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SPEAKERS PANEL (PLANNING)

Day: Wednesday
Date: 16 February 2022
Time: 10.00 am
Place: Guardsman Tony Downes House, Manchester Road,
Droylsden, M43 6SF

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 19 January 2022, having been circulated, to be signed by the Chair as a correct record.	1 - 4
4.	PLANNING APPLICATIONS To consider the schedule of applications:	
a)	21/00077/FUL - SNIPE RETAIL PARK, SNIPE WAY, ASHTON-UNDER-LYNE, OL7 0DN	5 - 38
b)	19/01090/REM - LAND BETWEEN FORD GROVE, ATHERTON AVENUE AND HYDE ROAD, MOTTRAM	39 - 80
c)	21/01352/FUL - 139 ST. ANNES ROAD, DENTON, M34 3DY	81 - 92
d)	21/00881/FUL - SITE OF FORMER NORTH STAR PUBLIC HOUSE, QUEEN STREET, DUKINFIELD	93 - 124
5.	APPEAL DECISION NOTICES	
a)	APP/G4240/C/21/3279380 / APP/G4240/W/21/3279383 - LAND AT 141 MOTTRAM MOOR, HOLLINGWORTH, SK14 8LZ	125 - 128
b)	APP/G4240/D/21/3284272 - FORMER BREAKTHROUGH CITY CHURCH, RIPON STREET, ASHTON-UNDER-LYNE, OL6 9PD	129 - 130
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)

19 January 2022

Commenced: 10:00am

Terminated: 11.25am

Present: Councillor Jones (In the Chair)
Councillors: Affleck, Boyle, Choksi, Dickinson, P Fitzpatrick, Glover, Owen and Ricci

Apologies: Councillors McNally, Naylor and Ward

31. DECLARATIONS OF INTEREST

There were no declarations of interest from Members of the Panel.

32. MINUTES

The minutes of the proceedings of the meeting held on 15 December 2021, having been circulated, were approved and signed by the Chair as a correct record.

33. 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:	21/01194/FUL Mr Farzand
Proposed Development:	Single storey front extension (part retrospective) (re-submission further to 20/01108/FUL). 13 Norman Road, Ashton-under-Lyne, OL6 8QG
Speaker(s)/Late Representations	Councillor Costello and Cliff Shaw addressed the Panel objecting to the application.
Decision:	That planning permission be granted, subject to the conditions as detailed within the submitted report.

Name and Application No:	21/01007/FUL Mr Ben Wallace, AMP Energy Services Ltd
Proposed Development:	Flexible energy facility (FEF) and associated equipment. Tame Power, land on the northeast side of Tame Street, Stalybridge
Speaker(s)/Late Representations	Councillor Pearce addressed the Panel objecting to the application.

	Ben Wallace, 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:	21/00320/REM Prospect House Mossley Limited
Proposed Development:	Reserved matters application for 25 dwellings with associated works (layout, appearance, scale & landscaping to be considered) pursuant to outline planning permission ref. 16/00403/OUT. Land at former Prospect House, Stockport Road, Mossley, OL5 0RB
Speaker(s)/Late Representations	Graham Hutchinson addressed the Panel objecting to the application. Gareth Salthouse, on behalf of the applicant, addressed the Panel in relation to the application.
Decision:	That planning permission be granted, subject to the conditions as detailed within the submitted report.

34. APPEAL/COST DECISIONS

Application Reference/Address of Property	Description	Appeal/Cost Decision
APP/G4240/W/21/3277156 Land at Stamford Road, Mossley, OL5 0BG	Proposed construction of 2 number 4 bedroom town houses, 2 number 2 bedroom town houses and 12 apartments (Re-submission of application 20/00463/FUL).	Appeal dismissed.
APP/G4240/W/21/3277156 Land at Stamford Road, Mossley, OL5 0BG	Proposed construction of 2 number 4 bedroom town houses, 2 number 2 bedroom town houses and 12 apartments (Re-submission of application 20/00463/FUL).	Award of costs refused.
APP/G4240/W/20/3258385 6 Watson Street, Denton, M34 3EN	Proposed change of use of a builder's yard to use as a residential caravan site for two gypsy families, with a total of five caravans, the erection of an amenity block and the erection of two utility blocks.	Appeal allowed, subject to conditions.

35. 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 21/00077/FUL

Proposal Planning application for the demolition of existing buildings and the erection of a new class E commercial unit with associated physical works to create a revised access, car parking and landscaping.

Site Snipe Retail Park, Snipe Way, Ashton-under-Lyne, OL7 0DN

Applicant Orchard Street Investment Management

Recommendation Members resolve to refuse planning permission.

Reason for Report A Speakers Panel decision is required because the application constitutes a major development.

1. APPLICATION DESCRIPTION

1.1 The application seeks full planning permission for the demolition of Pizza Hut and former Carphone Warehouse in replacement of a new 1,969sqm Aldi foodstore (Class E). The proposed works would entail the following:

- Provision of 85 new parking spaces, including 6 disabled spaces, 7 parent & child spaces, 3 motorcycle spaces and 10 cycle spaces;
- Realignment of the internal estate road and closing off of an existing vehicular access from Manchester Road;
- Re-opening 'left in' turn off Manchester Road with Snipe Way;
- Provision of dedicated hard and soft landscaping areas; and
- Provision of dedicated service yard and external plant area.

1.2 The building would be constructed from a steel portal frame with insulated cladding, red brickwork and glazing to its elevations. The building would be rectangular in shape measuring approximately 56m (l) x 32m (b) x 7.9m (h). The entrance would overlook a dedicated car park accessed from the internal access road within Snipe Retail Park. On the northern elevation presented to Manchester Road there would be a projecting loading dock accessed from the customer car park. To the rear of the loading dock there would be an enclosed plant area. Soft landscaping would be limited to areas to the rear (western) and Manchester Road elevations. Dedicated pedestrian access would be created onto Manchester Road. It was originally proposed that the junction from Manchester Road to Snipe Way would be opened up to accommodate left turn access, this has since been omitted in lieu of alternative highway mitigation works.

1.3 Amendments have been submitted during the course of the application relevant to the design of the store. The changes are summarised as follows:

- Plant and fire exit door relocation, behind timber screen.
- Introduction of horizontal timber cladding to the loading pod and extended brick wall to screen part loading dock and bin enclosure.
- Introduction of hard landscaping to the west corner of the site with Manchester Road including opportunity for feature artwork
- Introduced continuous roof pitch from ridge line over the loading pod.

1.4 Further to above a package of highway mitigation works has also been submitted to address concerns raised by the local highways authority (LHA) relevant to access and serving of the site. The proposals include:

- Increasing the width of the Snipe Way / Manchester Road junction to accommodate a further left turning lane to accommodate west bound traffic;
- Widening the existing single lane between Manchester Road and Snipe Way roundabout to accommodate two-lanes for vehicles entering the Snipe; and,
- The eastbound A635 Manchester Road ahead and left-turn lane at the A635/A6140 four-arm junction, will be amended to an ahead-only lane, with left-turning traffic routed via the A635/Snipe Way/Lord Sheldon Way junction.

1.5 The Design and Access statement submitted with the application provides a rationale behind the design and layout choices. It emphasises that the layout has been largely dictated by the need to acknowledge easements associated with the presence of electrical and drainage easements.

1.6 The application is supported with the following documents:

- Design & Access Statement
- Planning Statement and Sequential Test Assessment
- Flood Risk Assessment and Outline Drainage Strategy
- Crime Impact Statement
- Coal Mining Risk Assessment
- Ground Investigation Report
- Habitat and Bat Survey
- Tree Survey
- Transport Assessment
- Travel Plan
- Sustainability Assessment

1.7 The applicant states that it is anticipated that the site would support the equivalent of 40 full time jobs.

2. SITE & SURROUNDINGS

2.1 The site relates to land located on the frontage of Snipe Retail Park. The retail park is located on the Audenshaw / Ashton boundary, it is bordered by the M60 motorway to the south-east, the A6140 to the north-east, the A662 Manchester Road to the north-west and by existing properties on Park Road to the south-west. The main access junction is located to the north-eastern corner of the site and is the southern arm of a four arm signalised junction with the A662 Manchester Road and the A6140 Lord Sheldon Way.

2.2 The retail park supports a number of established retail operators and is distinctly commercial in character and appearance. The applicant accurately describes the park as being characterised by four distinct areas, these being:

- North-East Quadrant – a terrace of three retail units, currently occupied by Argos, Dunelm and Currys PC World. Includes dedicated car parking and servicing areas accessed via an internal estate road from Snipe Way.
- South-East Quadrant – a large, standalone retail unit occupied by B&M Bargains, including a garden centre. Also includes dedicated car parking and servicing areas accessed from Snipe Way.
- South-West Quadrant – contains the main retail park terrace, which currently accommodates tenants including B&Q, Halfords, Home Bargains, Next, Wren Kitchens, Pets at Home and Carpet Right and are served by a large dedicated car park. These units are served by a dedicated servicing area to their rear which is accessed by HGVs from Snipe Way.

- North-West Quadrant – contains a total of five smaller, standalone units fronting Manchester Road, some of which are accessed from the internal estate road via the roundabout on Snipe Way, and some of which are accessed via dedicated entry points directly from Manchester Road. Occupiers currently include McDonald's, Topps Tiles, Dreams and Pizza Hut, with one unit (the former Carphone Warehouse) now lying vacant. There dedicated car parking areas for each of the five units.

2.3 The application site concerns land within the 'north-west quadrant' which is currently occupied by a Pizza Hut restaurant and former the Carphone Warehouse retail unit. Both these units are single storey in height and are served with an independent parking area from the main retail park. There are soft landscaped areas to the peripheral boundary to the Manchester Road / retail park exit located to the west of the Pizza Hut building. There is a change in levels across the site with the main retail park being positioned marginally higher than that of the applicant site.

2.4 Manchester Road links the site with Ashton town centre and the M60 motorway to the east and Audenshaw / Droylsden to the west. It is well served with bus services with dedicated bus stops immediately adjacent to the retail park entrance. In addition to this the Metrolink runs directly past the site with the nearest stop (Audenshaw) being located within 150m.

3. PLANNING HISTORY

3.1 None relevant to the application site. It is noted that units within the wider retail park are not subject to trading restrictions as established by Lawful Development Certificate Ref 15/00931/CLUD.

4. RELEVANT PLANNING POLICIES

4.1 **Tameside Unitary Development Plan (UDP) Allocation:** Existing out-of-centre retail parks and stores.

4.2 Part 1 Policies

- 1.1: Capturing Quality Jobs for Tameside People
- 1.3: Creating a Cleaner and Greener Environment
- 1.5: Following the Principles of Sustainable Development
- 1.6 Securing Urban Regeneration
- Supporting the role of town centres
- Maintaining Local Access to Employment and Services
- 1.10: Protecting and Enhancing the Natural Environment
- 1.12: Ensuring an Accessible, Safe and Healthy Environment

4.3 Part 2 Policies

- C1: Townscape and Urban Form;
- OL10: Landscape Quality and Character
- C1: Townscape and Urban Form
- MW11: Contaminated Land.
- U3: Water Services for Developments
- MW11: Contaminated Land
- MW12: Control of Pollution
- N3: Nature Conservation Factors
- N7: Protected Species
- S1: Town Centre Improvement
- S3: New Retail Developments Outside Town Centres
- S9: Detailed Design of Retail and Leisure Developments

- S10: Existing Out-of-Centre Retail Parks and Stores
- T1: Highway Improvement and Traffic Management;
- T10: Parking;
- T11: Travel Plans;
- U3: Water Services for Developments;
- U4: Flood Prevention; and,
- U5: Energy Efficiency.

4.4 **Other Policies**

- Trees and Landscaping on Development Sites SPD adopted March 2007
- Employment Land Supplementary Planning Document adopted January 2009

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

- Section 2: Achieving Sustainable Development
- Section 6: Building a Strong Competitive Economy
- Section 7: Ensuring the Vitality of Town Centres
- Section 8: Promoting Healthy Communities
- Section 11: Making Efficient 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

4.6 **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. **PUBLICITY CARRIED OUT**

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

- Neighbour notification letters to neighbouring premises
- Display of site notices
- Advertisement in the local press

6. **RESPONSES FROM CONSULTEES**

6.1 Coal Authority – Have reviewed the content and conclusions of the submitted desk study. Raise no objection.

6.2 Contaminated Land – The reporting provided to date has identified that there is a potential contamination risk from the features identified in the Phase 1 Desk Top Study report. Consequently, site investigations are required to quantify this risk and to determine whether any remediation works are needed. EPU recommend that contaminated land conditions are attached should planning approval be granted. .

6.3 Environmental Health Officer – Comments that the site is located within an Air Quality Management Area and that the submitted Transport Assessment has identified additional vehicle trips and congestion from the development. Without an Air Quality Impact Assessment it is not possible to determine how significant the worsening of local air quality from traffic generated by the development would be.

- 6.4 Greater Manchester Ecology Unit – Confirm no objections to the submitted ecology reports. The developer’s ecological consultant identified no significant ecological issues. Issues relating to biodiversity enhancement measures can be resolved via condition and or an informative.
- 6.5 Greater Manchester Police Architectural Design Officer – No comments received.
- 6.6 Local Highway Authority (LHA) – Have reviewed the Transport Assessment and suggested mitigation along with TfGM and recommend refusal of the application. The local highway network is operating at capacity and the additional traffic associated with the store would result in additional congestion to the detriment of the free flow of traffic movement and overall highway safety.
- 6.7 Lead Local Flood Authority (LLFA) – No objections in principle but questions have been raised about the conclusions of the submitted drainage strategy. Comment that the assessment for SUDs is basic and unimaginative and recommend further investigation. It is advised that the drainage design should be revisited to ensure that 50% betterment of brownfield runoff rates are achieved.
- 6.8 National Highways – No objections to the proposals.
- 6.9 Tree Officer – Identifies that the trees to be removed are mainly smaller specimens of limited value that are adequately mitigated for by the proposed new planting.
- 6.10 Transport for Greater Manchester (TFGM) – Has reviewed the Transport Assessment in conjunction with the LHA and object to the proposals on grounds of highways safety and local capacity.
- 6.11 United Utilities – No objections but recommend a condition is applied requiring that the site is drained in accordance with the drainage hierarchy.

7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- 7.1 There have been approximately 120 letters of objection received in relation to the development from local residents and 16 neutral/support letters. In addition, objections have been made on behalf of New Era Properties Ltd and Tesco Store Ltd.
- 7.2 The applicant contacted the council in December 2021 stating that they had approximately 50 letters of support from members of the public from their own engagement process. The Council has not seen the content of these responses.
- 7.3 New Era Properties
- New Era are currently marketing a sequentially preferable, suitable and available retail unit within Droylsden town centre which they hope to be occupied by a discount food operator;
 - A strategy to align tenancies within Droylsden town centre has created a suitable unit for a discount operator within Droylsden town centre;
 - The Droylsden town centre site would achieve wider regeneration benefits for Droylsden and is aligned to National Planning Policy to repurpose existing high streets;
 - Identify that an impact assessment should accompany the application in line with policy S3 of the adopted UDP;
 - Disagree with Aldi conclusions on their specific requirements and consider that the Droylsden site is very close to meeting all of the operator’s needs;
 - The proposal is for an out of centre site which will attract car bourn trips at odds with town centre focus of national planning policy;

- The design presents an inward looking store with an unscreened service area which would create a poor impression to Manchester Road; and
- The swept path analysis shown for service vehicles shows conflicts with delivery vehicles having to cross the centre line of the carriageway.

7.4 Tesco Stores Ltd

- Object on the lack of consideration by the applicant to the potential impact on defined centres and failure to have proper regard to relevant case law in the interpretation of the sequential approach;
- Considers that a 'proportionate' impact assessment accompanied by an assessment of the health of any town, district or local centres likely to be affected by the proposal is undertaken as supported within the NPPG;
- Inadequate and erroneous sequential assessment with the omission of Denton from the search area;
- Insufficient assessment of an alternative site in Droylsden town centre and the applicant fails to demonstrate adequate flexibility;
- Plans have been approved to refurbish Droylsden town centre and amalgamate units to create a food store for essential shopping there should be no doubt over the availability of this unit. Improvements associated with the site has not been sufficiently reviewed in any detail by Aldi;
- Lack of any assessment of out of centre opportunities which are better connected to town centres;
- Case law has established that the sequential approach does not operate on the basis of a particular operator's requirements. Aldi's assertion that the opportunity at Droylsden Shopping Centre is too close to an existing store places an inappropriate constraint on testing; and
- The weight afforded to job creation must be tempered by impacts on existing employment taking account of the net change in retail jobs that likely reflect trading impacts on existing shops. Remaining benefits are either marginal or are not merits in their own right.

7.5 Other Representations

- Traffic is already a significant problem and the supermarket will place extra pressures on the road system;
- Local residents on the Snipe Estate need to travel via the Snipe Retail Park when heading east towards Droylsden and Manchester. The additional traffic will make this even more difficult;
- Existing access arrangement to the Snipe Retail Park are inadequate and operate over capacity with prolonged delays;
- This store will encourage even more people to come from outside the area as this will enable them to multi-shop given the location on a retail park. The current retail park is overused and has had an already catastrophic impact on the surrounding residents.
- Additional noise disturbance to existing residents;
- The retail park is a significant bottleneck at present with not enough parking to meet demand. People will park on surrounding streets;
- Adverse impact upon business within Droylsden which already has high vacancy rates;
- Contrary to government policy of promoting town centres;
- No need for an additional supermarket;
- Extremely difficult to navigate Manchester Road when its congested and the proposals will add to this safety issue;
- The Snipe was never meant to support a foodstore due to the impact on local centres;
- Loss of the popular Pizza Hut restaurant which is well used by the community;
- Lighting and signage needs to be less intrusive;
- Development would create additional pollution which is already terrible within the area;

- The structure is going to be too big for the position it is going to be built on;
- Adverse health impact associated with more traffic congestion;
- There would be an adverse impact on existing business;
- Development would be out of character;
- The store is too large;
- Pedestrian access across Manchester Road is dangerous;
- Already Aldi Stores locally with another being opened at Denton there is no need for a further store, and;
- Why not use existing units at Market Street in Droylsden.

