 and a reduction below the existing ground level to the rear of plot 7. It is also the case that the basement floor levels of the dwellings at plot 6 and 7 would sit below the finished ground level on the common boundary with that neighbouring property. It is therefore considered that the proposed development would not result in an increased risk of surface water flooding to that neighbouring property, subject to adequate drainage infrastructure being installed.
- 14.8 It is also the case that there is an extant permission for the redevelopment of the site for five dwellings. Whilst no matters of detail were approved as part of that outline approval, it is considered reasonable to assume that the quantum of development proposed would have necessitated broadly similar changes to the existing ground levels on the site than those proposed in this application. This is due to the limited surface area of the curtilage of the existing dwelling that occupies the south eastern portion of the site.
- 14.9 The quantum of development proposed in this application is greater than that approved in the extant outline approval. However, there is nothing to suggest that 5 detached properties on a similar overall footprint to this scheme could not come forward at the reserved matters stage pursuant to that outline permission. Even if the footprint of the 5 dwellings was to be less than this current scheme, the only viable option for access would be from the eastern boundary and as such, substantial land level changes would be required to facilitate that scheme.
- 14.10 Considering the above combination of factors, it is accepted that the flooding caused to the properties on Early Bank is a regrettable situation. However, as assessed in detail above, it is considered that the proposed development would result in less dramatic changes to land levels across the site than the existing situation, which when coupled with a sustainable drainage strategy, could have a beneficial impact on the rate of surface water run-off from the site.
- 14.11 As stated previously, the site is not located in an area classified as being at a higher risk of flooding from a strategic perspective. Given this situation, the fact that the planning policy test is that development should not result in an increased risk of flooding and with regard to the extant planning permission that applies to the site, it is considered that there is insufficient evidence to conclude that the potential impact of the development on flood risk cannot be adequately mitigated through the use of appropriate conditions on any planning permission granted.

15.0 OTHER MATTERS

- 15.1 The Borough EHO has not raised any objections to the proposals, subject to the imposition of a number of conditions. Details of the exact location and capacity of bin storage arrangements to serve development can be secured by condition. A condition limiting the hours during which construction works take place is also considered to be reasonable in this case, given the close proximity of neighbouring residential properties.
- 15.2 The EHO has recommended that a condition requiring the submission and approval of a scheme to mitigate the impact of the noise associated with traffic on Mottram Road prior to the commencement of development is attached to any planning permission granted. Given the close proximity of the building to the highway, the condition is considered to be reasonable and is attached to the recommendation.

- 15.3 In relation to ground contamination, the Council Environmental Health Protection Unit has recommended a condition be attached to any planning permission, requiring a full investigation into sources of contamination on the site. Given that the proposal would involve excavation beyond the footprint of the existing building and its curtilage on the site, this condition is considered to be reasonable and it attached the recommendation.
- 15.4 The site is not located within an area identified as being at high risk in relation to the lands stability issues caused by coal mining legacy. An informative advising the developer of their responsibilities in this regard can be attached to the planning permission.
- 15.5 In accordance with the Written Ministerial Statement (WMS) of 28 November 2014 and the subsequent update to the PPG, no tariff based contributions are to be sought in relation to open space or education provision, as the proposal would not exceed 10 dwellings. The WMS is a material planning consideration, forming part of the Planning Practice Guidance. In addition, the NPPF is clear that affordable housing contributions should only be sought on major development (paragraph 63) and this proposal does not meet that trigger.
- 15.6 Given the need to boost the supply of housing in sustainable locations (such as this site which is within walking distance of a regular public transport services connecting the site to the services and facilities in Stalybridge town centre), it is considered that financial contributions are not necessary to make the scheme acceptable in planning terms. This same assessment applied to the extant outline planning permission for the erection of 5 dwellings on the site.

16.0 CONCLUSION

- 16.1 The proposals are considered to be acceptable in principle, with the quantum of development resulting in a density that is considered to be commensurate with the character of the surrounding area, which contains predominantly residential development. The site is considered to be sited in a sustainable location, within very close proximity of regular public transport services that provide an alternative to trips via the private car.
- 16.2 The scale and massing of the dwellings in the western (rear) portion of the site has been reduced to ensure that the impact of the proposals on the residential amenity of the neighbouring properties comply with the Residential Design Guide, as covered in detail in the main body of the report.
- 16.3 It is acknowledged that the scale of the proposed dwellings would be substantially taller than the existing building on the site and would be taller than the predominantly 2 storey properties on Early Bank and Acresbrook (north and west of the site respectively). However, the detached dwelling to the south of the site displays the grander proportions that the proposed elevations display, with evidence of similarly large properties along Mottram Road, particularly to the south of the site. On that basis, it is considered that the proposed development would not result in a detrimental impact on the character of the area.
- 16.4 There are no objections to the proposed access arrangements from the Local Highway Authority. Whilst there is a deficit in parking provision against the required standards, as detailed in the main body of the report, it is considered that a requirement to provide cycle parking provision within those plots that also include an integral garage would provide adequate mitigation, given the very close proximity of regular public transport services.
- 16.5 The concerns expressed by neighbouring residents regarding flood risk are acknowledged and this matter is covered in detail in the main body of the report. The site is located in an area considered to be at a lower risk of flooding at a strategic level. The proposals involve a reduction in the extremity of the land level changes across the site and that the site benefits from an extant outline planning permission for residential development. Given this

combination of factors, it is considered that planning permission could not be refused on the basis of an increased risk of flooding, subject to a sustainable drainage strategy for the site being approved prior to the commencement of development.

- 16.6 The impact of the amended proposals in relation to ecology and trees are considered to be acceptable, as are all other environmental impacts of the development, subject to the imposition of appropriate conditions.
- 16.7 It is considered that all other material considerations can be satisfied through the imposition of conditions, where appropriate, as detailed in the main body of the report. The proposals are therefore considered to comply with the relevant national and local planning policies quoted above.

RECOMMENDATION

Grant planning permission, subject to the following 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 and block plan (plan ref. PL001 Rev P12)
 - Proposed sections A-B (plan ref. PL002 Rev P12)
 - Proposed sections 1-3 (plan ref. PL003 Rev P12)
 - Proposed floor plans - plots 1, 2, 3 and 4 (plan ref. PL101 Rev P2)
 - Proposed elevation plans - plots 1, 2, 3 and 4 (plan ref. PL102 Rev P2)
 - Proposed floor area plans - plots 1, 2, 3 and 4 (plan ref. PL103 Rev P2)
 - Proposed elevation plans - plot 5 (plan ref. PL402 Rev P1)
 - Proposed floor plans - plot 5 (plan ref. PL401 Rev P1)
 - Proposed elevations plans - plot 6 (plan ref. PL202 Rev P4)
 - Proposed floor plans - plot 6 (plan ref. PL201 Rev P4)
 - Proposed elevations plans - plot 7 (plan ref. PL302 Rev P5)
 - Proposed floor plans - plot 7 (plan ref. PL301 Rev P5)
 - Proposed separation distances plan – plots 1-4 (plan ref. PL006 Rev P11)
 - Proposed separation distances plan – plots 5, 6 and 7 (plan ref. PL007 Rev P12)
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. 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.
 5. The car parking spaces to serve the development hereby approved shall be laid out as shown on the approved proposed site (Drawing no. PL001 Rev P12) prior to the first occupation of any of the dwellings hereby approved and shall be retained free from obstruction for their intended use thereafter.
 6. Notwithstanding the details submitted with the planning application, 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. The boundary treatments shall be installed in accordance with the approved details prior to the first occupation of any of the dwellings.
 7. 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.
8. 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.
 9. Notwithstanding the details submitted with the planning application, no above ground development shall commence until full details of a scheme of hard and soft landscaping to be incorporated into the development hereby approved have been submitted to and approved in writing by the local planning authority. The scheme shall include the following specific measures:

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

10. The approved soft landscaping scheme to serve the development shall be implemented before the first occupation of any part of the development or in accordance with a programme agreed previously with the local planning authority. Any newly planted trees or plants forming part of the approved scheme which, within a period of 5 years from the completion of the planting, are removed, damaged, destroyed or die shall be replaced in the next appropriate planting season with others of similar size and species.
11. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the local planning authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. 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.
12. 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.
13. No work shall take place in respect to the construction of the approved highway, as indicated on the approved site plan, until a scheme relevant to highway construction has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of:
 1. Phasing plan of highway works
 2. Surface and drainage details of all carriageways and footways;
 3. Details of the works to the reinstatement of redundant vehicle access points as continuous footway to adoptable standards following the completion of the construction phase;
 4. Details of the areas of the highway network within the site to be constructed to adoptable standards and the specification of the construction of these areas;
 5. Details (including scaled location and section plans and engineering calculations) of retaining structures within the curtilage of the dwellings and within the highway; and
 6. Details of carriageway markings and signage.

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

14. 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 noise attenuation measures to be installed within the openings of those units.

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.

15. 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.

16. 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.

17. Prior to the occupation of any part of the development hereby approved, visibility splays shall be provided on both sides of the site access where it meets the footway. The visibility splays shall measure 2.4 metres along the edge of the site access and 2.4 metres along the footway. It must be clear of anything higher than 600mm above ground level. The visibility splays shall be retained as such thereafter.

18. No development above ground level shall commence until details of biodiversity enhancement measures to be installed as part of the development hereby approved has been submitted to and approved in writing by the local planning authority. The details shall include a specification of the installations and scaled plans showing their location within the development. The approved enhancement measures shall be installed in accordance with the approved details, prior to the first occupation of any of the dwellings and shall be retained as such thereafter.

19. 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.

20. Prior to the commencement of any development, protection measures meeting the requirements of BS5837:2012 shall be installed around the trees to be retained on the site and adjacent to the boundaries of the land. The protection measures shall be retained in place for the full duration of the construction works.

21. 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.

22. The development shall be carried out in accordance with the mitigation measured detailed in the approved bat survey.
23. Prior to the first occupation of any of the dwellings hereby approved, the following windows openings shall be fitted with obscured glazing (meeting Pilkington Level 3 in obscurity as a minimum) and shall be fixed shut below a height of 1.7 meters above the internal floor level of the room that they serve:
- First and second floor windows in the gable elevations of plots 1-4 (as shown on approved plan ref. PL101 Rev P2);
 - Ground floor windows on the rear elevation serving a through kitchen/dining room and bathroom of plot 7 (as shown and labelled obscure glazing) on approved plan ref. PL301 Rev P5);
 - First floor gable window of plot 7 (as shown on approved plan ref. PL301 Rev P5); and
 - First floor window on the rear elevation serving bedroom 1 of plot 5 (as shown on approved plan ref. PL401 Rev P1)

The development shall be retained as such thereafter.

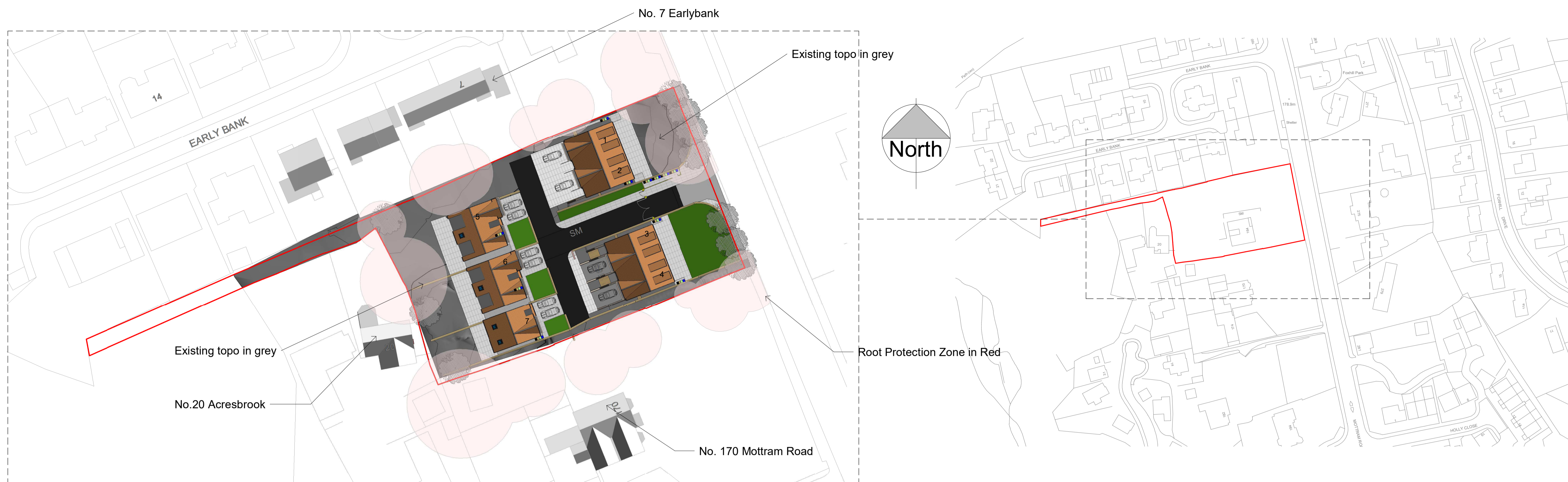
NOTES

ALL DIMENSIONS AND LEVELS ARE TO BE CHECKED ON SITE

ANY DISCREPANCIES ARE TO BE REPORTED TO THE PROJECT MANAGER BEFORE ANY WORK COMMENCES

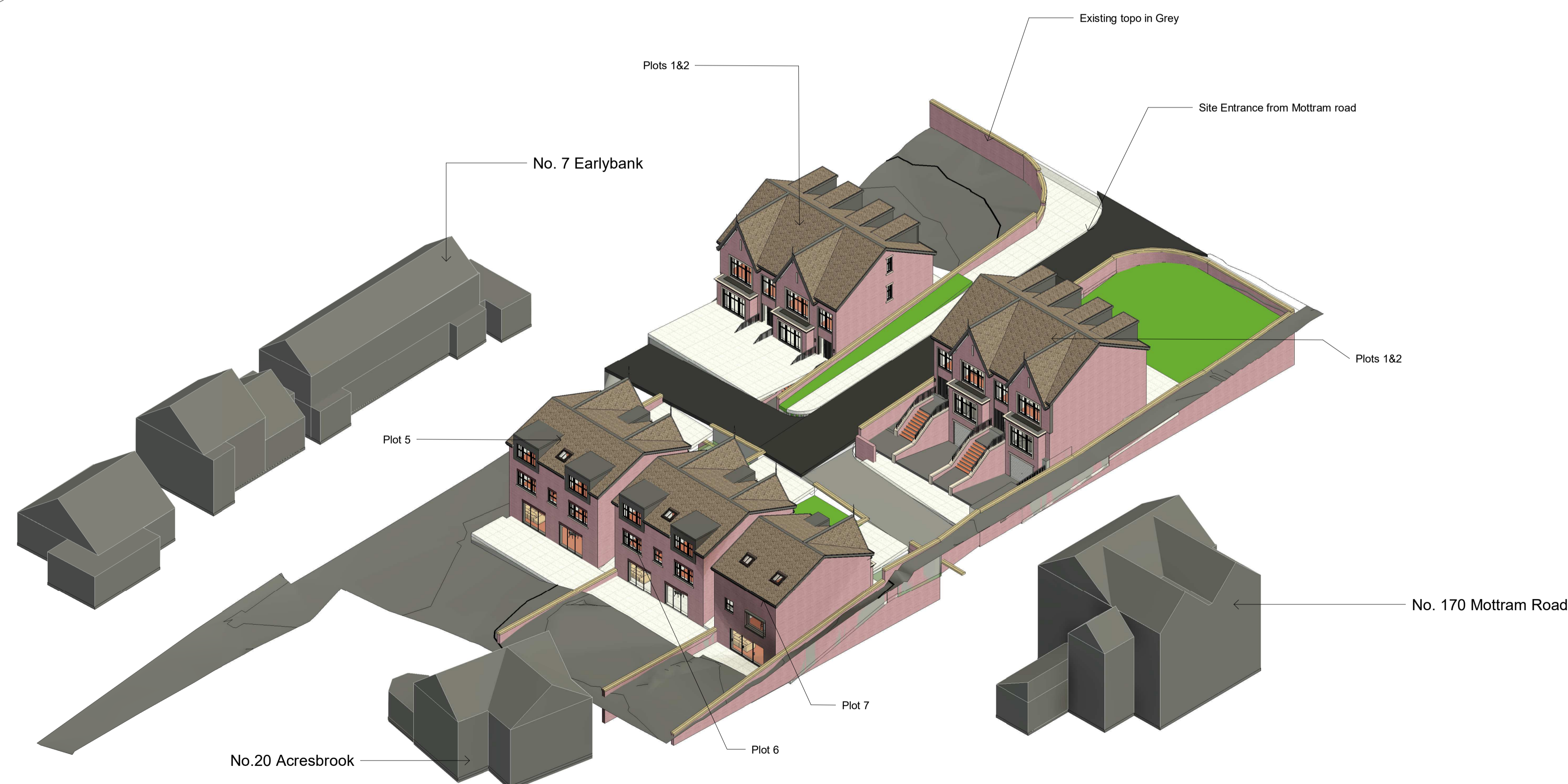
THIS DRAWING SHALL NOT BE SCALED TO ASCERTAIN ANY DIMENSIONS WORK TO FIGURED DIMS ONLY

THIS DRAWING SHALL NOT BE REPRODUCED WITHOUT EXPRESS WRITTEN PERMISSION FROM Clarkes Bespoke Design LTD.



1 Location Plan
1 : 1250

2 Proposed Block Plan
1 : 500



3 Proposed Site 3D From South West

Rev No.	Rev Date	Rev By	Description
P12	04.06.21	BC	Plots 5 and 7 swapped as planning comments
P11	27.04.21	BC	Client and Planning Comments
P10	23.03.21	BC	Ridge height reduced following discussions with David Thompson 23.03.21
P9	01.03.21	BC	Roads and FL amended to suit highways comments
P8	21.02.21	BC	Gate position and road note added, Overlooking distances added in red
P7	02.10.20	BC	SE, Atb and Client Comments
P6	02.09.20	BC	Client Comments
P5	11.08.20	BC	Plot 5 parking arrangement changed and proposed garden levels to all plots amended to suit Landscape comments
P4	19.05.20	BC	Atb impact plan added with root protection zone, Plot 5 house type amended to suit
P3	21.02.20	BC	house types added
P2	03.02.20	BC	Plots moved to meet over looking distances
P1	01.01.20	BC	First Issue

Rev No.	Rev Date	Rev By	Description
project			
164 Mottram road			
location			
164 Mottram Rd Stalybridge SK15 2RT			
client			
Your New Home Manchester Ltd			



T: 07402264305 E: info@clarkesbespoke.com
 Location Plan and Proposed Block Plan

dwg purpose			
scale	As indicated	drawn	BC
@ sheet size	A1	checked	BC
rev date	04.06.21	job number	20-003
drawing number	PL-001	revision	P12

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Application Number: 20/01027/FUL 164 Mottram Rd Stalybridge

Photo 1 – view of Existing property at 164 Mottram Road and neighbouring property to the south



Photo 2 – land in to the northern portion of the site, immediately north of the dwelling at 164 Mottram Road



Photo 3 – view looking towards north eastern corner of the site with Mottram Road beyond



Photo 4 – view looking towards south eastern corner of the site with Mottram Road beyond



Photo 5 - view of properties on Early Bank (north of the site) with the application site to the rear



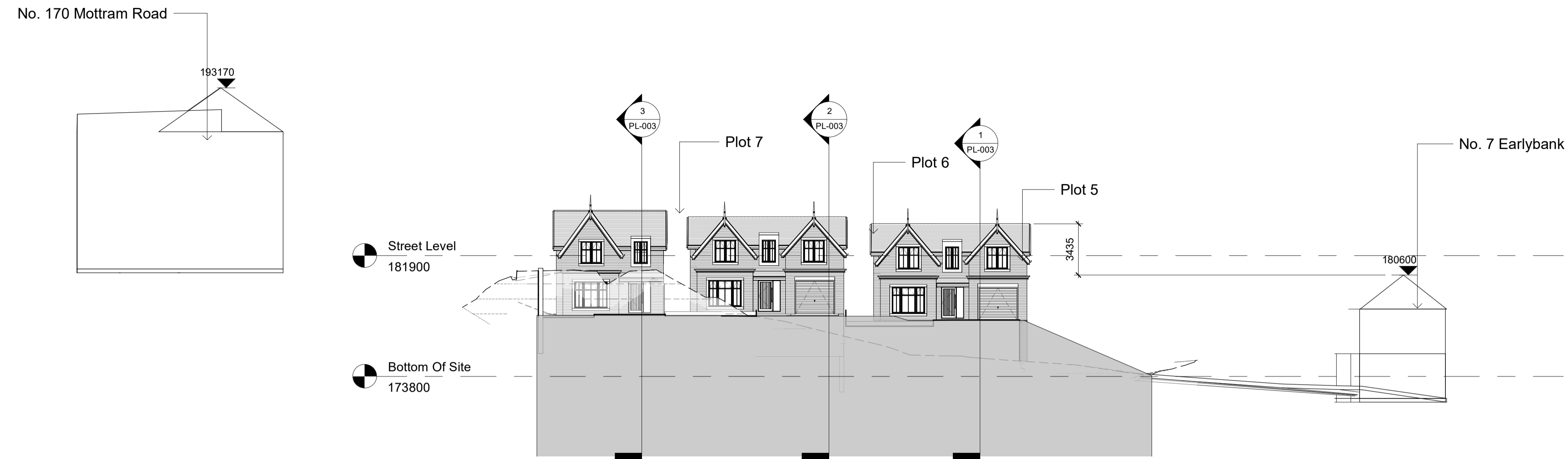
Photo 6 - view of properties on Acresbrook, located beyond the western boundary of the site



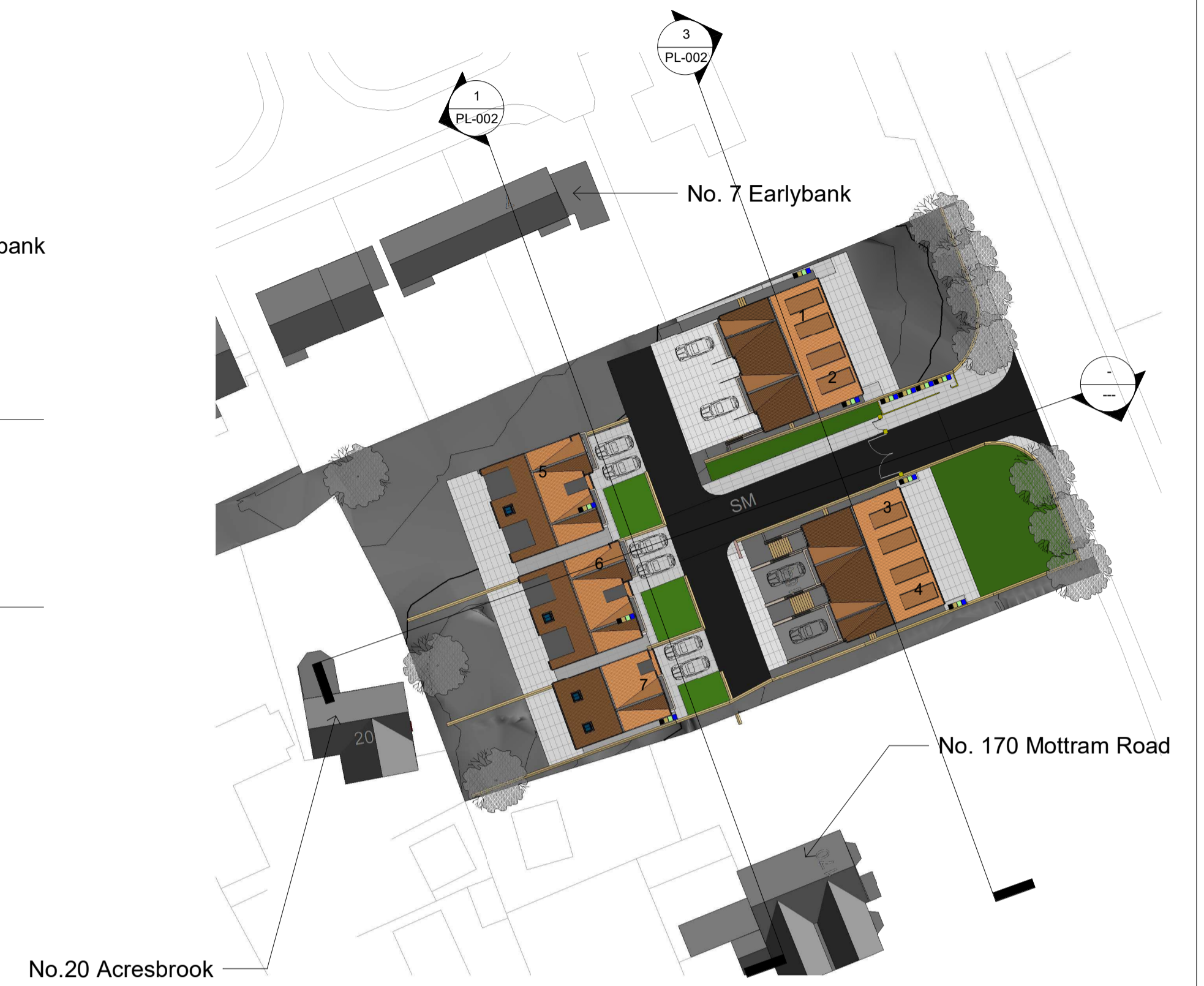
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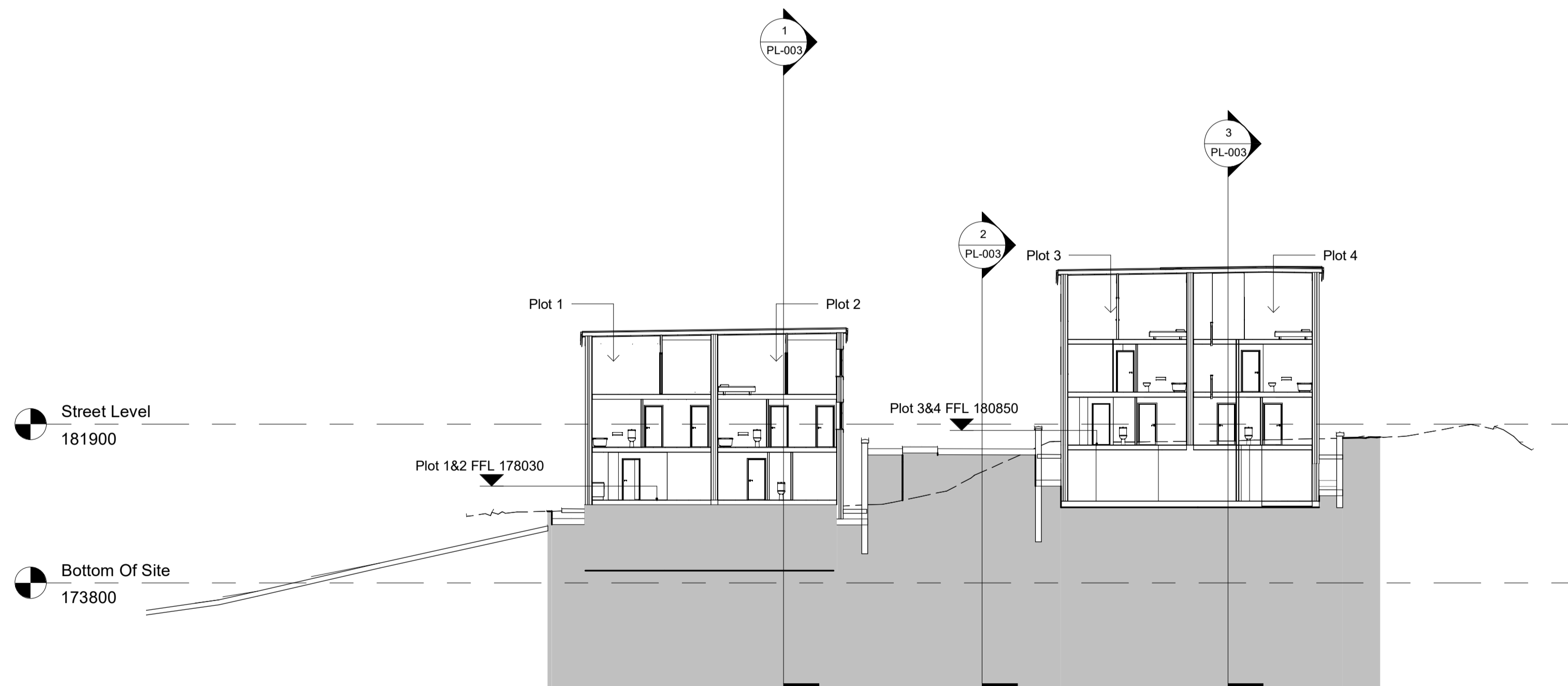
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1 Section A
1 : 200



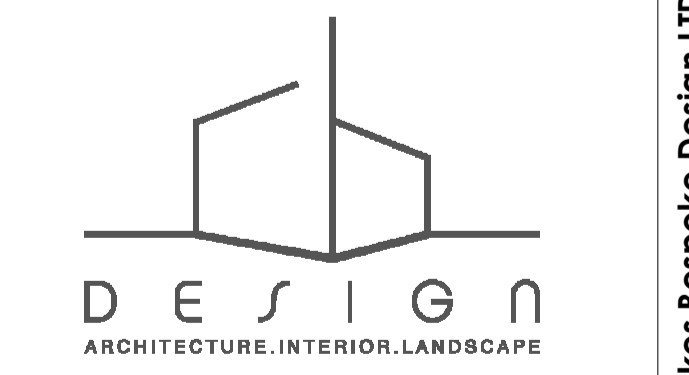
4 Section plan A-C
1 : 500



3 Section B
1 : 200

Rev No.	Rev Date	Rev By	Description
P12	04.06.21	BC	Plots 5 and 7 swapped as planning comments
P11	27.04.21	BC	Client and Planning Comments
P10	23.03.21	BC	Ridge height reduced following discussions with David Thompson 23.03.21
P9	01.03.21	BC	Roads and FFL amended to suit highways comments
P8	21.02.21	BC	Gate position and road note added, Overlooking distances added in red
P7	02.10.20	BC	SE, Afb and Client Comments
P6	02.09.20	BC	Client Comments
P5	11.08.20	BC	Plot 5 parking arrangement changed and proposed garden levels to all plots amended to suit Landscape comments
P4	19.05.20	BC	Atb impact plan added with root protection zone, Plot 5 house type amended to suit
P3	21.02.20	BC	house types added
P2	03.02.20	BC	Plots moved to meet over looking distances
P1	01.01.20	BC	First Issue

Rev No.	Rev Date	Rev By	Description
project			
164 Mottram road			
location			
164 Mottram Rd Stalybridge SK15 2RT			
client			
Your New Home Manchester Ltd			



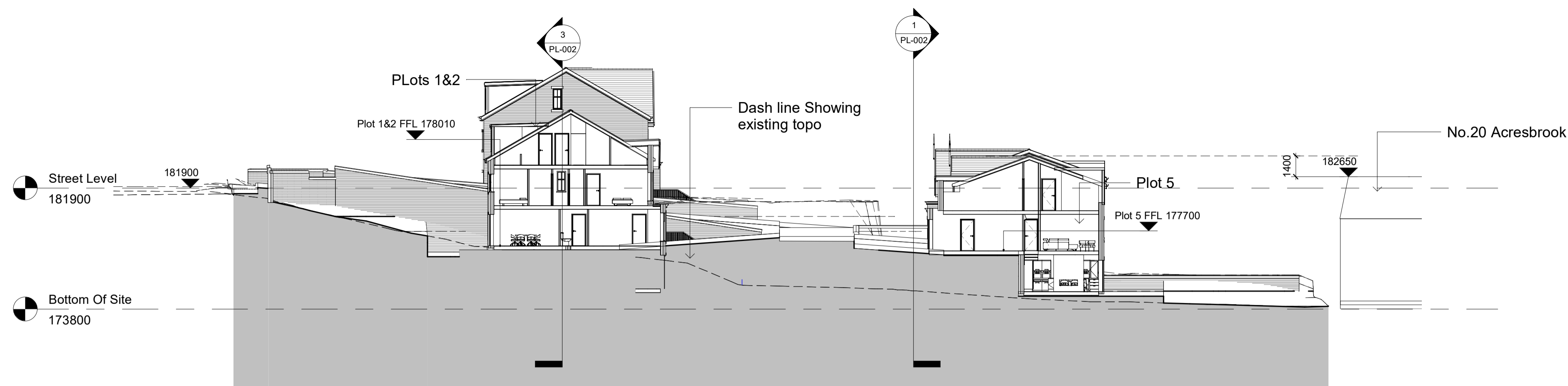
T: 07402266305 E: info@clarkesbespoke.com
 Proposed Sections A-B

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@ sheet size A1	rev date 04.06.21
20-003	PL-002
job number	drawing number
	P12 revision

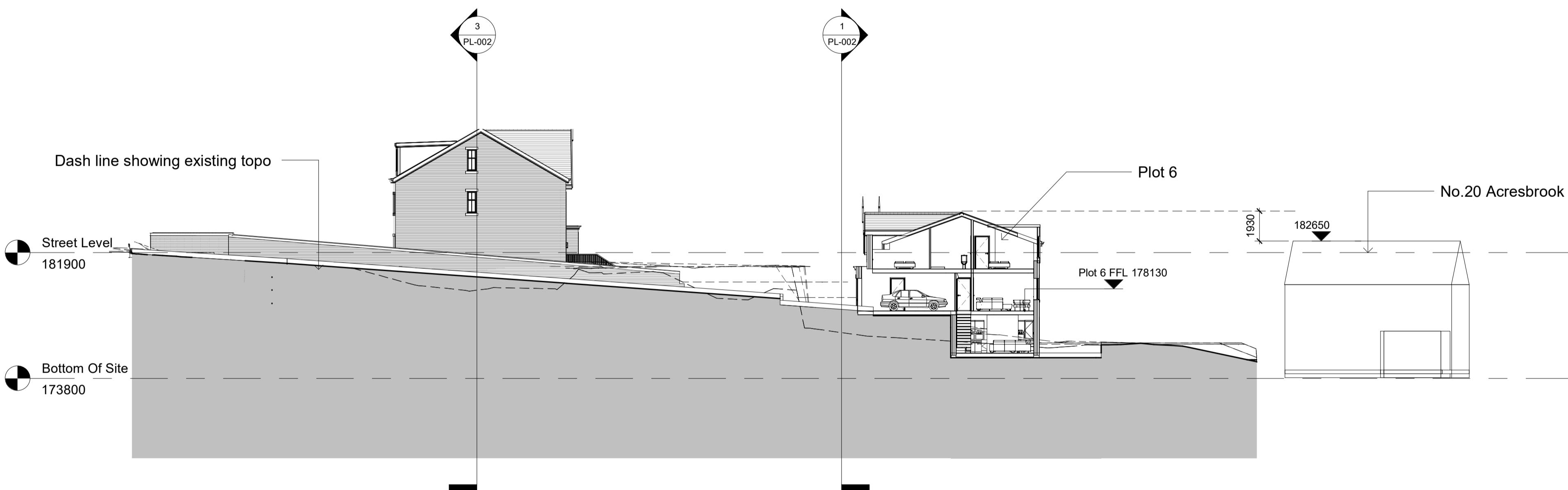
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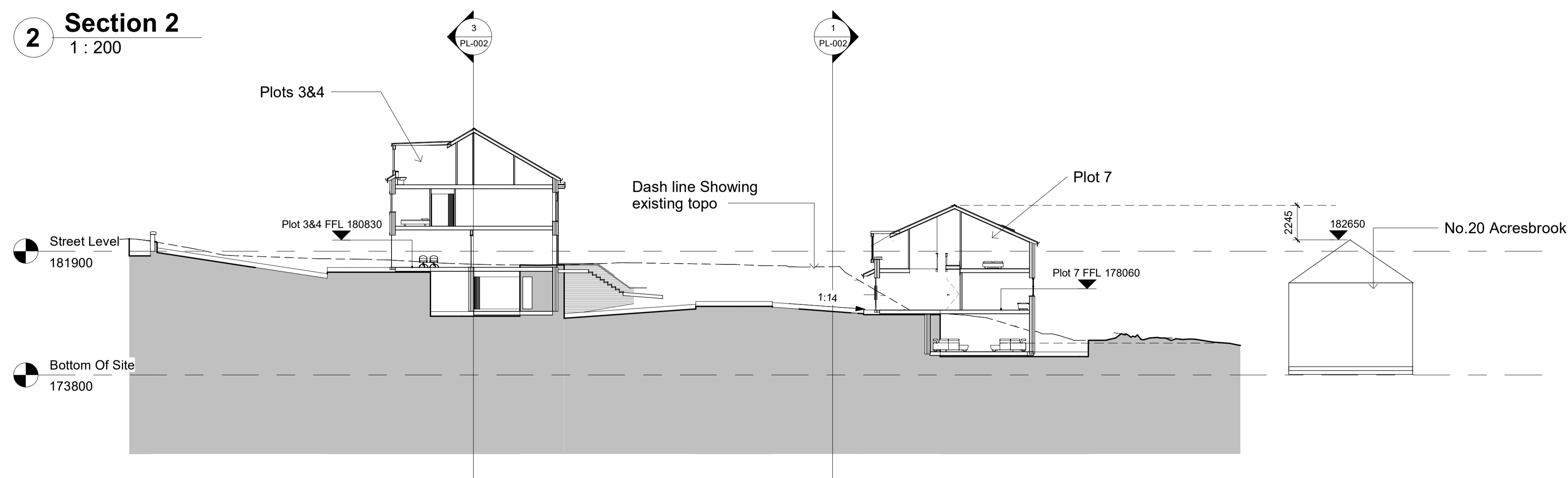
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1 Section 1
1 : 200



2 Section 2
1 : 200



3 Section 3
1 : 200



4 Section plan 1-3
1 : 500

Rev No.	Rev Date	Rev By	Description
P12	04.06.21	BC	Plots 5 and 7 swapped as planning comments
P11	27.04.21	BC	Client and Planning Comments
P10	23.03.21	BC	Ridge height reduced following discussions with David Thompson 23.03.21
P9	01.03.21	BC	Roads and FL amended to suit highways comments
P8	21.02.21	BC	Gate position and road note added, Overlooking distances added in red
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P6	02.09.20	BC	Client Comments
P5	11.08.20	BC	Plot 5 parking arrangement changed and proposed garden levels to all plots amended to suit Landscape comments
P4	19.05.20	BC	Atb impact plan added with root protection zone, Plot 5 house type amended to suit
P3	21.02.20	BC	house types added
P2	03.02.20	BC	Plots moved to meet overlooking distances
P1	01.01.20	BC	First Issue