7.6 Comments of support / neutral:

- Having an Aldi store on the Snipe would be excellent but highways issues need to be addressed first;
- Good to have more local amenities but the local traffic management needs to be looked at;
- Great to have a great store chain locally within walking distance to so many; and
- Additional jobs and revenue for the area is welcomed.

8. ANALYSIS

8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.

8.2 The 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. PRINCIPLE OF DEVELOPMENT

9.1 The site is identified on the UDP proposals map as an out of centre retail park. Policy S10 permits the refurbishment of existing parks where there is no demonstrable conflict with the criteria of policy S3 (New Retail Development Outside Town Centres). The subtext of the policy defines “refurbishment” as to include renovation, reconfiguration or replacement of units within the park. The nature of the proposals clearly exceed the tolerance of the policy and so the presiding Development Plan Policy is that of S3 in addition to Policy 1.7 (Supporting the Role of Town Centres).

9.2 The NPPF states that local planning authorities should adopt a ‘town centre first’ approach when assessing applications for ‘main town centre uses’. This is in order that town centres remain the focus of retail, commercial and leisure activity and to ensure their continued vitality and viability. It is well documented that changes to retailing habits have had an adverse

impact upon high streets with an increase in vacancies. The need to protect and enhance established centres carries significant weight to the planning assessment. Retail development (class E) is defined as a main town centre use within the glossary to the NPPF. The NPPF advises that proposals for such uses which are not in an existing centre and not in accordance with an up-to-date development plan should be subject to a sequential test (paragraph 87) and where the floor space is over 2,500sqm an impact assessment should be undertaken (paragraph 90).

- 9.3 The application falls just below the threshold for submission of a retail impact assessment as per the NPPF (which would measure the likely impact of the use on the viability and vitality of established town centres). UDP policy S3 sets a lower threshold of 1,400sqm, where the applicant has not submitted an impact assessment on the basis of the higher NPPF threshold. Given the age of the development plan, it would be difficult to defend that the plan is sufficiently up-to-date to justify the application of the lower threshold which is not fully consistent with the development management tests set out in within Paragraph 90 of the NPPF. Therefore it is considered that more weight should be given to the impact tests set out within the NPPF.
- 9.4 The impact on the viability of adjacent town centres is a material consideration in the determination of this application. It is recognised that Droylsden town centre loses convenience goods expenditure to stores in Manchester, this includes the Aldi store in Clayton and ASDA store in Eastlands. This loss (leakage) provides an indication for the need to bolster the provision of convenience retail within the town centre. The owner of the Droylsden Shopping Centre is currently investing in the centre to improve its attractiveness to operators and customers. They have stated a commitment to work with Aldi to accommodate a discount superstore at their site as part of a programme for further investment. They identify that a further out of centre convenience store would exacerbate current expenditure leakage from Droylsden further undermining the overall health and vitality of the centre. The proposal has the potential therefore to undermine the future viability of Droylsden town centre.
- 9.5 Saved policy S3 of Tameside's UDP requires applicants to demonstrate compliance with the sequential approach, for decision making this is considered consistent with the NPPF. As identified, the development falls within use class E (food store), this undoubtedly represents a town centre use for the purposes of land use planning. The sequential test should therefore be applied. The NPPF paragraph 87 states; 'Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered'. Town centres are the particular focus for growth and investment for the area, as set out in Tameside's Inclusive Growth Strategy. The applicant has been asked to consider more central sites in a sequential test as part of the application.
- 9.6 Queries have been raised on the applicant's submission relevant to the sequential test area of search as Denton has been excluded. In addition, the catchment has been defined as a five minute drive time as opposed to a defined catchment area on a map. The Tameside Retail Study (2018) would suggest that customers are primarily going to arrive from Ashton, Droylsden and Denton.
- 9.7 A representation has been received from New Era Properties who own the Droylsden district centre. They identify availability within the centre which would be suitable to accommodate the proposed food store. In their representation they set out how they consider their site to be comparable in size (store size up to 25,747 sq. ft gross internal area (GIA)) to the applicant's out of centre proposal (19,999sqft GIA). They also set out how the requirements for car parking can be met (albeit 85 spaces rather than 100 spaces), availability of loading dock and good access to a main road (albeit not main road frontage). In terms of catchment, there are less physical barriers (no main road to cross for the majority of the population) for the Droylsden community to a store in the town centre location.

- 9.8 The applicant contests that this site is not considered suitable for the proposed development and that the site is not sequentially preferable for locational and market reasons. The concerns raised by the applicant are that the Droylsden site is not suitable for Aldi's requirements, they identify that testament to this is that Aldi have not already relocated to the centre. The main issues which have been raised are that the Droylsden site lacks a prominent main road frontage, would not provide an acceptable level of car parking, does not have an appropriate loading dock, in addition the applicant also identifies that a store at this location would also compete with the existing store at Openshaw. They conclude that the Droylsden site is not a realistic alternative and that the Snipe site offers significant benefits.
- 9.9 During the assessment of the application the applicant has been keen to impress what they considered to be the benefits of the development. It is agreed that retail policy does not prevent out of centre development in instances where there is no real prospect of a store being delivered in or at the edge of the town centre. It is important to clarify that this is not to force a supermarket operator to trade from Droylsden, but that in policy terms, Droylsden is sequentially preferable for the purposes of the planning test.
- 9.10 Paragraph 88 of the NPPF advises that applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored. In demonstrating compliance with the sequential test, National Planning Practice Guidance (NPPG) is clear that the burden rests with the applicant. On the subject of suitability, the applicant suggests that the Droylsden site would require too many compromises which would be prohibitive to Aldi's established business model. However, the site at Droylsden is considered to be available and therefore sequentially preferable, such that the applicant would not have to make significant compromises. This judgment is also partly informed by observations of existing sites which Aldi trades from which are not dissimilar to that of the Droylsden site. Indeed, this has been demonstrated by their occupation of the former M&S store at Crownpoint, Denton which amongst other things, does not have a prominent road frontage, dedicated car parking or (initially) the services of a loading dock. Their ability to occupy these premises demonstrates a flexible approach.
- 9.11 The applicant has repeatedly stated that Droylsden is not suitable to a discount operator. They state that refusal of planning permission would not result in Aldi trading within Droylsden is noted. The LPA would take the view that refusal of the planning permission would prevent the further loss of convenience expenditure from Droylsden centre and this would be in line with established retail policy and wider objectives of supporting the high street. In addition to this, the reasons for refusal are not limited to a single issue, concerns raised with respect to design and access (to be discussed later) further confirm why the site's location is not considered to be appropriate.
- 9.12 Therefore to conclude, available evidence indicates that a more centrally located site is available, and is potentially suitable, to accommodate the proposed food store. On the matter of suitability, the necessary evidence to enable the applicant's standpoint to be accepted is presently lacking. As a result, it has not been demonstrated that the application meets the requirements of the NPPF sequential test at paragraph 86. It is also contrary to Policy S3 on that basis.

10. DESIGN & LAYOUT

- 10.1 The site forms part of an existing retail park, which has a particular character reflective of its form and function and which is typical of such out-of-centre retail destinations. The location is characterised by terraces of relatively low-rise, flat-roof development which occupies large floorplates and which is fronted by surface-level car parking with onward highway connections. However, this part of the retail park is in the most prominent location that being

on the frontage of the A635 Manchester Road and highly visible from public vistas from the A662 Droylsden Road to the north.

- 10.2 The NPPF places a firm emphasis on the need to secure good quality design. Paragraph 126 states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. In addition, it also states that; 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'. Paragraph 130 states that 'developments should be visually attractive, as a result of good architecture, layout and appropriate and effective landscaping, should be sympathetic to local character and history and should establish or maintain a strong sense of place, using the arrangements of street, spaces and buildings to create attractive, welcoming places'.
- 10.3 UDP Policy S9 'Detailed Design of Retail and Leisure Developments' sets out a total of five design based criteria to be applied in the consideration of new retail development. In summary the criteria is as follows:
- a. the need to provide suitable and safe provision for parking and servicing;
 - b. the need for the design to relate well to local features and enhance the character of the local area;
 - c. the need for suitable landscaping and screening and requirement to minimise the visual impact of plant, storage and service areas;
 - d. the need not to impact adversely on residential amenity; and
 - e. the minimisation of opportunities for crime and anti-social behaviour.
- 10.4 From receipt of the initial pre application enquiry, concerns have been raised over the design, siting and mass of the proposed food store. There is a clear hierarchy to units within the Snipe Retail Park ranging from the dominance of the larger 'bulky' good operators to the rear of the site to that of the smaller standalone units along the Manchester Road frontage. Units within the park are all serviced from the rear via a dedicated service road which is largely screened from surrounding public views.
- 10.5 It is important that the principles of good urban design are demonstrated, primarily in relation to how the building/development is viewed from public vistas. Active frontages are really important on public facing interfaces as they add to the vitality and safety of an area. In response to the siting of the food store, the applicant has confirmed that this has been largely dictated by constraints relevant to levels and easements across public utilities / drains which cross the site. The applicant also references that neither the Pizza Hut restaurant nor the former Carphone Warehouse units are buildings of any architectural note, and that in comparison the store would secure a significant environmental improvement.
- 10.6 The proposed store would be orientated with the main customer entrance facing east. The northern elevation facing inwards to the retail park would include a wrap around canopy and glazing across its elevation, in contrast the outward facing southern and western elevations would not be glazed and openings would be limited to emergency exits. The southern elevation would include a projecting loading dock in addition to a number of plant and refrigeration units set behind a landscaped screen. The presence of the service area and loading dock on the main public facing elevation is considered to be particularly jarring and contrary to established design practice of ensuring that buildings actively engage with the street scene. To address officer's concerns, the applicant has sought to introduce further landscaping and public realm works to the Manchester Road frontage and Snipe Way junction, but this does not mitigate the perceived harm.
- 10.7 The scale and form of the building would sit tight to the boundaries of the site, with the northern, western and southern elevations being situated almost immediately to back of footways. Consideration to this arrangement is that it fails to respond to the need to respect the existing urban grain and take the opportunity to provide a strong, well-defined active frontage to Manchester Road. The applicant has sought to evolve the plans through the

application process, although the addition of further sections of facing brickwork to the elevations of the building is welcomed, this is not considered to resolve the identified concerns.

- 10.8 The design is such that its primary elevations are non-public facing. The remainder of the building elevations are devoid of any glazing, with a blank elevation facing out towards Manchester Road and Snipe Way, which is a prominent junction and highly visible from public vistas on Droylsden Road and Manchester Road. The appearance of this largely 'dead frontage' on such a prominent junction would be particularly jarring, where the presence of large featureless gables only serve to enforce the negative connotations such developments can have on local environmental quality.
- 10.9 In an attempt to address officer concerns, the applicant has also revisited the landscaping proposal. The revised landscaping plan indicates that soft landscaping would be limited to peripheral areas on the western and northern frontages, where the remaining areas would be consumed by the building, car parking area and associated pedestrian footways. A separate report from the plans suggests that an area of public artwork would be provided at the junction of Snipe Way/Manchester Road to create a public focal point. This is not shown on the site plan or landscaping plan.
- 10.10 Overall there would be a net reduction in the level of soft landscaping compared to that of the current site arrangement, this would include the removal of existing large conifers on the Snipe Way / Manchester Road frontage exposing views into the site further. Although it is noted that the proposals include for the provision of tree planting to the edges of the site, the otherwise narrow soft landscaping strips proposed to the site edges along Manchester Road and Snipe Way would provide little benefit or contribution to the street scene, particularly given their limited depth. The soft landscaping would therefore do little to break up the mass of the building and it would remain that the rear elevation and plant area would appear very prominent. Whilst the inclusion of the public art work is admirable, the location and practicality of this is considered to be ill-conceived given the dominance of the highway junction and proximity of the rear (blank elevation) of the proposed store. The landscaping would not provide sufficient mitigation to setting and appearance of the building on a key gateway frontage.
- 10.11 The building design itself is considered to be an uninspiring and dominant structure; although it is acknowledged that this typical to that of established Aldi Stores within the Borough. This format may be acceptable in other less-sensitive locations, notwithstanding the established commercial character of the retail park, the proposals represent a strong departure from the established hierarchy of buildings and the desire to create more prominent and welcoming public interface to Manchester Road.
- 10.12 Taking all of the above into account, the proposed development, in light of the proposed site layout, building position, boundary treatments & landscaping, the absence of active frontages to the surrounding highway network & the dominative presence of large expanses of car parking, and the scale, form and elevational treatment of the store building, fails to respond to and sit sympathetically within its physical context. The development would fail to contribute positively towards local identity and distinctiveness and fail to establish a strong sense of place.
- 10.13 The applicant's rebuttal to the design concerns is centred upon the influence constraints formed by utilities which cross the site. The ability for these to be diverted/relocated has not been looked at in any detail but officers would accept that such measures may not be viable. The applicant has shown little flexibility to the design and store format when site conditions would dictate the need for a more bespoke approach. Alternative options are not limited to the siting of the building only. Whilst the existing interface between Manchester Road and the site (Pizza Hit & Carphone Warehouse) is poor this should not be used as a justification to promote further bad design choices.

10.14 Paragraph 130 of the NPPF sets out 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. The proposals are therefore considered to be contrary to Policies S6 and C1 and the National Planning Policy Framework, having particular regard to the requirement to achieve all three strands of sustainable development set out within Chapter 2 and the need to achieve well-designed places set out within Chapter 12.

11. RESIDENTIAL AMENITY

11.1 In addition to ensuring that developments are designed to be visually attractive, the NPPF (at paragraph 130) advises that planning decisions should create places that provide a high standard of amenity. Collective policies of the UDP are clear in their requirements to ensure that new development must not prejudice the amenities of neighbouring residents by reason of being overbearing or of overshadowing, overlooking, visual intrusion, noise/disturbance or in any other way.

11.2 The nearest residential properties are those located to the west (Park Road) and north (Windsor Drive). These properties are separated from the site by the highway, this being Snipe Way to the west and Manchester Road to the north. The separation distance and local circumstances dictate that the store would be sufficiently isolated from these dwellings to have any direct impact upon amenity of occupants with regard to privacy, overshadowing, noise and disturbance.

11.3 Environmental Health have reviewed the proposals and have not identified any concerns. The influence of the retail park and Manchester Road on the local environment is such that the level of activity associated with the store would not be discernible. Conditions controlling construction practice and hours of operation are considered to be a proportionate response to ensure that associated activities are controlled.

11.4 It is noted that in objection to the development a significant number of residents have raised concerns about the traffic impacts associated with the development. These issues have been primarily been raised from residents of the Snipe Estate which is located to the north of Snipe Retia Park. Access to the estate is restricted and vehicles can only exit via left turn / eastern direction. Residents who wish to travel west have a tendency to enter the retail park and exit via Snipe Way, it is reported that this manoeuvre can take a significant amount of time during peak periods. The concerns raised within the many representations is that any additional congestion would be a further inconvenience to these residents who are already impacted considerably by congestion within the area. There are highway capacity and safety concerns identified within the development which will be addressed separately in the report. Additional queuing on Manchester Road and Lord Sheldon Way could exacerbate the issues currently experienced by residents of the Snipe Estate however, on amenity grounds only it is not considered a reason for refusal would be justified.

11.5 Given the established commercial nature of the site it would be difficult to substantiate any direct adverse impacts upon local residents. Conditions can ensure that reasonable working practices are followed and that opening times are consistent with that of businesses within the wider park.

12. HIGHWAY SAFETY & ACCESSIBILITY

12.1. The NPPF identifies that the where development would result in significant impact upon the transport network or highway safety such impacts should be appropriately mitigated. UDP policy T1 (Highway Improvement and Traffic Management) provides the main framework for assessing highway impacts relevant to capacity, safety and design, policy S3 (New Retail Development Outside Town Centres) states that development should not result in an

unacceptable increase in congestion on the surrounding highway network. Paragraph 11 of the NPPF states that; 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.

- 12.2 It is observed that during peak periods there are significant delays from vehicle congestion associated with users of Manchester Road who are visitors to the Snipe Retail Park. This results in significant levels of local congestion on the highway network with queues often extending to the M60 exit slip road. It is noted that there have been a number of vehicle and pedestrian accidents reports in the area of the Manchester Road frontage. The level of congestion is also attributed directly to local air quality issues with the Manchester Road corridor falling within an air quality management area (AQMA).
- 12.3 The highway implications of the proposed development have been carefully considered by the LHA and with TfGM also providing an important advisory role. This review has covered the applicant's initial Transport Assessment (TA) and subsequent highway related submissions.
- 12.4 A single access (for customers) currently serves the retail park, situated off Manchester Road and which is signalled controlled. It leads to a mini-roundabout (Snipe Way) which serves as the feeder road to dedicated parking spaces as well as the rear access to service area of the established retail units. The proposals would see the store accessed in a similar manner to the existing Pizza Hut restaurant this being via a priority junction to the north of Snipe Way. This entrance would serve both customers and deliveries.
- 12.5 The scheme proposes a total of 85 parking spaces including 72 general car parking spaces, 7 family spaces and 6 disabled parking spaces. The overall parking provision is below the adopted Council standards but a survey of the spaces across the wider retail shows a sufficient level of capacity, where it is assumed that during peak periods any overspill would be adequately accommodated within the remainder of the retail park. Conditions could be attached to ensure compliancy with cycling parking standards in addition to onsite electric charging facilities.
- 12.6 It is matters relevant to the capacity and safety of the local highway network which have formed the most concern.
- 12.7 The LHA have been engaged in discussions with the applicant for a considerable time. They have considered numerous measures to mitigate the development and reduce traffic queues around the traffic junctions including:
- Opening up the left turn from Manchester road into the existing priority junction to the west of the development;
 - Removing the left turn lane exit from the existing signalised junction creating two straight ahead lanes;
 - Widening the existing exits to include additional straight ahead as well a dedicated left turn exit; and
 - Widening of the carriageway on Manchester Road to facilitate vehicle movements.
- 12.8 Concerns have been raised with reference to the access arrangements and capacity on the local highway network in all scenarios. These concerns are also shared by TfGM who have also provided comments in support of the LHA. For ease of reference the assessment on the highway impacts is broken down to the original proposals, revised proposals and traffic signal capacity.

Original Proposal

- 12.9 Left turn into the site from Manchester Road - The planning application originally proposed to open up the left turn from Manchester Road into the site, to the west of the traffic signal

junction. The current access configuration only permits vehicles to turn left out onto Manchester Road. The junction would have increased vehicles using the junction as the proposal was to ban the left turn for vehicles emerging from the site access at the traffic signal junction. This would require pedestrians to use an uncontrolled crossing across the site exit. Pedestrians would need to be aware of an additional traffic stream into site which does not currently occur and the increased numbers of vehicles turning left out of the exit onto Manchester Road. The risk to pedestrian safety would increase with the opening of the left turn into the site and the increased numbers of vehicles exiting the site at this point.

- 12.10 Historically there have been a number of road traffic accidents resulting in injuries along Manchester Road near side road junctions. Vehicles travelling westbound along Manchester Road to turn left into the site would need to slow down to make the turn. The LHA was concerned that the slowing down of vehicles, a manoeuvre that does not currently occur on this part of Manchester Road, would increase the highway safety risk.
- 12.11 In addition, there was a concern that vehicles turning out of the site access onto Manchester Road would have obscured visibility of vehicles approaching from the east along Manchester Road. Vehicles travelling straight on along Manchester Road westbound are expected to do so in the outside lane of the dual carriageway when vehicles are slowing down in the nearside lane to turn left into the site. This slowing down of a vehicle would restrict visibility for a motorist emerging from the priority junction to vehicles travelling in the outside lane; this conflict of vehicle movement would result in a highway safety risk.
- 12.12 There is a further concern that the proposal would have encouraged unauthorised vehicle manoeuvres. The LHA identified that vehicles travelling east along Manchester Road to the site may be more prone to making a u-turn at the traffic signal junction which is considered an unsafe movement and although banned, there is a likelihood this would occur.
- 12.13 The LHA/TfGM considered the above safety issues would have an unacceptable highway safety impact. The development proposal is thereby contrary to the Policies E5, E6, T1 and T8 of the Tameside UDP and paragraph 111 of the National Planning Policy Framework.

Revised Proposals

- 12.14 To address the above concerns the applicant has focused upon improvements to the existing access arrangements at the Snipe Retail Park. The latest proposals are still met with objection from the LHA and TfGM, who have identified that the entrances into Lord Sheldon Way northbound, Manchester Road eastbound and the entrance into the retail park are too narrow to safely accommodate the two traffic lanes which are proposed. The tracking information which has been supplied only shows one vehicle at a time making these manoeuvres, and these indicate that if a HGV is making these manoeuvres, then only one lane can be safely used. Additionally, the LHA and TfGM are unsure that the widening of Manchester Road will provide much additional benefit to mitigate for the increase in traffic movements from the development and this view is also taken on the additional left/ahead lane from the retail park. In addition to this it is noted that the footway on Manchester Road, that the proposed left turn will sit on is currently occupied by services which could prove a considerable constraint.

Traffic Signal Capacity

- 12.15 The LHA and TfGM have identified that the increased traffic volumes generated by the proposed development will lead to over saturation of the traffic signal junction on all approaches to the Snipe Retail Park. The initial modelling of the junctions indicated that without development in years 2021, 2026 and 2031 the traffic signals operate below 90% capacity. In 2031 without development the signals are forecast to operate at 95% capacity. In the with development scenarios of the store being operational, the signals would operate above capacity in the years 2026 100% and 2031 107% during peak periods.

- 12.16 An alternative proposal has been put forward by the applicant which would ban the left turn from the site access at the traffic signal junction. With the additional traffic predicted from the Aldi Store, TfGM has expressed a concern that the results of analysis show that the junction would operate over capacity in the evening peak and Saturday afternoon peak periods resulting in further delay and congestion for vehicles within the area.
- 12.17 Following a detailed assessment of the proposals it is not considered that the application would suitably mitigate the associated impact of the development. The store would attract additional traffic movements to the existing retail park placing additional strain upon existing junctions which would operate beyond capacity. The resultant congestion upon the surrounding network would be unacceptable and the application has failed to demonstrate that they can be appropriately mitigated. Consequently, it is considered that the proposal would be contrary to the Policies S3, T1 and T8 of the Tameside UDP and paragraph 111 of the National Planning Policy Framework (2021).

13. DRAINAGE AND FLOOD RISK

- 13.1 The site is located in flood zone 1 and is at the lowest risk of flooding. The majority of the site is laid to hard surfacing and there would be no significant increase to the size of this area.
- 13.2 A Drainage Strategy and Flood Risk Assessment has been prepared and submitted with the application. This concludes that infiltration would not be suitable at the site such that the proposal is to discharge surface water via an attenuated system to an onsite culvert (which also required diversion). The LLFA has reviewed and raised a number queries relevant to the design and capacity. It is also suggested that the culvert may need to be revised further to ensure no encroachment would occur from the building.
- 13.3 There are not considered to be any fundamental drainage issues on the site. The observations raised by the LLFA in their review can be adequately addressed through the detailed design process. Ultimately a planning condition would be sufficient to ensure that the design and drainage strategy would be adequate for the site.
- 13.4 Following the above assessment, it is considered that the proposals would not result in a detrimental impact on flood risk or drainage capacity.

14. GROUND CONDITIONS

- 14.1 Historically the site is in the location of the former Snipe Colliery. As such, there are coal mining features and hazards which need to be considered. The applicant has obtained appropriate and up-to-date coal mining information for the proposed development site and has used this information to inform the mining report which has been reviewed as acceptable by the Coal Authority in their assessment. No conditions are recommended.
- 14.2 The EHO has recommended that a standard contaminated land condition is attached to any planning approval granted for development at the site, requiring the submission and approval of an assessment into potential sources of contamination and a remediation strategy. This is considered reasonable to ensure that occupiers of the unit will not be exposed to any potential risks.

15. ECOLOGY

- 15.1 The NPPF emphasises that planning policies and decisions should contribute to and enhance the natural and local environment. The submission includes a phase 1 habitat survey and bat survey, which has been reviewed by the Greater Manchester Ecology Unit. The consultation response accepts that there are no significant ecological issues. The existing buildings to be demolished have negligible potential to host roosting bats. Issues relating to bats, nesting birds, invasive species and biodiversity enhancement measures can be resolved via condition and/or informative.

16. AIR QUALITY

- 16.1 The development is located within an air quality management area (AQMA). It is recognised following an assessment of the Transport Assessment that the development would result in an increase in vehicle trips to and from the site and an increase in congestion on the surrounding highway network. The associated impacts of this traffic would have a negative impact on air quality within the AQMA and surrounding areas. Without an Air Quality Impact Assessment it is not possible to determine how significant the worsening of local air quality from traffic generated by the development would be. The inability of the application to assess or mitigate this impact is considered to be contrary to UDP policy MW14 Air Quality.

17. OTHER ISSUES

- 17.1 The economic benefits of the development are recognised although no substantive detail has been provided by the applicant and consideration also needs to be given to those lost from the existing Pizza Hut restaurant. Nonetheless, it is acknowledged that the scheme would result in creation of employment opportunities in the operational phase, together with the additional employment and economic investment benefits arising from the store construction period. In accordance with Paragraph 81 of the NPPF, the need to support economic growth and productivity is relevant to the assessment process.

18. PLANNING BALANCE AND CONCLUSION

- 18.1 In addressing the principle, the proposed development proposes a town centre use outside of designated centres. However, a sequentially preferable site appears to be suitable for the development within Droylsden town centre.
- 18.2 The assessment of the planning merits has identified four clear separate areas of objection which are deemed to result in conflict with policies of the Development Plan and National Planning Guidance. The identified issues relating to the stores location (sequential test) design, access arrangements and potential impact upon local air quality collectively reinforce why the location is not deemed suitable to support the Aldi food store. Whilst the attributed job creation would be of a benefit this would not mitigate the perceived harm associated with the leakage of further convenience expenditure from Droylsden town centre, the impacts upon the local highway network and the adverse impact upon the amenity and environmental quality of the area.
- 18.3 Chapter 2 of the NPPF is clear that the three overarching objectives for achieving sustainable development are interdependent and need to be pursued in mutually supportive ways. In this respect it is not considered that the economic, social or environmental objectives would be demonstrably achieved.
- 18.4 The NPPF places great importance on the need to achieve well-designed places, setting out that the creation of high-quality buildings and places is fundamental to what the planning and

development process should achieve and that good design is a key aspect of sustainable development. The development fails to foster a well-designed built environment and fails to respond to and sit sympathetically within its physical context.

- 18.5 The application is accompanied by insufficient information to demonstrate that the development would have an acceptable impact on the surrounding highway network and local air quality.
- 18.6 In reaching a conclusion a balanced assessment has been undertaken of the proposals including the associated economic benefits resulting from the investment. The objections raised by third parties and technical consultees are persuasive, and confirm that there is no reasonable justification to depart from established town centre policy, urban design practice and highway safety requirements. To permit the development would be prejudicial to the vitality of Droylsden town centre, local environmental quality and highway safety and capacity of the locality. It is therefore not considered that the proposals pass the sustainability test laid out within the NPPF.

RECOMMENDATION

That planning permission be refused for the following reasons:

1. There is a sequentially preferable site that is available and potentially suitable to accommodate the proposed foodstore development. When demonstrating flexibility on issues such as format and scale, it has not been adequately demonstrated by the applicant that this alternative site is not suitable. As such, it is considered that the application proposal fails to satisfy the sequential test at paragraph 87 of the NPPF and thus a reason to refuse the application at paragraph 91 of the NPPF applies. The proposal is also contrary to saved Policy S3 (New Retail Developments Outside Town Centres) of the Tameside Unitary Development Plan.
2. The existing interface between Snipe Retail Park and Manchester Road is poor. The proposed layout, scale, elevational treatment and landscaping of the building would create an inward facing form of development which would fail to uplift the appearance of the retail park and the result would have a negative appearance from surrounding public vistas on a major public highway. The absence of active frontage to the surrounding public realm would be particularly harmful, where the dominant elevations and exposure of service and plant areas would reflect negatively on the locality leaving a damaging legacy and undesirable precedent. Consequently the proposals would be contrary to Policies C1 (Townscape and Urban Form) of the Tameside UDP and chapter 12 of the National Planning Policy Framework.
3. The site is located within an area which is prone to traffic congestion with existing junctions operating at or close to capacity. The traffic modelling undertaken of the Manchester Road / Snipe Retail Park shows that the development will have a detrimental impact on the highway network and will result in large queues resulting in an increase in congestion and highway safety issues within the locality to the detriment of existing highway users. Consequently, it is deemed that the proposal would have an unacceptable and adverse impact upon highway safety contrary to the UDP policies T1, and S3. The associated harm which would occur warrants refusal against the provision of paragraph 111 of the NPPF.
4. The application has not been supported with an Air Quality Assessment. The site falls within a designated Air Quality Management Area, an assessment of the transport impact has identified additional highway congestion resulting from the development. The absence of an air quality report means that it is not possible to assess the impact the

development would have upon local air quality, consequently the proposals are considered to be contrary to UDP policy MW14 (Air Quality) and NPPF paragraph 186.

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Application Number 21/00071/FUL

Planning application for the demolition of existing buildings and the erection of a new class E commercial unit with associated physical works to create a revised access, car parking and landscaping

Photo 1: Aerial view of site



Photo 2: Aerial view looking south



Photo 3: Google Street view from Manchester Road



Photo 4: Pizza Hut looking west



Photo 5: Vacant former Carphone Warehouse building



Photo 6: Internal view from mini roundabout



Photo 7: View from Snipe Way junction



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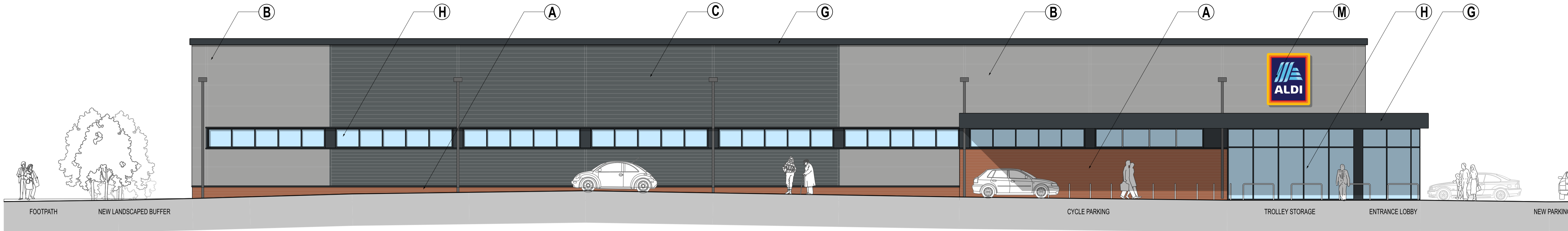
SITE SPECIFIC HAZARDS
IN ACCORDANCE WITH THE REQUIREMENTS OF THE REGULATIONS 2015 THE FOLLOWING SIGNIFICANT RESIDUAL HAZARDS HAVE NOT BEEN DESIGNATED OUT OF THE PROJECT AND MUST BE TAKEN INTO CONSIDERATION BY CONTRACTORS PLANNING TO UNDERTAKE THE WORKS SHOWN ON THIS DRAWING

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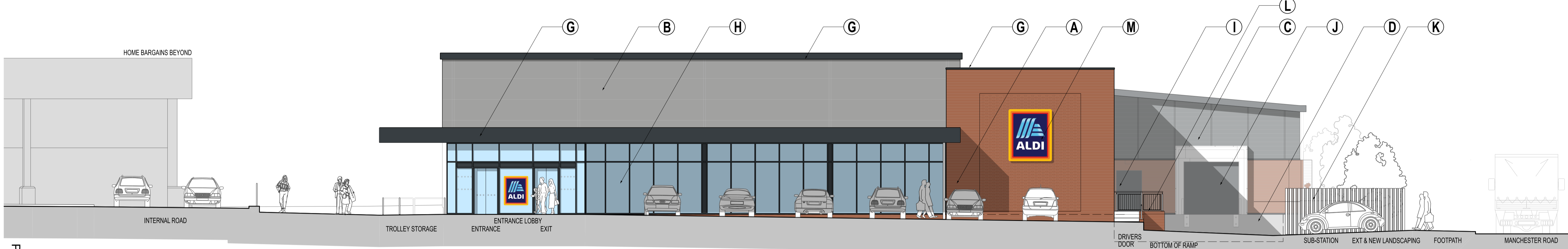
MATERIALS

- A FACING BRICKWORK
COLOUR: RED
- B MICRO-RIB METAL FACED WALL CLADDING
COLOUR: SILVER RAL 9006
- C HORIZONTAL TIMBER CLADDING
IN SIBERIAN LARCH
- D CONCRETE DOCK / RAMP WALL
COLOUR: LIGHT GREY (NATURAL)
- E METAL ROOF CLADDING
COLOUR: GOOSEWINGS GREY
- F FLAT ROOF
COLOUR: MID GREY
- G PPC ALUMINIUM TRIMS, FLASHINGS & RAINWATER
COLOUR: ANTHRACITE RAL 7016
- H ALUMINIUM CURTAIN WALLING / WINDOWS
COLOUR: ANTHRACITE RAL 7016
- I STEEL SECURITY DOORSETS
COLOUR: ANTHRACITE RAL 7016
- J INSULATED SECTIONAL OVERHEAD DOOR
COLOUR: ANTHRACITE RAL 7016
- K TIMBER HIT AND MISS FENCE PANEL / SCREEN
- L HANDRAIL / EDGE PROTECTION / EXT. STEPS
- M INDICATIVE SIGNAGE
(SUBJECT TO SEPERATE APPLICATION)

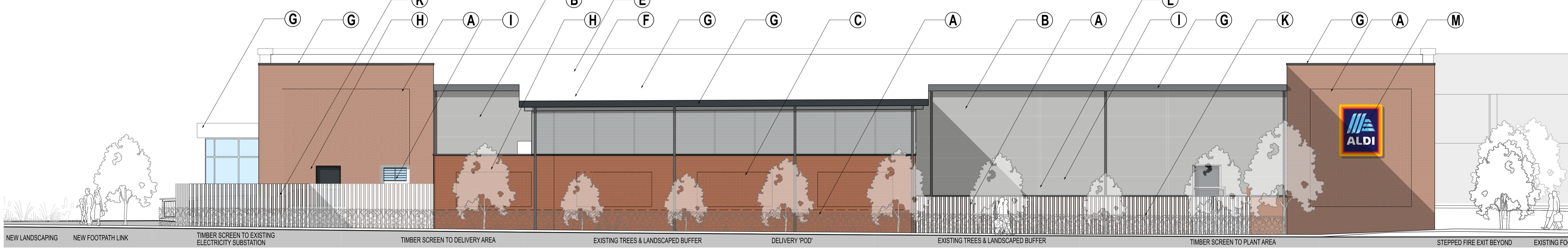
LANDSCAPING SHOWN IS INDICATIVE ONLY. REFER TO LANDSCAPE ARCHITECTS DETAILS FOR FULL INFORMATION.