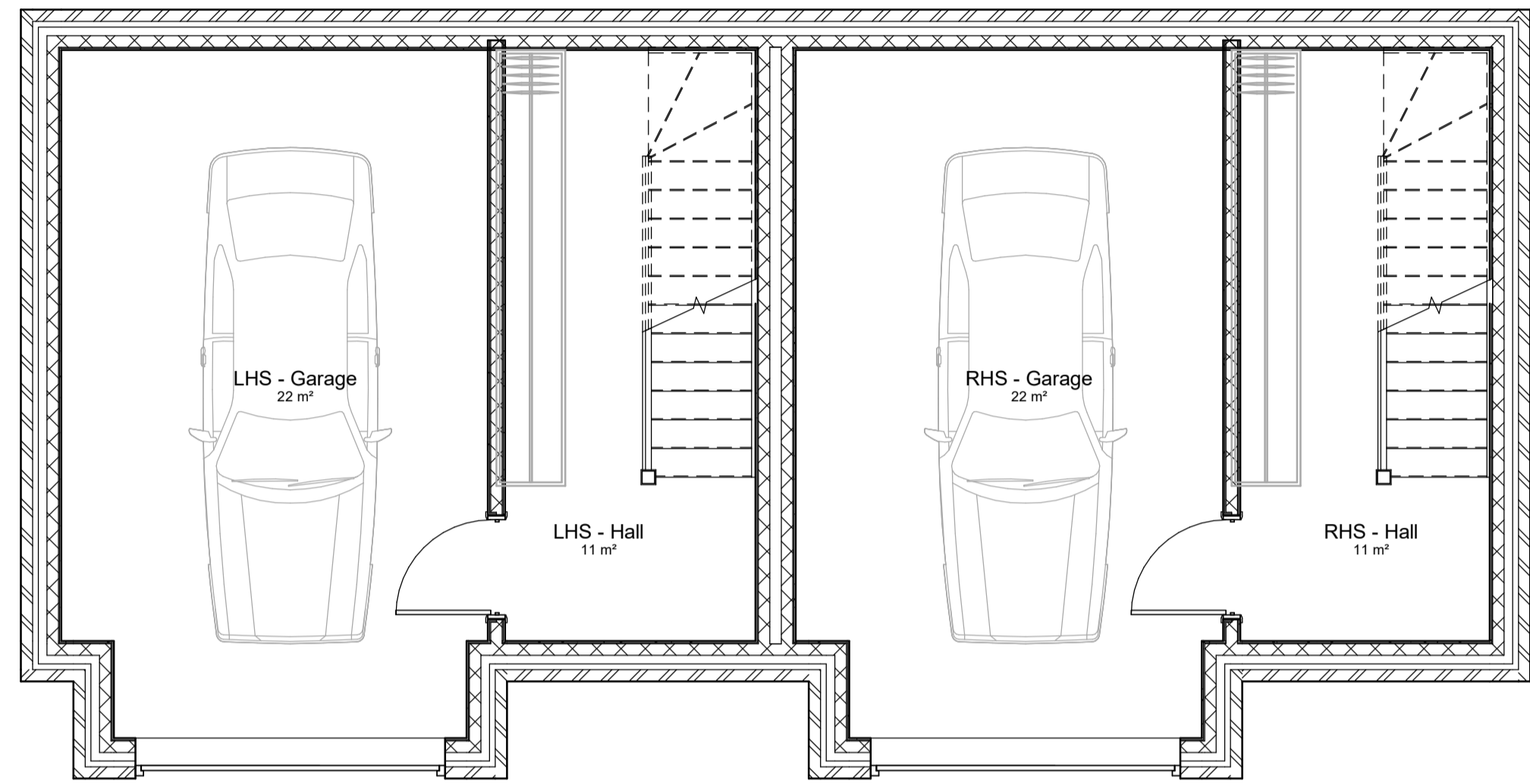
project
 164 Mottram road
 location
 164 Mottram Rd
 Stalybridge SK15 2RT
 client
 Your New Home Manchester Ltd



T: 07402266305 E: info@clarkesbespoke.com
 Proposed Sections 1-3

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20-003	job number	PL-003	drawing number	P12	revision

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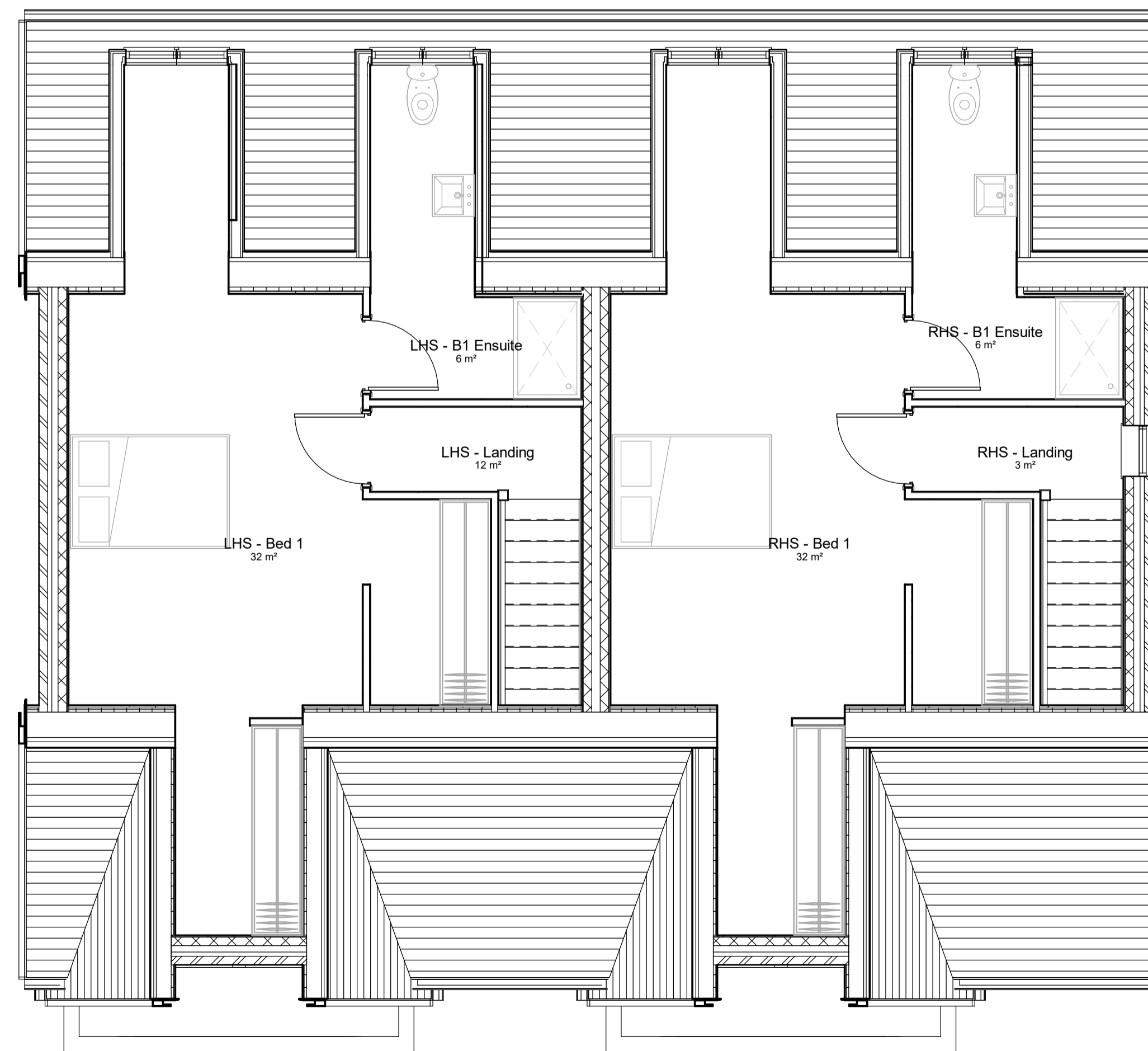
1 Basement
1 : 50



2 Ground Floor
1 : 50



3 1st Floor
1 : 50



4 2nd Floor
1 : 50

NOTES

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Plots - 1&2 / 3&4

P2	02.09.20	BC	Client comments
P1	Date 1	BC	First Issue

Rev No.	Rev Date	Rev By	Description
project			
164 Mottram road			

location
164 Mottram Rd
Stalybridge SK15 2RT

client
Your New Home Manchester Ltd



T: 07402264305 E: 362619@clarkesdesign.com

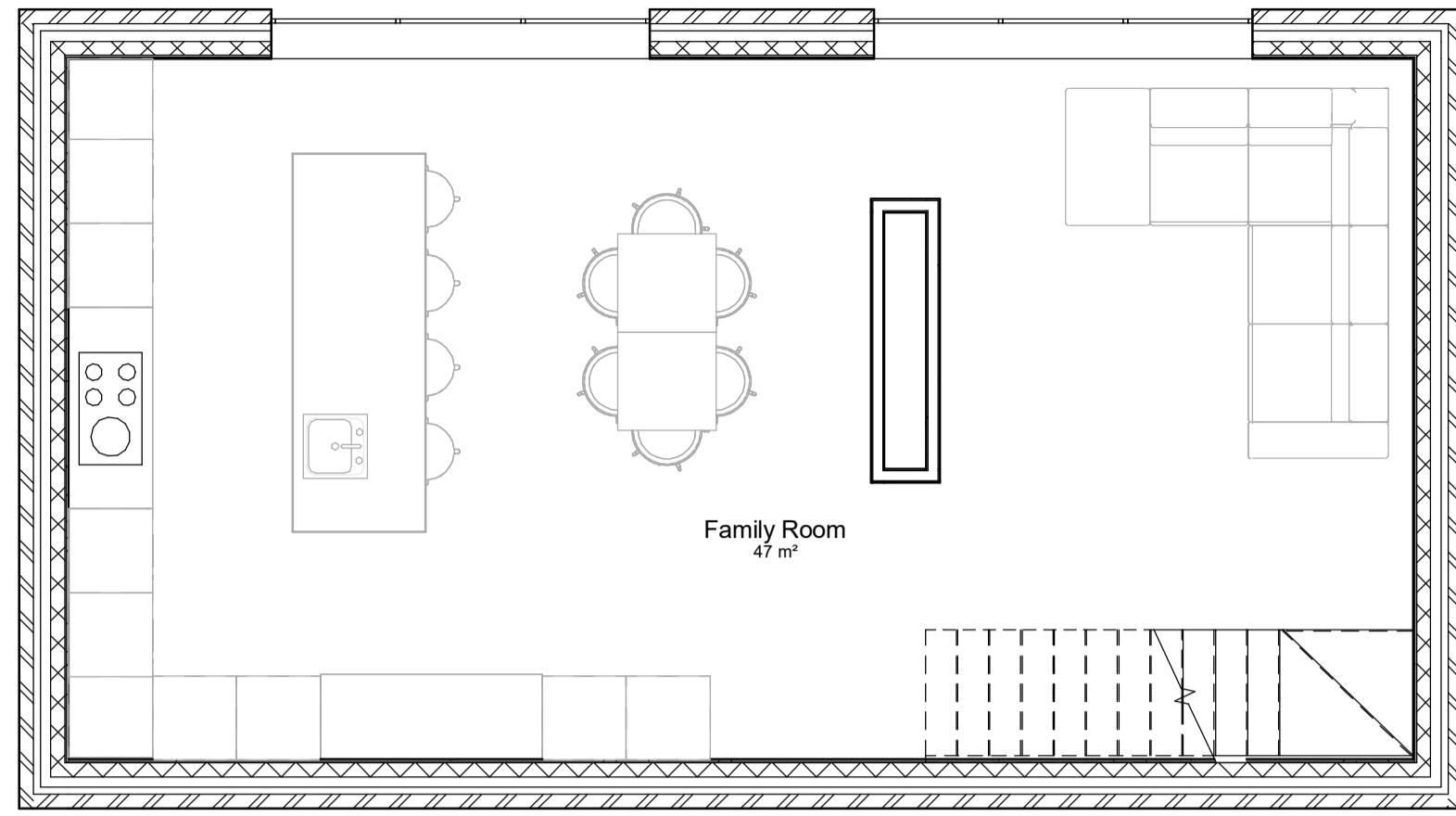
Semi Detached - Proposed Plans



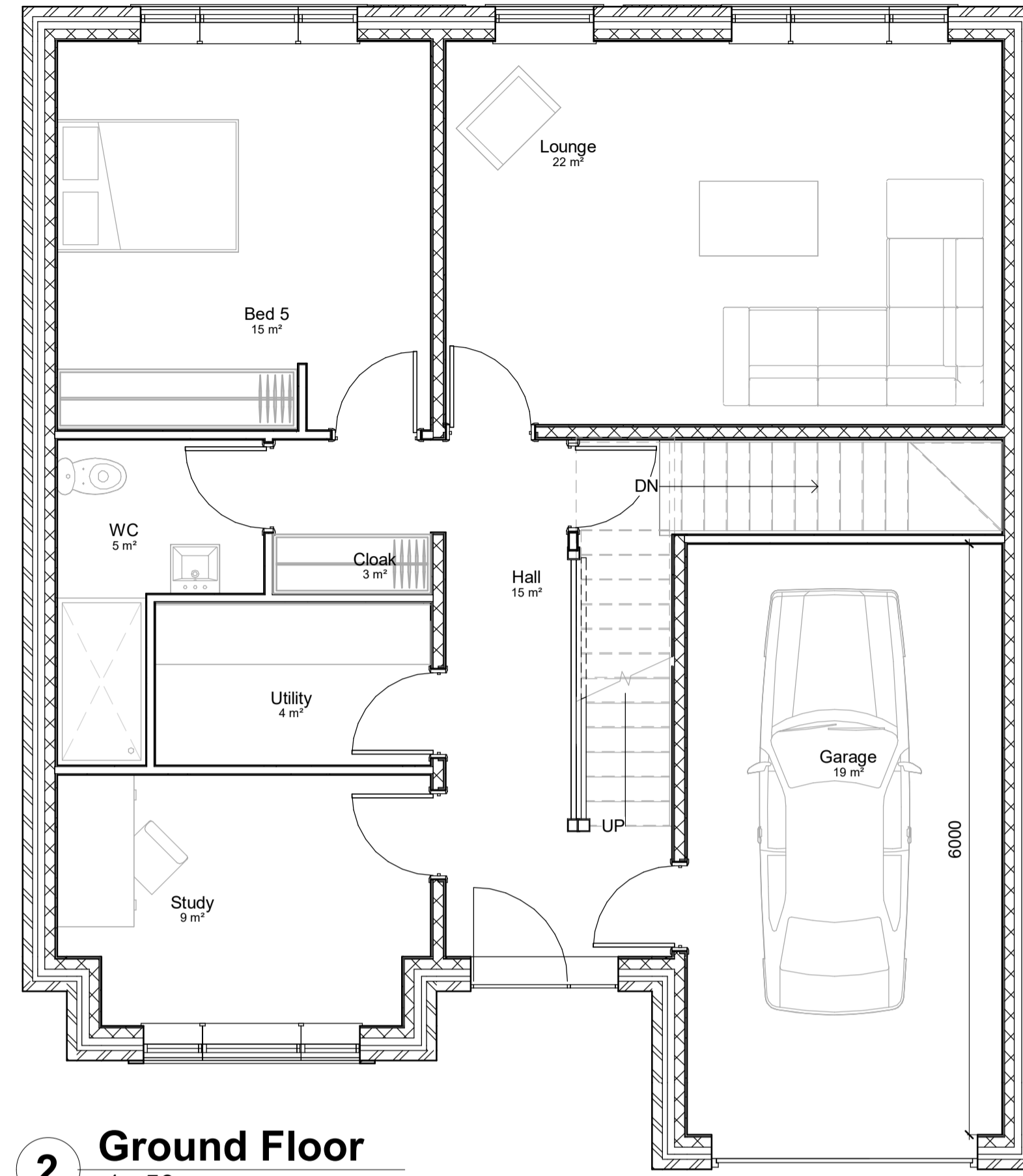
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20-003	PL-101	P2
job number	drawing number	revision

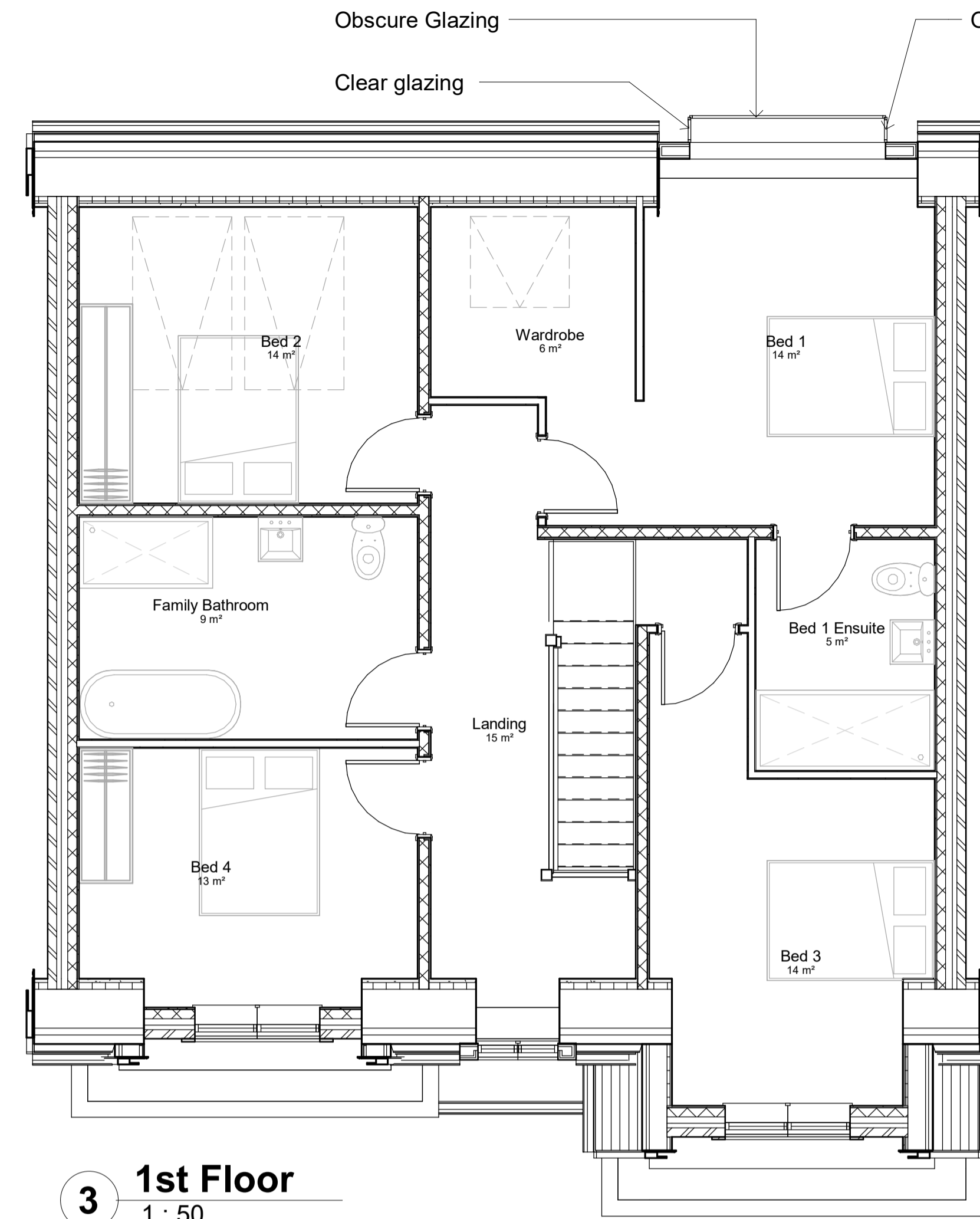
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1 Basement
1 : 50



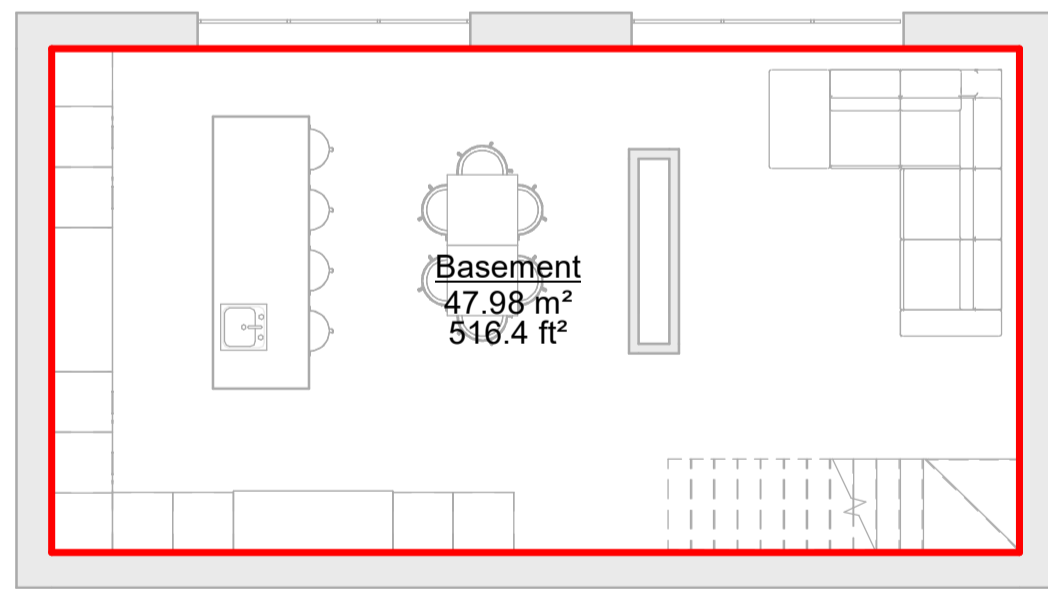
2 Ground Floor
1 : 50



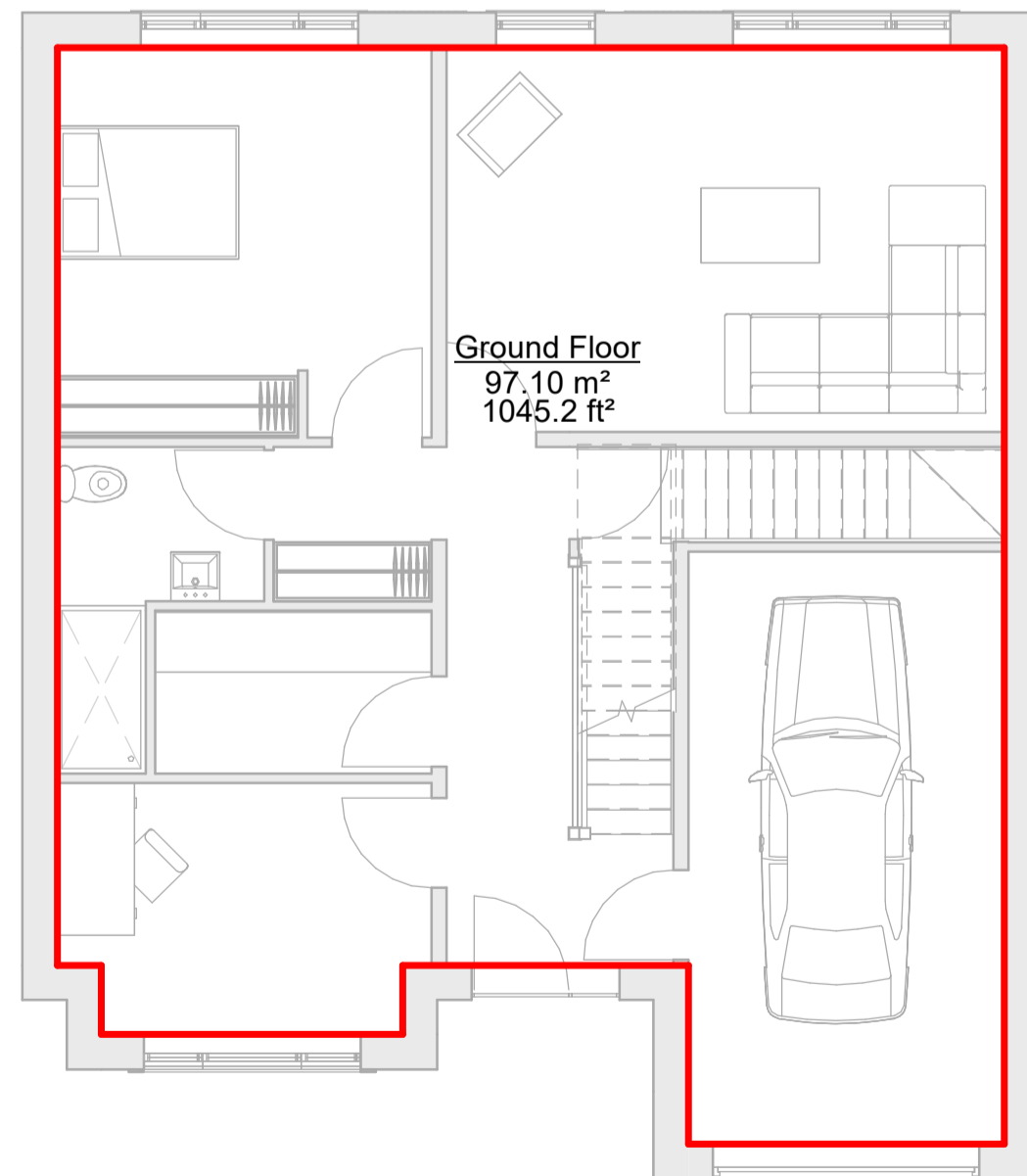
3 1st Floor
1 : 50

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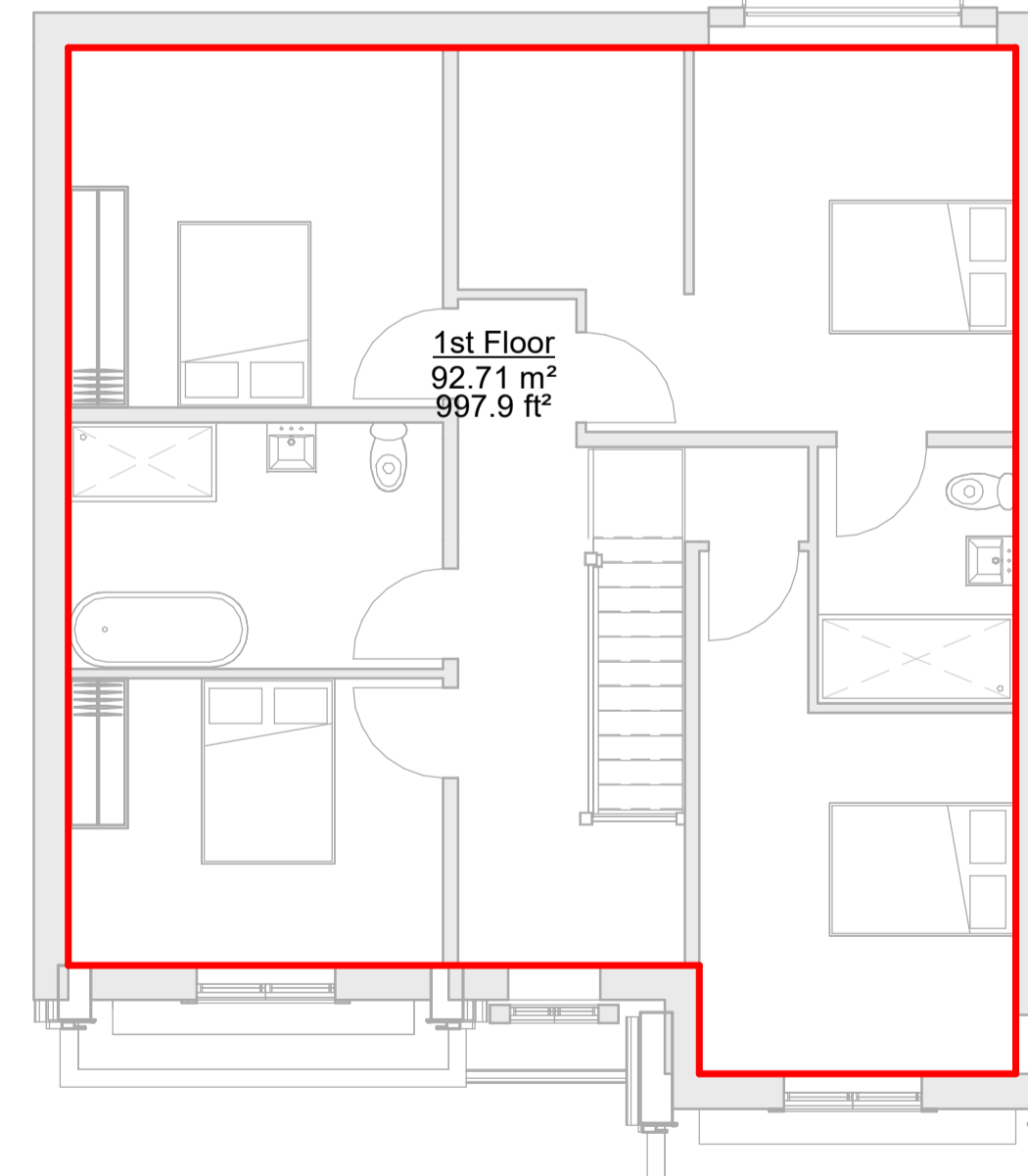
Plot - 5



4 Basement
1 : 75



5 Ground Floor
1 : 75



6 1st Floor
1 : 75

Area Schedule (GIA)			
Level	Name	Area	area Sqft
Basement	Basement	48 m ²	516 SF
Ground Floor	Ground Floor	97 m ²	1045 SF
1st Floor	1st Floor	93 m ²	998 SF
Grand total: 3		238 m ²	2559 SF

Room Schedule		
Level	Name	Area
Not Placed	Store	Not Placed
Basement	Family Room	47 m ²
Ground Floor	Bed 5	15 m ²
Ground Floor	Cloak	3 m ²
Ground Floor	Garage	19 m ²
Ground Floor	Hall	15 m ²
Ground Floor	Lounge	22 m ²
Ground Floor	Study	9 m ²
Ground Floor	Utility	4 m ²
Ground Floor	WC	5 m ²
1st Floor	Bed 1	14 m ²
1st Floor	Bed 1 Ensuite	5 m ²
1st Floor	Bed 2	14 m ²
1st Floor	Bed 3	14 m ²
1st Floor	Bed 4	13 m ²
1st Floor	Family Bathroom	9 m ²
1st Floor	Landing	15 m ²
1st Floor	Wardrobe	6 m ²

P1 05.06.21 BC First Issue
Rev No. Rev Date Rev By Description
project
164 Mottram road
location
164 Mottram Rd
Stalybridge SK15 2RT
client
Your New Home Manchester Ltd



T: 07402266305 E: info@clarkesdesign.co.uk
1.5 Story Detached - Proposed Plans

dwg purpose
scale As indicated drawn BC checked BC
@ sheet size A1 rev date 05.06.21
20-003 PL-401 P1
job number drawing number revision

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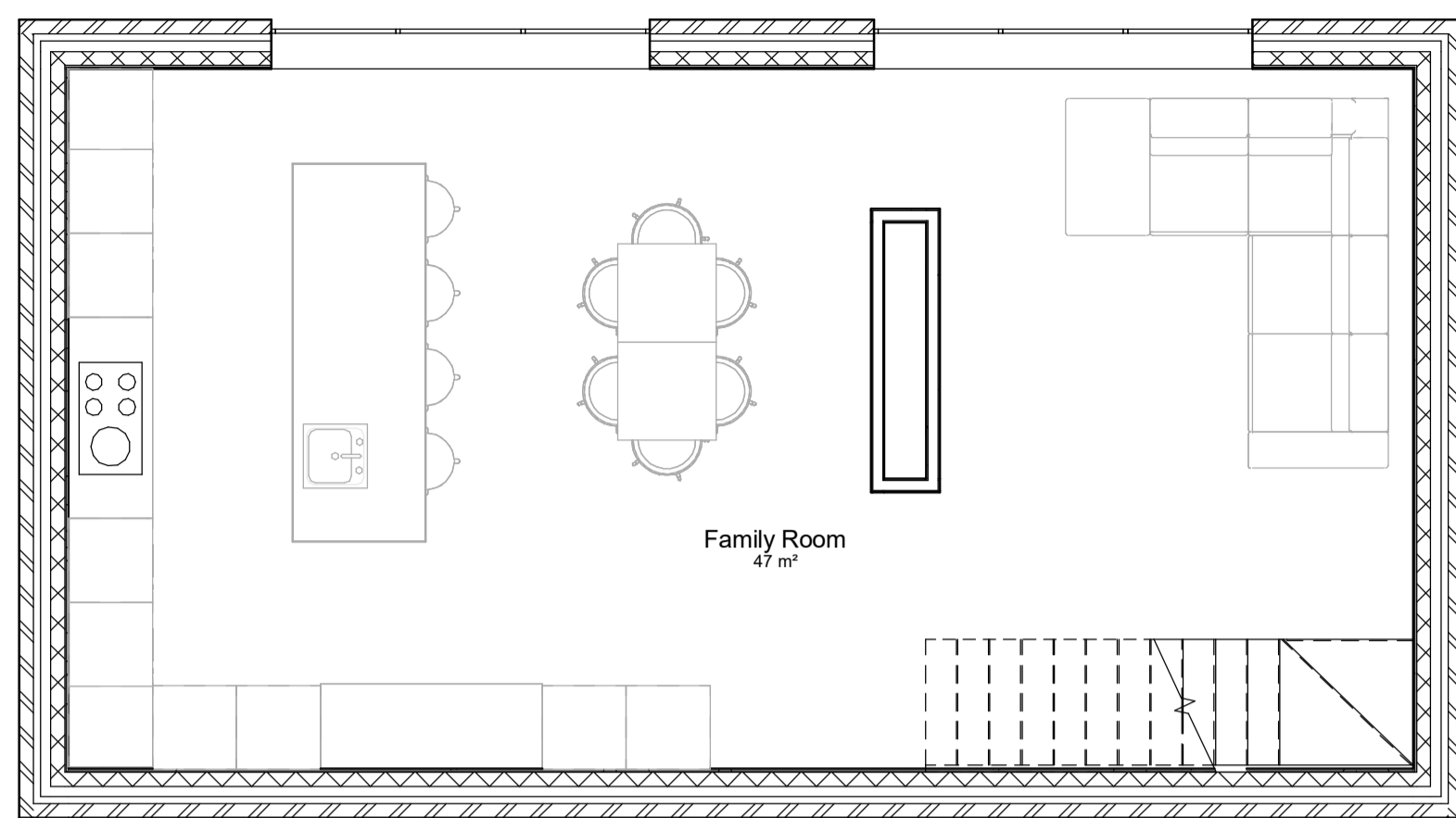
ALL DIMENSIONS AND LEVELS ARE TO BE CHECKED ON SITE

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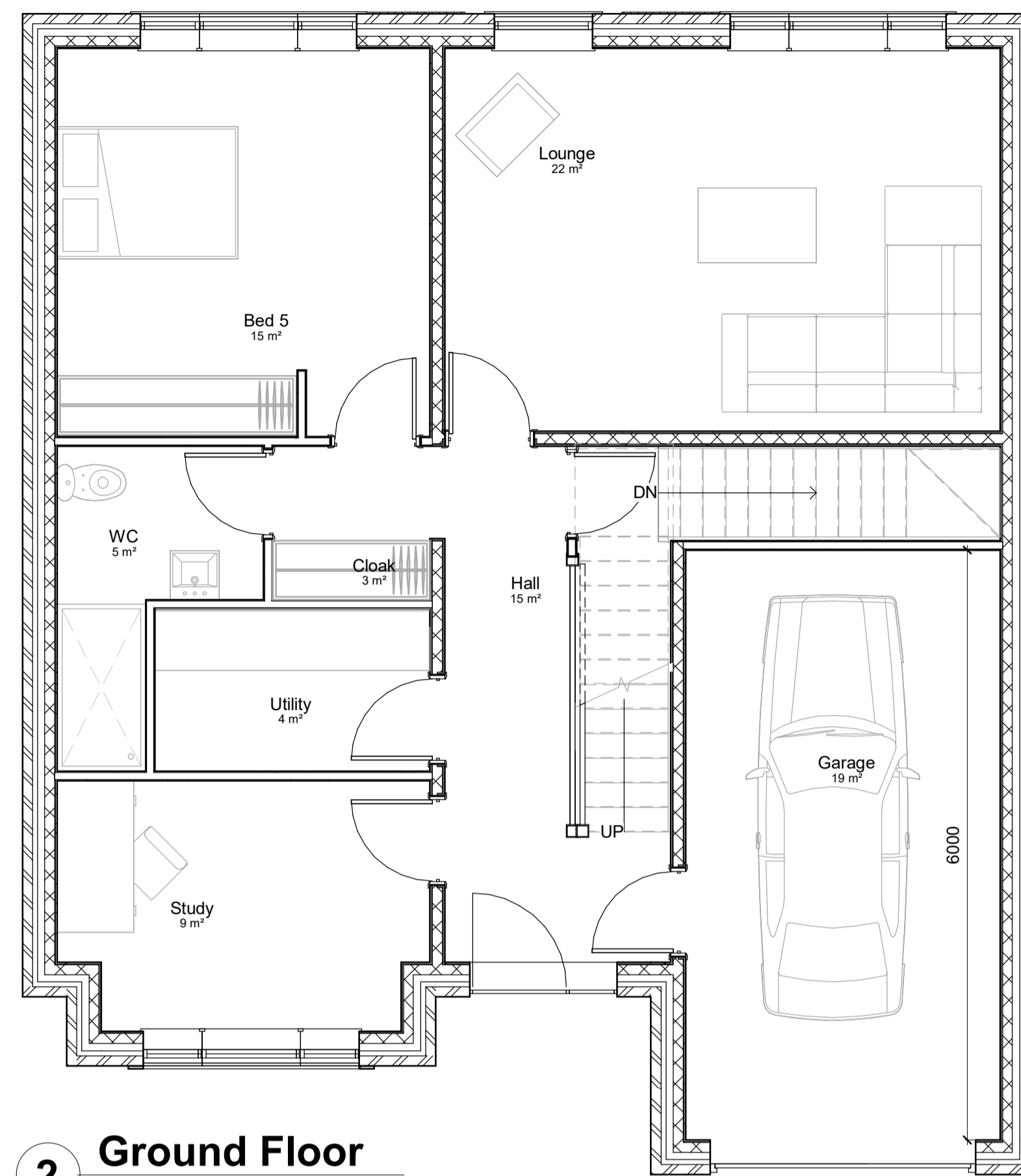
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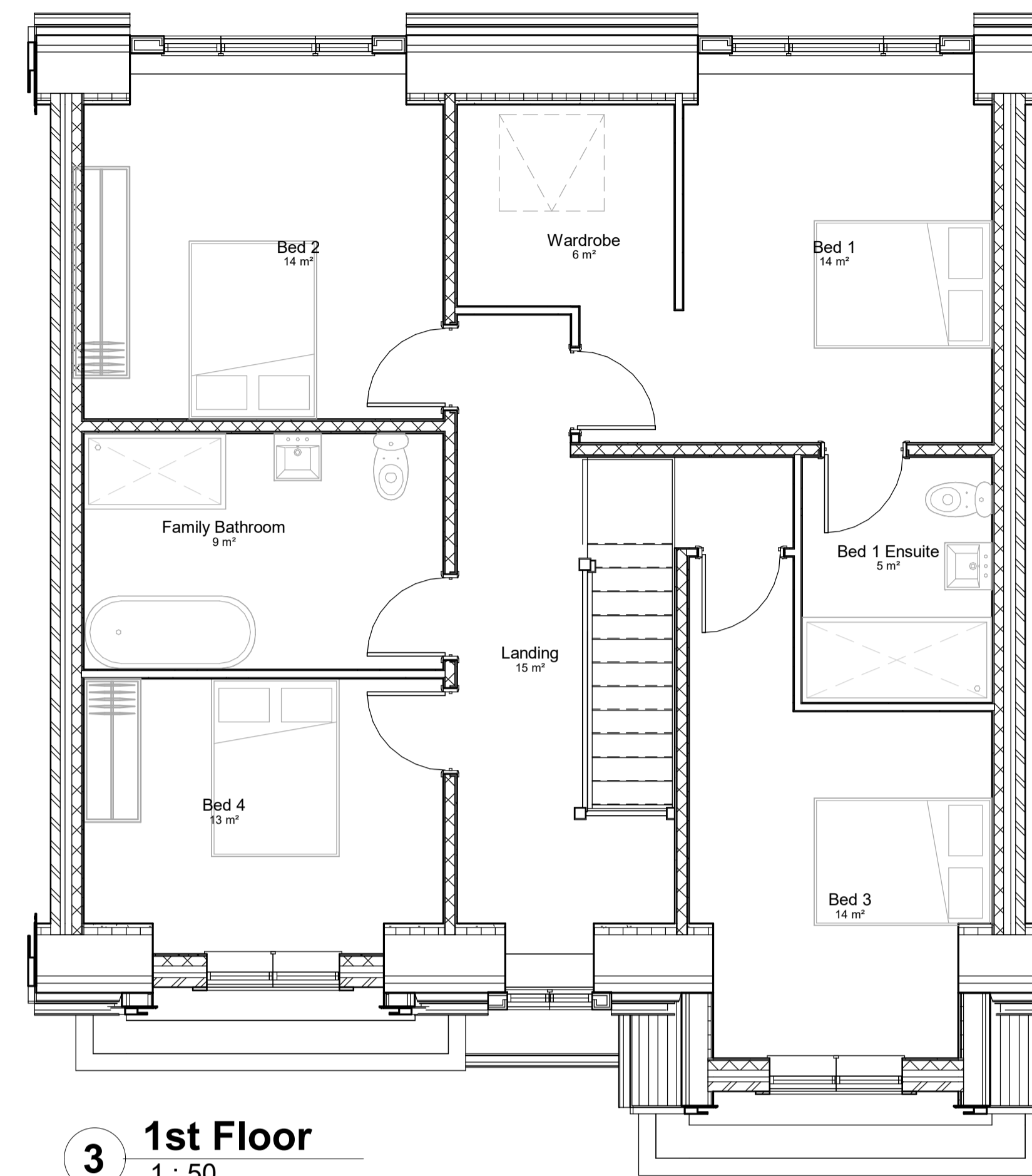
Plot - 6