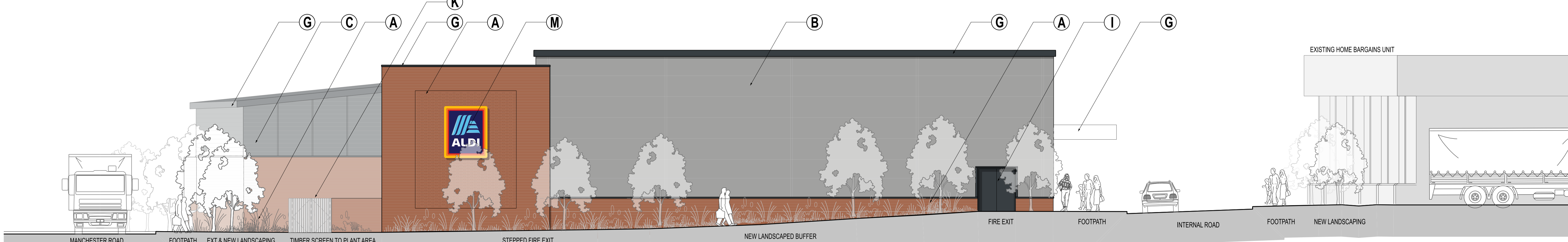
SOUTH EAST ELEVATION
FACING HOME BARGAINS



NORTH EAST ELEVATION
FACING DREAMS



NORTH WEST ELEVATION
FACING MANCHESTER ROAD



SOUTH WEST ELEVATION
FACING SNIPE WAY

REV.E 25.08.21 UPDATED PLANT COMPOUND LAYOUT, MANCHESTER ROAD ELEVATION AND ADDED PROJECTING WALL
REV.D 15.01.21 SW ELEV ADJUSTED, NW ELEV WINDOWS & FE ADJUSTED, NE ELEV STEPS & BALUSTRADE ADJUSTED
REV.C 22.12.20 ROOF & BRICK PANEL TO NW ELEV UPDATED, RIBBON CLADDING TO BE ELEV UPDATED - AJP
REV.B 21.12.20 WINDOWS & DOOR, BRICK PANELS TO NW ELEV UPDATED, RWPS INDICATED TO SEE ELEV - AJP
REV.A 17.12.20 UPDATED TO SUIT PLAN, RWPS INDICATED, SIGNAGE UPDATED - AJP
REV. DATE NOTES INT.

CLIENT / PROJECT
ST. JAMES PLACE UK PLC.
PROPOSED FOODSTORE
PROP. UNIT 13, SNIPE RETAIL PARK, SNIPE WAY
AUDENSHAW, ASHTON-UNDER-LYNE, OL7 0DN
DRAWING TITLE
PROPOSED ELEVATIONS

STATUS
PLANNING

DATE 20.11.20 DRAWN AJP SCALE @ A1
PROJECT NUMBER UNIT CODE TYPE & NUMBER REVISION LETTER
11152 13 PL E01 E

THE RATCLIFFE GROVES PARTNERSHIP
MANCHESTER
19 REDFORD RDW
LONDON W1C 1KJ
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RGP
architects

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LANDSCAPE RESPONSE - PLAN

Provide a break in the planting and a focal point at ground floor and on the elevation. An opportunity for people to arrive to the site

MANCHESTER ROAD

EXTERNAL PLANT COMPOUND WITH TIMBER SCREEN

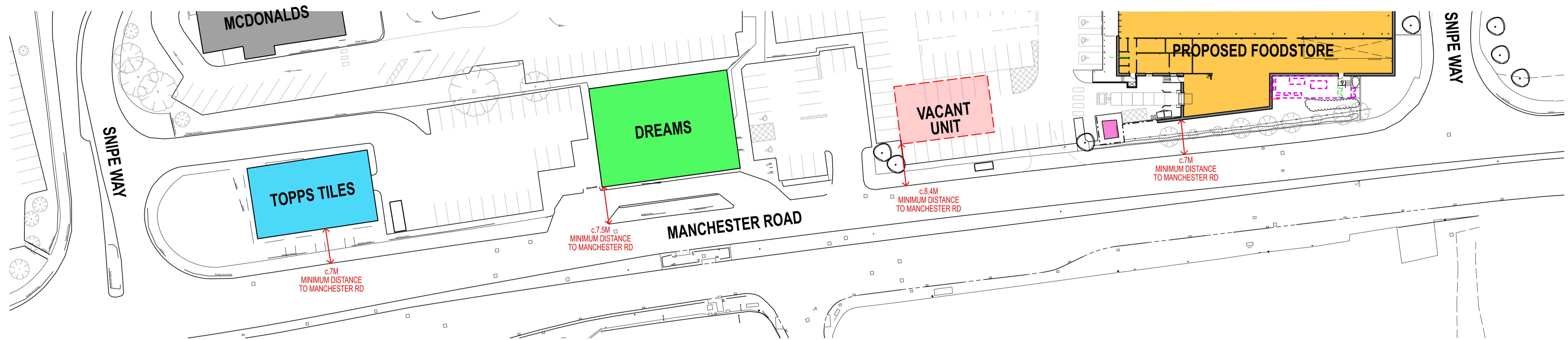
Soften the frontage through enhanced planting and detailing of the architecture

ALDI STORE

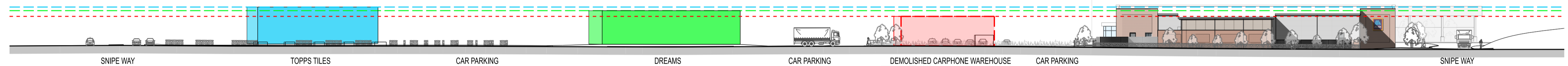
Soften the frontage through enhanced planting and detailing of the architecture



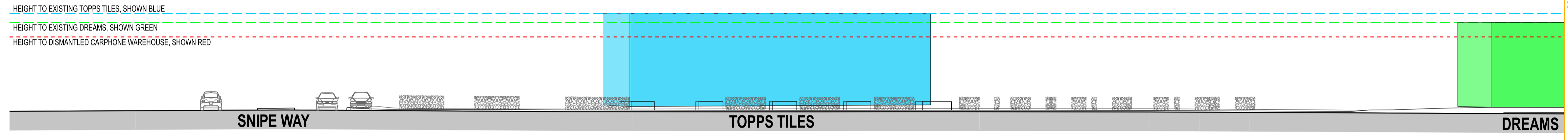
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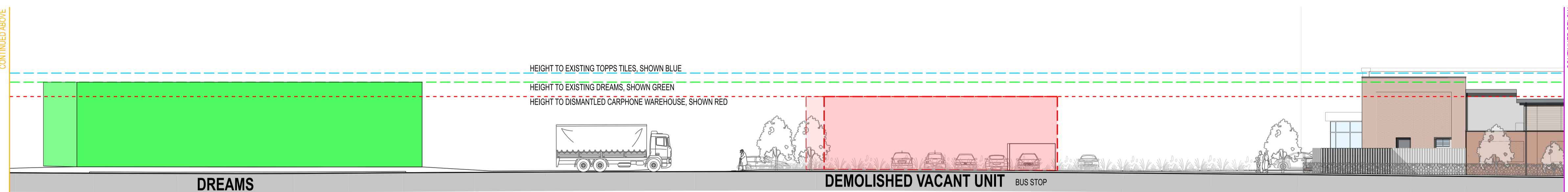
PART SITE PLAN 1:500



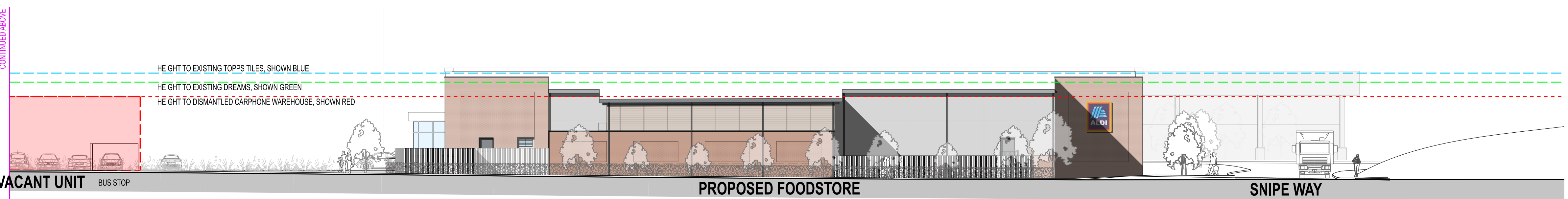
ELEVATION 1:500



ELEVATION 1:200



ELEVATION CONTINUED 1:200



ELEVATION CONTINUED 1:200

REV.	DATE	NOTES	INT.
REV.E	01.09.21	UPDATED PLANT COMPILING LAYOUT AND ADDED PROJECTING WALL	AAS
REV.D	15.01.21	SITE PLAN & ELEVATIONS UPDATED	AJP
REV.C	22.12.20	ELEVATIONS UPDATED	AJP
REV.B	21.12.20	ELEVATIONS UPDATED	AJP
REV.A	17.12.20	ELEVATIONS UPDATED	AJP
REV.	DATE	NOTES	INT.

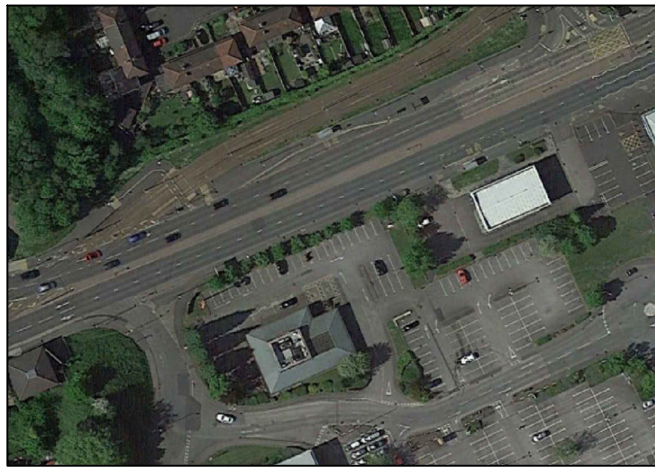
CLIENT / PROJECT
ST. JAMES PLACE UK PLC.
PROPOSED FOODSTORE
PROP. UNIT 13, SNIPE RETAIL PARK, SNIPE WAY
AUDENSHAW, ASHTON-UNDER-LYNE, OL7 0DN
DRAWING TITLE
ILLUSTRATIVE STREET SCENE
ELEVATION

STATUS				
PLANNING				
DATE	DRAWN	SCALE @ A1		
04.12.20	AJP	1:500 / 1:200		
PROJECT NUMBER	UNIT	CI / STR	TYPE A	REVISION LETTER
11152	13	PL	E02	E

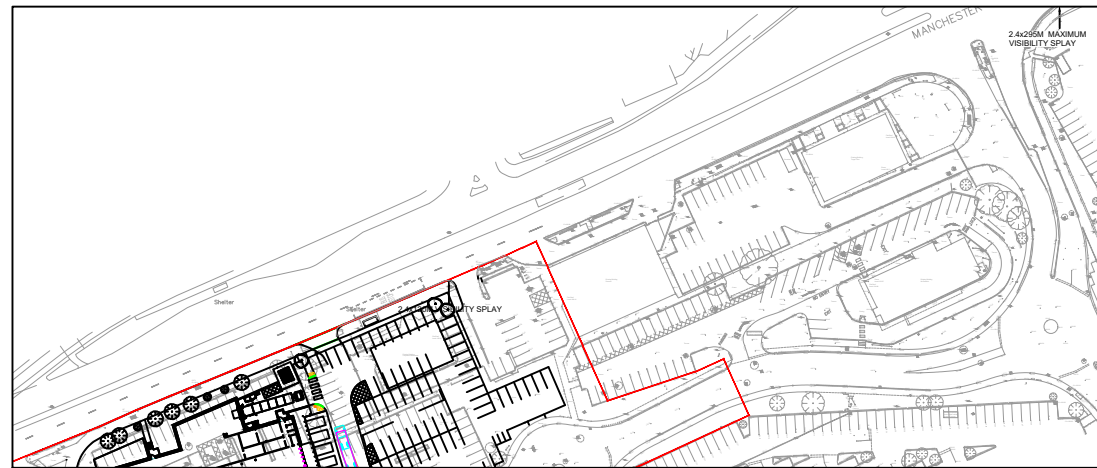
THE RATCLIFFE GROVES PARTNERSHIP
MANCHESTER
105 MANCHESTER ROAD
BURY LANCASHIRE, BL3 8TD
T: 0161 797 4000 E: manchester@rgp.co.uk
www.rgp.co.uk



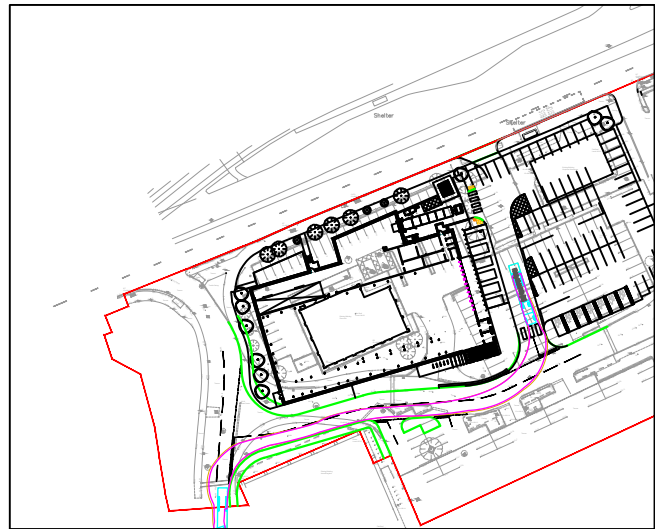
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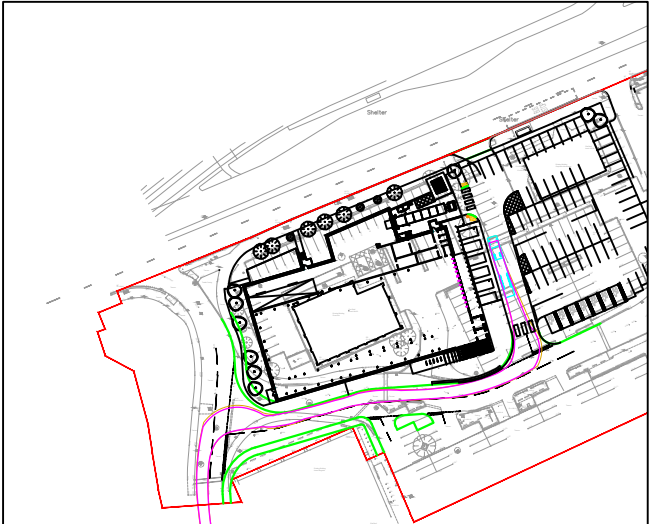
NORTH SOUTH AERIAL VIEW



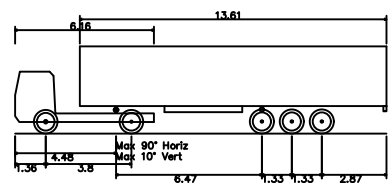
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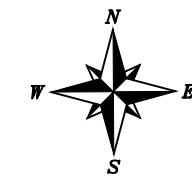
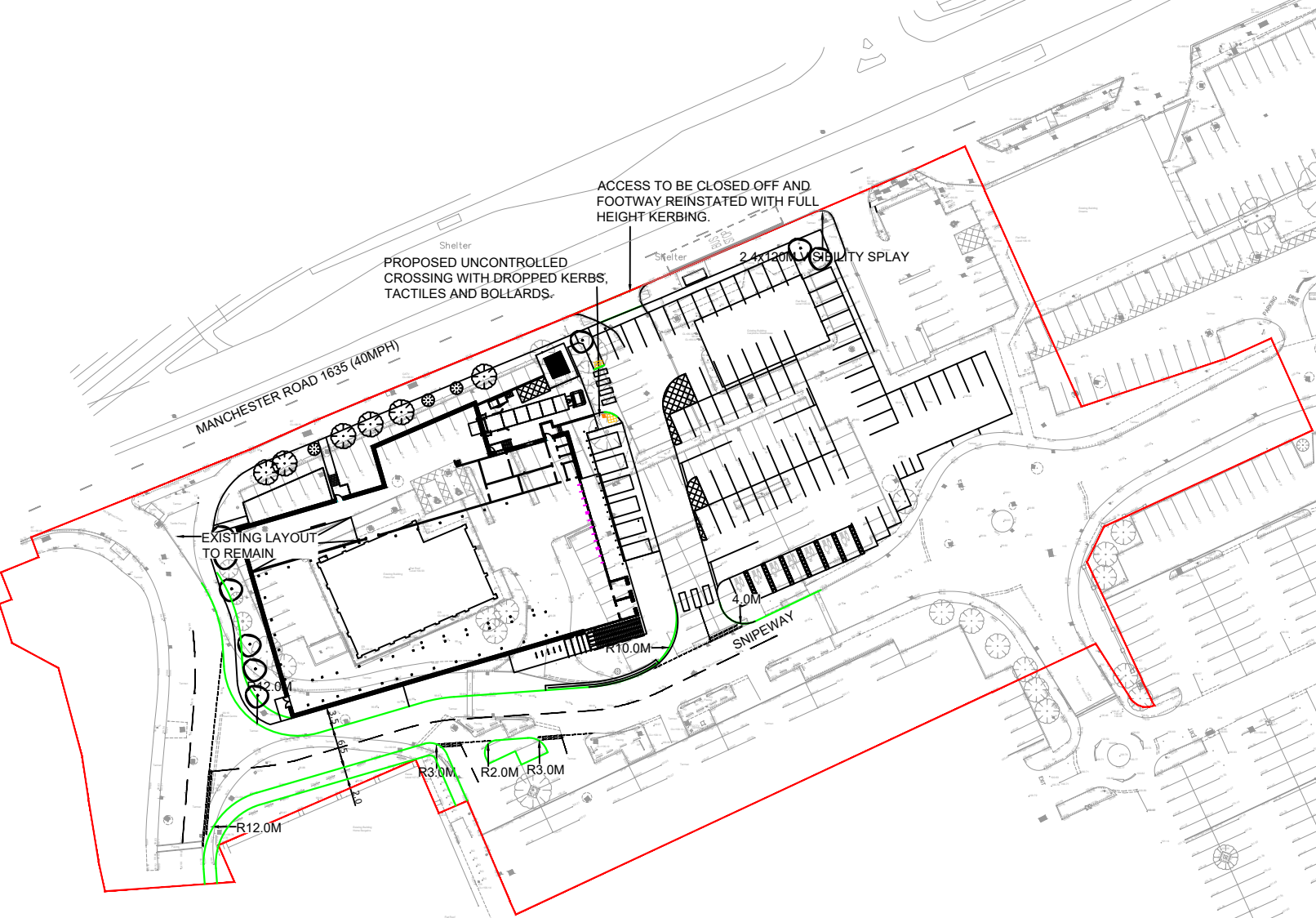
FTA RIGHT OUT OF SITE - SCALE 1:2000@A3



FTA RIGHT INTO SITE - SCALE 1:2000@A3



FTA Design Articulated Vehicle (1998)
 Overall Length 16.480m
 Overall Width 2.550m
 Overall Body Height 4.870m
 Min Body Ground Clearance 0.515m
 Max Track Width 2.470m
 Lock to Lock Time 6.00s
 Kerb to Kerb Turning Radius 6.550m



NOTES
 THIS IS NOT A CONSTRUCTION DRAWING AND IS FOR INDICATIVE PURPOSES ONLY.
 THE DRAWING WILL BE SUBJECT TO CHANGE FOLLOWING LOCAL AUTHORITY REVIEW AND CONFIRMATION OF PUBLIC HIGHWAY AND THIRD PARTY LAND BOUNDARIES.

- INDICATIVE SITE BOUNDARY
- DENOTES NEW KERBS
- EXISTING ADOPTED HIGHWAY

REV	DETAILS	DRAWN	CHECKED	DATE
E	ACCESS AMENDMENTS	LB	LW	DEC 21
D	VISIBILITY AMENDMENTS	LB	LW	NOV 21
C	MINOR AMENDMENT	LB	JC	JUL 21
B	MINOR AMENDMENT	LB	JC	JUL 21
A	MINOR AMENDMENT	LB	JC	MAY 21

CLIENT:
ORCHARD STREET

PROJECT:
**SNIFE RETAIL PARK,
 ASHTON UNDER LYNE**

DRAWING TITLE:
**PROPOSED SITE ACCESS
 ARRANGEMENT**

SCALES:
1:1000 @ A3

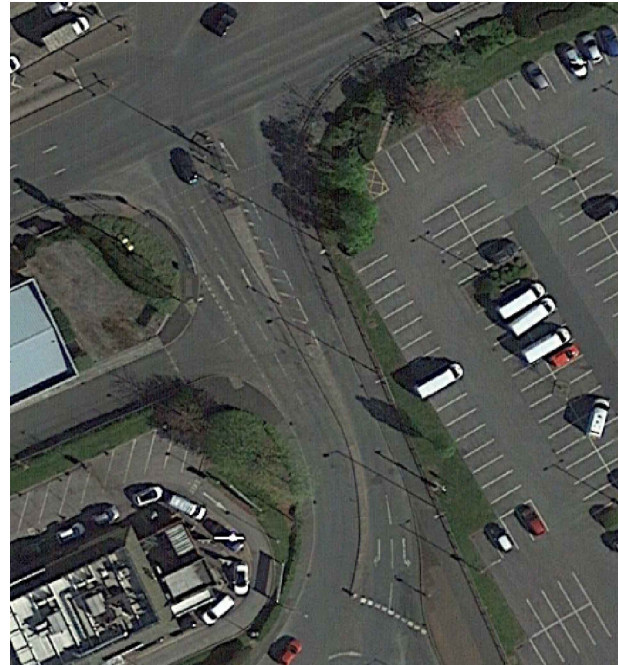
DRAWN: LB CHECKED: JC DATE: NOV 20

Croft Transport Planning & Design
 340 Deansgate
 Manchester
 M3 4LY
 Email: info@crofts.co.uk
 Tel: 0161 837 7380
 Web: www.eddisons.com/services/transport-planning

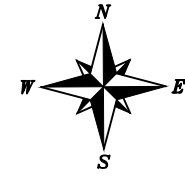
DRAWING NUMBER: **2181-F02** REVISION: **E**



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NORTH SOUTH AERIAL VIEW



NOTES

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 THE DRAWING WILL BE SUBJECT TO CHANGE FOLLOWING LOCAL AUTHORITY REVIEW AND CONFIRMATION OF PUBLIC HIGHWAY AND THIRD PARTY LAND BOUNDARIES.

— DENOTES NEW KERBS



E	LANE AMENDMENTS	LB	MC	DEC 21
D	LANE AMENDMENTS	LB	MC	DEC 21
C	LANE AMENDMENTS	LB	MC	NOV 21
B	ADDITIONAL LEFT TURN LANE	LB	MC	NOV 21
A	MINOR AMENDMENT	LB	LW	NOV 21

REV	DETAILS	DRAWN	CHECKED	DATE
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CLIENT:
ORCHARD STREET

PROJECT:
**SNIPE RETAIL PARK,
 ASHTON UNDER LYNE**

DRAWING TITLE:
**PROPOSED HIGHWAY
 IMPROVEMENT PLAN**

SCALES:
1:1000 @ A3

DRAWN: GM	CHECKED: JC	DATE: AUG 21
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DRAWING NUMBER: 2181-F05	REVISION: E
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Application Number 19/01090/REM

Proposal	Seeking approval of the reserved matters with respect to access, appearance, layout, scale and landscaping for the construction of 20 new dwellings (pursuant to outline planning permission ref. 16/00944/OUT).
Site	Land between Ford Grove, Atherton Avenue and Hyde Road, Mottram
Applicant	BDW Trading Limited (Operating as Barratt Manchester)
Recommendation	Grant planning permission, subject to conditions.
Reason for Report	A Speaker's Panel decision is required because the application constitutes major development.

1. APPLICATION DESCRIPTION/BACKGROUND

- 1.1 The applicant seeks approval for the reserved matters (the means of access, appearance, layout, scale and landscaping) for the construction of 20 dwellings, following the granting of outline planning permission ref. 16/00944/OUT.
- 1.2 The following information has been submitted in support of the application:
 - Design and Access Statement;
 - Crime Impact Statement;
 - Arboricultural Impact Assessment;
 - Ecological Assessment;
 - Landscaping Proposals;
 - Ground Investigation Report;
 - Statement of Community Involvement;
 - Planning Statement;
 - Flood Risk Assessment; and
 - Transport Statement.
- 1.3 This application is presented to the Speaker's Panel for a second time, having previously been considered in July 2020. Previously, the application sought approval of all reserved matters for 16 no. dwellings, with access taken from Hyde Road (A57).
- 1.4 At the meeting in July 2020, the Speakers Panel initially resolved to grant planning permission for the scheme. Following this a new matter was raised by National Highways. The Council and the applicant have therefore worked to resolve issues related to a proposed access to the site from Hyde Road (A57) – a trunk road within the jurisdiction of National Highways. With this in mind, the principal amendments have subsequently been agreed as follows:
 - Access to the development is now taken from Atherton Avenue (directly to the south of the site).
 - Given the re-routing of the access, an increase in the number of dwellings to 20 is now proposed.
 - 40 no. car parking spaces are now proposed to serve the development, which is an increase in 8 no. spaces compared with the previously proposed 32.

2. SITE & SURROUNDINGS

- 2.1 The application relates to land located on the southern side of Hyde Road in Mottram. The site is previously developed land although has been cleared of buildings. The site sits at the northern end of Atherton Avenue and the gable ends of two of the properties on that street face the application site. There are also neighbouring properties to the east, south east and west of the site. Residential properties on the opposite side of Hyde Road face the northern boundary of the site from across the highway, some of these being set back within their plots. Land levels on the site are relatively flat. An existing footpath within the site runs parallel with the eastern boundary of the site, connecting Atherton Avenue to Hyde Road.

3. RELEVANT PLANNING HISTORY

- 3.1 16/00944/OUT - Outline planning application (All matters reserved) for the residential development of 0.4 hectares of land – Approved.

4. RELEVANT PLANNING POLICIES

4.1 Tameside Unitary Development Plan (UDP) Allocation

Not allocated, within the settlement of Hattersley

4.2 Part 1 Policies

- 1.3: Creating a Cleaner and Greener Environment
- 1.4: Providing More Choice and Quality Homes
- 1.5: Following the Principles of Sustainable Development
- 1.6: Securing Urban Regeneration
- 1.12: 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 (Density being relevant to this proposal)
- H10: Detailed Design of Housing Developments
- OL10: Landscape Quality and Character
- T1: Highway Improvement and Traffic Management.
- T10: Parking
- T11: Travel Plans.
- C1: Townscape and Urban Form
- N7: Protected Species
- MW11: Contaminated Land.
- U3: Water Services for Developments
- U4 Flood Prevention
- U5 Energy Efficiency

4.4 Other Policies

- Residential Design Supplementary Planning Document;
- Trees and Landscaping on Development Sites SPD adopted in March 2007; and
- Hattersley and Mottram SPG (dated April 2004).

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

- Section 2: Achieving sustainable development
- Section 5: Delivering a sufficient supply homes
- Section 8: Promoting healthy communities
- Section 11: Making effective use of land
- Section 12: Achieving well-designed places
- Section 15: Conserving and enhancing the natural environment

5. PUBLICITY CARRIED OUT

- 5.1 Given the amendments to the scheme as outlined, two separate rounds of public consultation have taken place. Neighbour notification letters were issued in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's adopted Statement of Community Involvement. This is in addition to site notices and press notices.

6. RESPONSES FROM CONSULTEES

- 6.1 Tree Officer – No objections to the proposals. The detailed landscape plan submitted with the application indicates that a suitable soft landscaping scheme will be implemented as part of the proposed development.
- 6.2 Lead Local Flood Authority (LLFA) – consider that further information should be submitted in relation to surface water drainage, prior to the determination of the application.
- 6.3 Greater Manchester Ecology Unit (GMEU) – no objections to the proposals, subject to a condition requiring the implementation of the details provided in the Bird and Bat Box Scheme submitted with the application. The detail of the landscape proposals specifies almost exclusively non-native species, which is acceptable in this type of location. The use of ornamental varieties of apple cherry and whitebeam supply flowers and fruit, which is of benefit to local biodiversity.
- 6.4 Environmental Health Officer (EHO) – no comments to make on the application.
- 6.5 United Utilities – no objections to the proposals. A condition requiring the submission and approval of a sustainable drainage strategy was attached to the outline planning permission.
- 6.6 Coal Authority – no objections to the proposals. Confirm that the site is considered to be at a high risk in relation to coal mining legacy, with the eastern part of the site in an area of probable shallow coal mining. However, there are no mining features (mine entries / opencast highwall(s)) present that would impact the layout of this development. No conditions are considered to be necessary based on the findings of the Stage 1 & 2 Geo-Environmental Ground Investigation Report (October 2019) prepared by Smith Grant Environmental Consulting LLP submitted with this application.
- 6.7 Greater Manchester Police – no objections to the proposals subject to the imposition of a condition requiring the implementation of the crime reduction measures detailed in the crime impact assessment submitted with the planning application.
- 6.8 Contaminated Land Officer – no objections to the proposals as an appropriate condition to deal with potential sources of ground contamination was attached to the outline planning permission.
- 6.9 Local Highway Authority (LHA) – no objections to the proposals. Recommend that conditions requiring the parking provision indicated on the submitted plans to be laid out prior to the

occupation of any of the dwellings, the submission of street lighting details, the submission of a construction environment management plan, the retention of adequate visibility splays and the provision of cycle storage are attached to any planning permission granted. Conditions are also requested requiring the submission of a condition survey of the highway and details of the access arrangements serving the development.

- 6.10 National Highways (previously Highways England) – previous objections held (in relation to former proposed access via Hyde Road (A57)) are now removed subject to recommended conditions, the continued safe operation of the Strategic Road Network can be maintained.

7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- 7.1 Further to the initial, first round of consultation (January 2020) six letters of representation were received, raising the following concerns (summarised):

- The proposals would add to the existing problems of congestion on Hyde Road and would therefore have a detrimental impact on highway safety;
- Additional traffic queuing within the highway will have a further detrimental impact on air quality in the locality;
- The existing footpath through the land is a vital connection to the shops and facilities on Hyde Road for the residents of the existing properties to the south of the site. This should be retained as part of any development;
- The existing footpath running through the land is an official Public Right of Way and should not be obstructed or altered in any way as a result of the development of the land;
- Thirty-two parking spaces are to be allocated which allows 32 cars direct access onto the A57 which is heavily congested at peak times. The access is positioned close to the crossroads of Mottram Village where vehicles will find it almost impossible to turn eastwards with a constant queue of traffic. Vehicles turning eastwards from John Kennedy Road are situated 20/30 metres west from the proposed access; and
- The original outline application included retaining the mature trees grown to the front of the development and a number of these have been removed.

- 7.2 Further to the amendments received to the scheme as outlined in this report, a re-consultation process has occurred. Letters of representation from five separate addresses have been received, raising the following concerns (summarised):

- Safety risks to children/pedestrians/motorists along Atherton Avenue (and other approaching roads), given the proposed re-routing of access. Noted that Atherton Avenue is also used for walking access through the Mottram estate up to Mottram C of E School and Longendale High School. Concerns also about broader impact upon exit from John Kennedy Road to Hyde Road from additional traffic. Preference expressed towards access being taken from Hyde Road, as opposed to Atherton Avenue.
- Noise and pollution from traffic being routed along Atherton Avenue and other approaching roads.
- Potential overlooking between proposed dwellings and neighbouring properties.
- Disturbance from construction works.

8. ANALYSIS

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

- The principle of development;
- The impact of the design and scale of the development on the character of the site and the surrounding area;

- The impact upon the residential amenity of neighbouring properties;
- The impact on highway safety;
- The impact on flood risk;
- The appropriateness of the proposed landscaping scheme; and,
- Other matters.

9. PRINCIPLE OF DEVELOPMENT

9.1 The principle of residential development on the site was established at the outline stage, at which point a number of dwellings was not specified either in the description of development or by a condition of the planning permission. Policy H1(14) of the Hattersley and Mottram SPG and H7 of the UDP indicate that a density between 30 and 50 dwellings per hectare should be achieved to make efficient use of land. This reserved matters scheme would achieve approximately 50 dwellings per hectare, complying with the policy range and is therefore considered to be acceptable, subject to all other material considerations being satisfied.

10. CHARACTER

10.1 The scheme has been amended to incorporate the retention of a footpath running adjacent to the eastern boundary of the land. This amendment has addressed the concerns expressed by officers as well as local residents that the original proposals would have resulted in the loss of a direct pedestrian connection from Atherton Avenue, through the site to the services and facilities on Hyde Road.

10.2 The scheme as amended retains the other pedestrian footways as taken from Hyde Road (A57), improving connectivity between the development and the existing footway network, enhancing the permeability and legibility of the scheme.

10.3 It is considered the proposed house types respond effectively to the long and relatively narrow nature of the site, presenting active frontages to both Hyde Road and across the southern boundary of the site. The latter would ensure appropriate surveillance of the route between Atherton Avenue and the pedestrian link to Hyde Road in the eastern portion of the site.

10.4 All of the dwellings across the site would be 2 storeys in height, reflecting the predominant scale of the existing development to the north and south east of the site. The palette of materials to be used would include dark bricks to the elevations with slates to the roof of the units. These materials are considered to provide a suitable appearance to the development, given the mix of stone, brick and rendered properties within the immediate vicinity of the site.

10.5 In relation to boundary treatments, 1.2 metre high railings and hedgerows would demarcate the northern, western and southern edges of the development along Hyde Road and Atherton Avenue. In addition, 1.8 metre close boarded fencing would be installed along the common boundary with the properties adjacent to the south west of the site, with railings along the section of the boundary that would be visible at the northern end of Ford Grove.

10.6 A 1.8 metre close boarded fence would be used to treat the eastern boundary site. The impact of this would be reduced by the soft landscaping to be planted along this edge, running parallel with the route of the footpath that would connect to Hyde Road. It is also the case that this fencing would replace the existing timber fencing on concrete plinths that currently demarcate this boundary.

10.7 Following the above assessment, it is considered that the proposals would not result in an adverse impact on the character of the area, subject to conditions requiring compliance with

the materials, boundary treatments and hard and soft landscaping details submitted with the application.

11. RESIDENTIAL AMENITY

- 11.1 The Residential Design Guide SPD (RDG) requires 21 metres to be retained between elevations containing habitable rooms that directly face each other, except where properties face each other across a highway, in which case the distance is reduced to 14 metres. The 14 metres separation distance is also applied where elevations with habitable rooms face blank elevations of neighbouring properties.
- 11.2 The northern gable elevation of no. 13 Atherton Avenue directly faces the southern boundary of the application site. The only openings on the gable of that property are associated with the side entrance to the building, at ground floor level. There are no openings at first floor level. The separation distance to be retained to the corresponding southern elevation of the proposed development, in addition to the screening to be provided by the 1.8 metre high close boarded fence to be installed on the common boundary are factors which lead officers to conclude that the proposal would not result in unreasonable overlooking into or overshadowing of that neighbouring property.
- 11.3 The northeast facing gable of no. 10 Atherton Avenue is blank and given the distance to be retained between the front elevation of that property and the corresponding elevations of the proposed development, it is considered that the proposal would not result in unreasonable overlooking into or overshadowing of that neighbouring property. Likewise, the oblique relationship between no. 8 Atherton Avenue and the substantial separation distance to be retained to the proposed development are factors which lead officers to conclude that the scheme would not result in a detrimental impact on the residential amenity of that property.
- 11.4 The neighbouring properties at nos. 7 and 8 Ford Way are located to the south west of the site. The only windows in the western gable of the proposed development in the western portion of the site would be secondary windows serving bathrooms. These windows could reasonably be required to be obscured without harming the residential amenity of the future occupiers of the development.
- 11.5 This requirement can be secured by condition and such a condition is attached to the recommendation. On that basis, the separation distance to be retained between the scheme and those neighbouring properties, in addition to the oblique relationship, would be sufficient to ensure that the proposal would not result in unreasonable overlooking into or overshadowing of those neighbouring properties.
- 11.6 A substantial separation distance would be retained between the eastern gable elevation of the proposed development in the eastern portion of the site and the eastern boundary of the site, due to the location of the proposed communal car parking area. Given this distance and the oblique relationship to be retained to the elevations of neighbouring properties containing habitable room windows, it is considered that the scheme would not result in unreasonable overlooking into or overshadowing of those neighbouring dwellings. As an additional safeguard, the secondary bedroom windows to be installed at first floor level can be required to be obscurely glazed, as per the equivalent windows at the western end of the development.
- 11.7 Following the above assessment, the proposed development would not result in an adverse impact on the residential amenity of any of the existing neighbouring properties through unreasonable overlooking into or overshadowing. Noise and disturbance from the proposed parking communal area in the eastern portion of the site would not adversely affect neighbouring residents, an assessment corroborated by the lack of objection to the proposals from the Borough EHO.