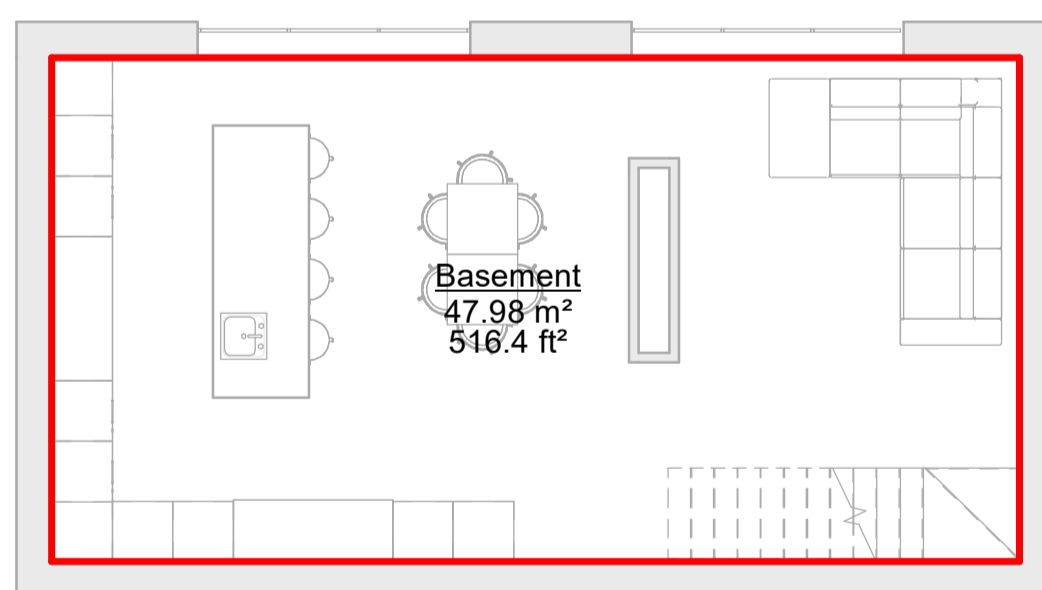
1 Basement
1 : 50



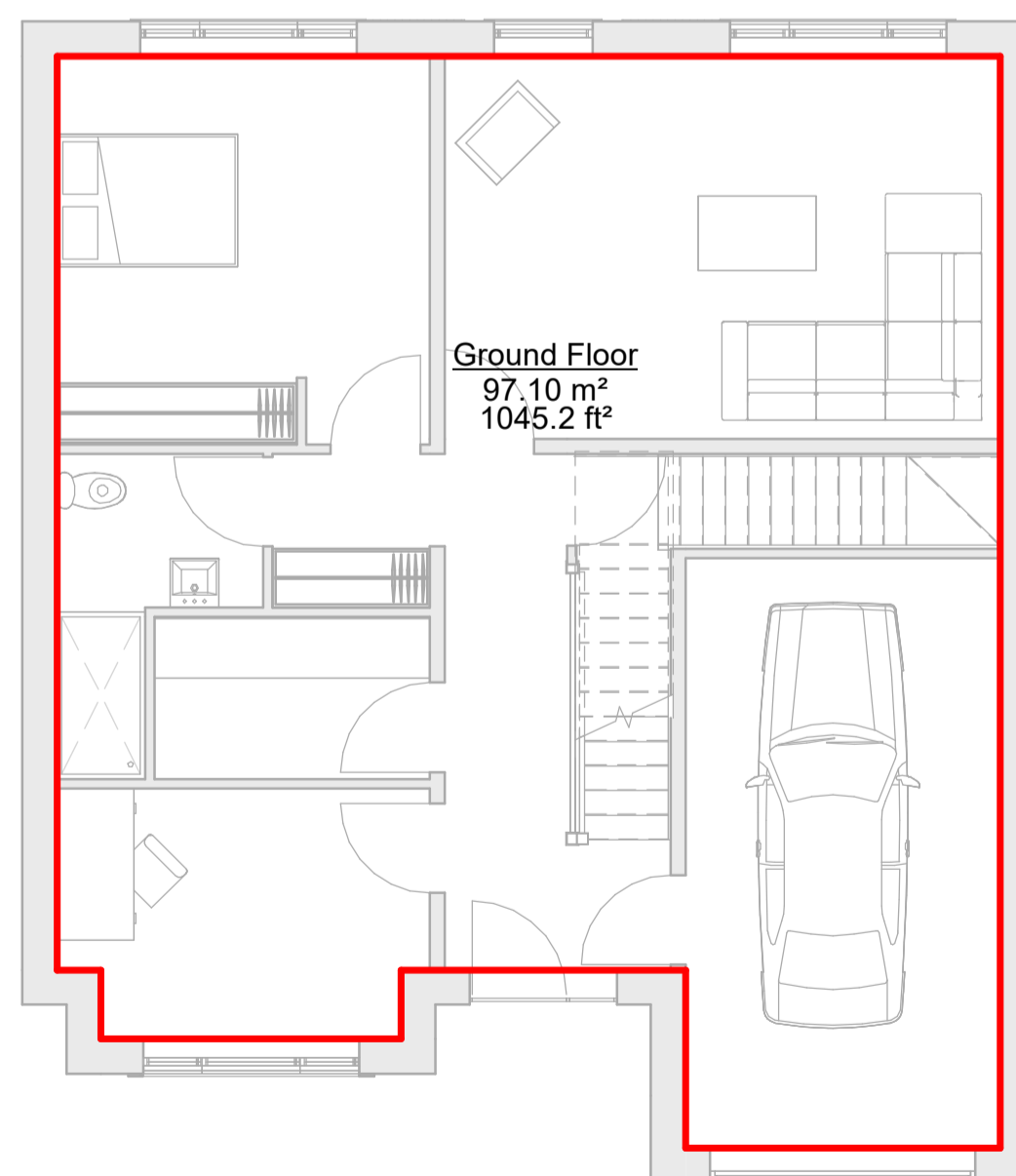
2 Ground Floor
1 : 50



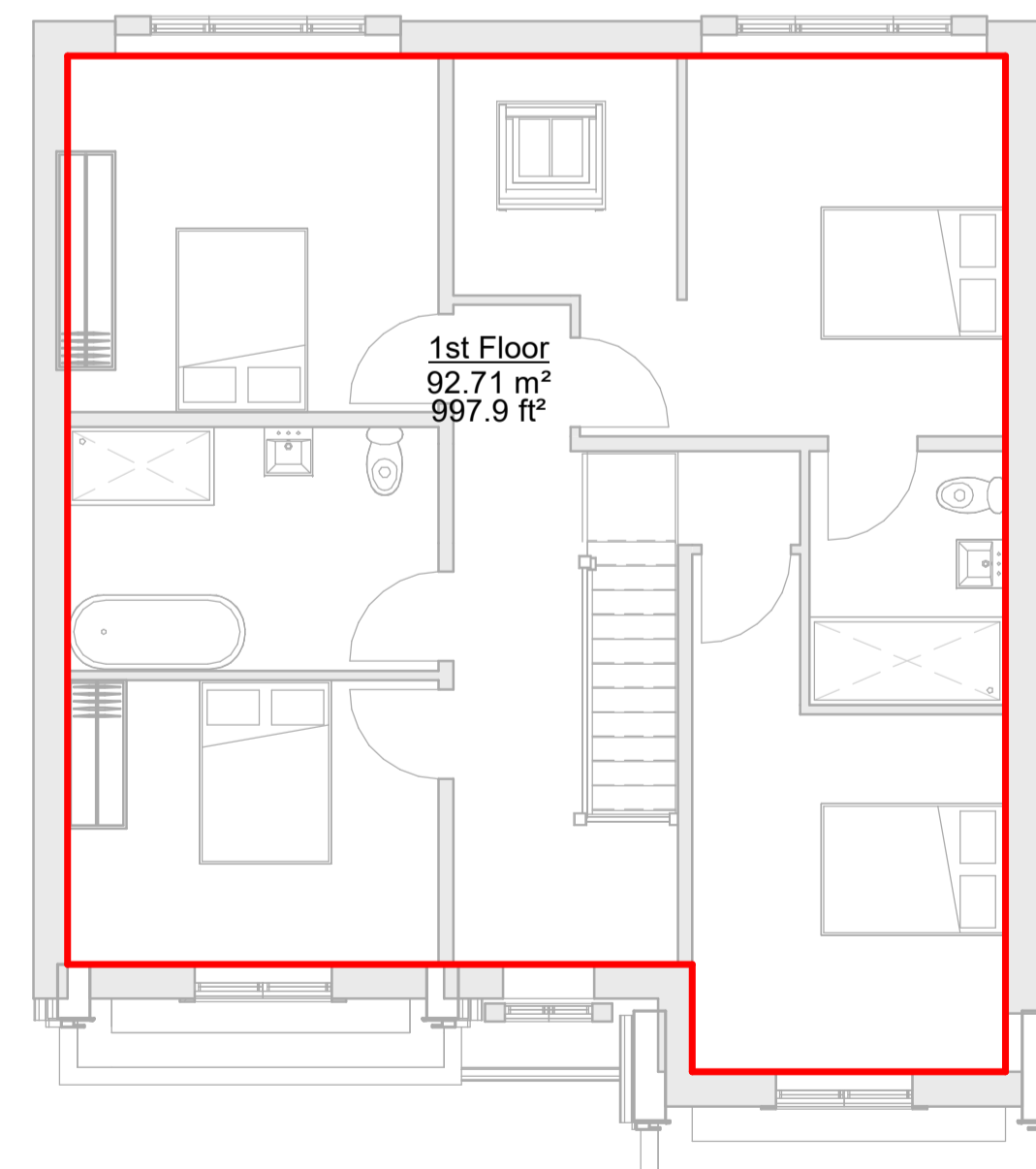
3 1st Floor
1 : 50



4 Basement
1 : 75



5 Ground Floor
1 : 75



6 1st Floor
1 : 75

Area Schedule (GIA)			
Level	Name	Area	area Sqft
Basement	Basement	48 m ²	516 SF
Ground Floor	Ground Floor	97 m ²	1045 SF
1st Floor	1st Floor	93 m ²	998 SF
Grand total: 3		238 m ²	2559 SF

Room Schedule		
Level	Name	Area
Not Placed	Store	Not Placed
Basement	Family Room	47 m ²
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Ground Floor	Cloak	3 m ²
Ground Floor	Garage	19 m ²
Ground Floor	Hall	15 m ²
Ground Floor	Lounge	22 m ²
Ground Floor	Study	9 m ²
Ground Floor	Utility	4 m ²
Ground Floor	WC	5 m ²
1st Floor	Bed 1	14 m ²
1st Floor	Bed 1 Ensuite	5 m ²
1st Floor	Bed 2	14 m ²
1st Floor	Bed 3	14 m ²
1st Floor	Bed 4	13 m ²
1st Floor	Family Bathroom	9 m ²
1st Floor	Landing	15 m ²
1st Floor	Wardrobe	6 m ²

Rev No.	Rev Date	Rev By	Description
P4	23.01.21	BC	Ridge height reduced following discussions with David Thompson 23.03.21
P3	02.10.20	BC	Client Comments
P2	02.09.20	BC	Client Comments
P1	30.03.20	BC	First Issue

project
164 Mottram road

location
164 Mottram Rd
Stalybridge SK15 2RT

client
Your New Home Manchester Ltd



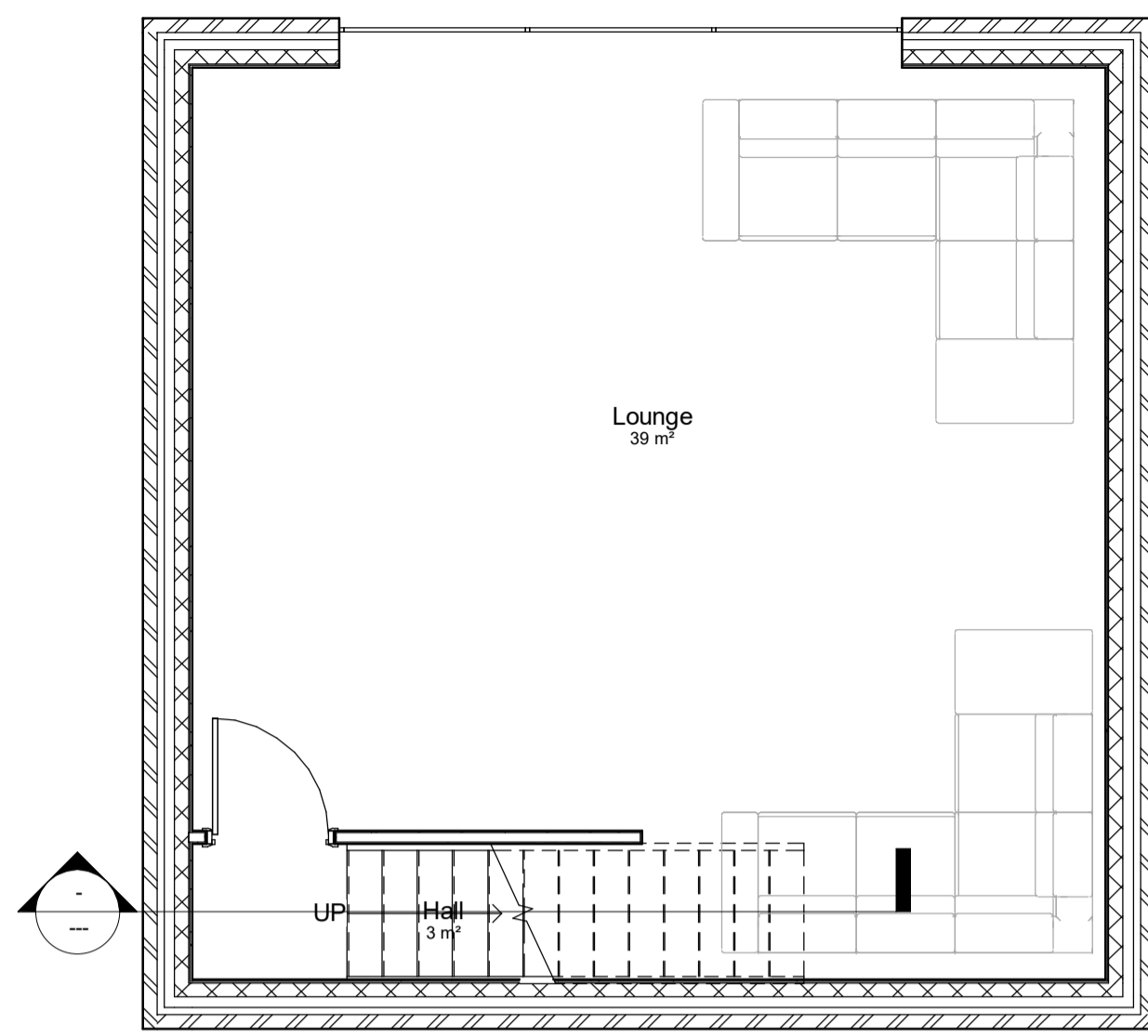
T: 07402266305 E: info@clarkesdesign.com

1.5 Story Detached - Proposed Plans

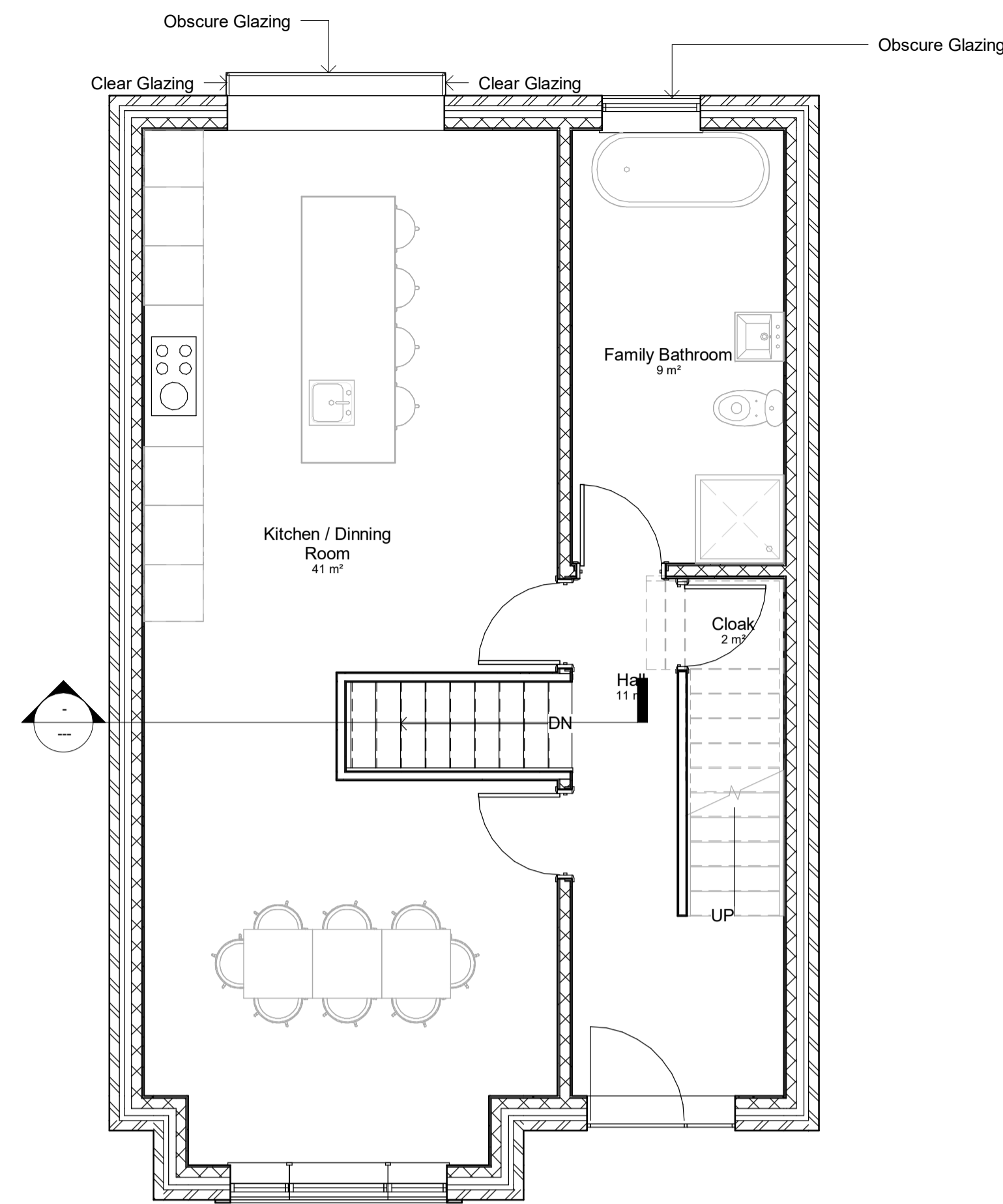
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job number	drawing number	revision

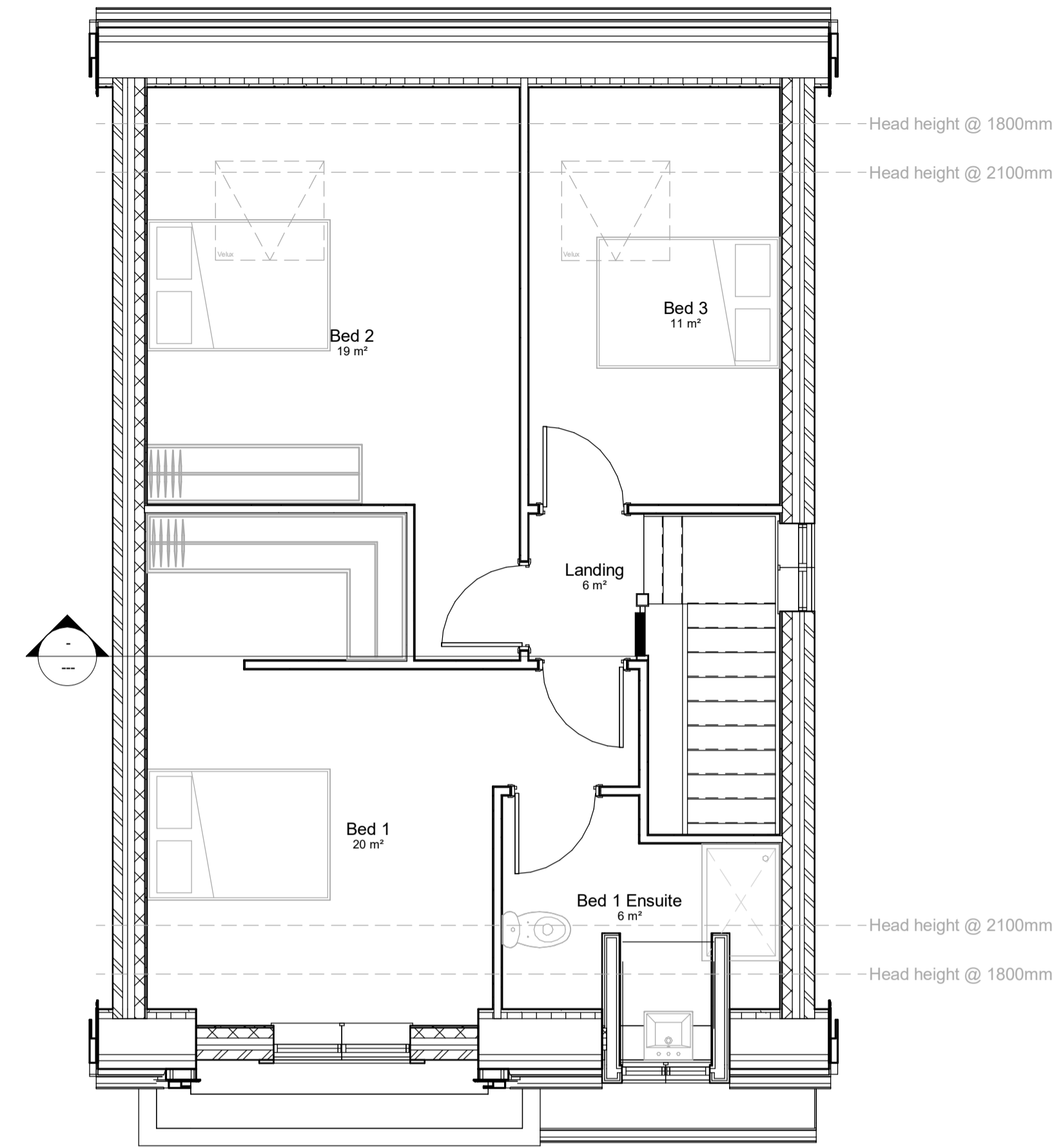
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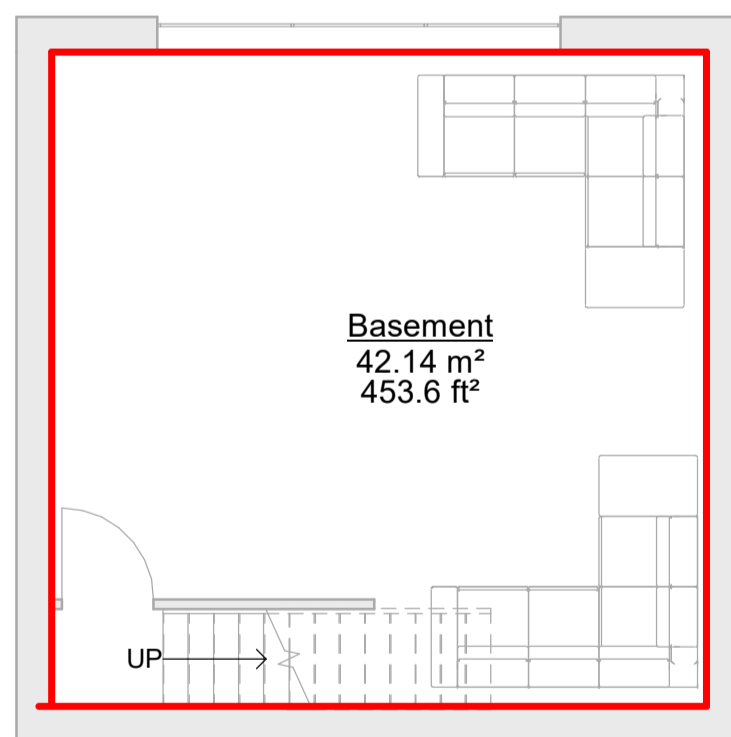
1 Basement
1 : 50



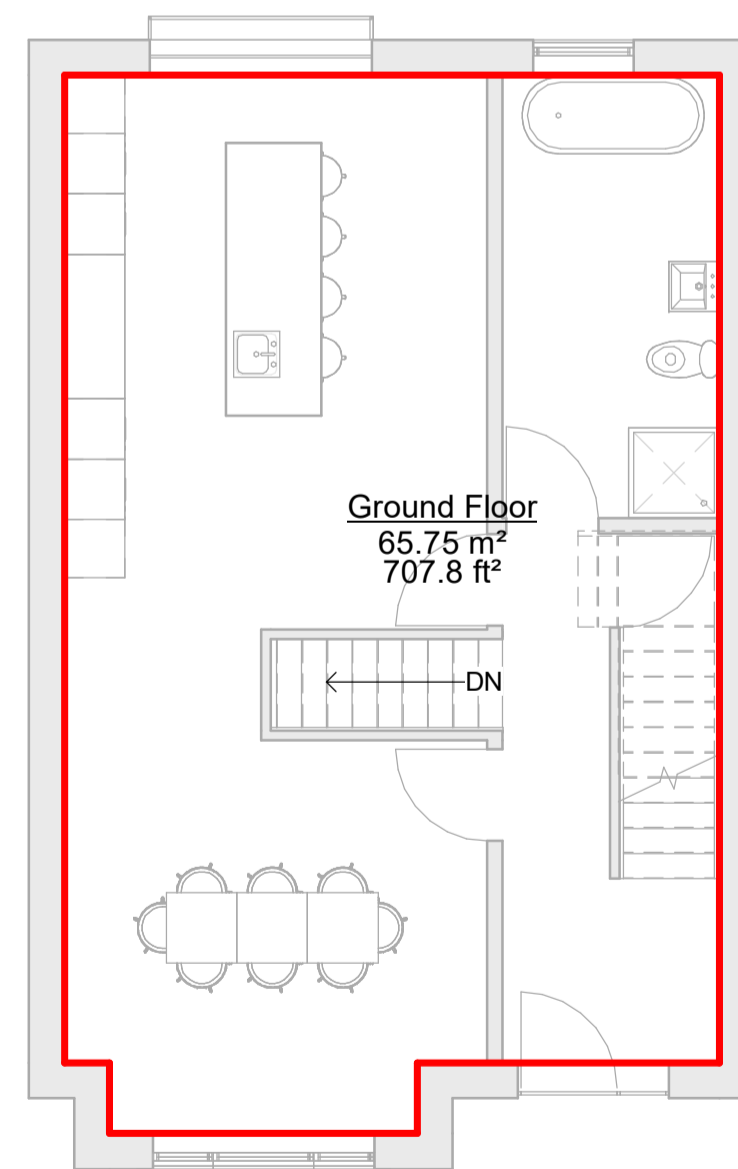
2 Ground Floor
1 : 50



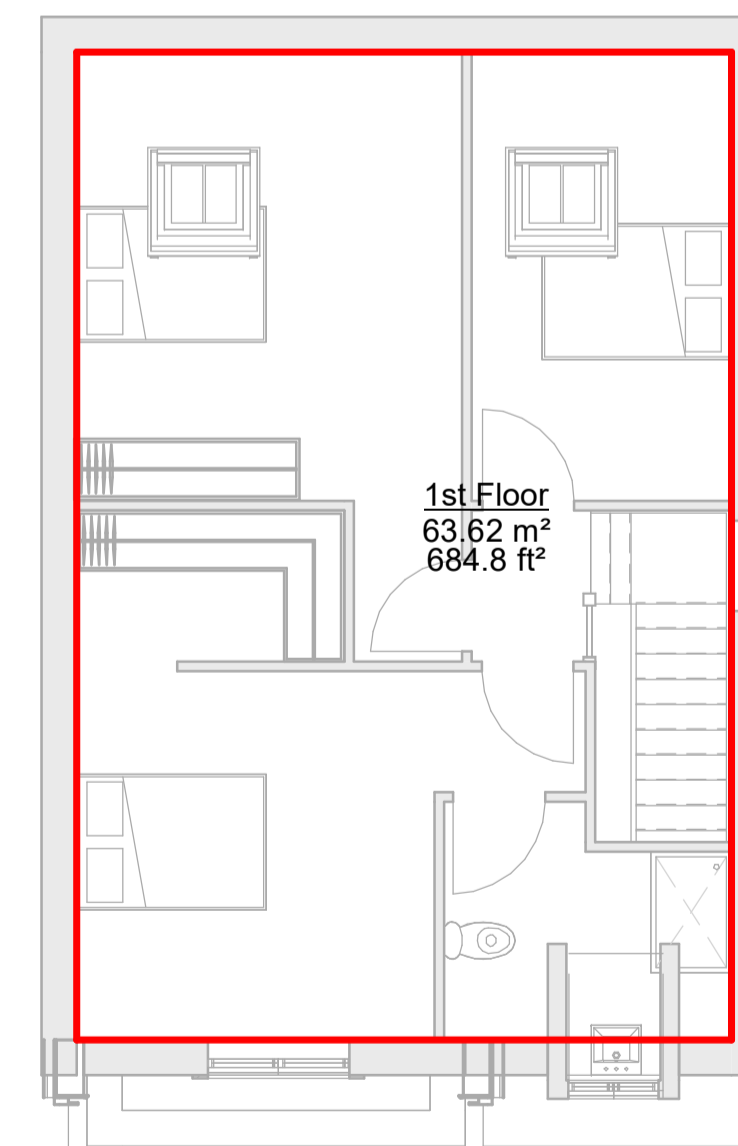
3 1st Floor
1 : 50



4 Basement
1 : 75



5 Ground Floor
1 : 75



6 1st Floor
1 : 75

Area Schedule (GIA)			
Level	Name	Area	area Sqft
Basement	Basement	42 m ²	454 SF
Ground Floor	Ground Floor	66 m ²	708 SF
1st Floor	1st Floor	64 m ²	685 SF
Grand total: 3		172 m ²	1846 SF

Room Schedule		
Level	Name	Area
Not Placed	Lounge	Not Placed
Not Placed	Pantry	Not Placed
Not Placed	Str	Not Placed
Not Placed	WC	Not Placed
Basement	Hall	3 m ²
Basement	Lounge	39 m ²
Ground Floor	Cloak	2 m ²
Ground Floor	Family Bathroom	9 m ²
Ground Floor	Hall	11 m ²
Ground Floor	Kitchen / Dining Room	41 m ²
1st Floor	Bed 1	20 m ²
1st Floor	Bed 1 Ensuite	6 m ²
1st Floor	Bed 2	19 m ²
1st Floor	Bed 3	11 m ²
1st Floor	Landing	6 m ²

NOTE

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Plots - 7

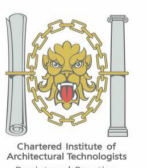
Rev No.	Rev Date	Rev By	Description
P5	04.06.20	BC	Layout amended to suit planning comments
P4	27.04.21	BC	Client Comments
P3	02.10.20	BC	Client Comments
P2	02.09.20	BC	House type amended to suit Client comments
P2	01.07.20	BC	House type amended to suit planning comments
P1	30.03.20	BC	First Issue

project
 164 Mottram road
 location
 164 Mottram Rd
 Stalybridge SK15 2RT
 client
 Your New Home Manchester Ltd



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drawing title
 1.5 Story Detached - Proposed Plans



dwg purpose

scale	As indicated	drawn	BC	checked	BC
@ sheet size	A1	rev date	04.06.20		
20-003		PL-301		P5	
job number		drawing number		revision	

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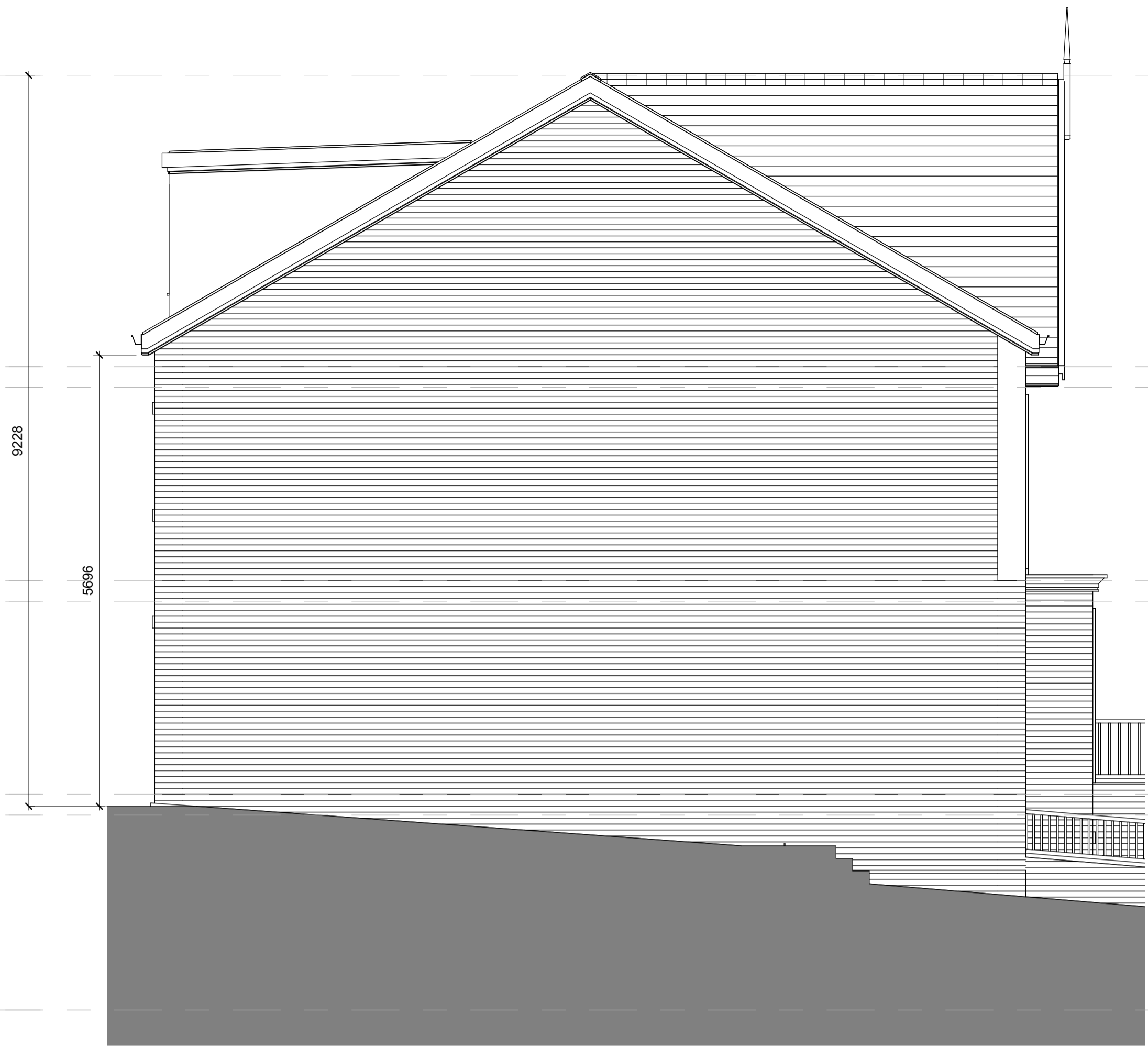
Plots - 1&2 / 3&4



1 Front Elevation
1 : 50



3 Rear Elevation
1 : 50



2 LHS Elevation
1 : 50



4 RHS Elevation
1 : 50

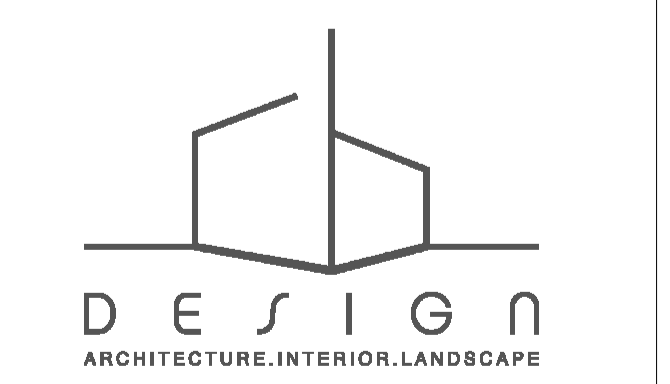
P2	02.09.20	BC	Client comments
P1	Date 1	BC	First Issue

Rev No.	Rev Date	Rev By	Description
project			

164 Mottram road

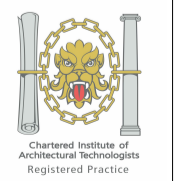
location
164 Mottram Rd
Stalybridge SK15 2RT

client
Your New Home Manchester Ltd



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Semi Detached - Proposed Elevations



dwg purpose

scale 1 : 50	drawn BC	checked BC
@ sheet size A1	rev date 02.09.20	
20-003	PL-102	P2
job number	drawing number	revision

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NOTES

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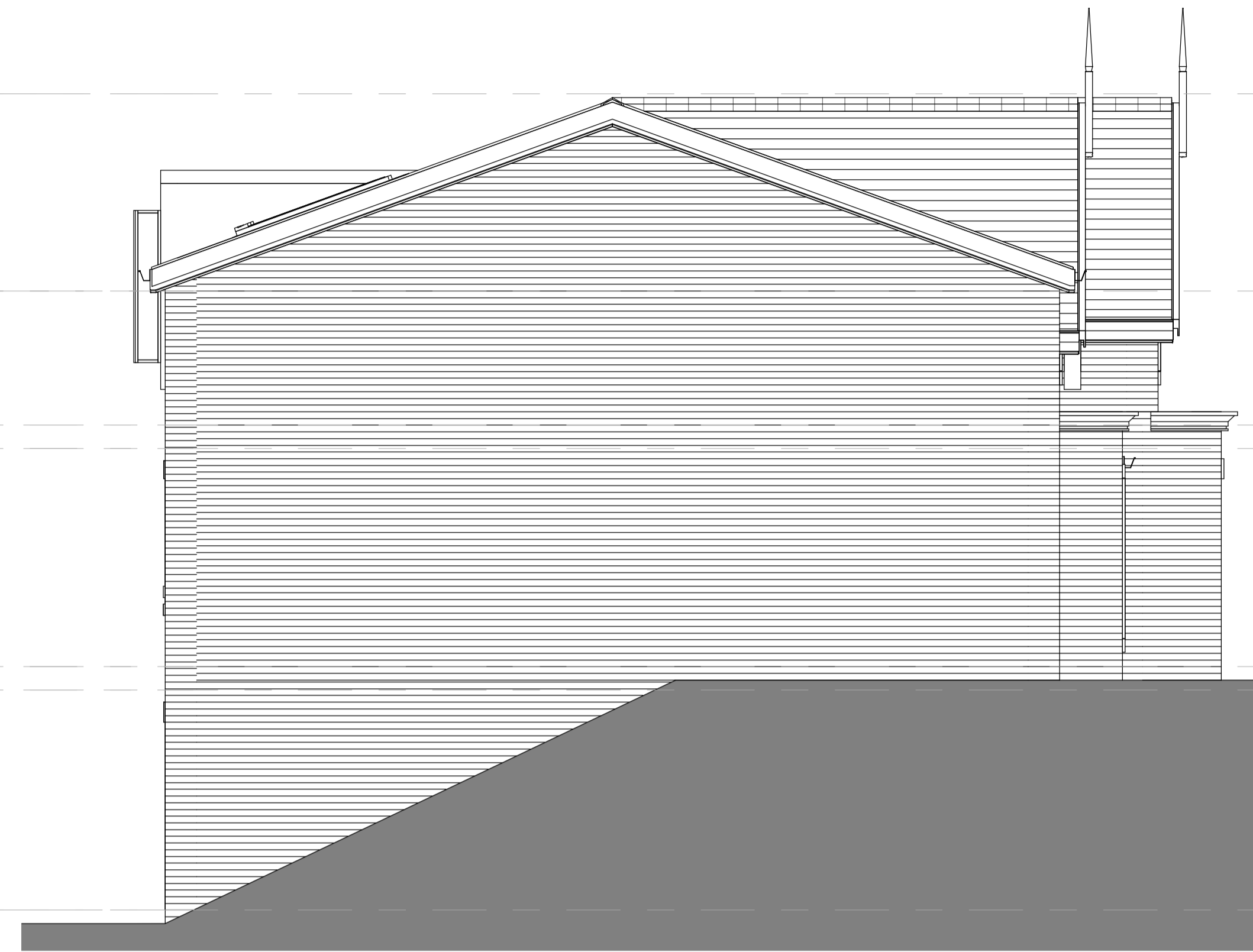
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Plot - 5