12. HIGHWAY SAFETY

- 12.1 As originally presented, the proposed development would have been accessed via a connection from Hyde Road (A57), on the northern boundary of the site. Hyde Road is a trunk road and forms part of the Strategic Road Network (SRN). As such, it is managed by National Highways – who raised objection to the originally proposed access. Having regard to the Design Manual for Roads and Bridges (DMRB), National Highways grounds for concern included:
- The volume of traffic on the A57 was too great for the originally proposed junction design with insufficient space within the existing carriageway or site in question to construct the access to the correct standard.
 - Existing accesses along the A57 were noted and the DMRB states that the number of priority junctions providing access to the all-purpose trunk road should be minimised.
 - It was considered that a viable alternative access to the development from the local road network could be achieved.
- 12.2 Having regard to the above, the applicant has worked with the Council to agree a new access to the site, to be taken from Atherton Avenue. This road forms part of the local highway network.
- 12.3 Further to the above and the inclusion of a continuous pedestrian footway on the eastern side of the access, the LHA and National Highways have not raised any objections in relation to the safety of the proposed access arrangements.
- 12.4 A revised transport statement has been submitted in support of the planning application, which anticipates that a total of 11 trips to and from the development would occur during both the AM and PM peak periods. Whilst the concerns of local residents in relation to highway safety are acknowledged, this represents a relatively low volume of additional traffic on the highway within the context of predominantly residential character. This assessment is reflected by the lack of objection from the Local Highway Authority in relation to the impact of the development on the capacity of the highway network.
- 12.5 Condition 17 of the outline planning permission requires details of any external lighting to be approved prior to installation and therefore this requirement does not need to be re-imposed at the reserved matters stage. Likewise, condition 12 of the outline planning permission requires details of the measures to be put in place to manage the environmental and traffic impacts of the construction phase of the development and as such a condition to this effect (as recommended by both the Local Highways Authority and National Highways) does not need to be added to any reserved matters approval. Submission of details pertaining to this condition shall be reviewed by both the Local Highways Authority and National Highways when the conditions are discharged.
- 12.6 A condition can be attached to any planning permission granted requiring the provision of secured cycle storage as requested by the Local Planning Authority. Such a condition is considered to be reasonable in order to encourage journeys by more sustainable modes of traffic. This site is beyond walking distance to rail services and so cycling, along with bus services that run along Mottram Road providing another alternative to trips by private car. The close proximity of these services and the provision of cycle storage would help to reduce the impact of congestion arising from the development.
- 12.7 Furthermore, a pre-occupation condition requiring the sufficient provision of improved lining works and tactile paving works (along Atherton Avenue) is considered reasonable to attach to any approval given. This is to further help maintain the highways safety of the locality.
- 12.8 National Highways has recommended a condition regarding detailed design specification of proposed pedestrian accesses from the A57 to the development. Sufficient detail is provided

on submitted drawings and the imposition of this condition is not considered to be reasonable given any damage to the SRN can be addressed under the powers available to National Highways. Notwithstanding this, it is reasonable to attach a condition to any approval ensuring that no drainage from the proposed development shall run off on to Hyde Road drainage system.

- 12.9 The scheme makes provision for two car parking spaces per dwelling, meeting the requirements of the Residential Design Guide in this regard.
- 12.10 On the basis of the above, that the proposals would not result in a detrimental impact on highway safety or a severe impact on highway capacity. In accordance with paragraph 109 of the NPPF, planning permission should therefore not be refused on highway safety grounds.

13. FLOOD RISK/DRAINAGE

- 13.1 The site is in flood zone 1 and is at a lower risk of flooding. United Utilities has raised no objections to the proposals. Condition 10 of the outline planning permission requires the submission and approval of a sustainable system for draining surface water from the site prior to the commencement of development.
- 13.2 Further technical information will be required to satisfy that condition. Condition 11 requires that surface and foul water are drained from the site via different systems. These conditions do not need to be re-applied at this reserved matters stage.

14. LANDSCAPING

- 14.1 The applicant has submitted details of the proposed hard and soft landscaping schemes associated with the development. The species mix on this parcel include Field Maple, Hornbeam and Rowan and the plans detail the location of shrub and hedge planting and areas to be grassed. Details are also provided in relation to the number of each type of species to be planted, their height on planting and protection of the hedge and tree planting to be installed.
- 14.2 The Tree Officer has no objections to the proposals. The scheme would include the planting of trees and hedgerows to soften the impact of the access into the site and would enhance the environment along the length of the pedestrian link that would run from Atherton Avenue and through the eastern portion of the site. Subject to a condition requiring the implementation of the landscaping scheme prior to occupation of the development and stipulating on-going management requirements, the soft landscaping scheme is considered to be acceptable.
- 14.3 In relation to hard landscaping, the plans indicate that the pedestrian accesses to the properties would be constructed from block paving. The proposed treatment is considered to be acceptable, with tarmac limited to the parking areas and the highway, ensuring that the soft landscaping would be sufficient to reduce the prominence of the engineering works associated with the access arrangements.
- 14.4 Following the above assessment, the soft and hard landscaping proposals are considered to be acceptable.

15. OTHER MATTERS

- 15.1 A condition requiring an investigation into sources of contamination on the site was attached to the outline planning permission (condition 7).
- 15.2 In relation to ecology, the applicant has provided an ecological appraisal in support of the application. The Greater Manchester Ecology Unit has raised no objections to the proposals, subject to the imposition of a number of conditions. The risk of harm to bats during and as a result of the development of the site is considered to be limited, as are the potential risks to amphibians and reptiles.
- 15.3 The survey includes a number of mitigation measures to be employed during the construction phase of the development to ensure that harm to protected species is avoided. Compliance with these measures can be secured by condition.
- 15.4 The bat and bird box scheme submitted with the application includes a plan which indicates the location and specification of bat and bird boxes to be installed across the scheme. A condition securing compliance with these details would be sufficient to ensure that the proposals would comply with the requirements of paragraph 175 of the NPPF.
- 15.5 Condition 8 of the outline planning permission requires the trees to be retained on the site/adjacent to the site boundaries to be protected to the relevant British Standard. A condition limiting the timing of tree/vegetation removal to avoid harm to nesting birds can be attached to the decision notice.
- 15.6 In relation to designing out crime, a crime impact statement (CIS) has been submitted. Whilst there would be communal car parking areas within the development, the eastern portion of the site would be exposed to public views from Hyde Road to the north and Atherton Avenue to the south. The other area of communal parking would be accessed directly from the access road into the development.
- 15.7 Greater Manchester Police (GMP) has reviewed the proposals and have not raised any objections, subject to a condition requiring the implementation of the crime reduction measures detailed within the submitted CIS. Such a condition is attached to the recommendation.
- 15.8 In relation to refuse recycling, a communal area of storage is indicated on the proposed plans, adjacent to the access into the development. Details of the means of enclosure of this facility (vertical timber boarding) have also been submitted. Compliance with these details can be secured by condition.
- 15.9 The Coal Authority has confirmed that the site is at a high risk in relation to coal mining legacy, with the eastern part of the site in an area of probable shallow coal mining. However, their consultation response confirms that there are no mining features (mine entries / opencast highwall(s)) present that would impact the layout of this development. No conditions are considered to be necessary based on the findings of the Stage 1 & 2 Geo-Environmental Ground Investigation Report (October 2019) prepared by Smith Grant Environmental Consulting LLP submitted with this application.

16. CONCLUSION

- 16.1 The principle of residential development on the site was established at the outline stage. Given the character of surrounding development, the density of development is considered to be acceptable.

- 16.2 Following amendments to the proposals, the proposed layout would preserve the character of the surrounding area and would positively contribute to the wider regeneration of this part of Hattersley. The revised scheme would maintain highway safety, protect the Strategic Road Network, preserve the residential amenity of neighbouring residents and the proposed soft and hard landscaping schemes are considered to be appropriate.
- 16.3 There are no objections to the proposals from the statutory consultees in relation to highway safety, landscaping, contaminated land or any of the other material considerations. For the reasons explained in the main body of the report, it is considered that additional information relating to surface water drainage is not required prior to the determination of this reserved matters application.
- 16.4 Following the above assessment, the amended scheme is considered to accord with the relevant national and local planning policies quoted above.

RECOMMENDATION

Grant planning permission, subject to the following conditions:

1. The development hereby approved shall be carried out in full accordance with the following plans/information:
 - Site location plan (Drawing no. 486-PL-LP-01) received December 2019
 - Site layout plan (Drawing no. 486-P-PL-01 rev 6) received July 2021
 - Planning layout plan (Drawing no. 486-P-PLC-01 rev 5) received July 2021
 - Amber Variant (End) (Drawing no. 01) received July 2021
 - Amber Variant (Mid) (Drawing no. 01) received July 2021
 - Refuse Housing plan (Drawing no. H05/BS01) received July 2021
 - Boundary Treatment Layout plan (Drawing no. 486-P-BTL-01 rev 4) received July 2021
 - External levels plan (Drawing no. 486/ED/02 rev G) received July 2021
 - Hard Landscaping Layout plan (Drawing no. 486-P-HLL-01 rev 4) received July 2021
 - Storey Heights Layout plan (Drawing no. 486-P-SHL-01 rev 3) received July 2021
 - Detailed landscape proposals (Drawing no. c-1730-01 rev c) received July 2021
 - Materials layout plan (Drawing no. 486-P-ML-01 rev 4) received February 2022
 - Ecological Assessment produced by The Environment Partnership (ref. 7830.002 Version 1.1) received July 2021

Reason: For the avoidance of doubt and to ensure compliance with policies C1 and H10 of the Tameside Unitary Development Plan and section 13 of the NPPF.

2. The materials to be used in the construction of the external elevations of the buildings, boundary treatments and hard surfaced areas shall be carried out in accordance with the details shown on the following approved plans:

Materials Layout plan (Drawing no. 486-P-ML-01 rev 4)
Hard Landscaping Layout plan (Drawing no. 486-P-HLL-01 rev 4)
Boundary Treatment Layout plan (Drawing no. 486-P-BTL-01 rev 4)

The development shall be retained as such thereafter.

Reason: In the interest of visual amenity and to ensure compliance with policies C1 and H10 of the Tameside Unitary Development Plan and section 13 of the NPPF.

3. The boundary treatments to be installed on each of the plots within the development hereby approved shall be installed in accordance with the details as shown on Boundary Treatments

Layout plan (Drawing no. 486-P-BTL-01 Rev. 4) prior to the occupation of that dwelling. The brickwork used in the construction of the boundary walls and piers shall match in colour and external appearance the materials detailed on approved drawing number 486-P-ML-01 Rev. 4 (Materials Layout plan). The railings shall be painted black (RAL9005) and shall be retained as such thereafter.

Reason: In the interest of visual amenity and to ensure compliance with policies C1 and H10 of the Tameside Unitary Development Plan and section 13 of the NPPF.

4. The approved scheme of soft landscaping scheme detailed on the approved soft landscaping plan shall be implemented in accordance with the approved details 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.

Reason: In the interest of visual amenity and to ensure compliance with policies C1 and H10 of the Tameside Unitary Development Plan and section 13 of the NPPF.

5. The biodiversity enhancement measures to serve the development hereby approved shall be installed in accordance with the details shown on drawing no. G7912.004A contained within the Bat and Bird Box Scheme produced by The Environment Partnership submitted with the planning application (received July 2021) (including the specification of the installations and their location within the development), prior to the first occupation of any of the dwellings. The development shall be retained as such thereafter.

Reason: To mitigate against harm to the habitats of protected species in accordance with section 15 of the NPPF.

6. The development shall be carried out in accordance with the mitigation measures in the Ecological Appraisal submitted with the application (received July 2021).

Reason: To mitigate against harm to the habitats of protected species in accordance with section 15 of the NPPF.

7. Prior to the occupation of the dwellings located on plots 1, 2, 9, 10, 11, 12, 19 and 20 of the development hereby approved (as labelled on planning layout plan drawing no. 486-P-PL-01 Rev. 6) the windows in the following elevations of those units shall be fitted with obscured glazing (meeting Pilkington Standard Level 3 in obscurity as a minimum) and shall be non-opening below a height of 1.7 metres above the internal floor level of the room that they serve:

Western gable elevations of plots 1, 2, 11 and 12; and
Eastern gable elevations of plots 9, 10, 19 and 20.

The development shall be retained as such thereafter.

Reason: To maintain the amenity of future occupiers and neighbouring properties in accordance with policy H10 of the Tameside Unitary Development Plan.

8. The development hereby approved shall be carried in accordance with the measures listed in the Security Strategy (Section 7) of the Crime Impact Statement v 1.0 (dated June 2021) submitted with the planning application and shall be retained as such thereafter.

Reason: To ensure a safe/secure standard of development in accordance with section 8 of the NPPF.

9. No part of the development hereby approved shall be occupied until details of the secured cycle storage provision to serve each of the dwellings 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 shall be implemented in accordance with the approved details prior to the occupation of the development and shall be retained as such thereafter.

Reason: To ensure that safe and practical cycle parking facilities are provided so as to ensure that the site is fully accessible by all modes of transport in accordance with UDP Policies T1: Highway Improvement and Traffic Management, T7 Cycling and T10 Parking.

10. The means of enclosure of communal bin store to be installed as part of the development hereby approved shall be installed in accordance with the details shown on approved plan ref. H05/BS01, prior to the first occupation of any of the dwellings hereby approved. The development shall be retained as such thereafter.

Reason: In the interest of visual amenity, effective refuse/recycling management and to ensure compliance with policies C1 and H10 of the Tameside Unitary Development Plan and section 13 of the NPPF.

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

Reason: To ensure adequate car parking arrangements in accordance with UDP Policy T10.

12. Prior to the first occupation of the dwellings hereby approved, details of communal Electric Vehicle Charging Point(s) shall be approved in writing by the local planning authority which complies with the requirements listed below.

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 7kW, 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 promoting sustainable forms of transport, in accordance with UDP Policy T1 and the NPPF.

13. Prior to occupation of any of the dwellings hereby approved, a scheme indicating improvements to lining works and tactile paving works (along Atherton Avenue only) shall be submitted to and approved in writing by the local planning authority.

No part of the approved development shall be occupied until the approved highways works have been constructed in accordance with the approved details.

Reason: In the interest of highways safety, in accordance with UDP Policy T1 and the NPPF.

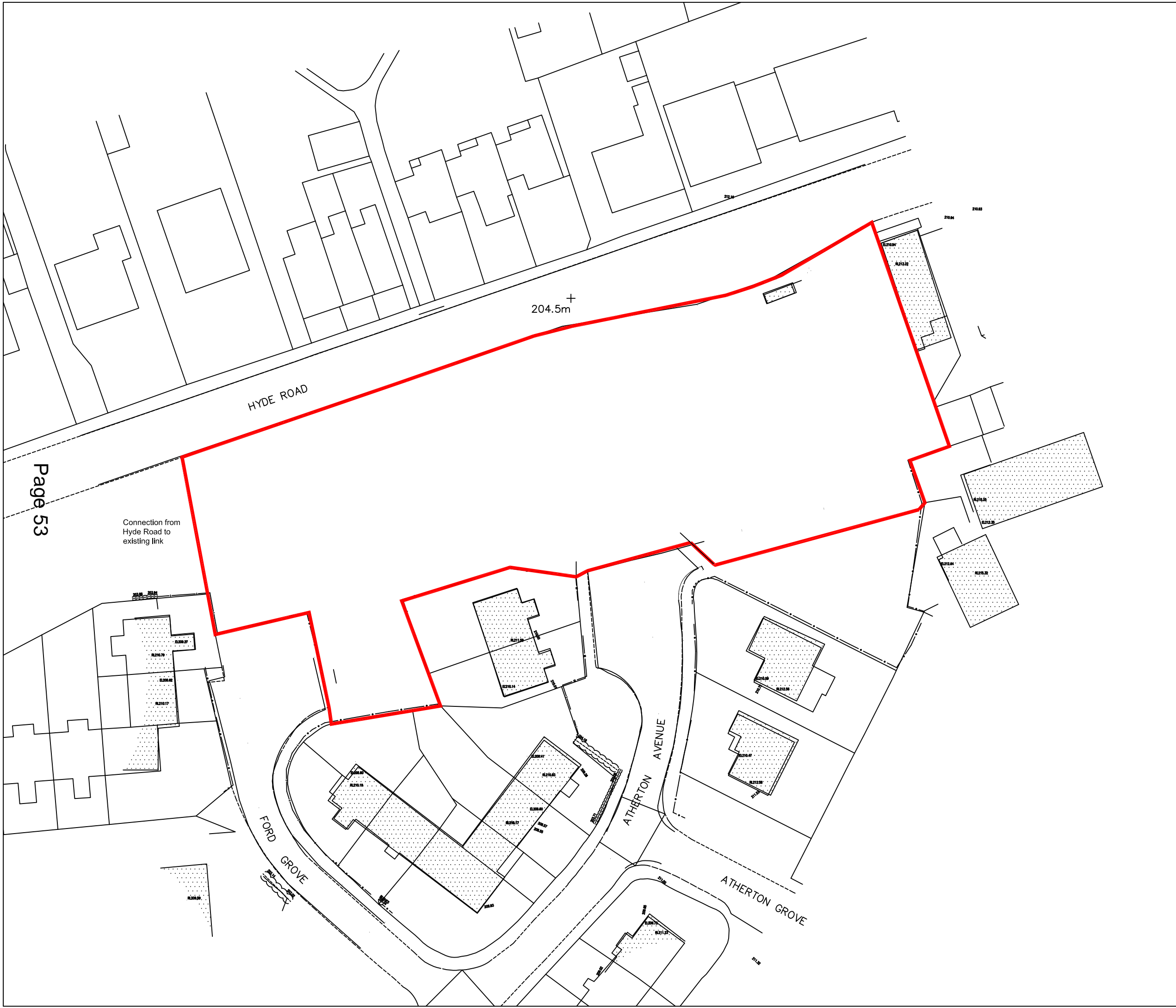
14. No drainage from the proposed development shall run off into the trunk road (i.e. Hyde Road – A57) drainage system, nor shall any such new development adversely affect any trunk road drainage.