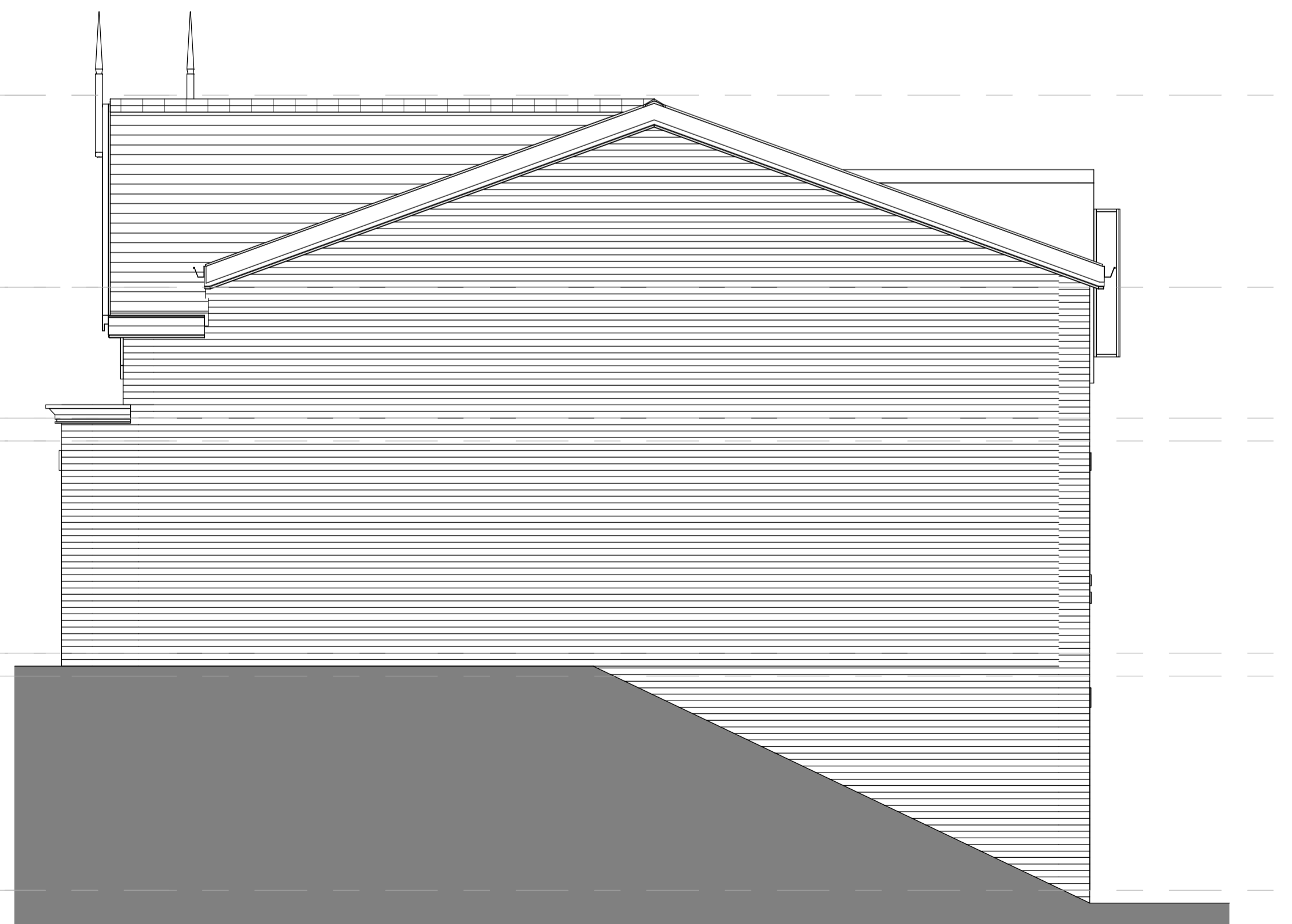
1 Front Elevation
1 : 50



2 LHS Elevation
1 : 50



3 Rear Elevation
1 : 50



4 RHS Elevation
1 : 50

P1 05.06.21 BC First Issue

Rev No.	Rev Date	Rev By	Description
project			
164 Mottram road			
location			
164 Mottram Rd Stalybridge SK15 2RT			
client			
Your New Home Manchester Ltd			

164 Mottram road

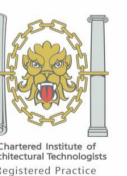
location
164 Mottram Rd
Stalybridge SK15 2RT

client
Your New Home Manchester Ltd



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1.5 Story Detached - Proposed Elevations



dwg purpose

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@ sheet size A1	rev date 05.06.21	
20-003	PL-402	P1
job number	drawing number	revision

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NOTES

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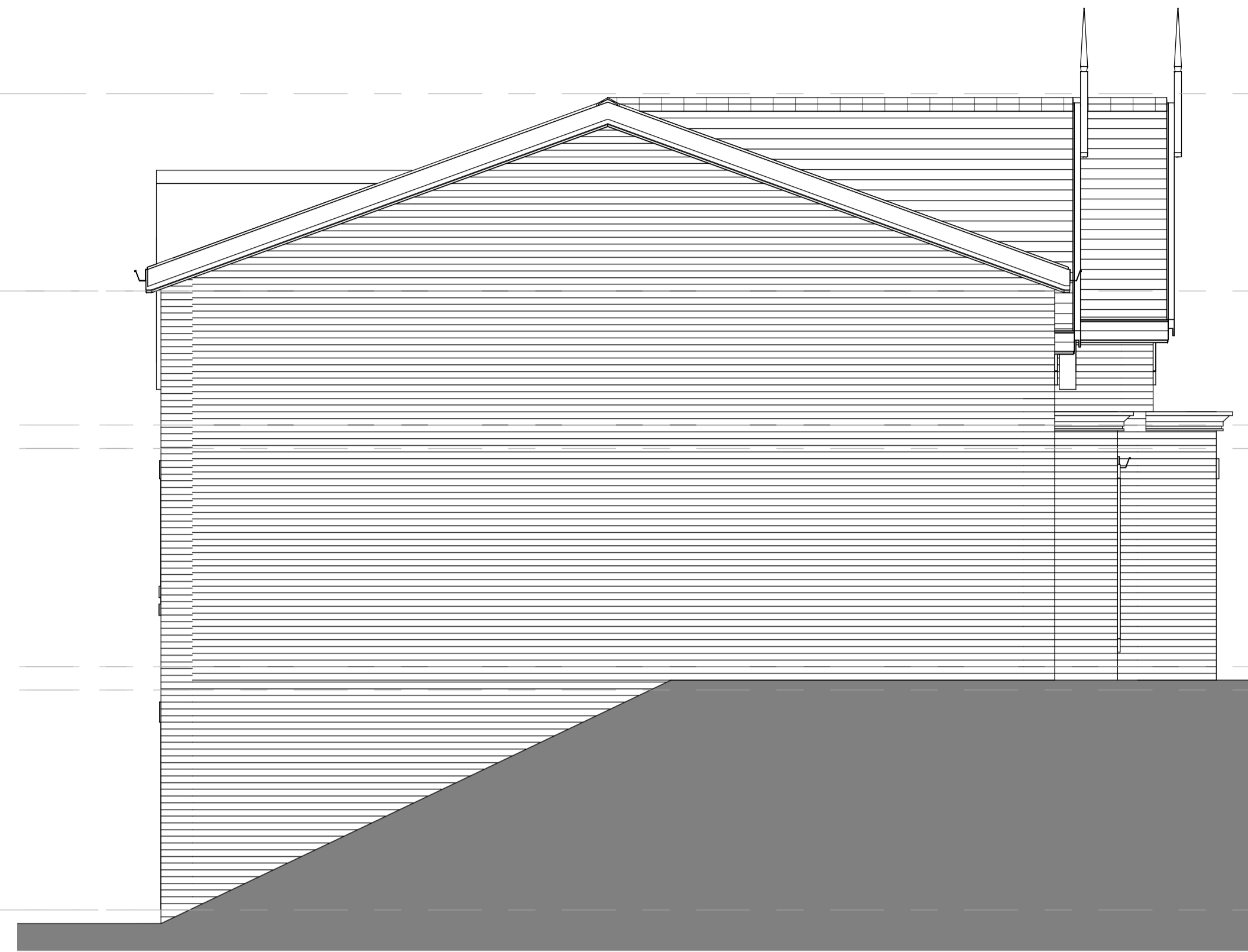
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Plot - 6



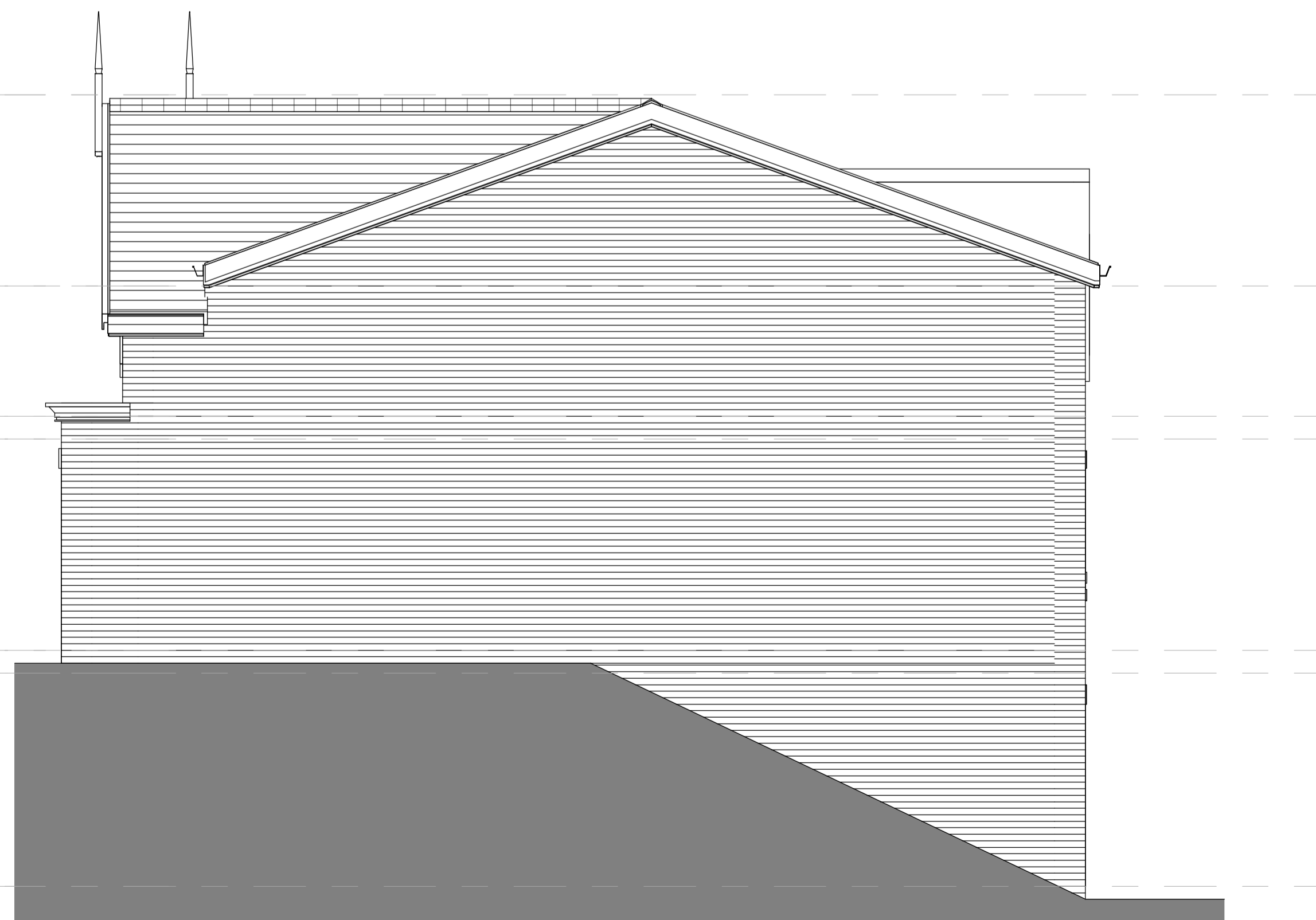
1 Front Elevation
1 : 50



2 LHS Elevation
1 : 50



3 Rear Elevation
1 : 50



4 RHS Elevation
1 : 50

Rev No.	Rev Date	Rev By	Description
P4	23.01.21	BC	Ridge height reduced following discussions with David Thompson 23.03.21
P3	02.10.20	BC	Client Comments
P2	02.09.20	BC	Client Comments
P1	30.03.20	BC	First Issue

project

164 Mottram road

location

164 Mottram Rd
Stalybridge SK15 2RT

client

Your New Home Manchester Ltd

dwg purpose

1.5 Story Detached - Proposed Elevations

scale 1 : 50 drawn BC checked BC
@ sheet size A1 rev date 23.01.21

20-003 job number PL-202 drawing number P4 revision

1:07402264305 E
3065710@clarkesbespoke.com

Clarkes Bespoke Design LTD

DESIGN
ARCHITECTURE. INTERIOR. LANDSCAPE

1:07402264305 E
3065710@clarkesbespoke.com

1.5 Story Detached - Proposed Elevations

scale 1 : 50 drawn BC checked BC
@ sheet size A1 rev date 23.01.21

20-003 job number PL-202 drawing number P4 revision

1:07402264305 E
3065710@clarkesbespoke.com

Clarkes Bespoke Design LTD

DESIGN
ARCHITECTURE. INTERIOR. LANDSCAPE

1:07402264305 E
3065710@clarkesbespoke.com

1.5 Story Detached - Proposed Elevations

scale 1 : 50 drawn BC checked BC
@ sheet size A1 rev date 23.01.21

20-003 job number PL-202 drawing number P4 revision

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NOTE

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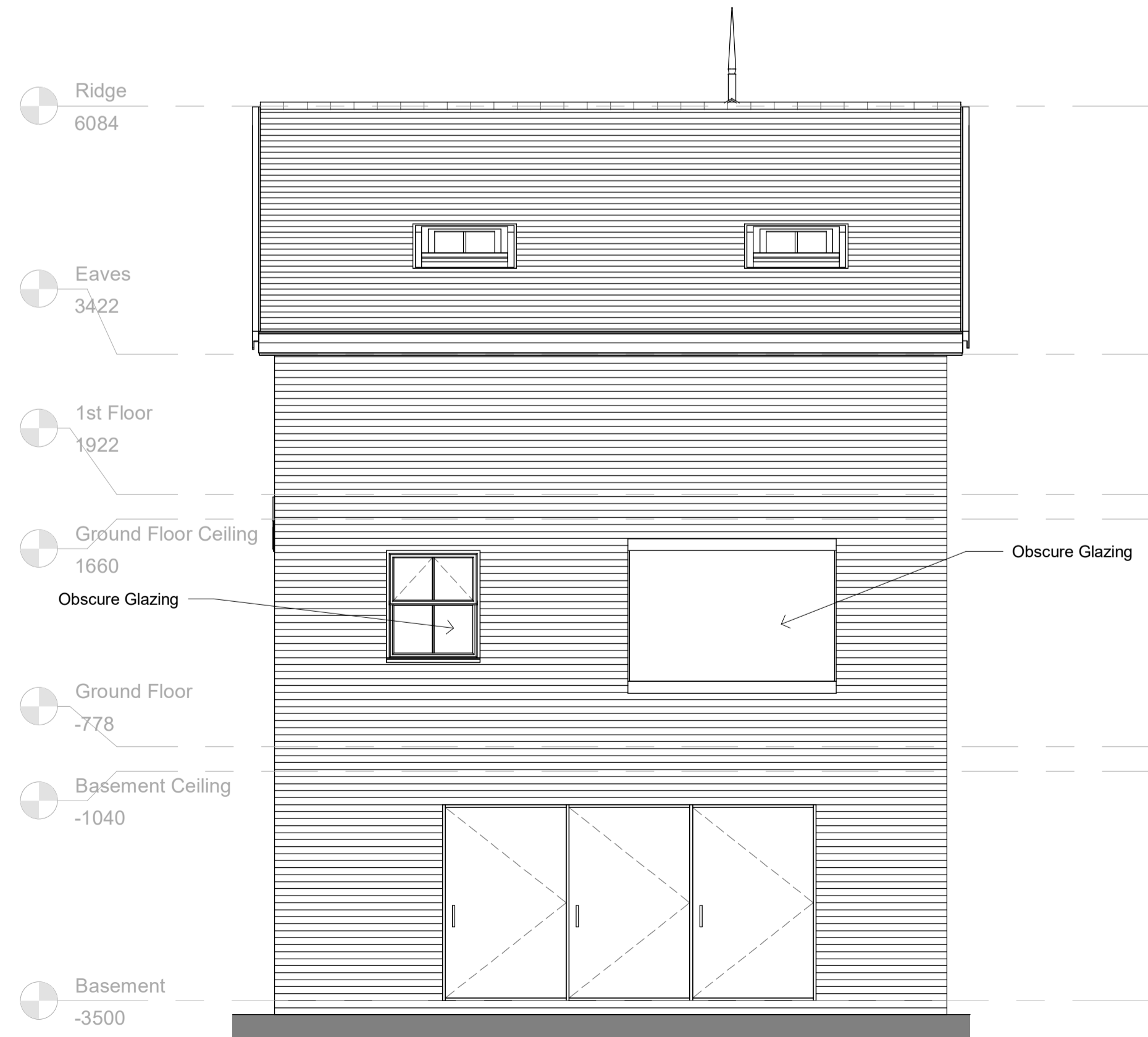
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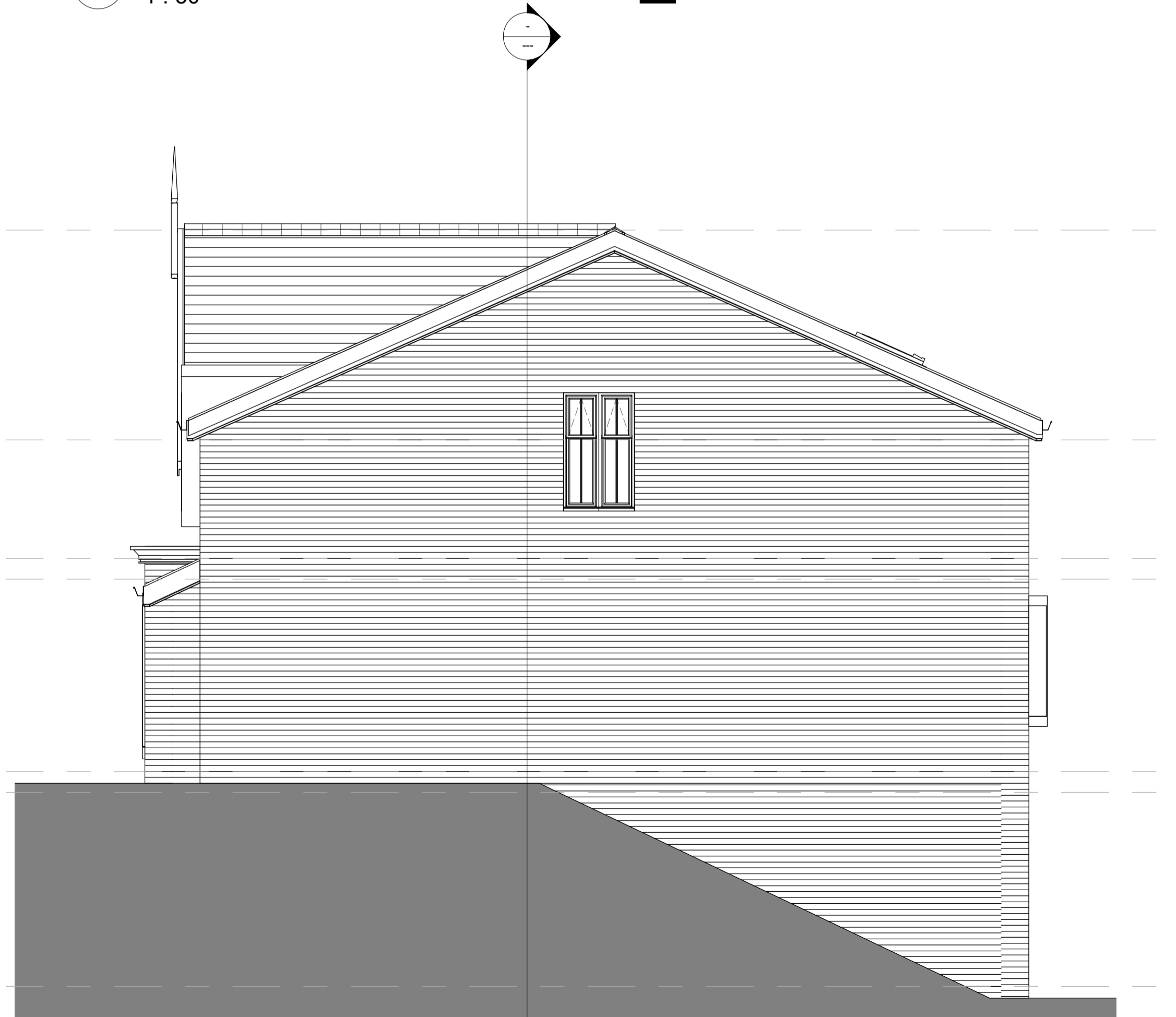
1 Front Elevation
1 : 50



2 LHS Elevation
1 : 50



3 Rear Elevation
1 : 50



4 RHS Elevation
1 : 50

Rev No.	Rev Date	Rev By	Description
P5	04.06.20	BC	Layout amended to suit planning comments
P4	27.04.21	BC	Client Comments
P3	02.10.20	BC	Client Comments
P2	02.09.20	BC	House type amended to suit Client comments
P2	01.07.20	BC	House type amended to suit planning comments
P1	30.03.20	BC	First Issue

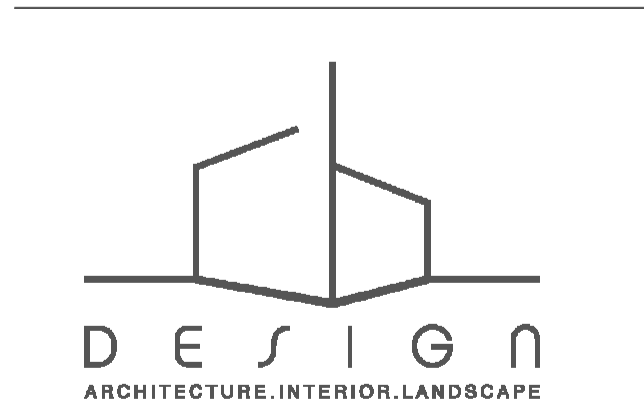
Rev No.	Rev Date	Rev By	Description
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project
164 Mottram road

location
**164 Mottram Rd
Stalybridge SK15 2RT**

client
Your New Home Manchester Ltd

client
Your New Home Manchester Ltd



T: 07402266305 E: brad@cbdarchitecture.com

drawing title
1.5 Story Detached - Proposed Elevations



dwg purpose

scale 1 : 50	drawn BC	checked BC
@ sheet size A1	rev date 04.06.20	
20-003	PL-302	P5
job number	drawing number	revision

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Application Number 20/00594/FUL

Proposal Conversion of former cafe/shop/garden centre into 9 apartments and associated works.

Site Former Roe Cross Green Café, Roe Cross Road, Mottram, SK14 6SD

Applicant Parkgate Developments Ltd

Recommendation Grant planning permission subject to conditions and the prior completion of a Section 106 Agreement.

Reason for Report A Speakers Panel decision is required because any planning permission granted would be subject to a Section 106 Agreement.

1.0 APPLICATION DESCRIPTION

1.1 The applicant seeks full planning permission for the conversion of former cafe/shop/garden centre into 9 apartments and associated works.

1.2 The scheme comprises the following mix of accommodation:

- 6 x 2 bedroom apartments; and
- 3 x 1 bedroom apartments.

1.3 The proposed plans indicate that 4 apartments would be provided at ground floor level, with 5 proposed at first floor level. All of the units would meet or exceed the national minimum space standards (61 square metres for a 2 bedroomed property to be occupied by 3 people and 50 square metres for a 1 bedroomed property to be occupied by 2 people.)

1.4 The proposed apartments would be served by nine car parking spaces located along the eastern edge of the site.

1.5 The following documents have been submitted in support of the planning application:

- Planning Statement; and
- Bat Survey

2.0 SITE & SURROUNDINGS

2.1 The application site is located on Roe Cross Rod and is a 2 storey stone building which last operated as a café located on the north western edge of Mottram. The building fronts onto Roe Cross Road on the southern boundary. Old Road skirts the northern boundary of the site, with land levels rising up through the site, resulting in the properties on Old Road to the rear of the site sitting on a higher level than the buildings on the application site. The original stone building has been altered and extended but remains of some architectural merit.

2.2 A large tarmac covered car park occupies the eastern portion of the site and it is that part of the site to which the application relates. The properties at 29 Roe Cross Green and 6 Roe Cross Road share common boundaries with the south eastern boundary of the application site. The western boundary of the site is adjacent to the Green Belt, which extends to the south and west of the site. No part of the application site is within the designated Green Belt.

3.0 PLANNING HISTORY

- 3.1 20/00405/FUL - erection of 5 dwellings on the site (land currently occupied by a car park in the eastern portion of the site) – approved 12.03.2021.
- 3.2 17/00623/FUL - Demolition of the existing cafe/restaurant building (Use Class A3) and erection of 6 x 2.5 storey (Accommodation within roof space), detached, 4 bedroom dwellings, including alterations to the existing site access/egress and provision of associated hard and soft landscaping – approved 31.05.2018.

4.0 RELEVANT PLANNING POLICIES

4.1 Tameside Unitary Development Plan (UDP) Allocation:

The site is not allocated and is located within the settlement of Mottram.

4.2 Part 1 Policies

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

4.3 Part 2 Policies

- H2: Unallocated Sites (for housing);
- H4: Type, Size and Affordability of Dwellings;
- H5: Open Space Provision;
- H6: Education and Community Facilities;
- H7: Mixed Use and Density;
- H10: Detailed Design of Housing Developments;
- MW11: Contaminated Land;
- MW12: Control of Pollution;
- MW14 Air Quality;
- N3: Nature Conservation Factors;
- N4 Trees and Woodland;
- N5: Trees Within Development Sites;
- N7: Protected Species;
- OL10: Landscape Quality and Character;
- T1: Highway Improvement and Traffic Management;
- T10: Parking;
- T11: Travel Plans;
- U3: Water Services for Developments; and
- U4: Flood Prevention
- U5: Energy Efficiency

4.4 Other Policies

Greater Manchester Spatial Framework - Publication Draft October 2018.

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

Residential Design Supplementary Planning Document (SPD);

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 Effective Use of Land;
Section 12: Achieving Well-Designed Places;
Section 15: Conserving and Enhancing the Natural Environment; and
Section 16: Conserving and Enhancing the Historic Environment.

4.6 Planning Practice Guidance (PPG)

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

5.0 PUBLICITY CARRIED OUT

5.1 Neighbour notification letters were issued 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 Local Highway Authority – no objections to the proposals subject to the imposition of conditions requiring the provision of a continuous footway connection to Roe Cross Road, the car parking to be laid out as shown on the proposed plans prior to occupation of the development, the provision of secured cycle storage to serve the development and the submission and approval of a management plan for the construction phase of the development.
- 6.2 Borough Tree Officer – no objections to the proposals. The significant trees to the rear of the building are to be retained. The indicative landscaping appears to be appropriate to the development. Tree species for the Mottram Road frontage should be secured by condition.
- 6.3 Borough Environmental Health Officer (EHO) – no objections to the proposals subject to the imposition of conditions limiting the hours during which construction works take place, requiring the submission and approval of details of the refuse storage arrangements to serve the development and a scheme to mitigate the impact of the noise associated with traffic on Roe Cross Road and Old Road prior to the commencement of development.
- 6.4 Lead Local Flood Authority (LLFA) – no specific objections raised but request further information in relation to a surface water drainage strategy for the development, prior to the determination of the application.
- 6.5 United Utilities - no objections to the proposals subject to the imposition of conditions requiring surface and foul water to be drained from the site via different mechanisms and the submission and approval of a sustainable surface water drainage strategy prior to the commencement of development.

- 6.6 Borough Contaminated Land Officer - Based on the information received to date, the Environmental Protection Unit has no objection to the proposed development from a contaminated land perspective. The site has been used as a public house since the late nineteenth century. We have no information on the nature of ground conditions at the site or if made ground could be present. Made ground can be comprised of ash, which may be impacted with heavy metal contamination and it may also contain asbestos. In addition, due to the age of the building it may also contain asbestos. As a consequence, we recommend that (if approved) a condition is attached to any planning permission granted investigating all risks posed by contamination on the site and any necessary mitigation to be implemented during the conversion phase of the development.
- 6.7 Greater Manchester Ecology Unit (GMEU) – following the receipt of an emergence survey relating to bat activity on the site, no objections to the proposals subject to the imposition of conditions relating to mitigating the impact on protected species, the timing of tree/vegetation removal, the treatment of invasive species and the inclusion of biodiversity enhancements as part of the development.
- 6.8 Environment Agency – confirm that this site is located in Flood Zone 1.

7.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- 7.1 One letter of support and one in objection have been received to the proposals from neighbouring properties. The issues raised by the objector are as follows:
- Due to the limited number of parking spaces within the current proposal, any on-road parking for the proposed properties will be on Old Road, to the rear of the site. At present any roadside parking is limited to occasional visitors and resident's short term on-road parking only. The additional congestion will be a highway safety hazard.
 - There are no road markings, limited street lights, a pavement only on one side of the road, and no speed control measures on this section of Old Road. Any additional traffic will likely have a negative impact on safety without additional measures being taken.

The letter of support suggests that the retention of the existing building is a positive element of the scheme.

8.0 ANALYSIS

- 8.1 The key issues to be assessed in the determination of this planning application are:
1. The principle of development;
 2. The impact of the proposed design and scale of the development on the character of the site and the surrounding area;
 3. The impact on the residential amenity of neighbouring properties;
 4. The impact on highway safety;
 5. The impact on the ecology and trees;
 6. The impact on flood risk/drainage; and
 7. Other matters.

9.0 PRINCIPLE OF DEVELOPMENT

- 9.1 Section 8 of the NPPF is entitled promoting healthy and safe communities. Paragraph 92 states that 'to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should (amongst other things): guard

against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs...'

- 9.2 The scheme proposes to convert the 2 storey building on the site, which has an extant use as a café/garden centre. The existing building is not registered as an asset of Community Value and there are no policies in the adopted UDP which require the retention of community facilities.
- 9.3 There is a public house within walking distance (the Waggon and Horses) within half a mile of the site. Whilst the pub is clearly not in the same café use as the application site, they hold similar value in terms of places for the people to congregate.
- 9.4 It is also the case that planning permission was granted for the erection of 6 dwellings on the site following the demolition of the building (ref. 17/00623/FUL covers the location of the building as well as the adjacent car park). That planning permission has recently expired but officers consider that there has been no material change in planning policy since the expiration of that approval.
- 9.5 This proposal would allow for the retention of the existing building, which is considered to be a non-designated heritage asset (covered in more detail later in this report). The site is located close to bus stops on Roe Cross Road which provide regular services between Ashton, Mottram and Glossop. The scheme therefore proposes to boost the supply of housing in a sustainable location within the borough, through the conversion of a vacant brownfield site.
- 9.6 Following the above assessment, the principle of development is considered to be acceptable, subject to all other material planning considerations being satisfied.

10.0 CHARACTER

- 10.1 Section 16 of the NPPF is entitled conserving and enhancing the historic environment. Paragraph 192 states that local planning authorities should take into account the following when assessing applications affecting heritage assets (such as Conservation Areas):
- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - The positive contribution that the conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - The desirability of new development making a positive contribution to local character and distinctiveness.
- 10.2 The building is not listed or within a Conservation Area and therefore the proposal would not directly affect a designated heritage asset. The building is however an example of vernacular architecture and although modified, retains original features, including mullioned windows and a stone hood over the front entrance. The building is therefore considered to be a non-designated heritage asset.
- 10.3 In relation to proposals that affect such assets, paragraph 197 states that 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'
- 10.4 The proposed scheme would retain the mullioned windows on the principal elevation of the building, with the only changes on that elevation being limited to the eastern portion of the building (which is recessed behind the west portion) and the replacement of an

uncharacteristic bay window. New openings would be inserted and blocked openings reopened on the eastern and western side elevations of the building, with new openings also proposed on the rear elevation.

- 10.5 Taken cumulatively, the proposed alternations would result in less than substantial harm to the character and significance of the non-designated heritage asset and it is considered that this harm would be clearly outweighed by returning the building to viable use.
- 10.6 Section 12 of the NPPF is entitled Achieving well-designed places. Paragraph 127 states that planning decisions should ensure that development achieves the following criteria (those relevant to this proposal):
- Developments that will function well and add to the quality of the area;
 - Developments that are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - Developments that are sympathetic to local character and history, including the surrounding built environment and landscape setting, whilst not preventing or discouraging appropriate innovation or change (such as increased densities);
 - Developments that establish or maintain a strong sense of place, using the arrangements of streets, spaces, building types and materials to create attractive, welcoming and distinctive places;
 - Developments that optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space); and
 - Developments that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 10.7 Paragraph 130 of the NPPF states that ‘permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards....’
- 10.8 UDP policy C1 states ‘In considering proposals for built development, the Council will expect the distinct settlement pattern, open space features, topography, townscape and landscape character of specific areas of the borough to be understood, and the nature of the surrounding fabric to be respected. The relationship between buildings and their setting should be given particular attention in the design of any proposal for development.
- 10.9 As stated previously, the modifications to the building required to facilitate the proposed use are considered to be limited and would not be detrimental to the character of the building. The retention of the building would have a positive impact on the character of the area, with traditional stone buildings being the predominant characteristic of the locality.
- 10.10 The necessary car parking and bin storage to serve the development can be accommodated on the eastern edge of the development, which would share a common boundary with the new build residential scheme in the eastern portion of the site, granted under planning permission ref. 20/00405/FUL. Subject to the detailed design matters being satisfied (to be secured by condition), it is considered that these ancillary elements could be designed in a manner that would not detract from the character of the site or the surrounding area.
- 10.11 Following the above assessment, it is considered that the amended proposals would achieve the requirements set out in UDP policy C1 and Section 16 of the NPPF as quoted above.

11.0 RESIDENTIAL AMENITY

- 11.1 The adopted Residential Design Guide (RDG) requires 21 metres to be retained between corresponding elevations of properties of the same height that contain habitable rooms, reducing to 14 metres where properties face each other across a highway. A separation distance of 14 metres is also required to be retained where an elevation with a habitable room and a corresponding blank elevation face each other. An additional 3 metres should be added to these distances for each additional storey where buildings are taller than 2 storeys in height.
- 11.2 The scheme has been amended to ensure that all of the proposed units meet the minimum size requirements detailed in the Technical Housing Standards. The separation distances to be retained to the dwellings within the eastern portion of the wider site (those approved under planning permission ref. 20/00405/FUL) are considered to be acceptable, having regard to the guidance above, the oblique relationship in the case of a number of those houses and the fact that the building could be retained with an extant commercial use.
- 11.3 Given the extant commercial use of the building, the separation distances to be retained and the fact that Roe Cross Road is located within the intervening distance, it is considered that the proposals would not result in unreasonable overlooking into or overshadowing of any of the neighbouring properties to the south of the site.
- 11.4 Due to the extent of the separation distances to be retained and the significant increase in land levels in the northern portion of the application site, it is considered that the proposed development would not result in adverse overlooking into or overshadowing of any of the neighbouring properties to the north of the site.
- 11.5 In the event that the extant scheme for 5 dwellings is built out on the existing car parking area to the east of the building that is the subject of this application, that development would largely obscure views of the building to be converted from the view of the properties to the east of the site, preventing unreasonable overlooking into or overshadowing of any of those neighbouring properties.
- 11.6 In the event that the extant scheme is not built out, a substantial separation distance would be retained between the habitable room windows on the south eastern elevation of the building and the neighbouring properties beyond the eastern boundary of the site. The distances to be retained would prevent unreasonable overlooking into or overshadowing of any of those neighbouring properties.
- 11.7 On the basis of the above assessment, the proposals are considered to preserve the residential amenity of neighbouring properties and the amenity of the future occupants of the development.

12.0 HIGHWAY SAFETY

- 12.1 The plans indicate that the proposed development would be accessed from Roe Cross Road via the access approved under the extant permission for the 5 new build properties in the eastern portion of the site. The 9 car parking spaces that would serve the development proposed in this application would be accessed immediately from that access road.
- 12.2 On the basis that an extension of the footway within the development to a direct connection with the existing footway on Roe Cross Road is secured, the local highway authority has not raised any objections to the safety implications of the proposed access arrangements. Whilst the footway requirement affects land outside of application site, the land is within the ownership of the applicant and as such, this matter can be dealt with by condition. Such a condition is attached to the recommendation.

- 12.3 Whilst it is acknowledged that the viability of the re-use of the building by a commercial enterprise is compromised by the extant permission to redevelop the associated car park, it is the case that this could occur. The impact of the proposed development in terms of traffic generation and highway capacity must therefore be considered in this context.
- 12.4 Policy RD8 of the RDG indicates that 2 car parking spaces should be provided for 2 bedroom properties in locations such as this site. The policy requires 1 car parking space per 1 bedroom property. This scheme proposed 1 car parking space per property and therefore falls a total of 6 spaces short of the standard set out in policy RD8.
- 12.5 As identified previously in this report, the site is considered to be situated in a sustainable location, with regular bus services with extremely close proximity of the site. These services allow connection to the services and facilities in Stalybridge by an alternative means to the private car. Within that context and having regard to the fact that this scheme is 100% apartments, it is considered reasonable to conclude that the level of car parking provision would not result in a detrimental impact on highway safety.
- 12.6 The assessment is corroborated by the lack of objection to the proposals from the local highway authority. A condition requiring secured cycle storage to be provided to serve the development is attached to the recommendation. This provision would help to mitigate the deficit in car parking provision against the standards set out in policy RD8.
- 12.7 In addition to this, conditions are also recommended by the LHA requiring the submission and approval of a management plan for the construction phase of the development and the provision of the car parking spaces on the approved plans prior to the occupation of the apartments. These conditions are considered reasonable and are attached to the recommendation.
- 12.8 Following the above assessment, it is considered that the proposals would not result in a detrimental impact on highway safety, subject to the imposition of appropriate conditions.

13.0 ECOLOGY AND TREES

- 13.1 As the scheme involves the conversion of a currently vacant building, any potential impact on protected species during this process must be given consideration. The applicant has submitted a bat survey of the site which identified potential for bat activity and recommended that an emergence survey be undertaken during the breeding season. Such a survey has been undertaken. Two Common Pipistrelle bats were recorded entering the building during the emergence survey period and activity by the same species was recorded in the vicinity of the site.
- 13.2 The emergence survey proposes a number of mitigation measures, including the completion of the Natural England licensing application process prior to the commencement of any works. The other mitigation measures proposed include an ecologist supervising works to the roof of the building and the inclusion of biodiversity enhancement measures within the scheme. These details, along with a restriction on the timing of tree/vegetation removal from the site are the subject of conditions attached to the recommendation.
- 13.3 On the basis that these conditions are attached to any planning permission granted, along with a management plan for the treatment of invasive species on the site, GMEU has raised no objections to the proposals.
- 13.4 In relation to the impact on trees, the proposed development would not result in any adverse impact on the condition of the mature trees on the northern edge of the site, to the rear of the building. The plans indicate the planting of new trees on the southern edge of the development, adjacent to the proposed access point from Roe Cross Road. The Tree Officer

has raised no objections to the proposals. Conditions requiring the trees on the northern edge of the site to be protected to the relevant British Standard and details of the proposed soft landscaping scheme are attached to the recommendation.

14.0 FLOOD RISK/DRAINAGE

- 14.1 The applicant has submitted an indicative drainage strategy in support of the application, which indicates the proposed location of drainage infrastructure to serve the development. Correspondence with the Environment Agency has confirmed that the site is in Flood Zone 1 and is therefore considered to be at a lower risk of flooding.
- 14.2 The applicant has indicated that foul sewage will be disposed of via a connection to the mains sewerage network, with a sustainable drainage system proposed for surface water. The LLFA consider that further information is required prior to the determination of the application. However, it is the case that the proposed scheme would actually reduce the extent of hardstanding across the site through the creation of a soft landscaped area in the south eastern corner of the site. Within this context and given that the site is located in an area considered not to be at a high risk of flooding, it is considered that the details of the surface water drainage strategy can be secured by condition. Such a condition is attached to the recommendation.

15.0 OTHER MATTERS

- 15.1 In relation to developer contributions, any requirements in this regard must satisfy the following tests (as stated in paragraph 56 of the NPPF):
- a) Necessary to make the development acceptable in planning terms;
 - b) Directly related to the development; and
 - c) Fairly and reasonably related in scale and kind to the development.
- 15.2 Officers acknowledge that this scheme is for 9 units and therefore, when taken in isolation, is not a major scale of development and as a result, would not normally be subject to a requirement to fund off-site infrastructure in order to mitigate the impact of the development.
- 15.3 However, this site is under the same ownership as the land to the east which benefits from an extant permission for 5 dwellings (application ref. 20/00405/FUL). Taken cumulatively, the two scheme would result in a net increase of 14 dwellings and it has therefore been negotiated with the applicant that this application would be the subject of contributions to offset the impact of both developments.
- 15.4 On that basis, the applicant will be required to make a contribution to the provision of open space within the local area, in accordance with policy H5 of the adopted UDP. A contribution of £7,295.59 is to be secured towards a scheme the details of which shall be confirmed in a verbal update at the meeting of the Speakers Panel.
- 15.5 A contribution of £10,683.42 is required to mitigate the impact of the development on highway capacity, the details of which shall be confirmed in a verbal update at the meeting of the Speakers Panel.
- 15.6 These contributions are considered to meet the CIL regulations in that they are necessary to make the development acceptable in planning terms (given the limited amenity space to be provided on site and the additional traffic to be generated by the development), directly related to the development (as the close proximity ensures that residents are likely to use these facilities) and proportionate in that the sum is based on the size of the development.

- 15.7 In relation to other infrastructure, where a proposal exceeds 25 dwellings, policy H6 requires financial contributions towards education and other community facilities where current facilities do not have the capacity to meet the additional population of a proposed development. The cumulative scheme does not breach this threshold and as such, a contribution in this regard is considered not to be necessary to make the scheme acceptable in planning terms.
- 15.8 Paragraph 64 of the NPPF states that ‘where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area.’ The latest version of the NPPF came into force in February 2019. Following adoption of the Housing Needs Assessment (HNA) for the borough in August 2018, the Council now has an up to date evidence base on which to seek affordable housing contributions for developments of this scale. The HNA requires 15% of units on the proposed development to be provided as affordable housing.
- 15.9 Given that the NPPF is significantly more recent than the UDP policy and that the Council has an up to date evidence base to require a level of affordable housing provision at 15% across developments of the scale proposed (both schemes considered cumulatively).
- 15.10 However, the Vacant Building Credit (VBC) applies in this case, as the scheme proposes the conversion of a currently vacant building into residential use without significant extension. The PPG states the following in relation to VBC:
- ‘National policy provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace.’
- 15.11 Applying the above formula to the circumstances in this proposal, the discount to be applied ensures that no affordable housing contribution is required in this case.
- 15.12 The Borough EHO has not raised any objections to the proposals, subject to the imposition of a number of conditions. Indicative details off an area for communal refuse storage are shown on the proposed site plan adjacent to south eastern boundary of the site. Exact details of the capacity of the bins to be provided and the means of enclosure of the communal storage area can be secured by condition. A condition limiting the hours during which conversion works take place is also considered to be reasonable in this case, given the close proximity of neighbouring residential properties.
- 15.13 The EHO has recommended that a condition requiring the submission and approval of a scheme to mitigate the impact of the noise associated with traffic on Roe Cross Road and Old Road prior to the commencement of development is attached to any planning permission granted. Given the close proximity of the building to the highway, the condition is considered to be reasonable and is attached to the recommendation.
- 15.14 In relation to ground contamination, the Council Environmental Health Protection Unit has recommended a condition be attached to any planning permission, requiring a full investigation into sources of contamination on the site. The main risk highlighted is asbestos and it is also the case that the residential accommodation proposed would be within the footprint of the existing building. Given these factors, it is considered that a scoping exercise into potential sources of contamination and details of any necessary remediation works would suffice in this case. Such a condition is attached to the recommendation.

15.15 The site is not located within an area identified as being at high risk in relation to the lands stability issues caused by coal mining legacy. An informative advising the developer of their responsibilities in this regard can be attached to the planning permission.

16.0 CONCLUSION

16.1 The proposals are considered to be acceptable in principle, proposing the conversion of a vacant building to residential use in a location served by regular public transport services. The previous use of the site was a facility that encourage community cohesion but that use has ceased and there is a need to boost the supply of housing in the borough.

16.2 The proposed development is considered to retain sufficient separation distances to neighbouring properties (including the 5 dwellings in the extant permission in the eastern portion of the wider site) to preserve the residential amenity of those dwellings and the future occupiers of the development.

16.3 The scheme proposes only limited alterations to the exterior of the building, none of which would detract from the vernacular character of the property, which is considered to be a non-designated heritage asset. The level of car parking is considered to be appropriate for the scale of development proposed in this sustainable location.

16.4 The Environment Agency has confirmed that the application site is located in flood zone 1. Given the relatively low risk of surface water flooding and the fact that the extent of hardstanding across the site would actually reduce as a result of the proposals, it is considered that the details of a surface water drainage strategy to serve the development can be secured by condition.

16.5 The cumulative impact of this development and the extant scheme for 5 dwellings on the site of the car park associated with the previous use of this application site has been considered and is reflected in the Section 106 contributions detailed in the recommendation.

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

RECOMMENDATION

Grant planning permission, subject to the following:

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

- £7,295.59 towards improvements towards off-site public open space enhancements (details to be confirmed);
- A contribution of £10,683.42 towards enhancements towards offsite highway improvements (details to be confirmed); and
- Management arrangements for surface water drainage and areas of public space within the development.

b) The following conditions:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

2. The development hereby approved shall be carried out in accordance with the following approved plans/details:

1:1250 Site location plan (drawing no. 2252-WS-PL-700-02a Rev. 1)
Existing and proposed floor plans (drawing no. 2252-B1-PL-200-01)
Proposed site plan (drawing no. 2252-WS-PL-700-03a Rev. 1)
Proposed front & rear elevations plan (drawing no. 2252-B1-EL-200-07 Rev. 1)
Proposed side elevations plan (drawing no. 2252-B1-EL-200-08 Rev. 1)

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 screening assessment to determine the potential for the site to be contaminated shall be undertaken and 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.

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

4. Notwithstanding any description of materials listed in the application or detailed on the approved plans, no above ground construction works shall take place until samples and/or full specification of materials to be used: externally on the buildings; in the construction of all boundary walls (including 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.
5. The car parking spaces to serve the development hereby approved shall be laid out as shown on the approved proposed site (drawing no. 2252-WS-PL-700-03a Rev. 1) prior to the first occupation of any of the dwellings hereby approved and shall be retained free from obstruction for their intended use thereafter.
6. 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. The boundary treatments shall be installed in accordance with the approved details prior to the first occupation of any of the dwellings.
7. 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.

8. 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.
9. Notwithstanding the details submitted with the planning application, no above ground development shall commence until full details of a scheme of hard and soft landscaping to be incorporated into the development hereby approved have been submitted to and approved in writing by the local planning authority. The scheme shall include the following specific measures:
 - A plan showing the location of all trees/hedges/shrubs to be planted, details of the species mix, the number of specimens to be planted, spacing between them and their height on planting; 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.

10. 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.
11. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the local planning authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. 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.
12. 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.

13. 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;
- Manufacturer's specifications of the glazing and trickle vent to be installed within the openings of the units in the above locations;
- Details of the appearance, screening and specification of any plant/ventilation equipment to be installed on the exterior of the building; and
- Details of a soundproofing scheme to be installed between the ground floor retail units and the first floor residential accommodation.

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.

14. No development above ground level shall commence until details of an electric vehicle charging strategy for the development has been submitted to and approved in writing by the local planning authority. The strategy shall include details of the number of charging points to be installed, their location within the development and details of the management and maintenance of these facilities. The electric vehicle charging infrastructure shall be installed in accordance with the approved details, prior to the first occupation of any of the dwellings hereby approved and shall be retained as such thereafter.

15. No tree felling or vegetation removal shall take place during the optimum period for bird nesting (March to July inclusive) unless otherwise agreed in writing with the local planning authority.

16. Prior to the occupation of any part of the development hereby approved, visibility splays shall be provided on both sides of the site access where it meets the footway. The visibility splays shall measure 2.4 metres along the edge of the site access and 2.4 metres along the footway. It must be clear of anything higher than 600mm above ground level. The visibility splays shall be retained as such thereafter.

17. No development above ground level shall commence until details of biodiversity enhancement measures to be installed as part of the development hereby approved has been submitted to and approved in writing by the local planning authority. The details shall include a specification of the installations and scaled plans showing their location within the development. The approved enhancement measures shall be installed in accordance with the approved details, prior to the first occupation of any of the dwellings and shall be retained as such thereafter.

18. 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.

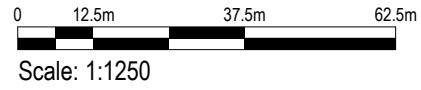
19. Prior to the commencement of any development, protection measures meeting the requirements of BS5837:2012 shall be installed around the trees to be retained on the site and adjacent to the boundaries of the land. The protection measures shall be retained in place for the full duration of the construction works.

20. 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.

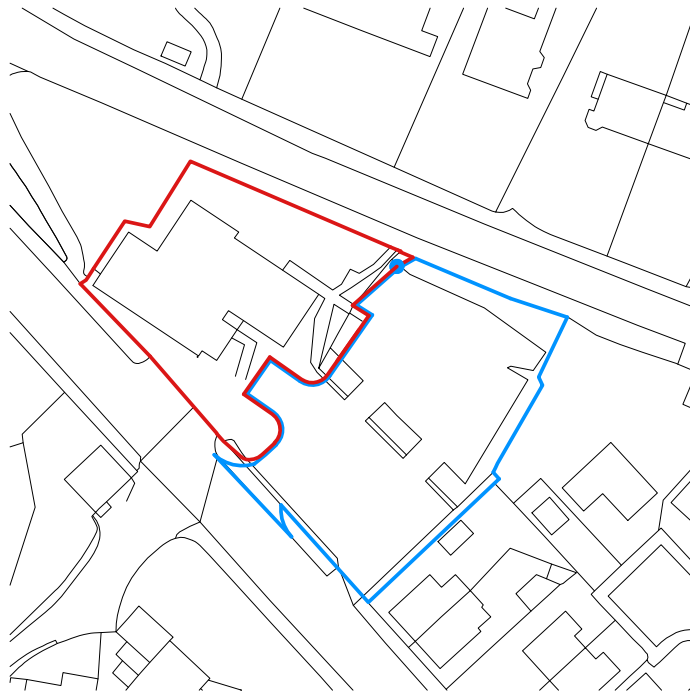
21. The development shall be carried out in accordance with the mitigation measures detailed in the approved bat survey.
22. Notwithstanding the details shown on the approved plans, no development shall commence until details of a scheme to ensure the provision of a continuous footway from the south eastern corner of the site to the existing footway on Roe Cross Road has been submitted to and approved in writing by the local planning authority. The scheme shall include scaled plans showing the extent and location of the footway connection and details, section plans showing the vertical dimensions of the footway connection and details of the construction materials. The footway extension shall be installed in accordance with the approved details prior to the first occupation of any of the dwellings hereby approved.
23. No development shall commence unless and until a Method Statement is submitted to and approved in writing by the local planning authority detailing how Japanese Knotweed and any other invasive species on the site will be treated/removed from the site. The development shall thereafter proceed in strict accordance with the approved Method Statement.

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1 First Issue LJ 04/06/2020

Rev	Revision History	By	Date
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Client:

Trinity Properties Limited

Drawing:

Site Location Plan

Drawing Number:

2252-WS-PL-700-02a

Scale: 1 : 1250	Size: A4	Date: 04/06/2020
Drawn: LJ	Checked: RB	Rev: 1
Status: Planning		



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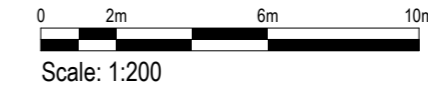
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1 First Issue LJ 04/06/2020

Rev	Revision History	By	Date

Client: Trinity Properties Limited

Drawing: Proposed Site Plan

Drawing Number: 2252-WS-PL-700-03a

Scale: 1 : 200 Size: A2 Date: 04/06/2020

Drawn: LJ Checked: RB Rev: 1

Status: Planning

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Application Number: 20/00594/FUL – Roe Cross Mottram

Photo 1 – aerial view of the site and surrounding properties:



Photo 2 – view of the front elevation of the building from Roe Cross Road:



Photo 3 – view looking eastwards across the car park area in the south eastern portion of the site:



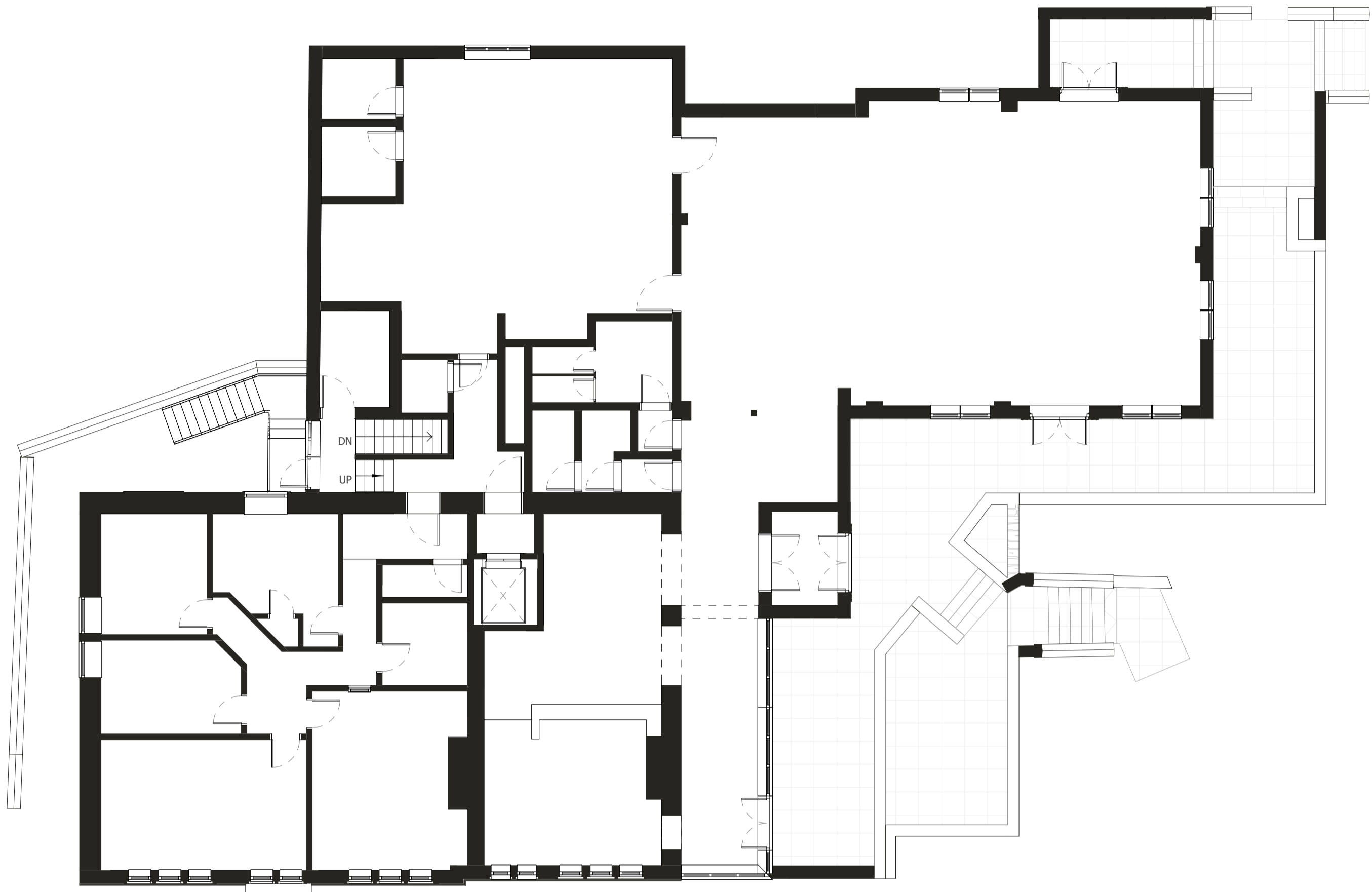
Photo 4 – view of properties on the opposite side of Roe Cross Road, to the south west of the site.



Photo 5 - view looking north westwards along Roe Cross Road back towards the application site, with the neighbouring properties beyond the south eastern boundary of the car park in the foreground:



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Existing First Floor Plan
 1 : 100



Existing Ground Floor Plan
 1 : 100



Proposed First Floor Plan
 1 : 100



Proposed Ground Floor Plan
 1 : 100

Additional Information:

Schedule - Area		
Apartment	Area (Metric)	Area (Imperial)
Apartment 1	62.00 m ²	667.00 sq ft
Apartment 2	62.00 m ²	667.00 sq ft
Apartment 3	62.00 m ²	667.00 sq ft
Apartment 4	62.00 m ²	667.00 sq ft
Apartment 5	62.00 m ²	667.00 sq ft
Apartment 6	62.00 m ²	667.00 sq ft
Apartment 7	62.00 m ²	667.00 sq ft
Apartment 8	62.00 m ²	667.00 sq ft
Apartment 9	62.00 m ²	667.00 sq ft
Apartment 10	62.00 m ²	667.00 sq ft
Apartment 11	62.00 m ²	667.00 sq ft
Apartment 12	62.00 m ²	667.00 sq ft
Apartment 13	62.00 m ²	667.00 sq ft
Apartment 14	62.00 m ²	667.00 sq ft
Apartment 15	62.00 m ²	667.00 sq ft
Apartment 16	62.00 m ²	667.00 sq ft
Apartment 17	62.00 m ²	667.00 sq ft
Apartment 18	62.00 m ²	667.00 sq ft
Apartment 19	62.00 m ²	667.00 sq ft
Apartment 20	62.00 m ²	667.00 sq ft

Drawing: Existing & Proposed Floor Plans
 Client: Trinity Properties Limited

Drawing Number: 2252-B1-PL-200-01	
Drawn: LJ	Scale: 1 : 100
Approved: RB	Size: A1
Date: 31/02/2020	Rev: 3
Status: Planning	

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Rev	Revision History	By	Date
3	Apartments 1 & 8 Changed to 1 Bed	KC	01/04/2021
2	Minor Layout Changes	LJ	04/06/2020
1	First Issue	LJ	10/02/2020

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Proposed Front Elevation
 1 : 50

Page 77



Proposed Rear Elevation
 1 : 50

1	First Issue	LJ	04/06/2020
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Rev	Revision History	By	Date

Client:

Trinity Properties Limited

Drawing:

Proposed Front & Rear Elevations

Drawing Number:

2252-B1-EL-200-07

Scale:	Size:	Date:
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1 : 50	A1	04/06/2020
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Drawn:	Checked:	Rev:
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LJ	RB	1
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Status: Planning

1

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Proposed Left Elevation
 1 : 50

Page 79



Proposed Right Elevation
 1 : 50

1	First Issue	LJ	04/06/2020
Rev	Revision History	By	Date
Client: Trinity Properties Limited			
Drawing: Proposed Side Elevations			
Drawing Number: 2252-B1-EL-200-08			
Scale: 1 : 50	Size: A1	Date: 04/06/2020	
Drawn: LJ	Checked: RB	Rev: 1	
Status: Planning			

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Application Number 20/01113/FUL

Proposal Residential development comprising of 31 No. 1 bedroom retirement living apartments with associated landscaping and external works including demolition of existing warehouse

Site Land at Nield Street/Smith Street, Mossley, OL5 0PF

Applicant Jigsaw Homes

Recommendation Members resolve to grant planning permission subject to recommended conditions and completion of a Section 106 agreement.

Reason for Report A Speakers Panel decision is required as the application constitutes a major development and a Section 106 Agreement is required.

1.0 APPLICATION DESCRIPTION

- 1.1 The application seeks full planning permission for a residential development of 31 x 1 bedroom retirement apartments and associated works. This would include the demolition of an existing warehouse building which is on the site.
- 1.2 The proposed development is being brought forward by Jigsaw Homes a Registered Social Housing Provider. The accommodation is required to fulfil a requirement for apartment living for retired persons. The accommodation would be provided on an affordable rental basis.
- 1.3 The accommodation would comprise of a modern building arranged in an 'L' shape. The block would stand in part at 2 storeys in height but also include a 3 storey element, the roof would be part pitched and part flat. The apartments would measure approximately 40sqm with the accommodation split as a communal lounge/dining/kitchen, bedroom and shower room. Accommodation on the upper floors would have a Juliet balcony and that on the ground floors would open onto a communal garden. Access to the apartments would be via communal corridor served by three stairwells and a lift. Bin storage would be accommodated within the building.
- 1.4 The primary access to the site would be taken from Nield Street with provision made for a new turning head built to an adoptable standard. There would be a total of 23 parking spaces, three of which would be dedicated as disabled spaces. The existing Public Right of Way (PRoW) which crosses the site from Brooklands Close would be observed.
- 1.5 The apartments would be served with a communal garden located to the south of the building. This would include a series of grassed and planted areas accessed via dedicated pathways. A structured planting scheme would be complemented by hard landscaping works that would include raised planting beds.
- 1.6 The proposed material palette includes buff brick and stone in a stretcher bond. Texture would be added to the façades from recessed coursing, the northern elevation would include openings to the communal corridor. Window openings would be anthracite UPVC.
- 1.7 The application has been supported by the following reports;
 - Arboricultural Impact Assessment
 - Crime Impact Statement
 - Design and Access Statement
 - Drainage Strategy Report

- Ecology Report
- Full Plans Package
- Landscape Design Strategy
- Site Investigation Report
- Tree Survey

2.0 SITE & SURROUNDINGS

- 2.1 The application relates to land located off Nield Street and Smith Street that is located to the north of Mossley town centre. The site measures approximately 0.40 hectares in area with levels being generally flat. There is a single storey brick built industrial building on the northern boundary, the rest of the site comprises of areas of hardstanding and self-set vegetation, the characteristics meet the definition of brownfield land.
- 2.2 A public right of way crosses the site and links Brooklands Close to the west with Smith Street to the east. Within the north west corner there is also a river channel for a brook which then passes through the site within a culvert. To the north of the site is the rear boundary of properties fronting Shire Croft. These properties occupy an elevated position with a large retaining wall extending along the boundary. Nield Street includes traditional two storey stone built terraces as well as a more modern detached bungalow. Nield Street properties overlook a private storage yard located between Nield Street and Smith Street that is outside of the site boundary. To the south of the site are apartments within a two storey sheltered accommodation complex which is managed by the applicant.
- 2.3 Nield Street links to Lees Road to the east and this provides direct access to Mossley town centre. The centre supports a variety of commercial and amenity uses and is served by regular bus services.

3.0 PLANNING HISTORY

- 3.1 05/00469/OUT - Demolition of industrial units and buildings and redevelopment for housing and public open space/park, open up culverted stream to create water feature – Approved.
- 3.2 07/01543/REM – Erection of 5 houses and 26 retirement apartments Reserved Matters (05/00469/OUT) – Withdrawn.
- 3.3 18/00060/FUL – Full application for the erection of 9 No. 3 bedroom properties – Withdrawn.

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:** Split between unallocated and being just within the Mossley town centre boundary.
- 4.4 **Part 1 Policies**
- 1.3: Creating a Cleaner and Greener Environment;
- 1.4: Providing More Choice and Quality Homes;
- 1.5: Following the Principles of Sustainable Development;
- 1.6: Securing Urban Regeneration;

- 1.11: Conserving Built Heritage and Retaining Local Identity;
- 1.12: Ensuring an Accessible, Safe and Healthy Environment.

4.5 **Part 2 Policies**

- H2: Unallocated Sites
- H4: Type, Size and Affordability of Dwellings
- H5: Open Space Provision
- H6: Education and Community Facilities
- H7: Mixed Use and Density.
- S1: Town Centre Improvement
- H10: Detailed Design of Housing Developments
- OL4: Protected Green Space.
- OL10: Landscape Quality and Character
- T1: Highway Improvement and Traffic Management
- T10: Parking
- T11: Travel Plans.
- C1: Townscape and Urban Form
- N4: Trees and Woodland
- N5: Trees within Development Sites
- N7: Protected Species
- MW11: Contaminated Land
- U3: Water Services for Developments
- U4: Flood Prevention
- U5: Energy Efficiency

4.6 **Other Policies**

- Greater Manchester Spatial Framework - Publication Draft October 2016
- Residential Design Supplementary Planning Document
- Trees and Landscaping on Development Sites SPD adopted in March 2007
- Tameside Open Space Review 2018

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

- Section 2 Achieving Sustainable Development
- Section 6 Delivering a Sufficient Supply of Homes
- Section 7 Ensuring the Vitality of Town Centres
- Section 8 Promoting Healthy and Safe Communities
- Section 9 Promoting Sustainable Travel
- Section 11 Making Effective Use of Land
- Section 12 Achieving Well-Designed Places
- Section 14 Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Section 15 Conserving and Enhancing the Natural Environment

4.8 **Planning Practice Guidance (PPG)**

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

5.0 **PUBLICITY CARRIED OUT**

5.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's adopted Statement of Community Involvement the application has been advertised as a major development and developments which affects a Public Right of Way.

- Neighbour notification letters to 87 addresses on two occasions;
- Display of site notice; and
- Advertisement in the local press.

6.0 RESPONSES FROM CONSULTEES (SUMMARISED)

6.1 Arboricultural Officer – The trees to be removed are of limited amenity value and would not be considered a constraint to the development. The plans indicate adequate new planting in mitigation for the losses and to provide screening to existing adjacent dwellings.

6.2 Coal Authority – Agree with the conclusion/recommendations of the Ground Investigation Report to mitigate the risk to the proposed development from former coal mining activity. Recommend that the recommendations of the report are conditioned.

6.3 Contaminated Land – No objections to the submitted contaminated land reports. Request conditions to address further investigation and remediation of the site as may be required.

6.4 Environmental Health Officer – No objections subject to conditions relating to working hours and details of refuse storage arrangements.

6.5 Greater Manchester Ecology Unit – Identify that the ecology survey identified that the building to be demolished would have a moderate potential to support bats with further surveys required. Bat emergence surveys should be carried out by a suitably qualified person at a time of year when bats are most active (May to August inclusive). If bats are found to be present a Method Statement must be prepared giving details of measures to be taken to avoid any possible harm to bats. All UK bats are legally protected. Recommend that all vegetation works are undertaken outside of the bird nesting season. The initiatives within the landscaping plan will ensure that a suitable level of mitigation and overall biodiversity net gain can be achieved.

6.6 Greater Manchester Archaeology Advisory Unit – Confirm that records indicate that the site was formally occupied by mill buildings constructed in 1823. Recommend a condition requiring implementation of archaeological works to define whether any archaeological interest exists.

6.7 Highway Authority – The scheme is proposing to deliver 31 No. 1 bedroom retirement living apartments with associated off street parking spaces of 20 No. delivering an average of 1.5 No. car parking spaces across the site for each of the bedrooms. This exceeds the requirements of car parking spaces required in the Tameside MBC Residential Design Guide.

The development is proposed to be accessed from Nield Street and Smith Street, which are existing junctions onto Lees Road. The roads have existing TRO's restricting on street parking at the junctions to Lees Road allowing for unrestricted access into the development and therefore is considered satisfactory to the LHA with the proposed increase in vehicle journeys.

Vehicle journeys generated from the proposed site onto Lees Road are considered negligible as the development is aiming to market the development as retirement living. In the LHA's opinion, this will disperse the peak trip rates throughout the day and will not have a significant impact on the local highway or that the residual cumulative impacts on the road network would be severe.

This internal layout has been designed to promote low traffic speeds and create a safe environment for pedestrians and other road user's, incorporating cycle storage and Electric vehicle charging points to promote more sustainable modes of transport.

In conclusion, the LHA are satisfied to recommend approval for the application as in the LHA's opinion the development does not have an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 6.8 Lead Local Flood Authority – Reviewed the drainage strategy and identified queries in relation to the culverted watercourse. Recommend that pre-commencement conditions are applied relevant to further investigations.
- 6.9 Mossley Town Council – Whilst concerns were expressed about the number of units proposed, the Town Council acknowledged that the nature of the occupation of the proposed dwellings may result in fewer issues than would have been the case with 'family type' dwellings.

Notwithstanding the above, the Town Council decided that the proposed development is acceptable in principle but requests that in the event of planning permission being granted, the following 'environmental improvement' measures must be included as part of the development:

- The protection of existing public rights of way over the site;
- The inclusion of facilities using sustainable forms of energy; including outdoor lighting; internal power by solar or wind power; the installation of electric vehicle charging points as part of the development and any other appropriate measures being pertinent to sustainable development and carbon reduction; and
- That the provision of parking spaces be reassessed. The occupancy demographic and proximity to the town centre suggests that a lower ratio of parking spaces than other development types is appropriate, but experience suggests that there is often pressure on these spaces and that convenient space now close by in the town is very limited.

- 6.10 Peak & Northern Footpath Society – Pleased to see that Mossley 206 will remain available to the public in its present position. I note that there are a number of non-definitive paths on the site shown on the Site Location Plan that will no longer be available after the development is under construction. I would suggest that these are formally extinguished and that the footpaths to be created as shown in the Proposed Site Plan around the periphery of the site which allow the public to access the town centre are made definitive.
- 6.11 Police (Secure by Design) – Satisfied with the recommendations within the Crime Impact Statement which should be conditioned on any approval.
- 6.12 TfGM – Do not wish to comment on the application.
- 6.13 United Utilities – Identify that they have a number of clean water and wastewater assets running through the site. They confirm that they will not permit development over or in close proximity to the water main. Recommend that the application is not progressed until the exact location of UU assets are confirmed so that the implications for the proposed site layout can be understood. Whilst not their preferred approach they do recognise that condition could be applied to ensure protection to their assets.

7.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- 7.1 In response to the consultation undertaken, the following representations have been received:

- Thirty four letters of objection;
- Five letters of support; and,
- One neutral letter.

7.2 The following concerns have been raised within the individual objection letters, these are summarised as follows:

Design Issues:

- Building is too large and not in keeping within the area;
- The density of the development;
- Building too big for the site;
- Building would be an eyesore on the local environment; and
- Ridiculous concept.

Highways:

- Access is far too constrained for the level of development;
- Access onto Lees Road is dangerous and an accident in the making;
- Cars won't be able to access safely;
- Mossley is heavily congested already and this will just add to the problems;
- Emergency Services would struggle to attend to an emergency; and
- Not enough parking; less than one per flat and no visitor provision.

Amenity:

- Loss of privacy to nearby residents;
- Overlooking to garden areas;
- Loss of light/overshadowing from the height of the building;
- Location of the car park will create noise disturbance to residents of Shire Croft;
- General disturbance from noise increase; and
- Construction period impacting upon residents.

General:

- There is enough affordable homes already being built in Mossley;
- Local Infrastructure does not have the capacity;
- Concerns over social infrastructure, dentists, doctors and schools;
- No need for retirement housing, Mossley needs family Housing;
- Development would be hazardous to domestic animals;
- Should be developed as a community led nature project; and
- Mossley railway station has poor reliability and this forces people to use their cars.

Environment

- The greenspace should be preserved;
- Development will give rise to flooding;
- The site should be made into a park;
- Conflict with land use policy; and
- Mossley is being overdeveloped.

7.3 The following comments have been made in support of the application;

- Interest in moving into the accommodation;
- Good use of the site which presently attracts anti-social behaviour
- Small flats will free up larger family houses in the town; and
- Area is suited to over 55 with good access to the town centre and existing retirement flats.

7.4 The following neutral comments have been received:

- Nield Street and Smith Street are an eyesore can the land occupied by the shed towards the entrance be incorporated into the plans;
- Will the open channel for the brook be retained;
- Can the building encroach on the culvert of the watercourse; and
- Support the retirement apartments but the flats should be larger with more 2-bed units.

8.0 ANALYSIS

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 8.2 The current position is that the Development Plan consists of the policies and proposals maps of the Unitary Development Plan and the Greater Manchester Joint Waste Plan Development Document.
- 8.3 The National Planning Policy Framework (NPPF) is also an important consideration. The NPPF states that a presumption in favour of sustainable development should be at the heart of every application decision. For planning application decision making this means:
- Approving development proposals that accord with the development plan without delay; and
 - Where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless:
 - 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 OF DEVELOPMENT

- 9.1 Section 38 of the Planning and Compulsory Purchase Act 2004 states that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Consideration will also be necessary to determine the appropriate weight to be afforded to the development plan following the publication of the National Planning Policy Framework. Paragraphs 212 - 217 of the NPPF set out how its policies should be implemented and the weight that should be attributed to the UDP policies.
- 9.2 Paragraph 213 confirms that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. At the heart of the NPPF is the presumption in favour of sustainable development and Section 5 of the NPPF requires Local Planning Authorities to support the delivery of a wide choice of quality homes in sustainable locations.
- 9.3 The site is located within the northern boundary of Mossley centre with easy access to town centre amenities and transport links. Commensurate to its central location within Mossley, the site represents a sustainable location with regard to access to transport, local services and relevant amenities provided within Mossley. Historically, the site has supported employment uses, which have ceased over the years, all established adjoining uses are residential in nature, and there are no town centre (commercial) functions relevant to the town centre boundary. In its broadest sense the associated regeneration benefits are aligned with principle of policy S1 aimed at Town Centre Improvement. National policy is also aligned to raising the residential population within established centres.
- 9.4 The remainder of the site including that occupied by the vacant warehouse is unallocated and is not subject to any designations. Policy H2 applies to unallocated sites, it gives

preference to the reuse of previously developed sites. Paragraph 59 of the NPPF identifies the government objective to significantly boost the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed and that land with permission is developed without unnecessary delay. UDP policies 1.6, H1 and H2 promote the re-use of previously developed sites within accessible areas; the proposals would meet these policy objectives

- 9.5 Albeit for pockets of vegetation and the existing warehouse, the site comprises mainly of hard surfacing and tipped material. For the interpretation of planning policy, the site meets within the definition of Previously Developed Land (PDL). The current lack of stewardship of the site would appear to be attracting elements of anti-social behaviour as evidenced by instances of fly tipping. The general neglected state gives a poor environmental quality, which reflects negatively on the locality. The opportunity to redevelop the site and address longstanding environmental issues is a positive consideration.
- 9.6 In terms of housing development, the Council cannot demonstrate a deliverable five-year supply of housing land. It is therefore recognised that the NPPF is a material consideration that carries substantial weight in the decision making process. Assuming the development is considered sustainable, paragraph 11 is clear that where no five-year supply can be demonstrated, the presumption in favour of sustainable development identified in the footnote of paragraph 11 should be applied to the consideration of planning applications.
- 9.7 In terms of the assessment against paragraph 11, all developments must be considered in light of their sustainable credentials, which the NPPF identifies as having three dimensions (Economic, Social and Environmental). The development would contribute directly to the choice of housing which would also contribute to meeting employment and servicing needs. There would also be direct economic gains associated with the construction phase of the development. The social role would be fulfilled with the commitment to affordable housing. On the matter of the environmental impact and the sustainable credentials, the redevelopment of PDL carries significant weight along with the locational factors relating to access to services and transport, appropriate levels of ecological mitigation can be secured and the apartment would be designed to reduce energy/CO2 emissions. As such, the overall sustainable credentials are not questioned, and the proposals are considered to achieve the three dimensions of sustainable development through the contribution to the supply of affordable housing within a sustainable location
- 9.8 The site was included within the Council's Strategic Housing Employment Land Availability Assessment (SHELAA); it is identified under Ref H-MOSSLE-107. The assessment identifies that the site could support in the region of the 37 dwellings with an accommodation mix of 22 dwellings and 15 apartments. It was envisaged that delivery would occur in the medium 6-10 year period, it is encouraging that housing may be secured ahead of this timeframe and make a welcome contribution to the borough's net housing supply.
- 9.9 Paragraph 60 of the NPPF states that in order to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should (amongst other things) plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.
- 9.10 The 2017 Housing Needs Assessment (HNA) provides the most up to date evidence relating to housing need in the borough. The report projects that the proportion of the population of Tameside over the age of 65 will increase by more than 40% between 2015 and 2035. Within Mossley itself, 29% of residents are over 55 (3,239 of 11,358). The Household Survey used to provide the evidence base for the HNA. Of the respondents to the survey aged 5 or over, approximately 11% indicated that they would like to move from their current accommodation in the next 5 years (to 2022), but were not able to, with 25% of those people stating the reason they could not was due to a lack of suitable accommodation. Of the 18% of people

over the age of 65 who did want to move to alternative accommodation, almost 30% indicated that they wish to move to accommodation more suitable for older people and/or people wishing to downsize to accommodation more manageable.

- 9.11 It is clear from the evidence in the 2017 HNA that demand for retirement accommodation proposed far outstrips current supply, this take with the opportunity to develop a brownfield site identified within the Tameside SHELAA within a sustainable town centre location carries significant weight in the decision making process. Recognising the guidance in the NPPF and UDP policies quoted above, it is considered that the principle of development is acceptable, subject to all other material considerations being satisfied.