Reason: To protect the integrity of the National Highways asset by ensuring that any development adjacent to the Strategic Road Network does not negatively impact upon it.

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Page 53

Rev	Description	Date	Drawn	Chk'd
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Job
HATTERSLEY PHASE 7
SITE 28

Title
LOCATION PLAN

Design By	Date	Drawing Number	Rev
NC	OCT 2019	486 - P - LP - 01	
Drawn By	Scale @ A3		
NC	1:500		

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PHOTO FROM EAST/SOUTH EAST OF SITE



PHOTO FROM EAST/SOUTH EAST OF SITE







PHOTO FROM NORTH/NORTH EAST OF SITE (ALONG A57 – HYDE ROAD)

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Additional Information:
 For retaining wall locations please refer to external levels drawing.

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-  **Boundary Treatment A**
1200mm ball top railings and hedge
-  **Boundary Treatment B**
Hedge
-  **Boundary Treatment C**
1800mm boarded fence
-  **Boundary Treatment D**
1200mm ball top railings only

4	Updated to suit Planning Layout Revision 7	21.05.21	CL
3	Updated to suit Planning Layout Revision 6	22.07.20	NC
2	Updated to suit Planning Layout Revision 5	17.06.20	NC
1	Updated to suit Planning Layout Revision 3	04.03.20	NC

Rev	Description	Date	Drawn	Chk'd
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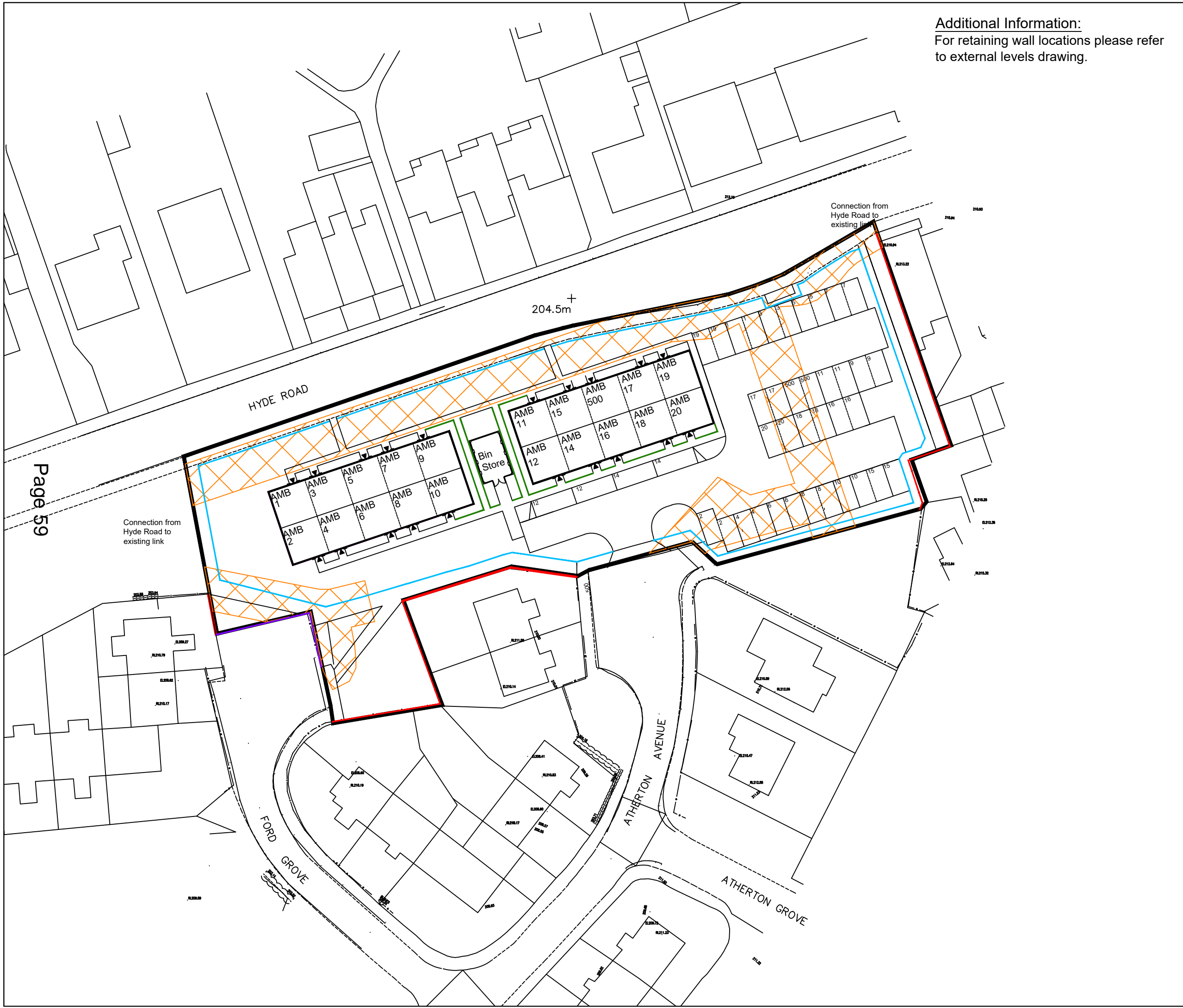
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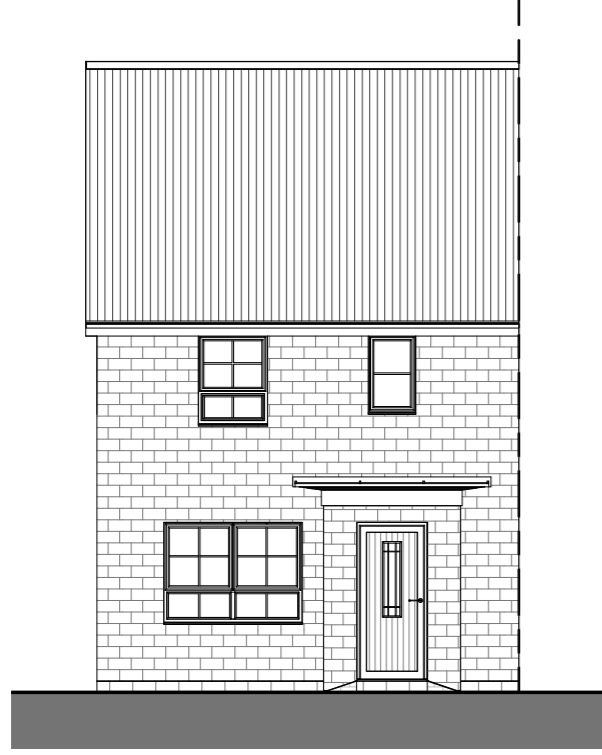
Job
 HATTERSLEY PHASE 7
 SITE 28

Title
 BOUNDARY TREATMENT LAYOUT

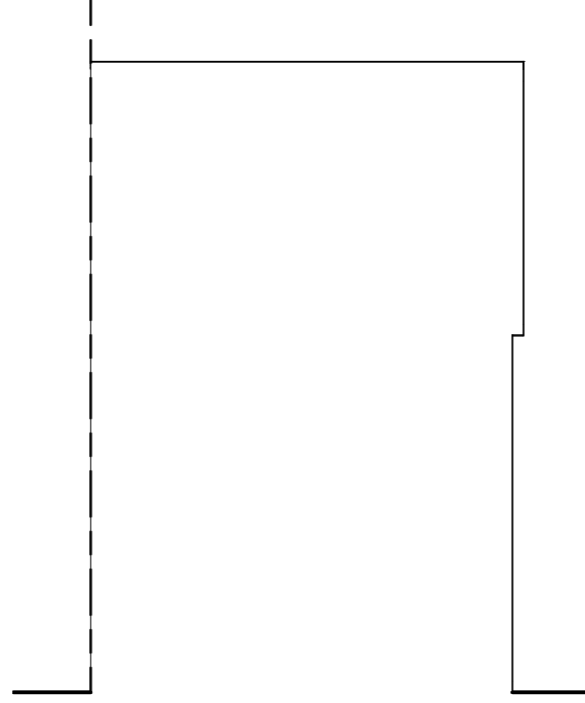
Design By	NC	Date	OCT 2019	Drawing Number	486 - P - BTL - 01	Rev	4
Drawn By	NC	Scale @	A3 1:500				



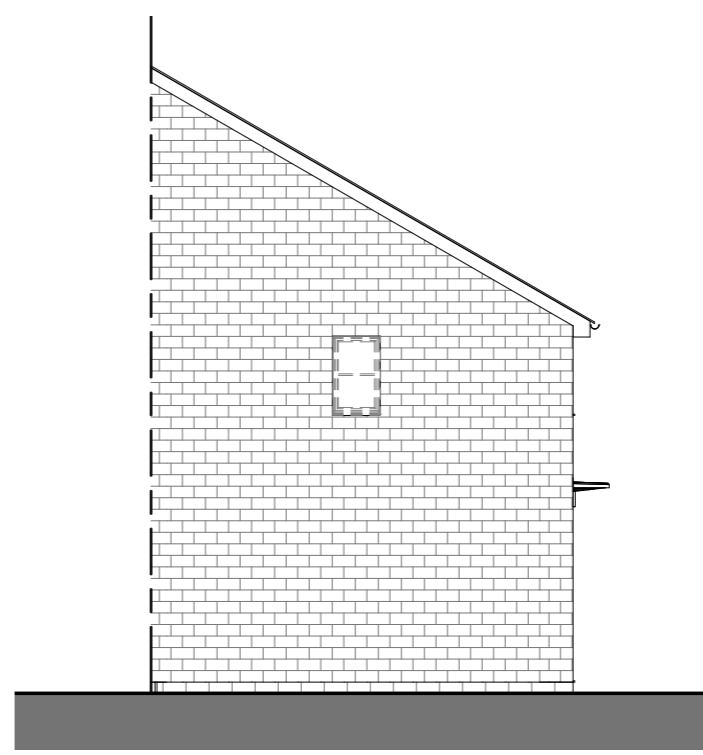
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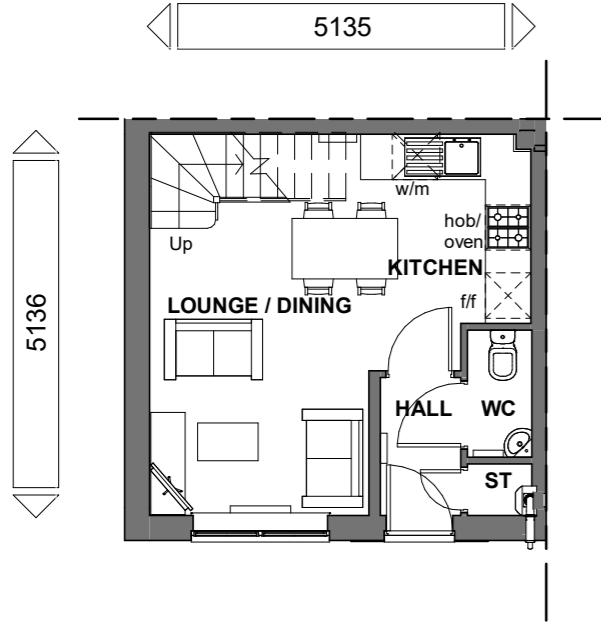
FRONT ELEVATION



REAR ELEVATION



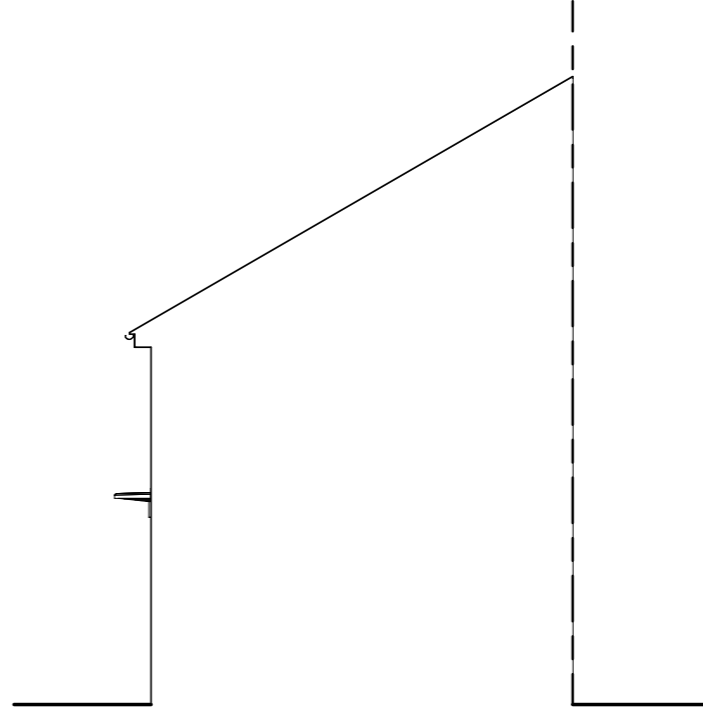
SIDE ELEVATION



GROUND FLOOR



FIRST FLOOR



SIDE ELEVATION

Floor Area: 568 ft² / 52.8 m²

Sales Name: Amber Variant (End)

House Type Code: BACN 00BE

Spec: AMBASSADOR Drawing No: 01

Date: Jan 2018

Drawn: GDT

Checked: GDT

Scale: 1 : 100 @ A3

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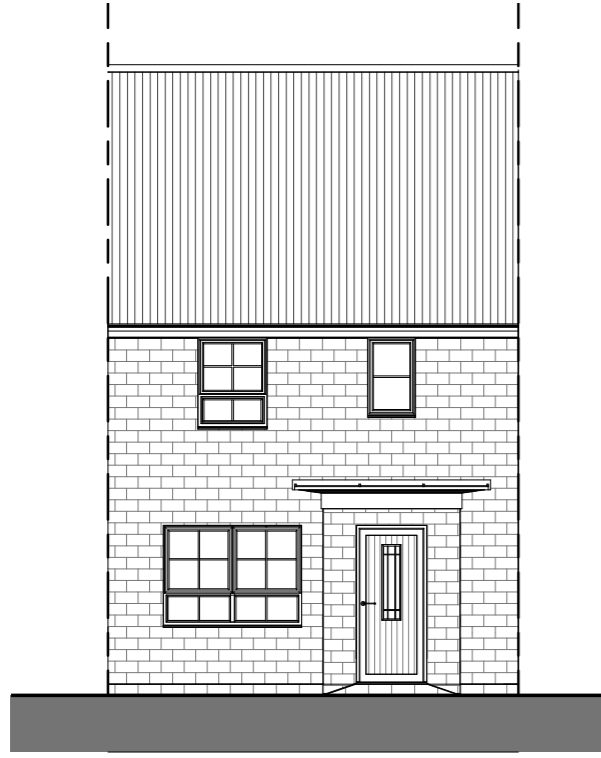
Planning

Rev	Description	Date

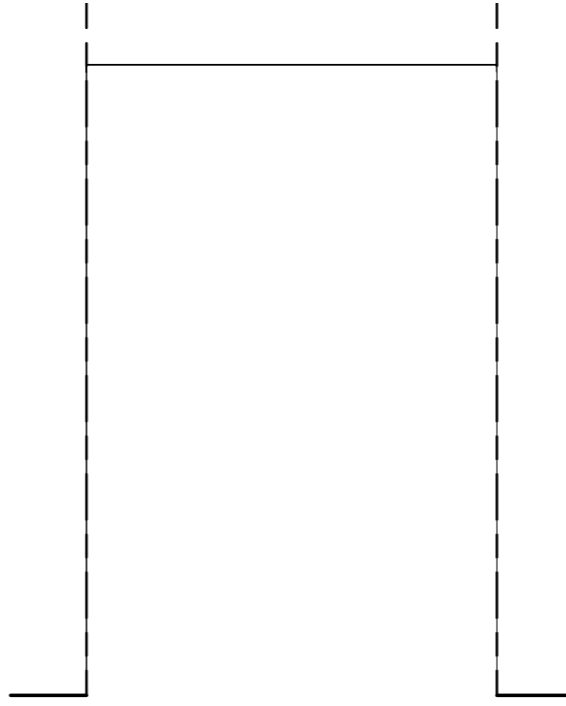


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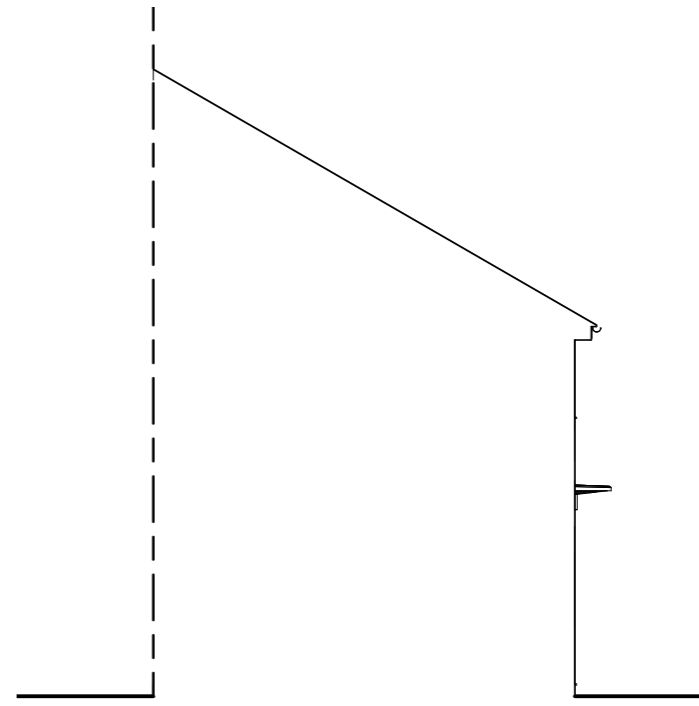
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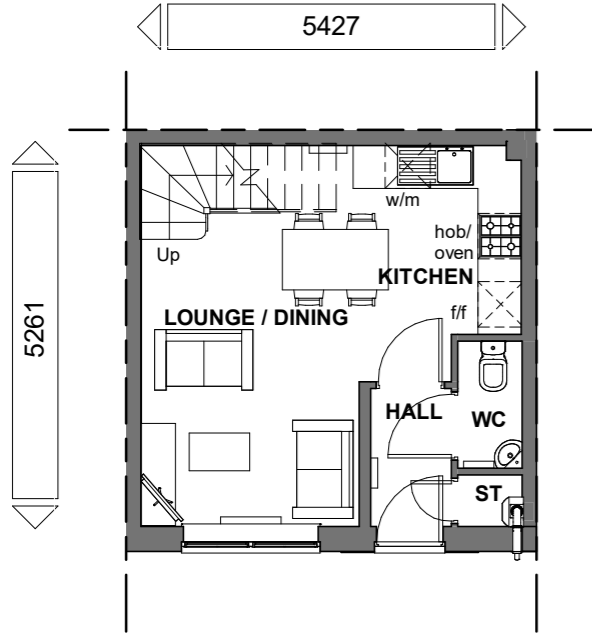
FRONT ELEVATION