10.0 DESIGN & LAYOUT

- 10.1 UDP, NPPF policies and the guidance of the SPD are clear in their expectations of achieving high quality development that enhances a locality and contributes to place making. The framework emphasises that development should be refused where it fails to take opportunities available to improve the character and quality of an area and the way that it functions (para. 130).
- 10.2 The local area includes mixture of housing types, which also includes apartments, terraces detached and semi-detached properties. Mossley town Centre itself provides many examples of buildings at varied heights and uses with no strict separation between residential properties and commercial functions. Within the representations, concerns have been raised over the height and mass of the building and its relationship to dwellings. Opinions have also been issued on the suitability of the design and its context to Mossley town centre.
- 10.3 The LPA has previously advised that the comprehensive redevelopment of the site needs to be secured. The withdrawal of a previous application reflects, in-part, concerns relevant to a piecemeal approach. The proposals address these issues, and the bespoke design approach is one, which appears considered and suitable to its context. The comprehensive redevelopment of the site would address current environmental issues, this investment and regeneration presents an opportunity to secure a positive legacy for the site and neighbouring uses. The immediate compatibility of the accommodation with that of neighbouring uses being particularly beneficial.
- 10.4 Apartments represent a very efficient use of land and this is demonstrated by the density which can be achieved, in this instance equating to 76 units per hectare. This aligns to NPPF objectives and the strategy which was presented in the GMSF to promote the efficient re-use of land within established urban areas that are accessible by public transport, this is particularly important in periods of housing undersupply.
- 10.5 The layout of the development has been influenced by the site's context, topography and constraints that include a PRoW and watercourse easement. These factors have directed the taller 3 storey form to the north of the site. Due to the change in levels (Shire Croft being approximately 2/3m higher than the site) direct intervisibility between the new dwellings and properties on Shire Croft will be significantly screened. The lower 2 storey form then projects along the eastern part of the site, which along with landscaping will ensure that the development is not over dominant when viewed from the neighbouring perspective of Nield Street and Dyson Street.
- 10.6 The three-storey element is needed to achieve a viable accommodation threshold. The additional height provides an element of interest to the building and would provide a strong focal point. The stepped building height and variation to roof types also helps to break up mass and provide architectural interest to the appearance. The landscaping and materials also serve to complement the overall setting and appearance of the building. The overall height and massing is not typical to that of buildings found within Mossley town centre and it

is considered that the site can support this with the development able to integrate successfully with its surroundings.

- 10.7 The Design and Access Statement, which has accompanied the application, provides a narrative to the design approach. It states that the development proposes a more considered style, referencing the general mill town vernacular through the design and form of the building, the use of buff brick provides a direct link to the Pennine town vernacular and this would be complemented by more contemporary materials for the cladding, roof and fenestration,. The building form and mass does makes subtle references to a 'mill' influenced by its roof form, openings and layout. Internal walkaways (northern elevation) create enlarged openings which provide welcome texture and interest which also helps to break up the mass and dominance of the building. The varied approach to scale, mass and detailing adds interest that would sit comfortably within the context of its surroundings.
- 10.8 The apartment block would frame both Nield Street and Smith Street and provide welcome passive surveillance along the PRoW which links to Brookside. This would add interest and variety to the streetscape. The provision of parking on the northern boundary broken by landscaping would ensure that public vantages points are not highway dominated. Likewise, the communal garden to the south would not only provide functional amenity space to future residents but would also provide a pleasing outlook to neighbouring accommodation beyond the site boundary. The design quality and approach to landscaping would contribute significantly to the regeneration of the local environment.
- 10.9 The boundary treatment strategy is not determined and would need to be addressed by a condition. The desire would be to secure the use of brick walls and ornamental railings to all public facing areas. This would create appropriate levels of defensible space, provides a suitable finish to the public areas and ensures relevant privacy standards can be achieved.
- 10.10 Having full consideration to the design merits of the proposal and the layout of the scheme it is considered that the development would deliver an attractive residential environment which would enhance the existing area. The scale and density of the development is reflective to that of the density of development within Mossley town Centre, and the design would uplift the appearance of the locality and contribute to the regeneration of the overall area. It is therefore considered that the proposal adheres to the objectives of UDP policy H10 and the adopted SPD that stress the importance of residential development being of an appropriate design, scale, density and layout.

11.0 DESIGN AND RESIDENTIAL AMENITY

- 11.1 The policies of the adopted Residential Design Guide strive to raise design standards; they should be applied along with the criteria of Building for Life (BfL). Good design is aligned to the delivery of high residential amenity standards, this should reflect equally on the environment of existing residents as well as that of future residents. Technical standards (spacing distances policy RD5) form part of the criteria to the assessment of good design, but this should not override principles of successful place making. Good design is about how buildings relate to one another, their place within the streetscape and interaction within their surroundings. The design of developments should not be dictated by highway layout (policy RD13), they should observe established street patterns (policy RD3) and promote natural surveillance at street level (policy RD4). Building for Life states that basic principles should be observed when designing layouts, the use of strong perimeter blocks is advocated and specific reference is made to avoiding houses which back on to the street and create what is effectively a 'dead edge'.
- 11.2 The lack of stewardship and overall unkempt appearance has an influence upon levels of outlook and amenity of neighbouring residents which border the site, it is however, accepted that the proposals introduces the potential for perceived overlooking.

- 11.3 The Residential Design Guide SPD provides guideless for spacing distances. The layout observes sufficient compliance to the standards. The SPD identifies that on infill sites variation of guidelines may be acceptable where existing spacing/relationships should be taken into account. The main 'pinch point' occurs between the eastern (front) elevation and the bungalow at no.7 Nield Street which are sited approximately 17.6m away from each other on an oblique angle. To address this the first floor windows to the apartment facing Nield Street would be obscurely glazed with additional light provided by a secondary window that faces within the recess of the building. A landscaping buffer will help to soften the appearance on these interfaces. The relationship is very typical to the tight grain of properties within the vicinity that is considered acceptable.
- 11.4 Jigsaw manage a housing block on Brookside to the south of the site which have habitable room windows facing the site. These will look out onto the proposed resident's garden where existing boundary trees will be supplemented by new planting. The minimum distance requirement here under policy RD5 would be 24 metres. Notwithstanding that there are oblique views involved, the development retains approximately 25-32 metres between habitable room facings and therefore complies with the SPD policy. In terms of other interfaces then a 18.3 m separation would be achieved between the rear elevation of no.31 Brooklands Close and there would be a 21.7m separation between the development and properties to the north on Shire Croft. The Shire Croft properties occupy an elevated position meaning that they effectively look down on to the development. In this regard, privacy standards would be met and well within policy requirements.
- 11.5 Occupants of the apartments would be served with a good level of amenity. The design of the accommodation meets with technical standards with well-proportioned room sizes. The communal rear garden would be landscaped to a high level and provide a valued asset with designated seating and contemplation areas.
- 11.6 The proximity of Mossley town centre and its associated amenities represents an accessible and sustainable location. This immediate access to community services and commercial uses is also ideal for the targeted demographic of the residents. The short walking distance genuinely reduces the need for car ownership with all day-to-day requirements being immediately on hand.
- 11.7 The layout and form of development represents a considered response to its context, and would avoid any undue impact on the amenity of neighbouring properties which overlook the site, and for future occupiers by reason of visual intrusion, overshadowing, loss of daylight, overlooking or loss of privacy and accords with the provisions of policy H10 and the adopted SPD.

12.0 HIGHWAY SAFETY

- 12.1 Access arrangements would remain unchanged and the development would be accessed from Nield Street and Smith Street which are existing junctions onto Lees Road. The roads have existing TRO's restricting on street parking at the junctions to Lees Road allowing for unrestricted access into the development, this has been reviewed by the Local Highway Authority as being acceptable with sufficient capacity available on the highway network.
- 12.2 Vehicle journeys generated from the proposed site onto Lees Road are considered negligible as the development is aiming to market the development as retirement living. In the LHA's opinion this would see traffic movements disperse the peak trip rates throughout the day which would not have a significant impact on the local highway.
- 12.3 This internal layout has been designed to promote low traffic speeds and create a safe environment for pedestrians and other road users, incorporating cycle storage and electric

vehicle charging points to promote more sustainable modes of transport. The provision of a dedicated turning head will benefit residents of the development itself but also that of Nield Street and Smith Street who currently have to rely on using an unmade/unadopted surface that is not drained or illuminated. This intervention along with that of the resurfacing of Nield Street (secured within a Section 106 agreement) would sufficiently mitigate the impacts of the development.

- 12.4 The access and parking arrangements have been designed in conjunction with advice given from Highways and they have raised no objections. Conditions will ensure that the access arrangements are designed to technical standards and the expectation is that this is formalised through a Section 38 agreement of the Highways Act. It is considered that the development adheres to the provisions of policies T-1, and T-10, in addition to the standards of the Tameside Residential Design Guide.

13.0 DRAINAGE

- 13.1 The site is in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. A drainage strategy has been submitted with the application which has been reviewed respectfully by both the LLFA and United Utilities.
- 13.2 There is a culverted stream, which crosses the site, and United Utilities have identified the presence of their assets. Ideally, United Utilities would prefer the location of their assets to be fully explored and identified prior to the determination of the application, nonetheless they do still recommend a conditional approval. At the time of writing the report, the applicant has instructed further technical assessment of infrastructure within the site. The applicant is aware of the implications, should the need arise then it may prove necessary to divert any infrastructure at the developers cost. On assessment, it is considered that the recommended conditions offered by United Utilities are more than sufficient to ensuring the protection of their assets along with the adequate drainage of the site. These drainage conditions would be worded as condition precedents and require approval prior to development.
- 13.3 With reference to the culvert, then initial inspection has been undertaken of its condition. The applicant will assume riparian ownership so it will be their responsibility to ensure that it is maintained in an appropriate manner. A condition is recommended requiring further survey of the structural condition of the culvert to demonstrate its fitness for purpose and that any details of repair works or improvements be submitted for approval. In addition to this, to ensure long-term protection of the assets, it is also recommended that a condition is applied relevant to its on-going management and maintenance.
- 13.4 Development Management are satisfied for the purposes of the planning application flood risk and overall water management have been appropriately investigated. The details to be secured via a condition would ensure that the drainage hierarchy is followed and that surface water would be positively drained and attenuated to ensure that greenfield run-off rates can be achieved.

14.0 TREES & ECOLOGY

- 14.1 Policy N5 seeks to protect trees of a recognised quality, which are located within development sites. The tree survey, which has accompanied the application, identifies a single tree and three groups comprising of Sycamore, Willow and Ash. The three tree groups will require removal in order to facilitate the development. To mitigate their loss, a commitment to replacement planting as part of a comprehensive landscaping strategy has been proposed which included 36 trees.

- 14.2 The Tree Officer identifies that trees to be removed are of limited amenity value and would not be considered a constraint to the development. The plans indicate adequate new planting in mitigation for the losses and to provide screening to existing adjacent dwellings.
- 14.3 It is noted that GMEU have raised the requirement of a post emergence bat survey. At the time of the writing, the report on an initial emergence survey had been completed with a further survey confirmed for 9 June. Initial conclusions maintain that there are no roosting bats within the building to be demolished. An update will be provided at the committee following further consultation with GMEU, any planning approval would be subject to GMEU acceptance of the survey work undertaken and any conditions as deemed appropriate.
- 14.4 Section 11 of the NPPF advocates biodiversity enhancement. The biodiversity value of the site could be enhanced as part of the landscaping proposals to be approved by condition. GMEU advise that this should include planting of native species and the fixture of bat and bird boxes across the development.

15.0 GROUND CONDITIONS, CONTAMINATION and ARCHAEOLOGY

- 15.1 The site does not fall outside of a high risk mining area and therefore consultation with the Coal Authority has not been necessary. The development is therefore not prejudiced by any mining legacy issues.
- 15.2 Consultation with the Contaminated Land Officer confirms that no objections are raised subject to the further site investigations being undertaken to identify any potential onsite remediation requirements relevant to the site's industrial past. This would be secured through the requirements of a planning condition.
- 15.3 The site was formally occupied by a pair of mill buildings that were first depicted on historic mapping from 1848. No Desk Based Archaeological Assessment has been undertaken nor has the Historic Environment Record been consulted, meaning that any archaeological interests are undefined. Consultation with GMAAS confirms that any remains will be of no more than regional significance and any removal would be acceptable subject to prior recording. Accordingly, it is recommended that a condition is applied relevant to the implementation of a programme of archaeological works.

16.0 AFFORDABLE HOUSING

- 16.1 Paragraph 64 of the NPPF identifies that all major (10 units and above) residential developments should involve the provision of affordable housing. This is below the threshold identified by policy H5 which sets a threshold of 25 units, the Housing Needs Assessment identifies an expectation of the provision of 15% of units on an affordable basis. The glossary of the NPPF provides a definition of affordable housing, which includes affordable housing for rent provided by a Registered Provider.
- 16.2 The applicant is a Registered Provider and already manages a significant portfolio of housing within Mossley and the wider Tameside area. The proposed development and form of occupancy therefore represents 100% affordable housing in compliance with paragraph 64 of the NPPF. The applicant has offered to enter into a Section 106 agreement to ensure that this accommodation is provided and maintained on an affordable basis in perpetuity. The policy test would therefore be exceeded.

17.0 CONTRIBUTIONS

17.1 The scale of the development constitutes a major development, as such there would normally be a requirement to meet Affordable Housing (15%), Green Space and Highways contributions as per the requirements of policies H4 (affordable housing) , H5(open Space) H6 (education) and T13 (highways) of the Development Plan. In this instance, the affordable housing requirement would be exceeded through the applicants intention to provide all of the apartments on an affordable basis secured via a Section 106 agreement. Recognising the specialist nature of the retirement accommodation no education contribution is sought pursuant to policy H6. A contribution towards Green Space would stand at £19,587.10 and the highways contribution at £26,036.25. The green space monies would be allocated to Mossley Park and highways monies would resurface Nield Street and provide cycling/walking improvements/initiatives in the local area.

18.0 OTHER ISSUES

18.1 Noise: - The EHO is satisfied that a suitable standard of amenity level can be achieved and there are no requirements for any noise related planning conditions.

18.2 Heritage: - There are no recorded assets within the vicinity of the site, the setting of which could be in anyway affected by the proposals.

18.3 Security:- The application has been accompanied with a Crime Impact Statement. Subject to the recommendations, it is considered that the security of the future occupants and neighbouring properties would be adequately met. The layout ensures there is good levels of passive surveillance over public areas including that of the PRoW linkage to Brooklands Close.

18.4 Land Ownership: - It has been raised within one of the representations that the site encroached on land outside of the applicant's ownership. The applicant has been referred to this objection and has confirmed that the boundary does not include any land within their ownership or identified on the title plan that was supplied. The proposed plan shows greenery and random trees on this land but that is reflective of site conditions at the moment. The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore, the consent of all relevant landowners is required before proceeding with any development. If it should transpire that the applicant does not own any of the land included in this consent then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.

18.5 PRoW: - Definitive Footpath Mossley 206 runs immediately adjacent to the site, along the northern boundary. A prior request has been made to the Council for this footpath to be diverted so that it runs across the site considered as part of this planning application. This request has previously been considered by the Council and authority was granted to draft and advertise the diversion order. Following on from the advertisement, one objection was received to the proposed diversion that has hopefully now been resolved. However, the objection is yet to be withdrawn and as a result, the order affecting the diversion of Footpath 206 onto this site is still to be confirmed. The applicant has confirmed that they will accept the diverted footpath on their site and have accommodated the proposed route into their design for the development. This should not, therefore, cause any issue for the proposed footpath diversion. Temporary closure of the PRoW is likely to be required during the construction phase of the development; if this is the case then a closure or diversion order would need to be made to the Councils PRoW team.

19.0 CONCLUSION

19.1 At the heart of the NPPF is a presumption in favour of sustainable development. This requires planning applications that accord with the Development Plan to be approved without

delay, and where the Development Plan is absent, silent or out of date, granting permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the framework as a whole or specific policies in the framework indicate that development should be restricted.

- 19.2 There is considered to be an identified need for retirement accommodation within the borough and the requirement of the NPPF to boost the supply of housing to meet a variety of needs is considered to weigh in favour of the proposals. The site is in a sustainable location, close to numerous amenities and public transport links.
- 19.3 The design, layout and scale of the development would preserve the residential amenity of neighbouring properties, despite being part 3 storeys in height, for the reasons set out in the main body of the report.
- 19.4 The redevelopment for residential purposes would be compatible with the Housing Strategy and would also be readily compatible with the established residential character of adjoining uses. The development would add to and contribute to much needed, good quality affordable housing on a site which is earmarked for such within the Tameside SHELAA. The provision towards supply within a documented period of under supply is afforded significant weight.
- 19.5 The design creates a positive and welcoming residential environment. The apartments would make a positive contribution to the local housing stock, in accordance with core principles of the NPPF.
- 19.6 Taking into account the relevant development plan policies and other material considerations, and subject to the identified mitigation measures, it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the benefits associated with the granting of planning permission. The proposals represent an efficient re-use of a largely previously developed site that would meet sustainability requirements, and contribute positively to the borough's affordable housing supply.

RECOMMENDATION:

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

- (i) To complete a suitable legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) to secure:
- Contribution of £26,036.25 towards highway improvements including the resurfacing of Nield Street;
 - Contribution of £19,587.10 towards off site green space improvements; and
 - Restriction on the occupancy of the apartments on an affordable basis.
- (ii) To have discretion to refuse the application appropriately in the circumstances where a S106 agreement has not been completed within a reasonable period of the resolution to grant planning permission;
- (iii) That Officers are afforded discretion to amend the wording of any conditions; and,
- (iv) That upon satisfactory completion of the above legal agreement that planning permission be GRANTED subject to the following conditions:
- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

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

Location Plan 2359-PL-700-01
Proposed Site plan 2359-PL-700-02 Rev 3
Proposed Site Section 2359-SE-200-05 Rev 1
Ground Floor Plan 2359-PL-200-01 Rev 3
First Floor Plan 2359-PL-200-01 Rev 3
Second Floor Plan 2359-PL-200-01 Rev 3
Proposed Elevations 2359-EL-200-04 Rev 3
Landscaped Plan 0584-PLI-ZZ-ZZ-DR-L-0120 Rev P01
Tree Survey & Root Protection plan Ref 5789.01 TS Jul 18 Rev A

Reports

Design and Access Statement Rev 1 dated 01/11/2020
Planning Statement Paul Butler associates Dated 06/05/2021
Crime Impact Statement Ref 2020/0757/CIS/01
Tree Survey report Ref: MG/5630/TSR/REVA/Nov20
Arboricultural Impact Assessment Ref: MG/5630/AIA&AMS/REVB/Jan21
Ecological Appraisal
CCTV Drainage Inspection Report Ref 14150
Desktop Utility Infrastructure Record Search
Phase 1 Geo-Environmental Site Assessment Ref 12-281-r1
Phase 2 Geo-Environmental Investigation Report Ref 20119/GEIR
Drainage Ref 5014471

- 3) Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and/or full specification of materials to be used: externally on the buildings; in the construction of all boundary walls, fences and railings; and, in the finishes to all external hard-surfaces have been submitted to, and approved in writing by, the local planning authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

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

- 4) No work shall take place in respect to the construction of the approved highway, as indicated on the approved site plan, until a scheme relevant to highway construction has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of:
1. Phasing plan of highway works;
 2. Stage 1 Safety Audit – ‘Completion of Preliminary Design’ and subsequent Stages 2-4 based on the Design Manual for Roads and Bridges document GG 119 – Road Safety Audit;
 3. Surface and drainage details of all carriageways and footways;
 4. Details of the works to the reinstatement of redundant vehicle access points as continuous footway to adoptable standards following the completion of the construction phase;
 5. Details of an Approval in Principle must be obtained for proposed retaining walls within the development, including any temporary retaining structures required by the

development. This details 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, (this does not define adoption of the asset but merely the design constraints should they be approved by the LHA).

6. Details of the areas of the highway network within the site to be constructed to adoptable standards and the specification of the construction of these areas.
7. Details of carriageway markings and signage.
8. Details of a lighting scheme to provide street lighting (to an adoptable standard), to the shared private driveway and pedestrian/cycle pathways have been submitted to and approved in writing by the local planning authority. The scheme shall include details of how the lighting will be funded for both electricity supply and future maintenance.

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

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

- 5) 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;
- Any arrangements for temporary construction access;
- Contractor and construction worker car parking;
- Turning facilities during the remediation and construction phases;
- Details of on-site storage facilities.

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

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

- 6) The car parking spaces to serve the apartment complex as part of the development hereby approved shall be laid out as shown on the approved site plan 2539-PL-700-02 Rev 1 (Proposed Site Plan) prior to the first occupation of the development and shall be retained free from obstruction for their intended use thereafter. Parking spaces shall be constructed on a level that prevents displacement of materials or surface water onto the highway and shall be retained as such thereafter.

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

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

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

- 8) As indicated on the approved plan, prior to the first occupation of the development hereby approved each house shall be provided with an electric vehicle charging facility. The specification of the charging points installed shall:
- i) Be designed and installed in accordance with the appropriate parts of BS EN 61851 (or any subsequent replacement standard in effect at the date of the installation);
 - ii) Have a minimum rated output of 7 kW, measured or calculated at a nominal supply voltage of 230VAC;
 - iii) Be fitted with a universal socket (known as an untethered electric vehicle charge point);
 - iv) Be fitted with a charging equipment status indicator using lights, LEDs or display; and
 - v) A minimum of Mode 3 or equivalent.

Reason: In the interest of sustainability to encourage electric vehicle ownership in the interests of air quality.

- 9) No part of the development hereby approved shall be occupied until details of the secured cycle storage provision to serve the apartments 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 details of the means of enclosure. The secured cycle storage arrangements for each apartment shall be implemented in accordance with the approved details prior to the occupation of that apartment and shall be retained as such thereafter.

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

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

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

- 11) Development shall not commence until the following information has been submitted in writing and written permission at each stage has been granted by the Local Planning Authority:
- i. A preliminary risk assessment to determine the potential for the site to be contaminated shall be undertaken and approved by the local planning authority. Prior to any physical site investigation, a methodology shall be approved by the local planning authority. This shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration.
 - ii. Where necessary a scheme of remediation to remove any unacceptable risk to human health, buildings and the environment shall be approved by the local planning authority prior to implementation.
 - iii. Any additional or unforeseen contamination encountered during development shall be notified to the local planning authority as soon as practicably possible and a remedial scheme to deal with this approved by the local planning authority.

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

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

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

- 12) Prior to the commencement of development, details of a surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the local planning authority, and must include:
 - (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions, the potential for infiltration of surface water in accordance with BRE365, a survey of existing drainage arrangements and the potential to discharge surface water to the highway drainage system;
 - (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
 - (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD; and;
 - (iv) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

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

- 13) Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
 - a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
 - b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

- 14) No construction shall commence (including any earthworks) until details of the means of ensuring the United Utilities assets that are laid within the site boundary are protected from damage as a result of the development have been submitted to and approved by the local planning authority in writing. The details shall include a survey that identifies the exact location of all sewers and water mains, the potential impacts on the sewers and water mains from construction activities (including the construction compound), the impacts post completion of the development on the sewer and water main infrastructure that crosses the site and identify mitigation measures, including a timetable for implementation, to protect and prevent any damage to both sewers and water mains both during construction and post completion of the development. Any mitigation measures shall be implemented in full prior to commencement of development in accordance with the approved details and timetable and shall be retained thereafter for the lifetime of the development. In the event that the survey of the water main identifies the buildings/plots are within an agreed standoff either side of each asset, the developer shall submit evidence to the local planning authority that a diversion has been agreed with the relevant statutory undertaker and that the approved works have been undertaken prior to the commencement of development.

Reason: In the interest of public health and to ensure protection of United Utilities assets, in accordance with UDP policy U3 Water Services for Developments and Section 14 NPPF.

- 15) No development shall commence until full details of the structural condition (including CCTV survey) and the exact route of the watercourse have been submitted to and approved by the local planning authority to demonstrate its fitness for purpose and that adequate clearance is maintained to the development. This should incorporate details to ensure that the watercourse within the site boundary:
- Includes surveys that identifies the exact location of the watercourse. This should incorporate physical evidence of the route such as SONDE / trial holes.
 - In the event that surveys of the watercourse identifies any buildings/plots within close proximity, the developer shall submit evidence to the local planning authority that either a diversion has been agreed with the relevant parties or the proposed design has been mitigated accordingly and that the approved works have been undertaken prior to the commencement of development.
 - Incorporates a comprehensive Flood Risk Assessment and Drainage Strategy
 - Provides for free discharge from upstream catchments to current requirements for the existing run off and discharge conditions. This may require an assessment and potentially modelling of upstream catchments by a competent designer to determine the impact on all parties whether a diversion is made or not.
 - Provides a full watercourse and catchment assessment including significant blockage and high return period assessments.
 - Is protected from damage as a result of the development.
 - Is assessed for the potential impacts on the watercourse from construction activities (including the construction compound).
 - Is assessed for the impacts post completion of the development on the watercourse that crosses the site.
 - Identifies mitigation measures, including a timetable for implementation, to protect and prevent any damage to the watercourse both during construction and post completion of the development.
 - Any mitigation measures shall be implemented in full prior to commencement of development in accordance with the approved details and timetable and shall be retained thereafter for the lifetime of the development.

- Identify a management plan for future maintenance/management of the watercourse.

The development shall be carried out in full accordance with agreed strategy and phasing of works.

- 16) A management plan including responsibilities and maintenance schedules for the culverted watercourse shall be submitted to and approved by the local planning authority prior to the occupation of the development. The management plan shall be carried out in accordance with the approved schedule.

Reason: To maintain the structural integrity and proper functioning of the existing culverted watercourse in accordance with UDP policies U3 Water Services for Developments and U4 Flood Prevention.

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

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

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

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

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

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

- 20) The site shall be landscaped as per the approved landscaping design strategy Ref: 0584-PLI-ZZ-ZZ-RP-L-0001 Rev 01 Dated 11 January 2021 prior to the occupation of the development.

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

- 21) All planting, seeding or turfing comprised in the approved landscaping design strategy Ref : 0584-PLI-ZZ-ZZ-RP-L-0001 Rev 01 Dated 11 January 2021 shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of five years from the completion of the development, are removed,

or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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

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

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

- 23) The development hereby approved shall be carried in accordance with the measures listed in the Security Strategy (Section 4) of the Crime Impact Statement ref version A: 08/01/21 ref 2020/0757/CIS/01 submitted with the planning application and shall be retained as such thereafter.

Reason: In the interests of security and residential amenity.

- 24) A scheme for the Biodiversity Enhancement and Mitigation Measures including the planting of native trees and the provisions of bird and bat boxes shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall first be agreed in writing with the local planning authority) and shall be retained thereafter.

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

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

Reason: In the interests of local residential amenity.

- 26) No development shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by the local planning authority. The WSI shall cover the following:

1. A phased programme and methodology of investigation and recording to include:
 - An archaeological desk-based assessment including assessment of the interior significance of the standing building on site;
 - Informed by the above, historic building recording and/or intra-demolition watching brief on the standing building;
 - Targeted archaeological evaluation through trial trenching; and
 - Informed by the above, more detailed targeted excavation (subject of a new WSI).
2. A programme for post investigation assessment to include:
 - Production of a final report on the investigation results.
3. Deposition of the final report with the Greater Manchester Historic Environment Record.
4. Dissemination of the results commensurate with their significance.

5. Provision for archive deposition of the report and records of the site investigation.
6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason: In accordance with NPPF Section 16, Paragraph 199 - To record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible.

- 27) The footpath shown on drawing 2539—PL-700-02 Rev1 shall be provided and remain unobstructed at all times following occupation of the development.

Reason: For the avoidance of doubt to ensure that pedestrian access is not prejudiced in accordance with UDP PolicyT8: Walking.

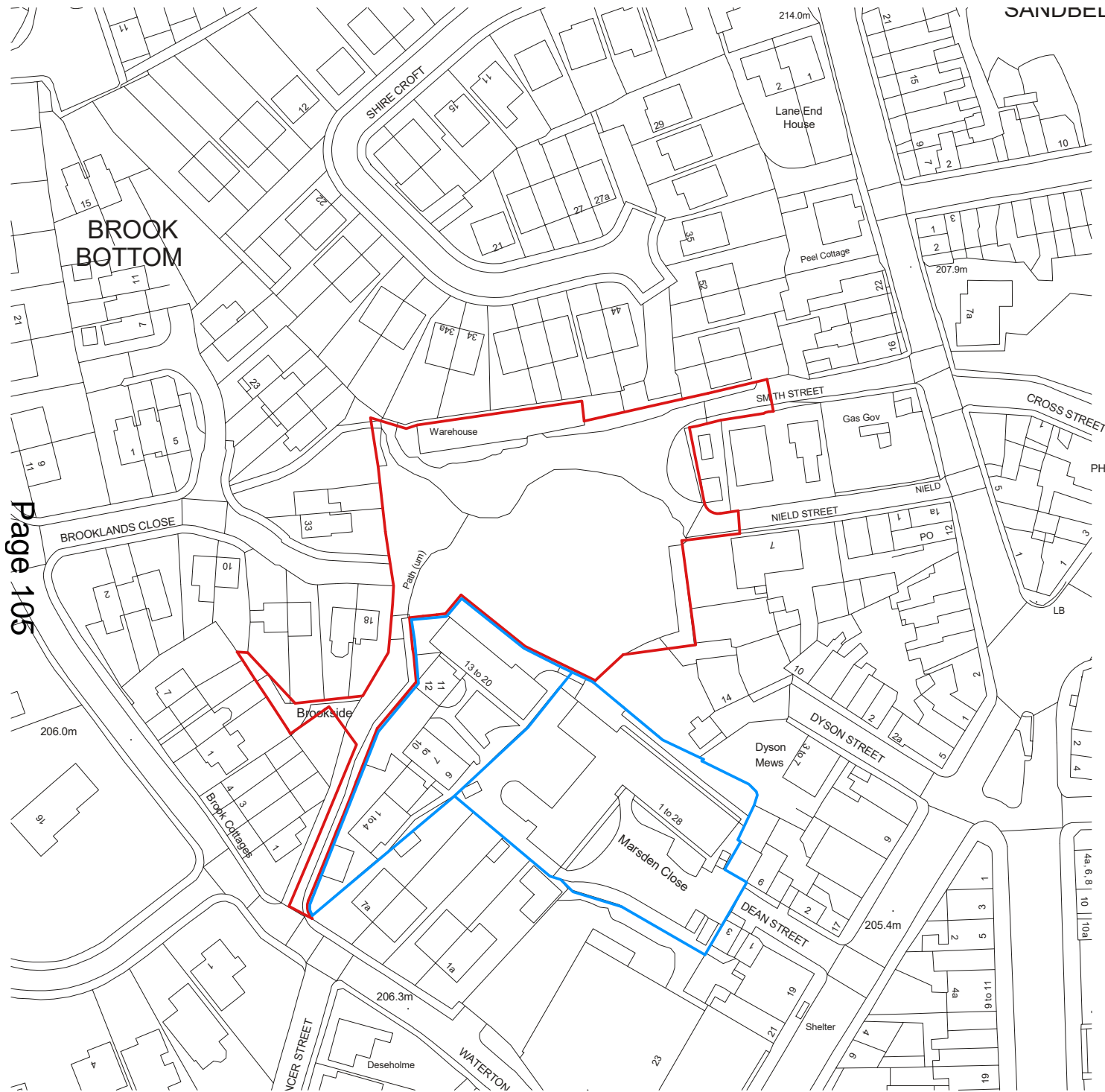
- 28) The first floor window on the eastern elevation of the building facing Nield Street identified on drawing ref 2539-PL-200-02 Rev 2 shall at all times be fitted with obscure glass and retained as such thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of obscurity, or such equivalent as may be agreed in writing by the local planning authority.

Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential property and in accordance with UDP policy H10: Detailed Design of Housing Developments

- 29) Notwithstanding the submitted details, none of the apartments 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 the required number of bins to be stored within any communal bin storage areas and scaled plans of the means of enclosure of all bin stores, including materials and finish. The bin storage arrangements for each dwelling shall be implemented in accordance with the approved details prior to the first occupation of the development and shall be retained as such thereafter.

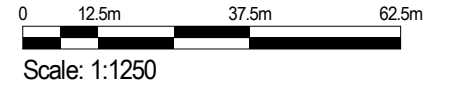
Reason: To safeguard the general amenity of the area in accordance with UDP policy 1.12/1.13/H10.

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Rev	Revision History	By	Date
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Client:



Drawing:

Site Location Plan

Drawing Number:

2539 - PL-700-01

Scale: 1 : 1250	Size: A4	Date: 29/09/2020
Drawn: LJ	Checked: PM	Rev:
Status: PLANNING ISSUE		

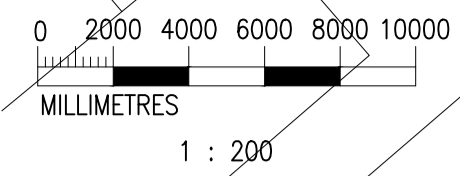
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2539 - Nield Street

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2	Windows locations updated	RB	15/04/21
1	First Issue	XX	18/10/20
Rev:	Comments:	By	Date
Client:			
JIGSAW HOMES GROUP			
Drawing:			
DRAWING TITLE			
Drawing Number:			
2539-PL-700-02			
Scale:	1:200	Size:	A1
Date:	18/10/2020	Drawn:	XX
Checked:	PJM	Rev:	REV 2
Status:	PLANNING ISSUE		

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Application Number 20.01253.FUL

Residential development comprising of 31 No. 1 bedroom retirement living apartments with associated landscaping and external works including demolition of existing warehouse

Photo 1: Aerial view of site and relationship to Mossley Town Centre.



Photo 2: Google Street of Nield Street



Photo 3: View looking east within the site towards Smith Street



Photo 4: Warehouse to be demolished



Photo 5: View to the South Western boundary



Photo 6: View towards the south East boudnary with no. 7 Nield Street



Photo 7: Retaining structure on the northern boundary to Shire Croft properties.



Photo 8: 3D view of the site taken from Google



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01 Activity Lawn: Sunny open flat lawn space capable of allowing quiet group activities such as outdoor yoga, therapeutic exercise or art



02 Attractive semi-private thresholds: Small scale patio/planted areas to step out into/host visitors.



03 Raised planting areas: Accessible planters for growing, swapping plants and summer bedding.



04 Garden walk: Accessible pathway/seasonal and shadier garden spaces. Dense boundary planting to screen from neighbours.



23

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05 Sensory Walk: Informal route through drifts of planting/ornamental grasses



06 Simple paving materials: To complement the materials to the building, and enhance the identity of the development



07 Improved biodiversity: Areas of native meadow /naturalised bulbs set into grass



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REFERENCE FILES:

CONSULTANT	REFERENCE FILE	DATE RECEIVED
???	???	??/??/??

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

ITEM N°	RISK REGISTER DETAILS
???	???

P01	STAGE 02	PLANNING	AA/SS	AA	08/01/21
REV	DESCRIPTION	DRAWN	CHECK	DATE	
KEY PLAN					



MANCHESTER 0161 237 9223 north@plincke.com	RUGBY 0179 881 7866 midlands@plincke.com	LONDON 0207 739 3330 london@plincke.com
www.plincke.com		
PROJECT TITLE NIELD ST, MOSSLEY	STATUS S2	SCALE @ A1 1:200
DRAWING TITLE LANDSCAPE PLAN	DATE 04/01/21	REVISION P01
PROJECT No. 0584	DRAWING No. 0584-PLI-ZZ-ZZ-DR-L-0120	SCALE BAR @ 1:200



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3D Montage looking North East



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3D Montage looking West



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NOTES

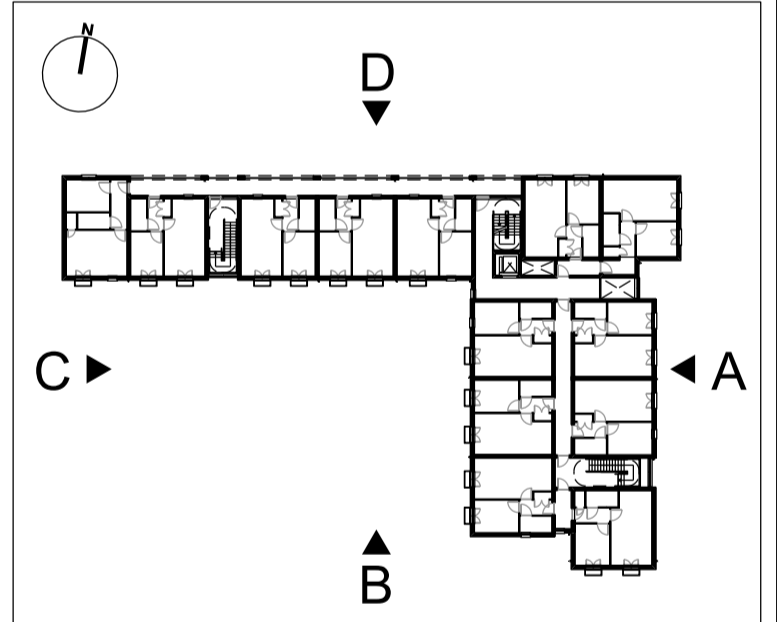
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Materials Key

- ① Buff stock facing brickwork in stretcher bond with 20mm recessed coursing and 20mm recessed feature panels to selected elevations.
- ② Feature soldier course / stack bonding facing brickwork with 20mm recessed coursing.
- ③ Black Barn Cladding Feather Edge Boards 32 x 175mm
- ④ Deep recessed (min 180mm) PCC aluminium framed windows with full length powder coated cill to all openings with metal Juliette balcony fixed with reveal or projecting, all to RAL: 7016 (anthracite grey) in selected locations
- ⑤ PCC aluminium framed curtain walling, doors and panels coloured to RAL: 7016 (anthracite grey)
- ⑥ Box gutter and downpipe RAL: 7016 (anthracite grey)
- ⑦ Copings to parapet coloured to 7016 Anthracite grey
- ⑧ 40 degree pitched roof with fibre cement slates with matching plain angle ridge
- ⑨ Single ply membrane dark grey mono roof behind parapet
- ⑩ 1100mm high metal balustrades RAL: 7016 (anthracite grey)
- ⑪ 500mm metal framed cantilevered projecting balcony with 1100mm high metal balustrades RAL: 7016 (anthracite grey)
- ⑫ Steel vertical support RAL: 7016 (anthracite grey)

Key plan



Rev:	Comments:	By	Date

Client: JIGSAW HOMES GROUP

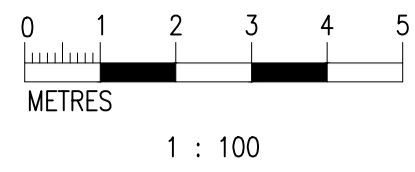
Drawing: Proposed Elevations

Drawing Number: 2539-EL-200-04

Scale:	Size:	Date:
1:100	A1	18/10/2020
Drawn:	Checked:	Rev:
XX	PM	REV 1
Status:	PLANNING ISSUE	

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1 : 100



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- ⑩ 500mm metal framed cantilevered projecting balcony with 1100mm high metal balustrades to RAL : 7016 (anthracite grey)

2	WALK WAY OMITTED	RB	23/04/21
1	FIRST ISSUE	XX	18/10/21
Rev:	Comments:	By	Date
Client:			

JIGSAW HOMES GROUP

Drawing:

Proposed Elevations

Drawing Number:

2539-EL-200-04

Scale:	Size:	Date:
1:100	A1	18/10/2020
Drawn:	Checked:	Rev:
XX	PJM	REV2
Status: PLANNING ISSUE		

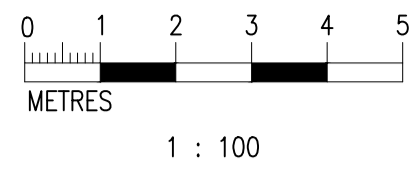
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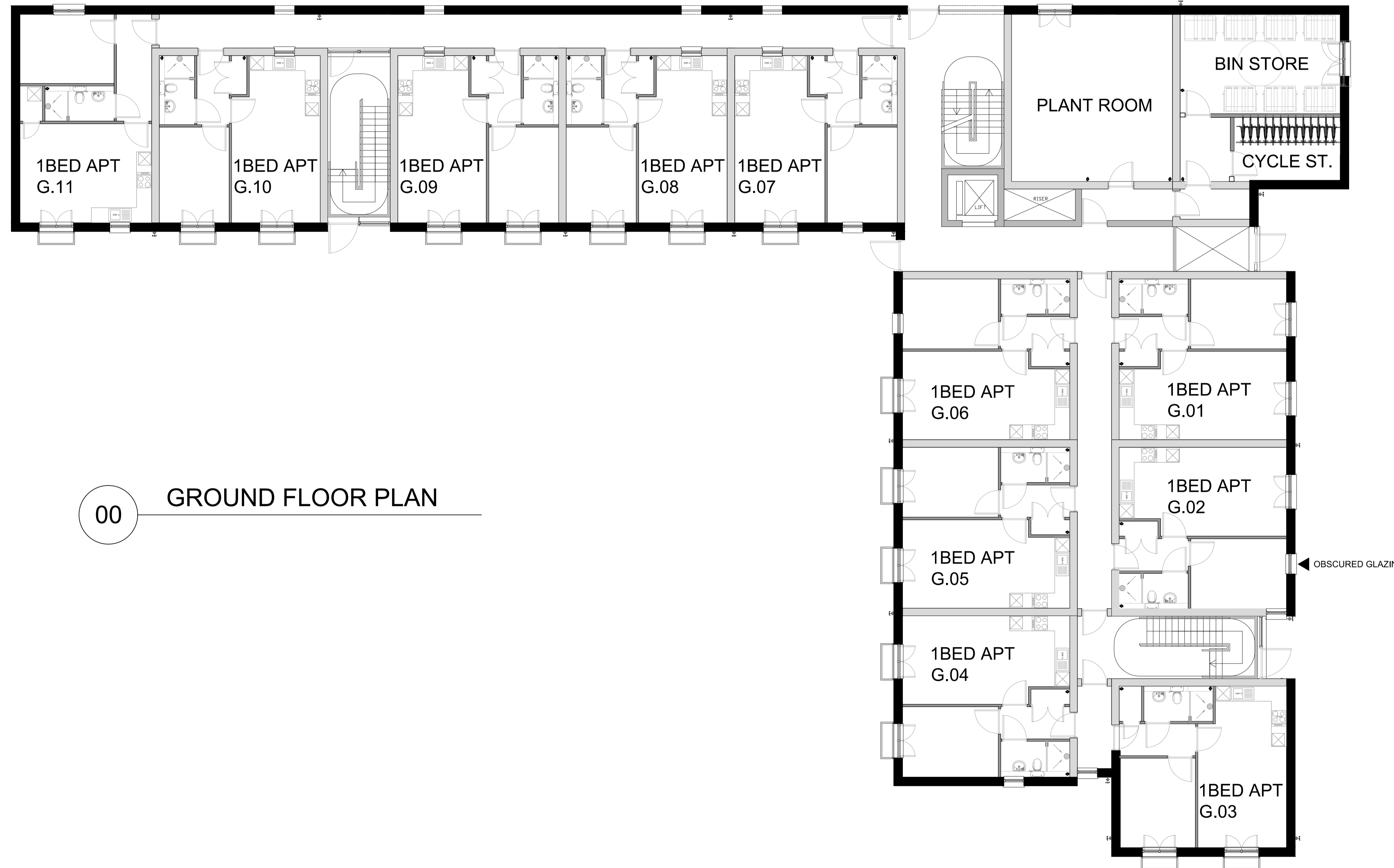
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00 GROUND FLOOR PLAN

2	LAYOUT AMENDS	RB	23/04/21
1	FIRST ISSUE	XX	18/10/21
Rev:	Comments:	By	Date

Client: JIGSAW HOMES GROUP

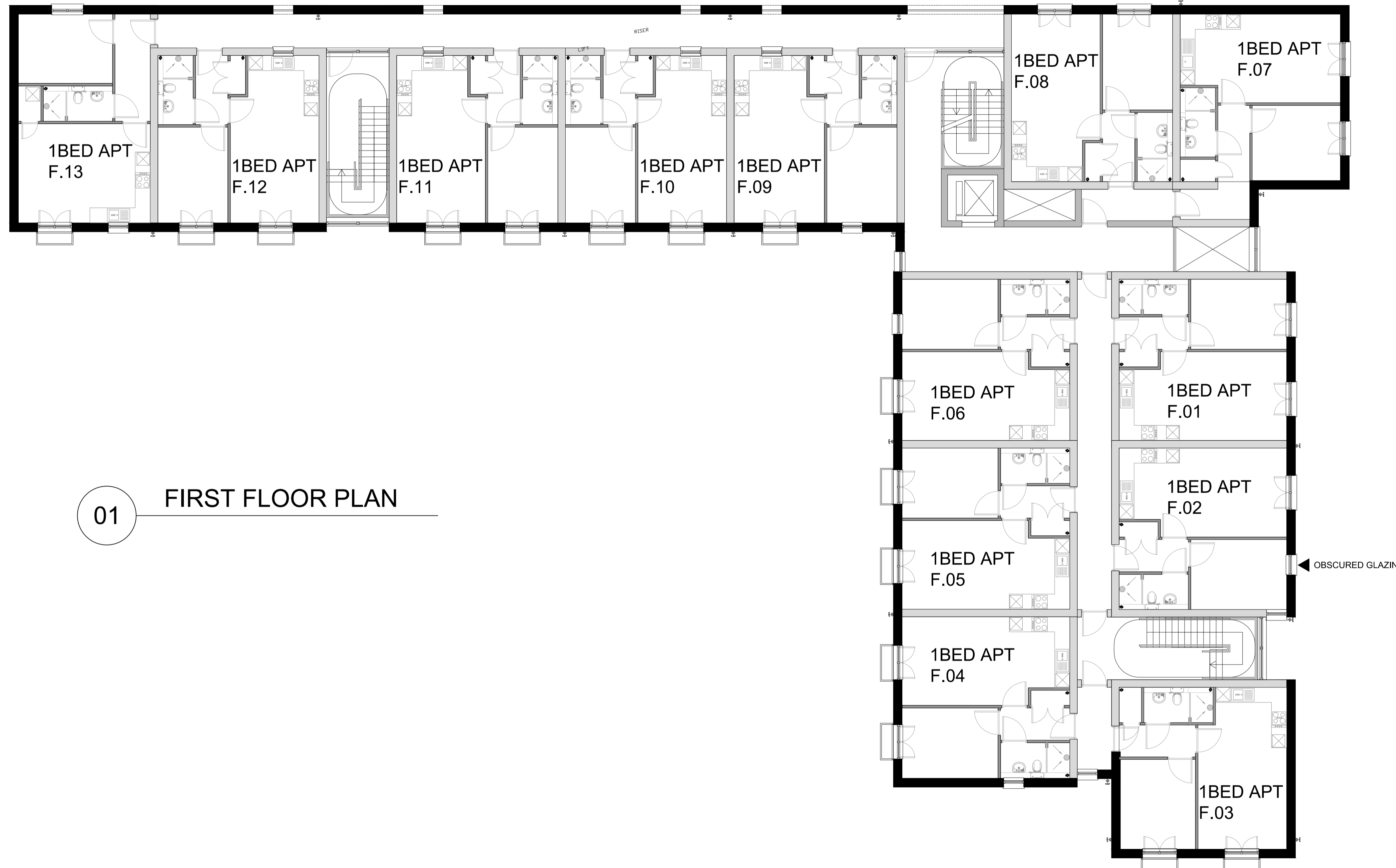
Drawing: Proposed Ground Floor Plan

Drawing Number: 2539-PL-200-01

Scale:	Size:	Date:
1:100	A1	18/10/2020
Drawn:	Checked:	Rev:
XX	PJM	REV1
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01 FIRST FLOOR PLAN

2	LAYOUT AMENDS	RB	23/04/21
1	FIRST ISSUE	XX	18/10/21
Rev:	Comments:	By	Date

Client:
JIGSAW HOMES GROUP

Drawing:
Proposed First Floor Plan

Drawing Number:
2539-PL-200-02

Scale:	Size:	Date:
1:100	A1	18/10/2020
Drawn:	Checked:	Rev:
XX	PJM	REV2
Status:	PLANNING ISSUE	

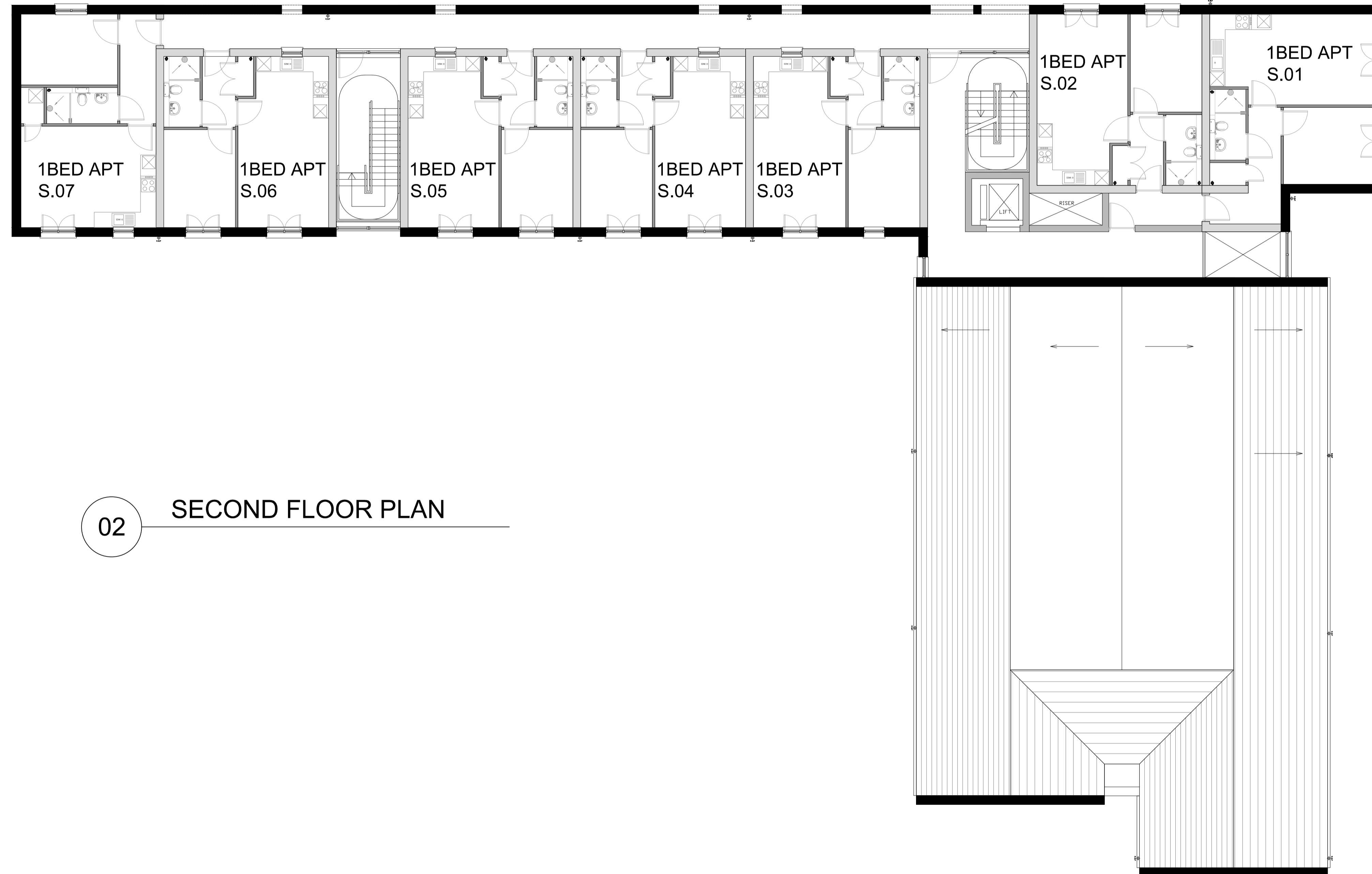
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02 SECOND FLOOR PLAN

2	LAYOUT AMENDS	RB	23/04/21
1	FIRST ISSUE	XX	18/10/21
Rev:	Comments:	By	Date

Client: JIGSAW HOMES GROUP

Drawing: Proposed Second Floor Plan

Drawing Number: 2539-PL-200-03

Scale:	Size:	Date:
1:100	A1	18/10/2020
Drawn:	Checked:	Rev:
XX	PJM	REV2
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2539 NIELD STREET

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Application Number 20/00329/FUL

Proposal Detached dwelling house - retrospective

Site Land adjacent to 124 Mottram Old Road, Hyde, SK14 3BA

Applicant Mr Paul Williamson

Recommendation Grant planning permission subject to recommended conditions.

Reason for Report A Speakers Panel decision is required because the application has been called in by Councillor Welsh.

UPDATE REPORT

This application was first presented to the Panel at their meeting on 26 May 2021. The officer's recommendation was for approval, subject to conditions. At that meeting the Panel deferred the application with instruction that the height of the building should be ascertained. The case officer has met with the applicant's appointed agent at the site and measurements have been verified.

The drawings submitted with the previous application that was approved (see paragraph 3.4 of Original Report) did not include any datum but indicate that the height of the ridge of the roof of the house was to rise approximately 9.1m above the highway in Mottram Old Road.

The land in front of the house rises from the highway and the drawings submitted with the current application indicate that the ridge of the roof of the house that has been built is approximately 8.4m above ground level and approximately 8.8m above the level of the highway. The eaves stand approximately 5.2m above ground level. These measurements conform with the dimensions indicated on the submitted drawings.

In both instances, the ridge of the roof house was to be lower than that of the neighbouring semi-detached houses at 122 and 124 Mottram Old Road but slightly taller than that of the ridge of the roof of the neighbouring detached house on the other side at 130 Mottram Old Road. This pattern of staggered roof heights is reflected in what has been built.

Previously, it was reported (see paragraph 13.1 of Original report) that details of the construction or load bearing capacity of the retaining wall that has been constructed have been provided and were being considered by the Council's Structural Engineers. These details have been considered and the wall has been inspected by a Council structural Engineer and no issues or substantive concerns are raised.

As such, the recommendation remains as is set out in the original report presented to the Panel on 26 May 2021, which is attached below.

ORIGINAL REPORT

1.0 APPLICATION DESCRIPTION

1.1 The application seeks retrospective and full planning permission for a 3-bedroom, detached house that has been built on a plot of land that was previously used for parking between nos. 124 and 130 Mottram Old Road. The roof space is utilised to accommodate a bedroom and so the house is considered 3-storey. The plot is situated immediately behind the footway and is initially flat and then, above a brick retaining wall that has been constructed, the land slopes upward to adjoin the rear gardens of bungalows in Silver Springs.

- 1.2 Due to the profile of the land, the house has been cut in to the higher ground and so, due to it cutting in to the slope, when viewed from the rear the house appears single-storey. From the rear of the bungalows behind only the roof of the house is visible.
- 1.3 The front of the proposed house is on a similar level to that of the neighbouring detached house at no. 130 Mottram Old Road. The neighbouring house on the opposite side at no. 124 Mottram Old Road is a semi-detached and at a higher level. Consequently, partly due to the change in the levels, the eaves and ridge of the roof of the new house are higher than those of no. 130 but lower than those at no. 124. The new house is brick-built with a tiled roof.
- 1.4 A driveway has been constructed on the eastern side of the house, next to no. 130, and the area in front is likewise hard-surfaced to provide for car parking.

2.0 SITE AND SURROUNDINGS

- 2.1 A block of seven houses on the southern side of Mottram Old Road, at the fringe of the built-up area in Hyde, look out across the valley on the opposite side of the road where the land falls away steeply towards Godley. The Alder Community High School is located in the valley and there is pedestrian access to the school from Mottram Old Road. Westward, beyond the block of houses, the land opens up in to the green belt between Hyde and Hattersley.
- 2.2 The neighbouring house to the west, at no. 124, is raised up from the road and is accessed via steps. The application site previously formed a gap in the built-up frontage in the block before the last house at no. 130 where there is a ground floor, habitable room window in the middle of the side gable.

3.0 PLANNING HISTORY

- 3.1 In September 2004, the Council refused an application (ref. 04/01175/OUT) for outline planning permission for a detached house on this plot. At that time approval of the details of the siting of the house were sought and all other matters of detail were held in reserve. An appeal against the Council's decision was dismissed in June 2005.
- 3.2 Application (ref. 14/01156/FUL) for full permission for a pair of semi-detached houses was refused in February 2015. Appeal dismissed.
- 3.3 Application (ref. 15/00300/FUL) for full permission to develop a detached house on the site was refused in June 2015. Appeal dismissed.
- 3.4 Most recently, full permission (ref. 16/00610/FUL) was granted in October 2016 for a 2-bedroom, detached house.

4.0 RELEVANT PLANNING POLICIES

- 4.1 **Tameside Unitary Development Plan (UDP) Allocation**
Unallocated.

- 4.2 **Part 1 Policies**

- 1.3 Creating a Cleaner and Greener Environment
- 1.5: Following the Principles of Sustainable Development
- 1.12: Ensuring an Accessible, Safe and Healthy Environment.
- 1.13: Meeting Obligations on Minerals, Waste and Energy.

4.3 **Part 2 Policy**

H2: Unallocated Sites.

H9: Backland and Garden Development.

H10: Detailed Design of Housing Developments

T1: Highway Improvement and Traffic Management

C1: Townscape and Urban Form.

MW11: Contaminated Land.

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

Section 2. Achieving sustainable development

Section 5. Delivering a sufficient supply of homes

Section 9. Promoting sustainable transport

Section 11. Making effective use of land

Section 12. Achieving well-designed places

Section 15. Conserving and enhancing the natural environment

4.5 **Other Policies**

Residential Design Supplementary Planning Document

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

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 As part of the planning application process, 11 notification letters were sent out to neighbouring properties on March 21 2020.

6.0 **RESPONSES FROM CONSULTEES**

6.1 The Head of Environmental Services (Highways) has raised no objections to the proposal and has suggested that conditions regarding the provision of visibility splays where the driveway meets the footway and cycle storage, and details of the retaining wall, as well as informative notes regarding a postal address and working near to a highway be attached to any permission.

7.0 **SUMMARY OF THIRD PARTY RESPONSES RECEIVED**

7.1 As a result of the application being publicised objections have been received from Councillor Welsh and from a neighbour. Councillor Welsh objects on the grounds that the house that has been built is larger, including being taller, than the house that was approved (see paragraph 3.4) and consequently has a greater impact on the amenities of the neighbour behind.

7.2 The neighbour objects also on the grounds that the house is taller than that approved, and so has a greater impact on the outlook from windows in the bungalow behind, and also the failure to adhere to the terms of the planning permission.

8.0 ANALYSIS

8.1 The site is located within an established residential area and, there having been no material changes in circumstances in the meantime, the principle that residential development is acceptable is established by the previous grant of planning permission (see paragraph 3.4). The principle that residential development is acceptable being established, the issues to be considered in the determination of the application are then the effect of the proposal on:

- The character and appearance of the site and the surrounding area;
- The impact on existing residential amenities;
- The residential environment created; and
- The impact on highway safety.

9.0 CHARACTER AND APPEARANCE

9.1 The existing houses in the block consist of the detached house at no. 130, which is stone-built, a pair of semi-detached houses, both of which are pebble-dashed, and a row of four terraced houses, two of which are brick-built and two are stone-built. There being a variety of external finishes to nearby houses that the new house is brick-built is considered acceptable.

9.2 The eaves and roof ridge of the new house are both lower than those of the neighbouring semi-detached house. The eaves of the new house are at approximately the same height as those of the neighbouring detached house, but the ridge is higher. In terms of scale, the new house is considered in-keeping with the neighbours and results in a stepping-down in terms of height along the row.

9.3 The windows in the house that was approved previously each had a vertical emphasis, they were taller than they were wide, as do the windows in each of the other houses in the row. As built, the main windows in the front of the new house are square. The windows in the house that was approved were each to be built with stone sills and headers; these are omitted from the house as built, but it is proposed that stone sills be introduced. It is considered that the introduction of sills, together with an existing profiled band in the brickwork above the front, ground floor window and door, provide adequate architectural features so that the design and appearance of the proposed house are considered acceptable and compliant with: policies 1.3, 1.11, H10 (a) and C1 of the UDP; policy RD1 of the SPD; and, Sections 11 and 12 of the NPPF, and that the house appears in-keeping with the setting.

10.0 IMPACT ON EXISTING RESIDENTIAL AMENITIES

10.1 The Council's reason for refusing the first of the previous applications (see para. 3.2) was because the proposed development fails to achieve an adequate privacy and spacing distance to a habitable window in the gable end of 130 Mottram Old Road. In dismissing the appeal against the refusal of the first of these applications the Inspector agreed with the Council that the proposal would position a gable wall extremely close to a ground floor window in the side of no. 130. The Inspector recognised that whilst (the gable window) might be described as the secondary window to the room, it is very important to the enjoyment of the property.

10.2 In relation to the impact on amenity at the neighbouring bungalow in Silver Springs, the Inspector acknowledged that there would be a loss of view from the rear windows that were clearly intended to take advantage of this opportunity but that the objection for this reason was 'less compelling'. The impact on the view was found not to be a tenable reason in itself for refusal but a supporting reason. The Inspector's summary of the reason for dismissing the appeal referred solely to the impact on the window in no. 130 Mottram Old Road.

- 10.3 The reason given for the Council refusing the latter of the previous applications (see para. 3.3) was because:

The proposed development fails to achieve an adequate privacy and spacing distance, and so results in undue over-shadowing, to a habitable window in the gable of no.130 Mottram Old Road and would be detrimental to the amenity, in this case outlook, currently enjoyed by the occupier of no. 1 Silver Springs.

- 10.4 In the latter of the previous applications the proposed house included an attached garage on the side. The distance between the garage wall and the window in the gable of the neighbouring house at no. 130 would have been akin, approximately 2 metres, to that of the sidewall of the house that was refused originally in 2004 (see para. 3.2).
- 10.5 As was the case in the previous permission (see para. 3.4), as built there is a distance of more than 5 metres between the side of the new house and the window in the gable of the neighbouring house at no. 130. Moreover, an existing 1.8 metre high close-boarded, timber fence along the boundary would be retained. Albeit important to the enjoyment of the property, the window in the gable of the neighbouring house is secondary and given the spacing that is now achieved, the impact in terms of over-shadowing of this window by the proposed house would not be excessively greater than that caused by the existing fence. In this respect the proposal can therefore be considered acceptable.
- 10.6 Whilst there would undoubtedly be a loss of view from the rear windows of the bungalow behind in Silver Springs, as has been acknowledged previously, this in itself is not a tenable reason for refusal.
- 10.7 In terms of the impact on the amenity of neighbouring residential properties, the proposal can be considered to be acceptable and compliant with: policies 1.5, H9(c), H10(d) of the UDP; policy RD5 of the SPD; and Sections 11 and 12 of the NPPF.

11.0 RESIDENTIAL ENVIRONMENT CREATED

- 11.1 UDP policy H10(a) requires that the design of proposed housing developments, which are acceptable in relation to other relevant policies in the plan, meet the needs of the potential occupiers. To this end, SPD policy RD18 recommends minimum floor areas that residential developments should achieve. Internal space being interpreted by reference to the nearest equivalent new national technical standard as given by the Government's Technical housing standards – nationally described space standard document (THS) – which require that a 3-bedroom, 3-storey dwelling provides a minimum internal floor area of at least 90sqm, and in order to provide one bed space, a single bedroom has a floor area of at least 7.5sqm and is at least 2.15m wide. Any area with a headroom of less than 1.5m is not counted within the gross internal area unless used solely for storage.
- 11.2 Excluding the area of the bedroom in the roof space that has a headroom of less than 1.5m, the gross internal area of the house as built, and indicated on the submitted drawings, is approximately 90sqm and achieves the requirements of the THS for a 3-storey, 3-bedroom dwelling. The house is provided with commensurate private amenity space. In terms of the residential environment that would be created the proposal is therefore considered compliant with policies 1.5 and H10(a) of the UDP; policy RD11 of the SPD; and, Section 12 of the NPPF.

12.0 HIGHWAY SAFETY

- 12.1 Whilst the development has removed the car parking space currently used by the occupants of no. 124 Mottram Old Road there is no compunction that this be maintained. The occupants may choose to refrain from using the land for parking and instead incorporate it into the wider garden. The layout of the house as built includes provision to park two cars off-street.
- 12.2 The Head of Environmental Services (Highways) offering no objection, the provision of two car parking spaces, despite the absence of any discrete cycle storage, is considered adequate and in compliance with both the policy H10(b) of the UDP and policies RD7, RD8 and RD9 of the SPD, and, the impact on the road network not being severe, Section 9 of the NPPF.

13.0 OTHER ISSUES

- 13.1 Whereas in the development approved previously the house was to be cut in to the hillside so that sloping land would remain at the side, as built the land at the side has been levelled and a retaining wall has been constructed level with the back wall of the house. According to paragraph 170 of the NPPF, planning decisions should prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by land instability. Details of the construction or load bearing capacity of the retaining wall that has been constructed have been provided and are being considered by the Council's structural engineers. Whether the details that have been provided are sufficient so that it can be accepted that the development has not contributed to, or is put at unacceptable risk from, or is adversely affected by, land instability will be reported orally to the Panel.

14.0 CONCLUSION

- 14.1 The Council cannot demonstrate a five-year supply of deliverable housing sites in a recently adopted plan or in any annual position statement, as is required by paragraph 74 of the NPPF. For decision taking this means that permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 14.2 The principle of the development is established, and without impinging unduly on any existing amenities, it is considered that the house as built provides a new dwelling that conforms to the relevant requirements of the Residential Design SPD, the UDP and the NPPF. The recommendation is therefore for approval.

RECOMMENDATION

Grant planning permission, subject to the following conditions:

- 1) The development hereby approved shall be completed in accordance with the following approved plans:

Site Location Plan, ref. (00).004 A
Proposed Site Plan, ref. 101 B
Proposed Section 1-1, ref. 102 B
Proposed Section 2-2, ref. 103 B
Proposed Plans, ref 104 B
Proposed Elevations, ref. 105 B

Reason: For the avoidance of doubt.

- 2) Prior to the first occupation of the development hereby approved, the soils at the site (particularly, in garden/soft landscaped areas) and any imported soils shall be sampled and analysed in line with current best practice contaminated land guidance and the Councils 'Guidance Document for Applicants, Developers, Land Owners and their Agents'. The soil analysis data and a detailed soils risk assessment(s) shall be submitted to, and approved in writing by the local planning authority (LPA).

Where necessary, a remediation strategy detailing the works and measures required to address any unacceptable risks posed by contamination shall be submitted to, and approved in writing by, the LPA. The strategy shall include full details of the information that will be obtained in order to demonstrate the scheme has been fully implemented. The approved remediation scheme shall be fully implemented and a verification/completion report demonstrating this and that the site is suitable for its intended end use shall be submitted to, and approved by, the LPA.

The discharge of this planning condition will be given in writing by the LPA once all information specified within this condition and any other requested information has been provided to the satisfaction of the LPA and occupation shall not begin until this time unless otherwise agreed in writing by the LPA.

Reason: To ensure any unacceptable risks posed by contamination are appropriately addressed and the site is suitable for its proposed use in accordance with policy MW11: Contaminated Land of the UDP, and with paragraph 178 of the National Planning Policy Framework.

- 3) Prior to the first occupation of the development hereby approved stone sills, as indicated on the approved plans ref. 102 B and ref. 105 B, shall be installed.

Reason: In the interests of the visual amenities of the locality, in accordance with policies 1.3: Creating a Cleaner and Greener Environment, H10: Detailed Design of Housing Developments, and C1: Townscape and Urban Form of the UDP, and within Section 12 of the NPPF.

- 4) Prior to the first occupation of the development hereby approved the car parking facilities indicated on the approved plan, ref. 101 B, shall be provided and thereafter be kept available for the intended purpose at all times.

Reason: In the interest of highway safety, in accordance with Policy T1: Highway Improvement and Traffic Management of the UDP, and with Section 9 of the NPPF.

- 5) As indicated on the approved plan, ref. 101 B, a clear view shall be provided on each side of site access where it meets the footway in Mottram Old Road. Its area shall measure 2.4 metres along the edge of the site access and 2.4 metres along the footway. It must be kept clear of anything higher than 600mm above the access, except for vertical iron railings to a design that includes rails of not greater than 15mm diameter, spaced at not less than 100mm intervals.








Reason: In the interest of highway safety, in accordance with Policy T1: Highway Improvement of the UDP, and Traffic Management., and within Section 9 of the NPPF

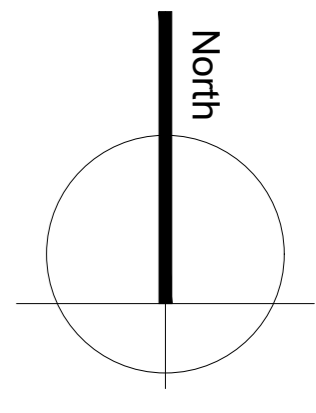
- 6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any order revoking and re-enacting that Order, with or without modification, express planning consent shall be required for any development referred to in Class A, Class AA, Class B, Class C, Class D, and Class E of Part 1 of Schedule 2 of that Order.

Reason: To prevent undue overlooking and overshadowing of neighbouring properties in accordance with policy H10 of the UDP, and within Section 12 of the NPPF.

It is the Contractor's responsibility to report any inconsistencies on this drawing, or between drawings, to the Design consultant and to request clarification and instruction before proceeding. This drawing and design is the copyright of VISION and may not be reproduced in any form whatsoever without prior express or written consent.

KEY / LEGEND:

- APPLICATION BOUNDARY 
- EXISTING BUILDINGS / STRUCTURES 
- EXISTING LEVELS 
- EXISTING VEGETATION 
- SECTION REFERENCES 
- PROPOSED BUILDINGS / STRUCTURES 
- PROPOSED LEVELS 



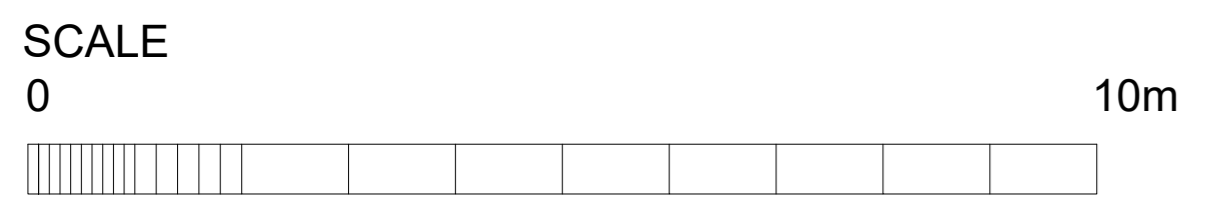
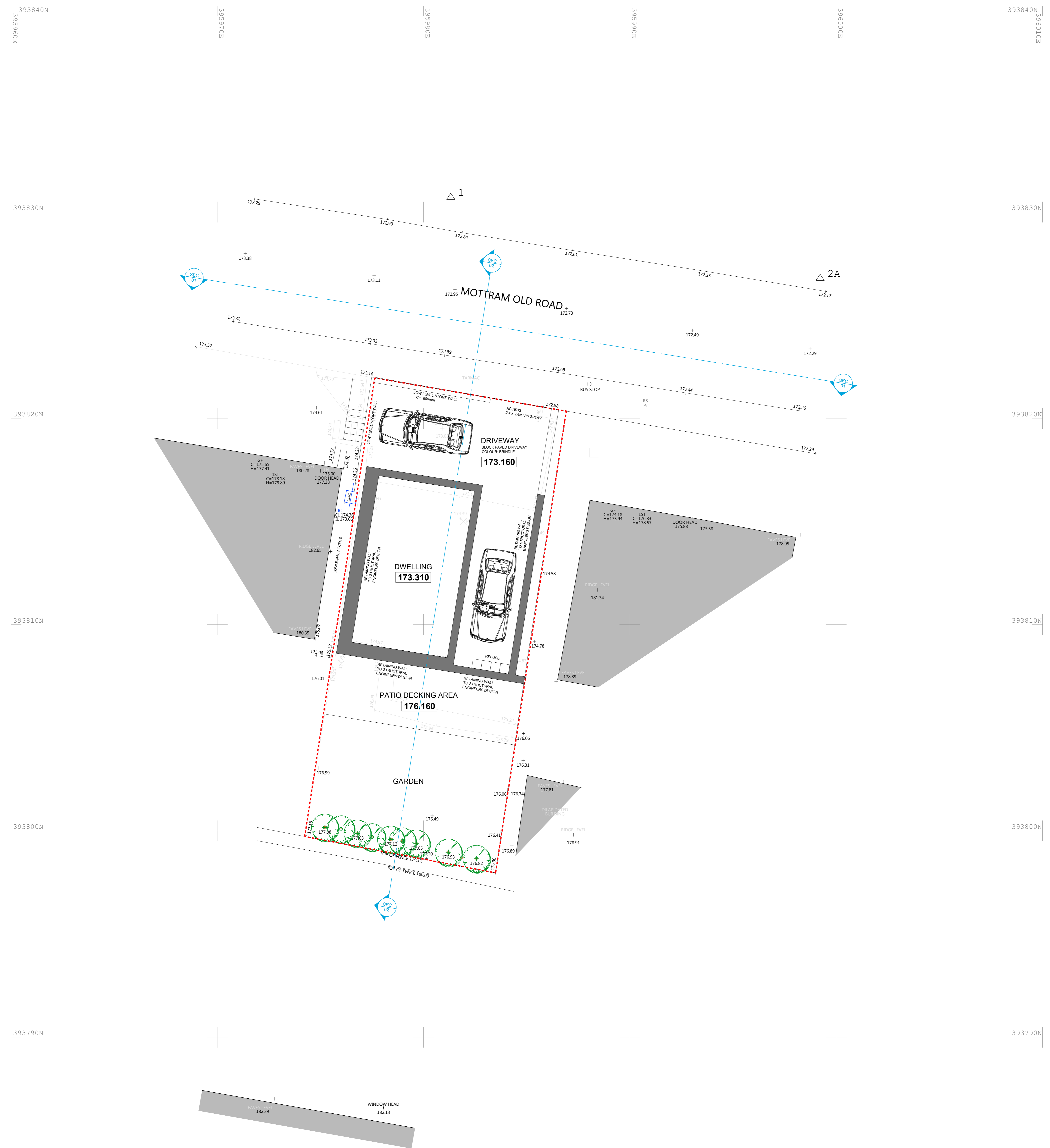
Rev	Date	In1	Description
B	28.03.2021	DB	UPDATES FOLLOWING COMMUNICATION WITH PLANNING OFFICER IAN BERRY



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PROJECT			
LAND ADJACENT TO No124 MOTTRAM OLD ROAD, GEE CROSS, HYDE, SK14 3BA			
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PROPOSED SITE PLAN



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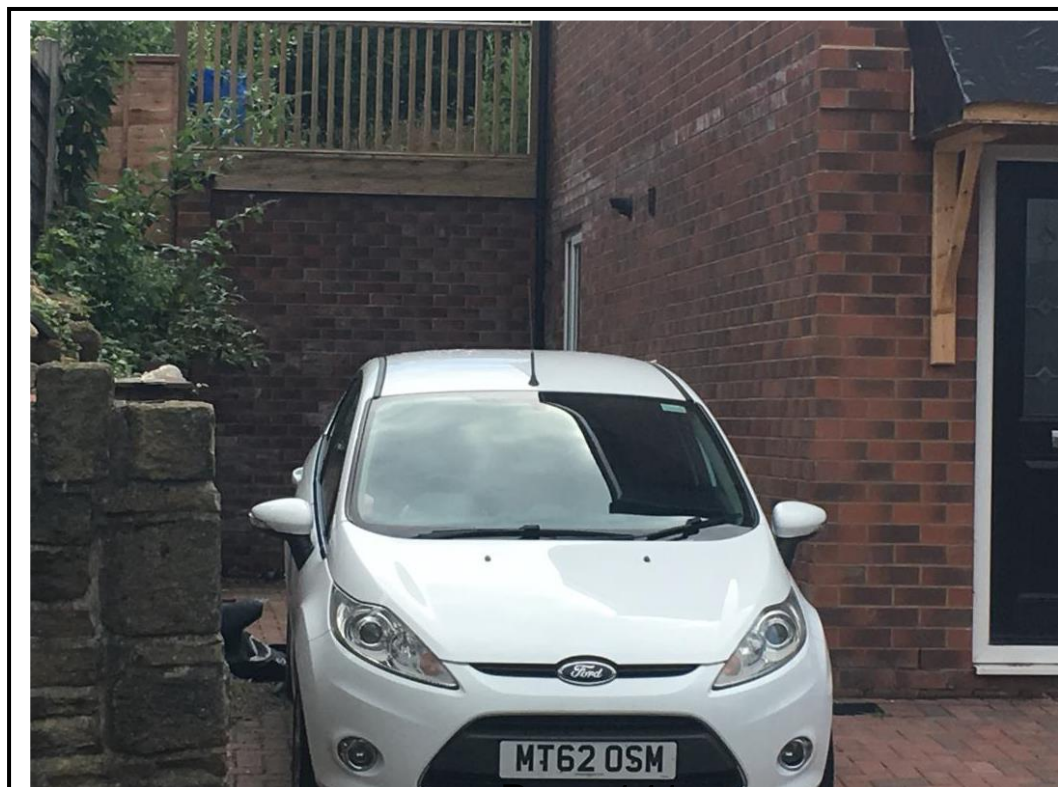
Application No. 20/00329/FUL

Detached Dwellinghouse – Retrospective

Front elevation, from Mottram Old Road



Side, showing retaining wall



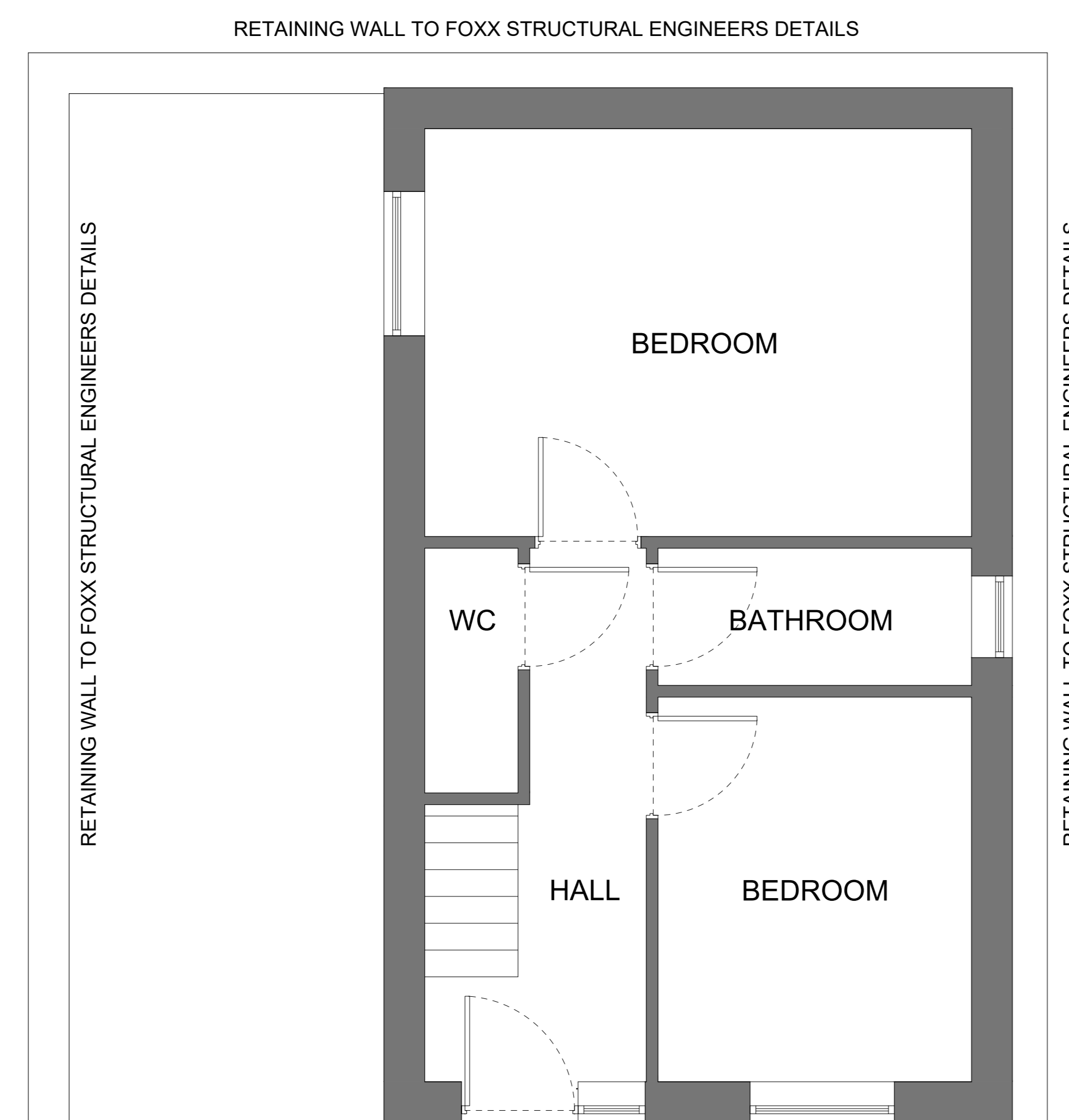
Roof, as seen from garden of neighbouring bungalow behind in Silver Springs



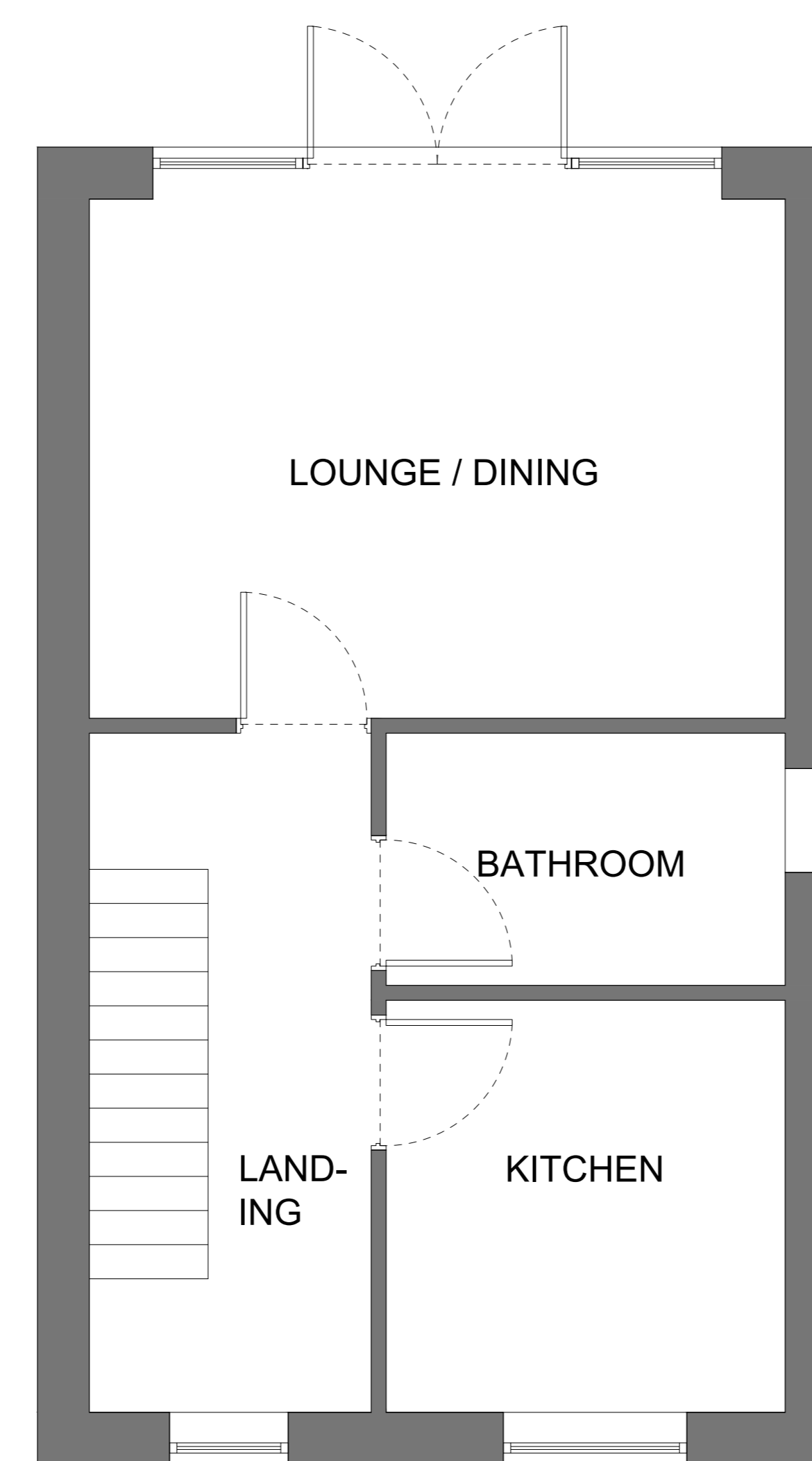
Rear elevation, facing towards garden of neighbouring bungalow behind in Silver Springs



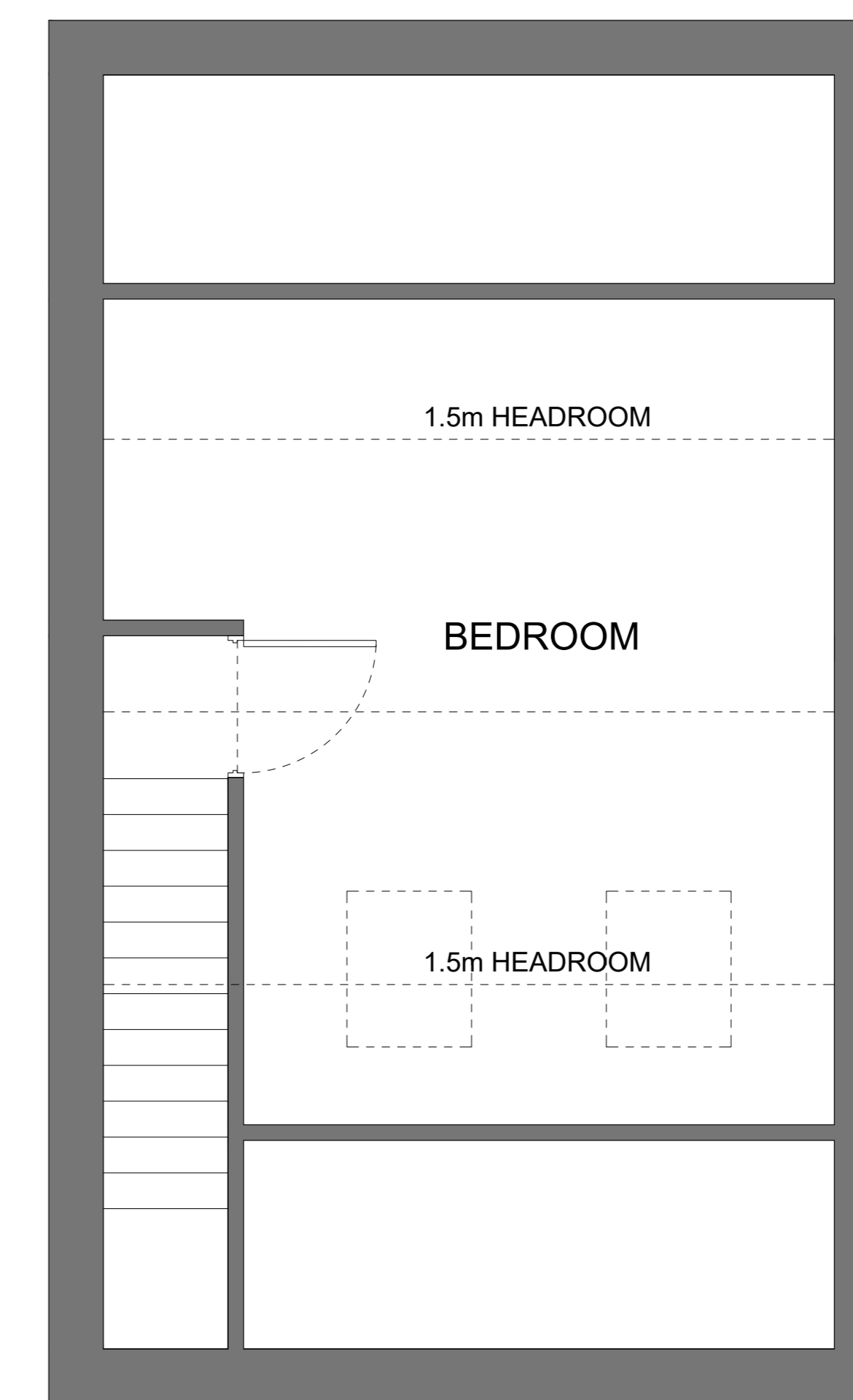
KEY / LEGEND:



GROUND FLOOR PLAN
38m²



FIRST FLOOR PLAN
38m²



SECOND FLOOR PLAN
16m² (ABOVE 1.5m)

Rev	Date	In1	Description
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PROJECT

LAND ADJACENT TO
No124 MOTTRAM OLD ROAD,
GEE CROSS, HYDE, SK14 3BA

TITLE

PROPOSED
PLANS

DRAWING STATUS

- FEASIBILITY
- PLANNING
- CONTRACT
- TENDER
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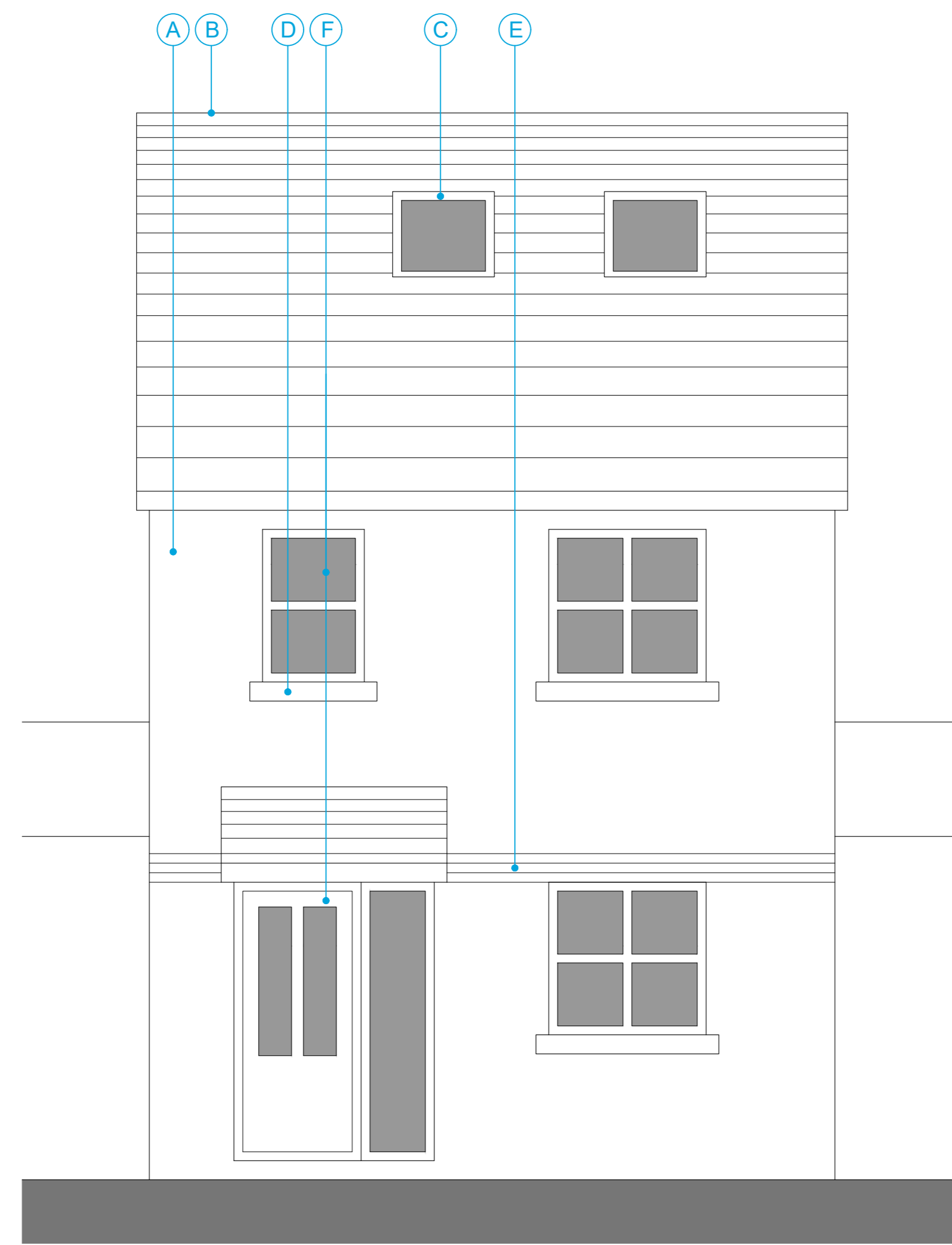
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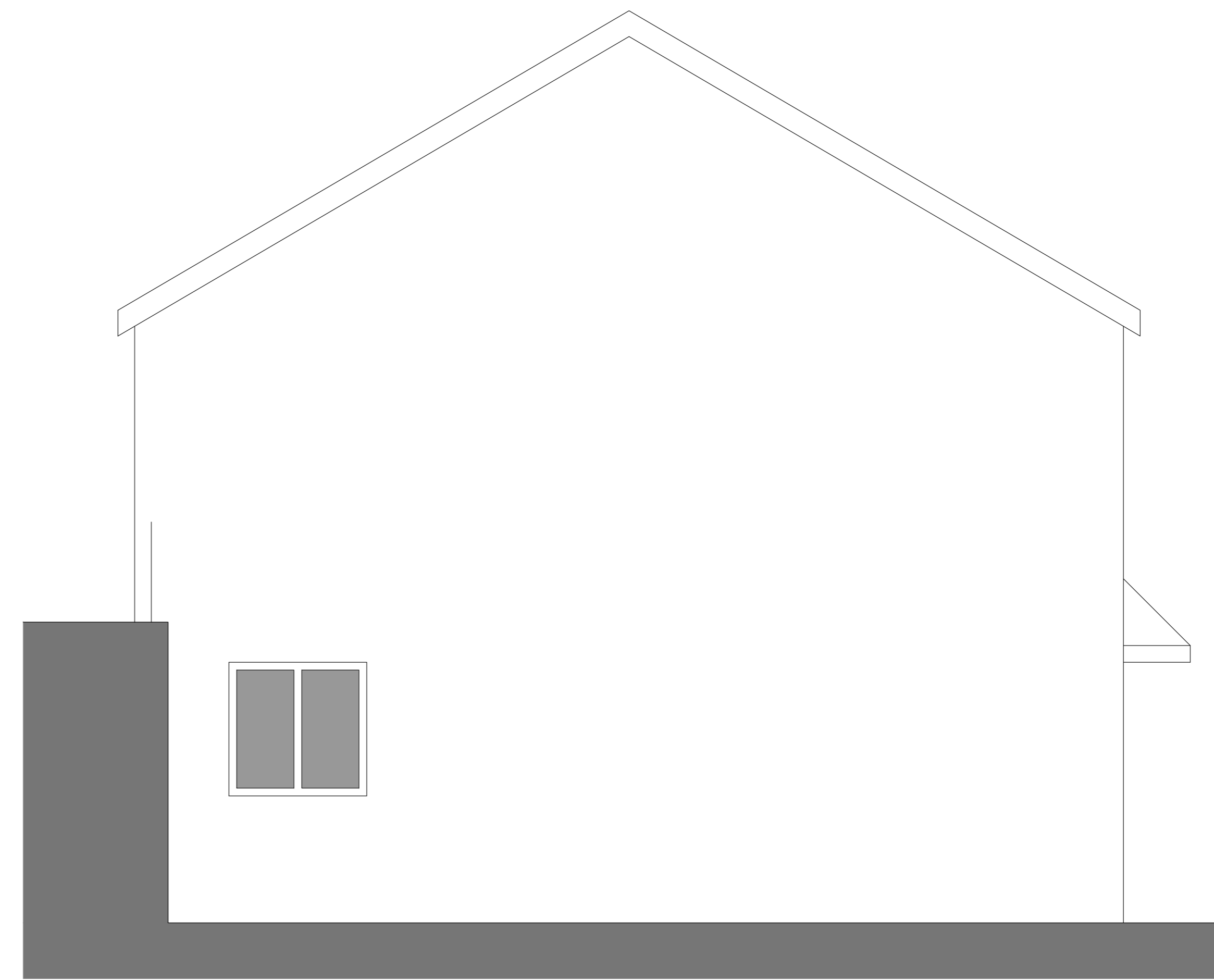
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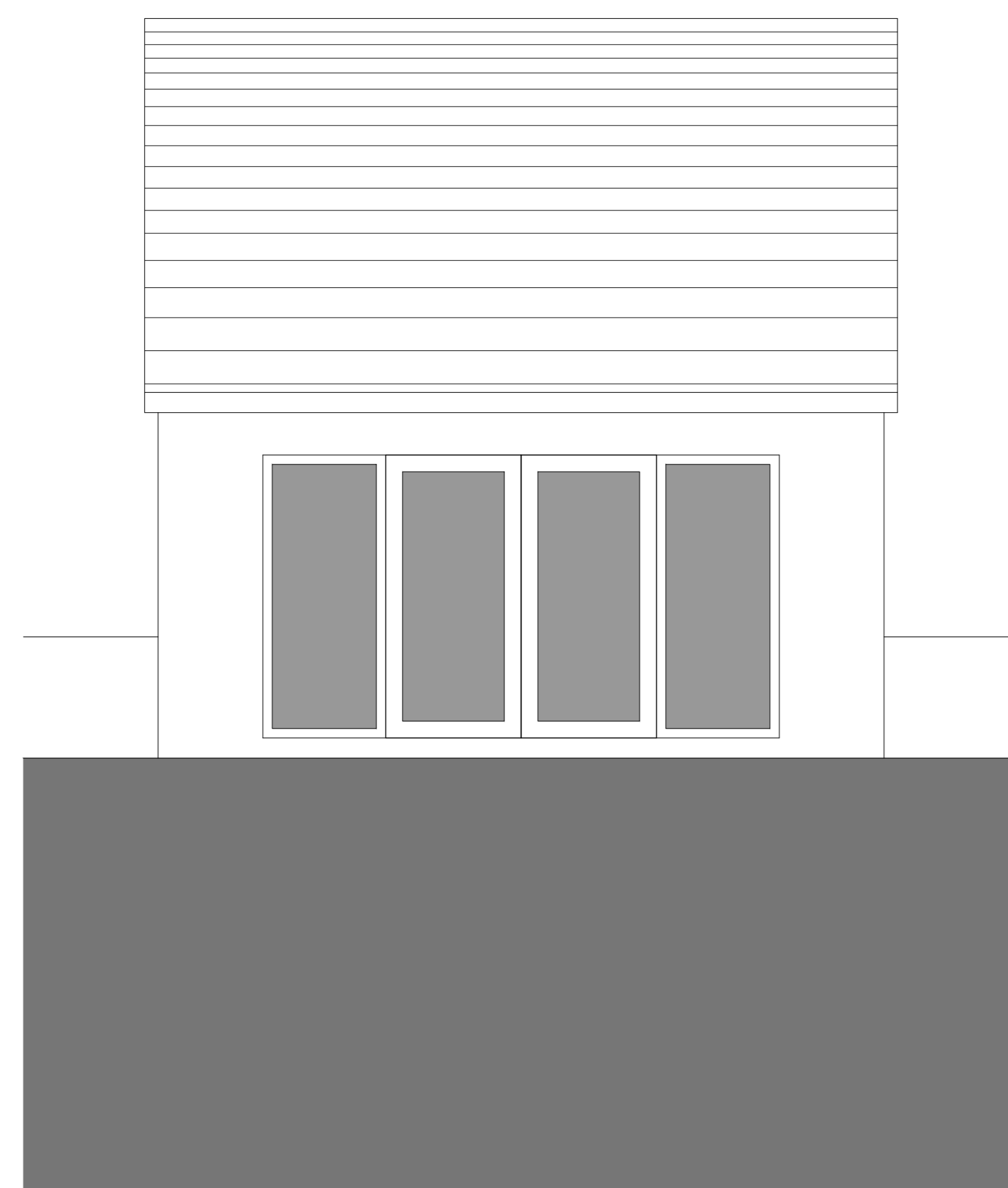
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- B. SLATE ROOF.
- C. VELUX ROOF WINDOWS.
- D. BUFF THROUGH COLOURED ARTSTONE CILLS.
- E. BRICK PROFILE DETAIL.
- F. UPVC WINDOWS AND DOORS.



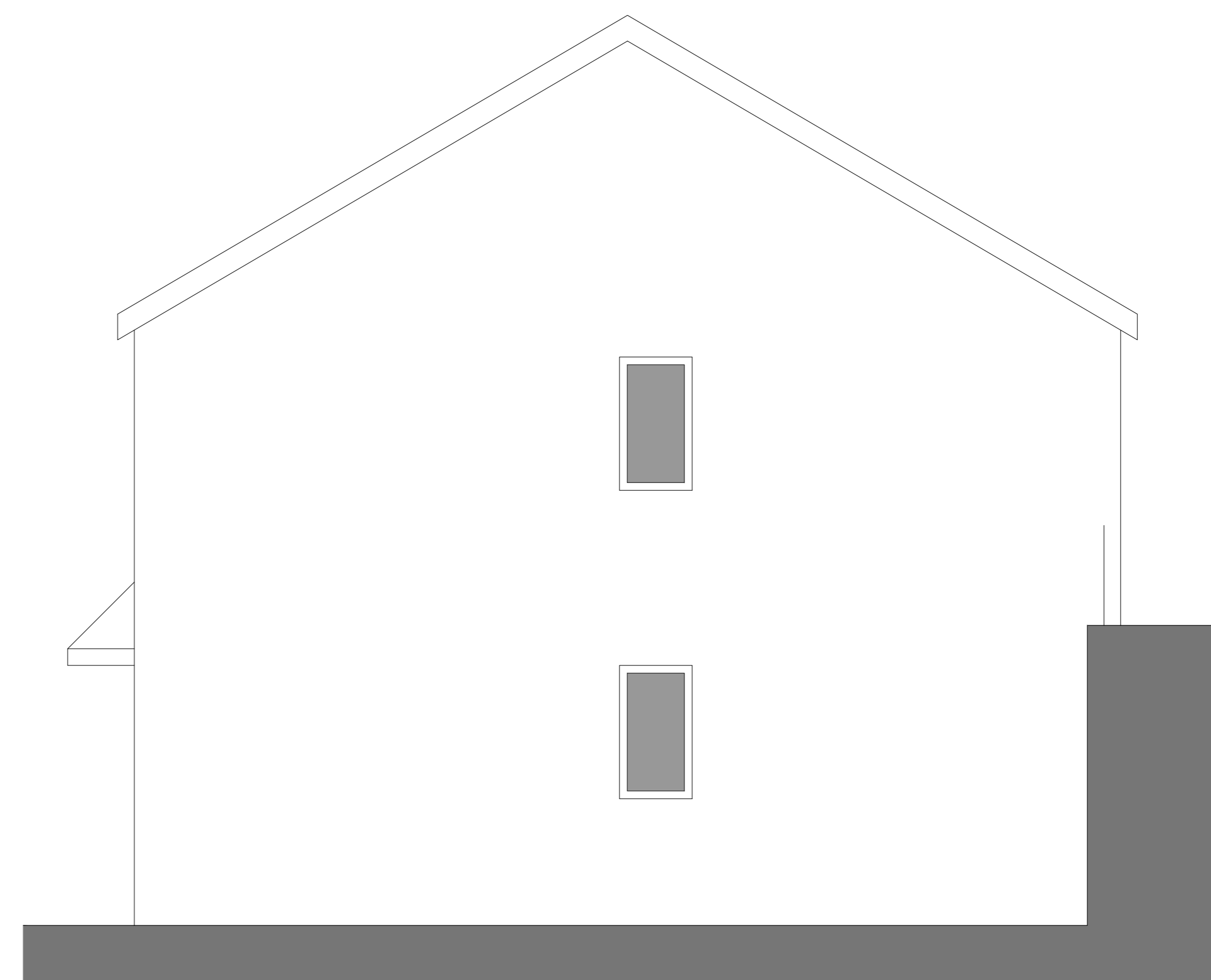
ELEVATION 01



ELEVATION 03



ELEVATION 02



ELEVATION 04

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B	28.03.2021	DB	UPDATES FOLLOWING COMMUNICATION WITH PLANNING OFFICER IAN BERRY



PROJECT

LAND ADJACENT TO
No124 MOTTRAM OLD ROAD,
GEE CROSS, HYDE, SK14 3BA

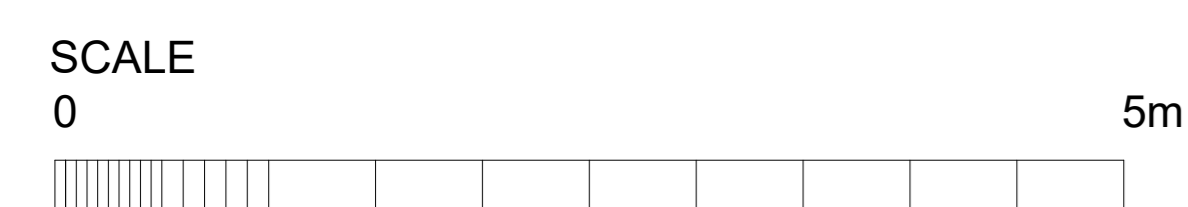
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**PROPOSED
ELEVATIONS**

DRAWING STATUS

- FEASIBILITY
- PLANNING
- CONTRACT
- TENDER
- BUILDING CONTROL
- AS BUILT

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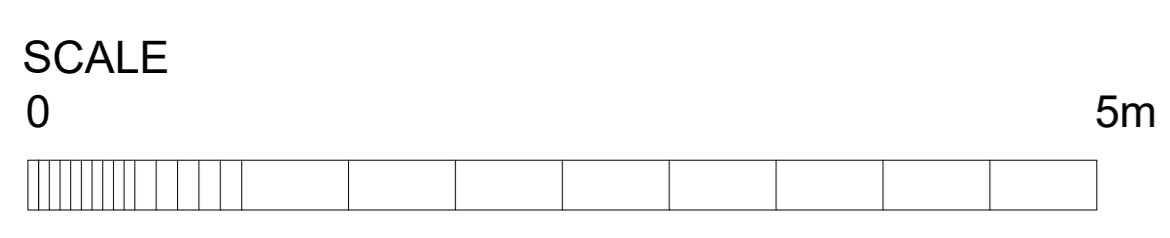


Rev	Date	In1	Description
B	28.03.2021	DB	UPDATES FOLLOWING COMMUNICATION WITH PLANNING OFFICER IAN BERRY

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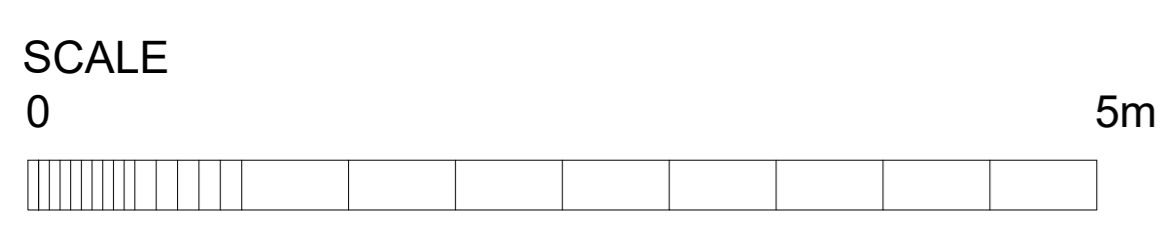
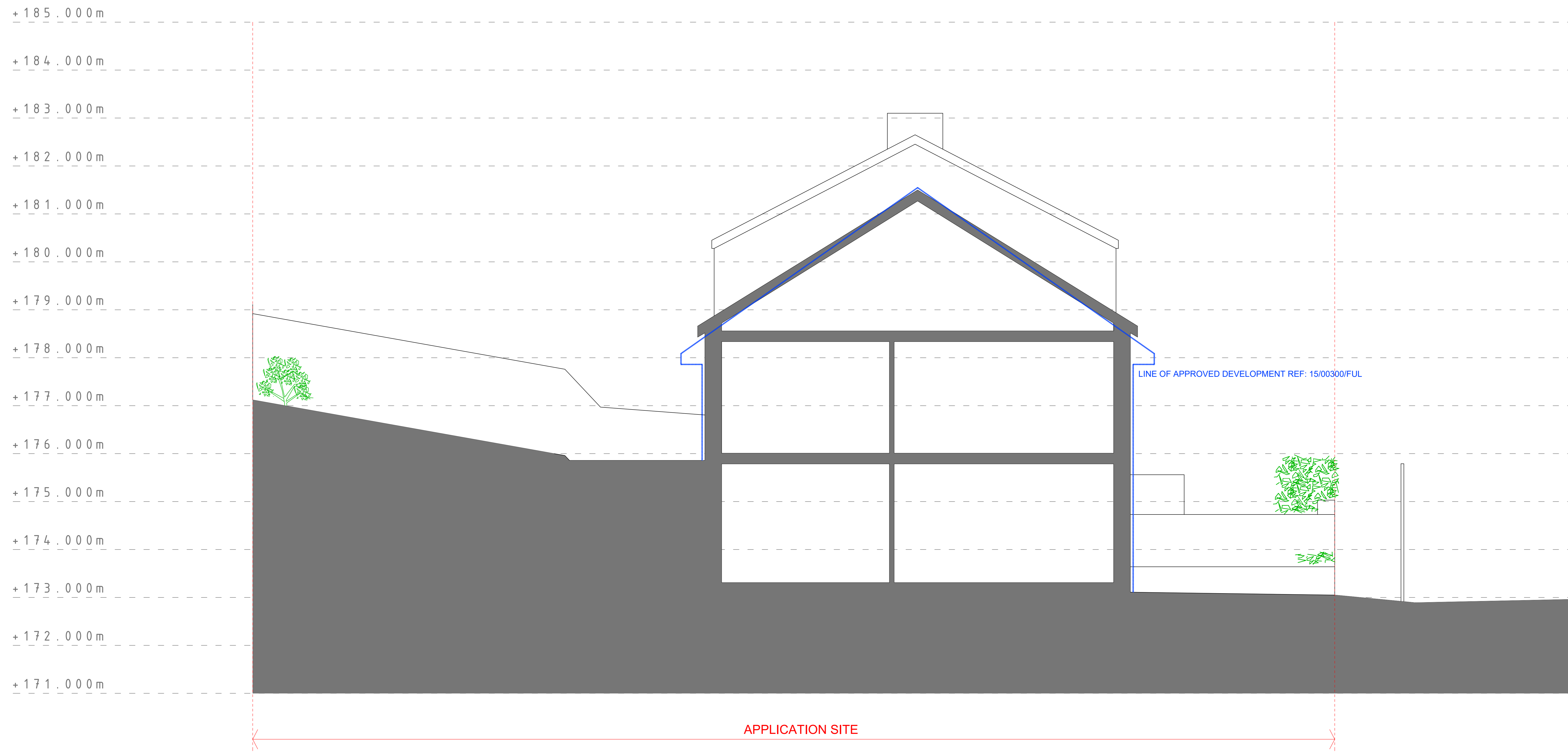
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KEY / LEGEND:

PROPOSED SECTION 2-2



Rev	Date	In1	Description
B	28.03.2021	DB	UPDATES FOLLOWING COMMUNICATION WITH PLANNING OFFICER IAN BERRY

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PROJECT			
LAND ADJACENT TO No124 MOTTRAM OLD ROAD, GEE CROSS, HYDE, SK14 3BA			
TITLE			
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Appeal Decision

Site Visit made on 30 April 2021

by R Morgan BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 May 2021

Appeal Ref: APP/G4240/W/21/3269085

Land between Pentire & Springfield, Mottram Road, Hyde, SK14 3AR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Neil Morten against the decision of Tameside Metropolitan Borough Council.
 - The application Ref 20/00948/OUT, dated 25 September 2020, was refused by notice dated 17 December 2020.
 - The development proposed is demolition of a redundant BT building and construction of a single detached two-storey dwelling.
-

Decision

1. The appeal is allowed and outline planning permission is granted for the demolition of redundant BT building and construction of a single detached two storey dwelling at land between Pentire & Springfield, Mottram Road, Hyde, SK14 3AR in accordance with the terms of the application, Ref 20/00948/OUT, dated 25 September 2020, subject to the conditions in the attached schedule.

Procedural Matters

2. The application was submitted in outline, with matters of access, layout, scale, appearance and landscaping reserved for future approval. I have therefore treated the drawings showing possible site layouts and elevations as being indicative.

Main Issues

3. The site is located within the Green Belt and in this context, the main issues are:
 - whether the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework and the relevant development plan policies; and
 - the effect of the proposal on the character and appearance of the area.

Reasons

Whether inappropriate development

4. The National Planning Policy Framework (the Framework) identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It goes on to state that inappropriate development is harmful to the Green Belt and should not be approved except in very special

circumstances. Framework paragraph 145 says that new buildings should be regarded as inappropriate development, except in specific circumstances. These include criterion (g), which provides for the partial or complete redevelopment of previously developed land where it would not have a greater impact on the openness of the Green Belt than the existing development.

5. Policy OL1 of the Tameside Unitary Development Plan 2004 (UDP) is concerned with the protection of the Green Belt, but it predates the Framework and contains less detail than paragraph 145 on the circumstances in which development may be regarded as not inappropriate. Consequently, I have used the wording from the Framework, which sets out current national policy on Green Belts, rather than Policy OL1.
6. The appeal site is located within a row of residential properties fronting onto Mottram Road (A57). The plot is narrower than those of the surrounding houses and contains a brick built former BT exchange building, with a steeply pitched roof. To the rear of this building are two flat roofed garages.
7. The existing building, which is clearly visible from the road, is smaller than the adjacent houses but it occupies the majority of the plot width. The proposed two storey development would be greater in height than the BT exchange building, but the constraints of the plot would limit the overall scale of the new house. The proposal would result in a modest increase in built form, but given the location of the site within an existing built up frontage, the effect on the openness of the Green Belt would be minimal.
8. The proposed redevelopment of this previously developed site would preserve openness and so would comply with the provisions of Framework paragraph 145g). As such, it would not be inappropriate development in the Green Belt.

Character and appearance

9. The area around the appeal site has a mix of uses, with a small business park on the opposite side of Mottram Road. However, the appeal site is primarily viewed in the context of the row of houses within which it sits. There are a mixture of property styles and ages within the group, which includes semi-detached and detached houses and bungalows, all of which are elevated above street level to a varying degree. Whilst there is significant variation in their appearance, the significant set back of the houses from the road, together with the fairly regular building line, are important elements which contribute to the character of the area.
10. The former BT building is set back from the road by a similar distance to its immediate neighbour, Pentire, and the indicative layout plans show that a dwelling could be accommodated on the site which followed the building line and retained the set back. The existing building is unassuming in appearance and the proposed house would be larger and more visible within the streetscene. However, the plot is of sufficient size to accommodate a small house, and the lack of consistency in the existing built form would enable the proposed house to be accommodated without appearing incongruous within its setting.
11. The appeal site occupies a narrower plot than that of the surrounding houses, and the proposed house would be sited close to Pentire, which has been extended to the side. However, along the row of houses there is variation in

both plot widths and the degree of spacing between the properties, with Three Hills, which adjoins Pentire, being sited close to its neighbour on the other side. The proximity of the proposed house to Pentire would therefore not appear unusual or out of place, and the access track on the other the side of the site would provide separation between the proposed house and Springfield. As a result, the development would not appear cramped.

12. I note the Council's concerns that the access track would frame the proposed house and increase its prominence from Mottram Road. However, views along the track towards the new building would be screened in part by the side garage at Springfield. Provided that a sizeable set back from the road was retained, I am satisfied that the proposal would not appear unduly prominent from Mottram Road.
13. I acknowledge that surrounding properties generally have areas for parking at the side, whereas the indicative site and elevation plan suggests that the proposed house would have parking spaces at the front. All such details are reserved for future consideration, but the suggested parking layout would still allow space in front of the house for a garden area. This would enable the incorporation of soft landscaping which would help the proposed development to assimilate into the area and contribute positively to its character.
14. I conclude that the proposed dwelling could be accommodated on the site without causing undue harm to the character and appearance of the area. I have found no conflict with UDP Policy C1, which requires proposals to understand and respect the distinct settlement pattern, topography and townscape character of the area. I am satisfied that a scheme could be developed which complied with the design considerations contained in Framework paragraph 130.
15. UDP Policy H10 is concerned with the detailed design of housing developments but this application is purely in outline and matters of layout, design and external appearance are excluded at this stage. I have found the principle of development on the site to be acceptable, but it will be necessary to address the detailed criteria set out in Policy H10 at the reserved matters stage.
16. The Council has also referred to UDP Policy H9, but the proposal does not constitute backland development and is not within an existing garden, so this policy is not directly applicable to the appeal scheme.

Other Matters

17. I note concerns about potential impacts on privacy to a neighbouring property, particularly given the higher level of back gardens. However, the access track provides a reasonable degree of separation, and existing landscaping would assist with screening and help to ensure privacy. These factors would help to avoid any harmful effect on the living conditions of neighbouring occupiers, but the potential impact on amenity would also need to be addressed as part of the consideration of detailed layout and design as part of any future reserved matters application.
18. A neighbouring resident has commented that permission from the landowner would be required for the new dwelling, however this is a legal matter which does not prevent planning permission from being granted.

19. I have found that the proposal is consistent with the development plan and policies in the Framework. In accordance with Framework paragraph 11, planning permission should therefore be granted without delay. Given these circumstances, it is not necessary to address any implications of the five year housing land supply situation in this appeal.

Conditions

20. In addition to conditions setting out a timescale for the submission of reserved matters and implementation of development, a condition specifying plans is necessary in the interests of certainty. The Council's suggested condition requiring details of facilities for the storage and collection of refuse is reasonable and necessary to protect the quality of the local environment, and details of foul and surface water drainage are also necessary to avoid risk of flooding. I have imposed these conditions, with minor wording changes to improve precision and enforceability.
21. The Council has also suggested a condition requiring a preliminary risk assessment to determine the potential for the site to be contaminated. However, no explanation as to why this is necessary has been provided, and given the former use of the building as a telephone exchange within a residential area, it seems unlikely that the land is contaminated. I have not, therefore imposed this condition. There are no trees on the site, so the suggested condition requiring fencing for the protection of any retained trees is also unnecessary.
22. The Council has also suggested that permitted development rights for extensions, alterations and the erection of garages and outbuildings should be removed due to the potential impact on amenity and the protection of trees. However, Framework paragraph 53 advises that planning conditions should not be used to restrict national permitted development rights unless there is a clear justification to do so. No compelling reason for imposing this condition has been given, and as the details of the proposed house have not been agreed at this stage, the need to limit permitted development rights to protect amenity is unclear. As such, the suggested restriction of rights contained in Part 1 of Schedule 2 of the General Permitted Development Order is not reasonable, and I have therefore not imposed this condition.
23. The Council's Environmental Strategy officer suggested a condition aimed at ensuring that future occupiers would not be adversely affected by external noise. Given the location of the site close to two major roads and opposite an industrial park, I agree that this is necessary to ensure satisfactory living conditions, and have imposed a suitable condition. I have used the Council's suggested amendment, which avoids any requirement for details to be provided prior to development commencing.
24. The Environmental Strategy officer also suggested a condition restricting working hours, but as the proposal is for a single dwelling only, the construction period is likely to be short. Such a condition is therefore not necessary.

Conclusion

25. For the reasons given, I conclude that the appeal is allowed subject to the attached conditions.

R Morgan

INSPECTOR

Schedule of conditions

- 1) Details of the access, appearance, landscaping, layout and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the site plan and site location plans submitted with the application.
- 5) Prior to the occupation of the dwelling hereby approved, details of facilities for the storage and collection of refuse and recyclable materials 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 retained thereafter.
- 6) With exception of site clearance and demolition, no construction work shall take place until a scheme for protecting the occupants of the proposed dwelling from noise from the A57, M67 and nearby industrial park shall have been submitted to and approved in writing by the local planning authority. All works which form part of the scheme shall be completed before the dwelling is occupied and retained thereafter.
- 7) No development shall take place until:
 - (a) Full foul and surface water drainage details, including a scheme to reduce surface surface water run-off by at least 30% and a programme of works for implementation, have been submitted to and approved in writing by the local planning authority;
 - (b) Porosity tests are carried out to demonstrate that the subsoil is suitable for soakaways;
 - (c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways;The drainage scheme shall be implemented in accordance with an agreed timetable, and retained throughout the life of the development.

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