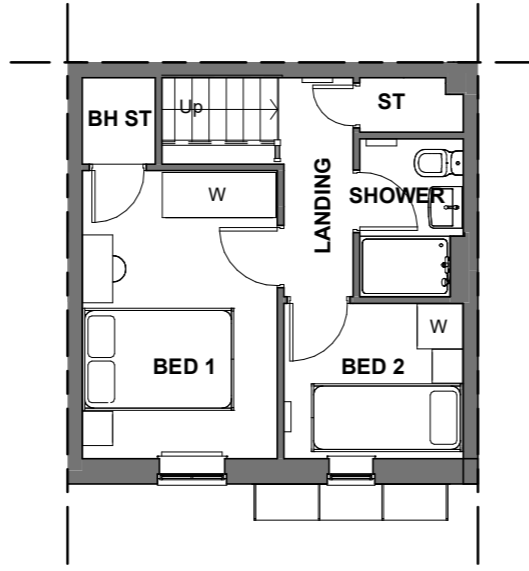
REAR ELEVATION



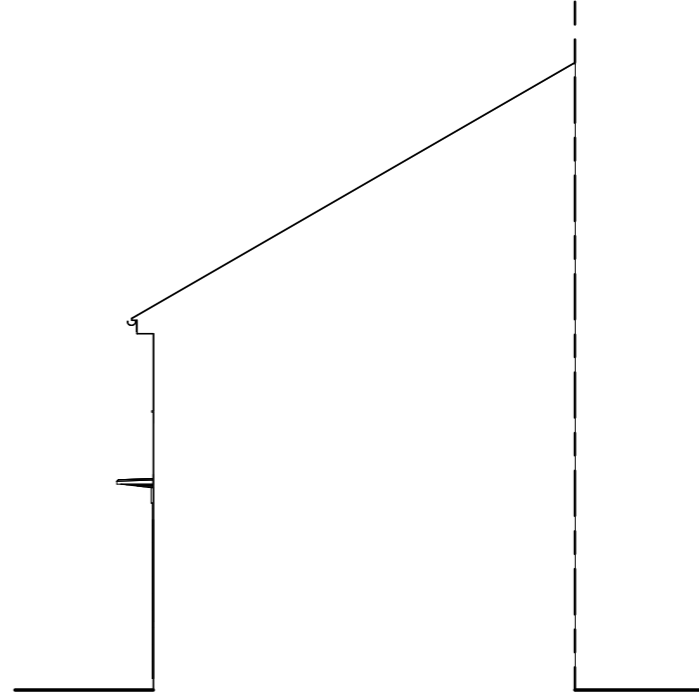
SIDE ELEVATION



GROUND FLOOR



FIRST FLOOR



SIDE ELEVATION

Floor Area: 555 ft² / 51.5 m²

Sales Name: Amber Variant (Mid)

House Type Code: BACN 00BI

Spec: AMBASSADOR Drawing No: 01

Drawn: GDT

Checked: GDT

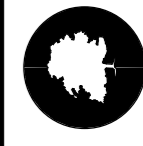
Date: Jan 2018

Scale: 1 : 100 @ A3

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Planning

Rev	Description	Date



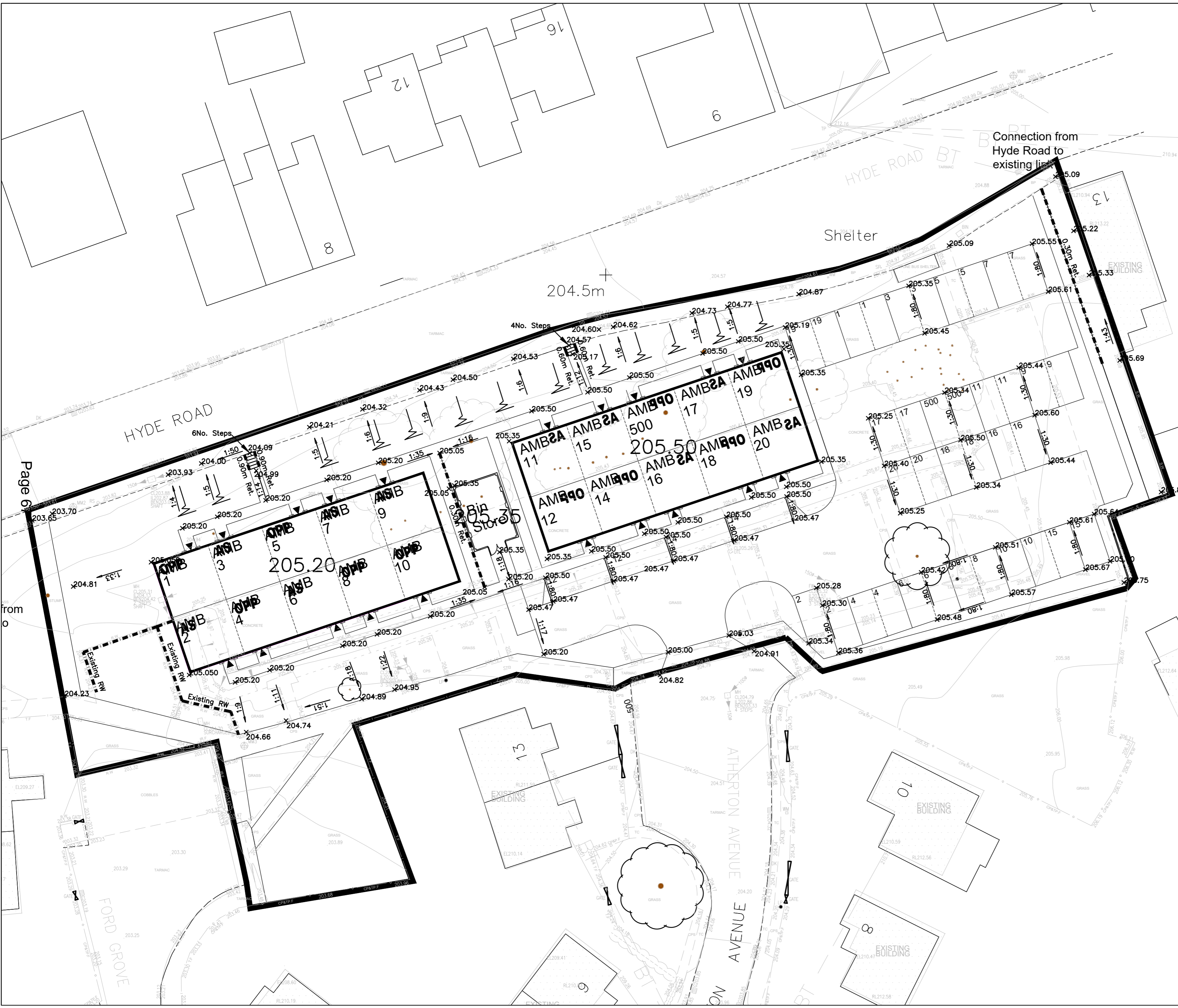
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REV	DESCRIPTION	DATE	DRAWN
G	Latest planning layout used as background. Levels amended to suit.	15.06.21	FB
F	Latest planning layout used as background. Levels amended to suit.	23.06.20	FB
E	Latest planning layout used as background.	12.03.20	FB
D	External Levels amended to suit revised planning layout.	05.03.20	FB
C	External Levels amended to suit the new location of the bin store. New FFL provided for bin store.	28.10.19	FB
B	Easements and texts amended.	10.06.19	FB
A	Constraints updated to suit latest drainage investigation from A&D Drains	26.04.19	FB



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Job
Hattersley
Phase 7
(Site 28)

Title
External Levels

Design By	Date	Drawing Number	Rev
FB	25.02.19	486/ED/02	G
C.A.D By	Scale @ A2		
FB	1:500		


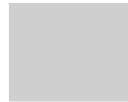


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-  450sq paving to patio & pedestrian access areas - Colour Grey
-  Tarmac
-  Tarmac
-  Soft Landscaping Areas
For more detail, please refer to the soft landscaping layouts

Adopted footpath

4	Updated to suit Planning Layout Revision 7	19.05.21	CL
3	Updated to suit Planning Layout Revision 6	22.07.20	NC
2	Updated to suit Planning Layout Revision 5	17.06.20	NC
1	Updated to suit Planning Layout Revision 3	04.03.20	NC

Rev	Description	Date	Drawn	Chk'd
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Job
HATTERSLEY PHASE 7
SITE 28

Title
HARD LANDSCAPING LAYOUT

Design By NC	Date OCT 2019	Drawing Number 486 - P - HLL - 01	Rev 4
Drawn By NC	Scale @ A3 1: 500		

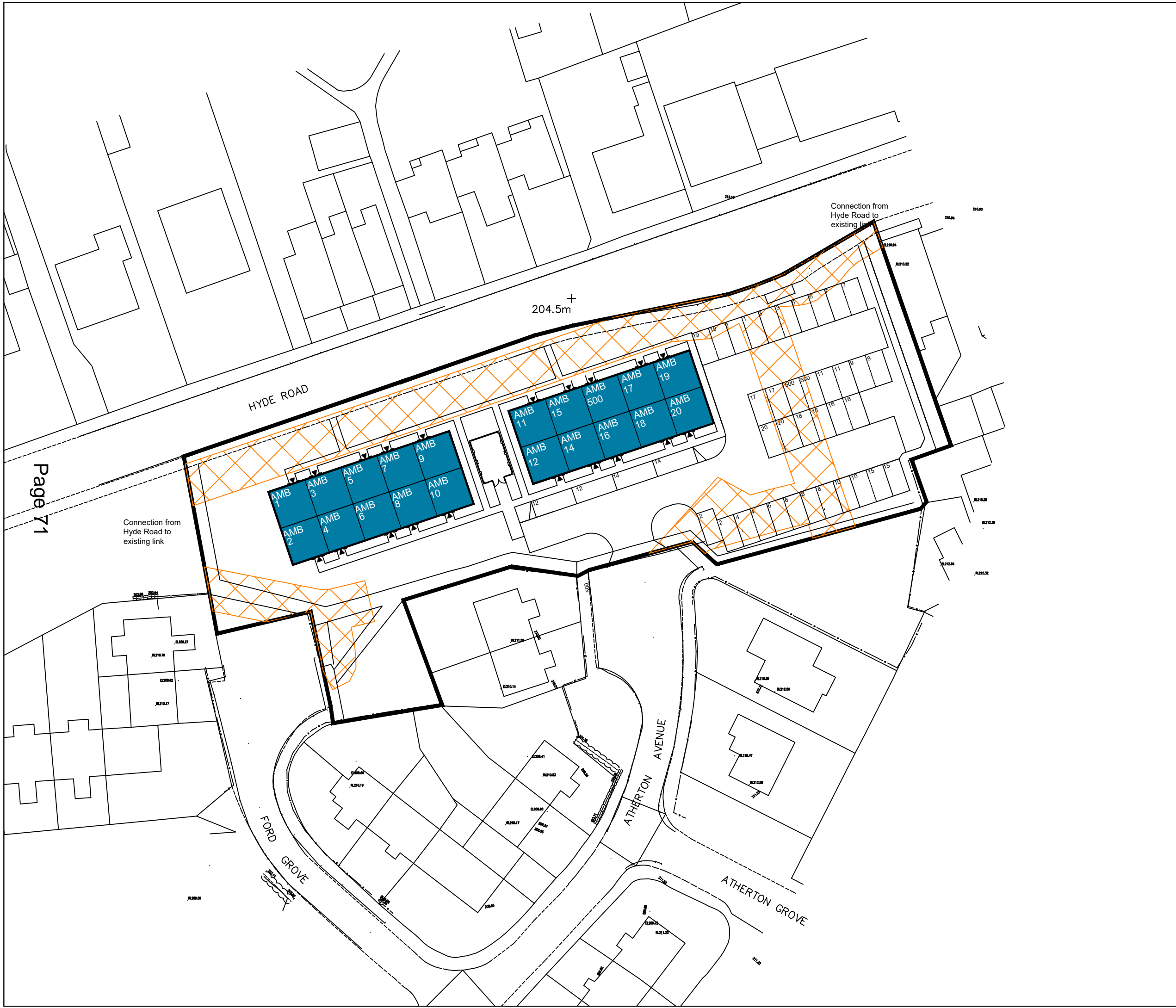
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Material Palette 2:

Facing Brick: Edenhall Darlstone Buff Black
Roof: Russell Grampian - Colour: Grey
RW Goods: Colour: Black
Doors: Colour: Black



Page 71

4	Updated to suit Planning Layout Revision 7	21.05.21	CL
3	Updated to suit Planning Layout Revision 6	22.07.20	NC
2	Updated to suit Planning Layout Revision 5	17.06.20	NC
1	Updated to suit Planning Layout Revision 3	04.03.20	NC

Rev	Description	Date	Drawn	Chk'd
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Job
HATTERSLEY PHASE 7
SITE 28

Title
MATERIALS LAYOUT

Design By NC	Date OCT 2019	Drawing Number 486 - P - ML - 01	Rev 4
Drawn By NC	Scale @ A3 1: 500		

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SCHEDULE OF ACCOMMODATION

Ref	Barratt Type	House Type	Sqft	No	Total Sqft
AMB	Amber	2 bed house	565	16	9040
Total number of units and square footage				16	9040
Gross Site Area in Acres					0.91
Open Space & Undevelopable area in acres					0.66
Net Site Area in Acres					0.25
Density (units per acre)					64
Density (units per hectare)					158
Square foot / Acre					36,160

5	Parking & eastern link reconfigured due to comments received from LPA	17.06.20	NC
4	Parking for plot 12 moved to next to plot 10s due to comments received from LPA	11.06.20	NC
3	Parking 1 - 3 moved closer to Amber Block, parking court reconfigured to accommodate a link Atherton Avenue to the bus stop, both Amber blocks moved further to the west side of the development, private drive widen to 4.8m and a 1.8m footpath now included (all comments from LPA & LHA)	04.03.20	NC
2	Both block reverted to blocks of 8 to accommodate Bin Store to meet bin run distances requirements	24.10.19	NC
1	Link added from existing footpath off Atherton Avenue & Ford Grove linking to Hyde Road.	11.10.19	NC

Rev	Description	Date	Drawn	Chk'd
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Job
HATTERSLEY PHASE 7
SITE 28

Title
PLANNING LAYOUT

Design By	Date	Drawing Number	Rev
NC	MAY 2019	486 - P - PLC - 01	5
Drawn By	Scale @ A3		
NC	1:500		



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SCHEDULE OF ACCOMMODATION

Ref	Barratt Type	House Type	Sqft	No	Total Sqft
AMB	Amber	2 bed house	565	20	11300
Total number of units and square footage				20	11300

Gross Site Area in Acres 0.91

Open Space & Undevelopable area in acres 0.44

Net Site Area in Acres 0.47

Density (units per acre) 43

Density (units per hectare) 105

Square foot / Acre 24,043

- 7 Re-plan entrance from Atherton Avenue
Parking Changed, Bin Store Moved.4 units added 12.04.21 CL
- 6 Ambers blocks updated to to include services 22.07.20 NC
- 5 Parking & eastern link reconfigured due to comments received from LPA 17.06.20 NC
- 4 Parking for plot 12 moved to next to plot 10s due to comments received from LPA 11.06.20 NC
- 3 Parking 1 - 3 moved closer to Amber Block, parking court reconfigured to accommodate a link Atherton Avenue to the bus stop, both Amber blocks moved further to the west side of the development, private drive widen to 4.8m and a 1.8m footpath now included (all comments from LPA & LHA) 04.03.20 NC
- 2 Both block reverted to blocks of 8 to accommodate Bin Store to meet bin run distances requirements 24.10.19 NC
- 1 Link added from existing footpath off Atherton Avenue & Ford Grove linking to Hyde Road. 11.10.19 NC

Rev	Description	Date	Drawn	Chk'd
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Job HATTERSLEY PHASE 7
SITE 28

Title
PLANNING LAYOUT

Design By	Date	Drawing Number	Rev
NC	OCT 2019	486 - P - PL - 01	6
Drawn By	Scale @ A3		
NC	1: 500		



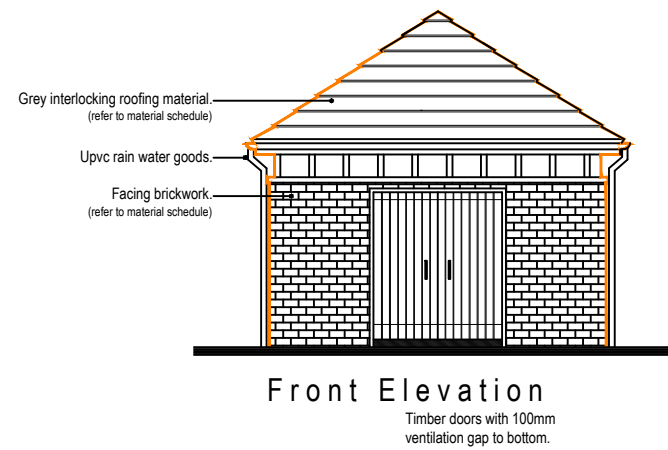
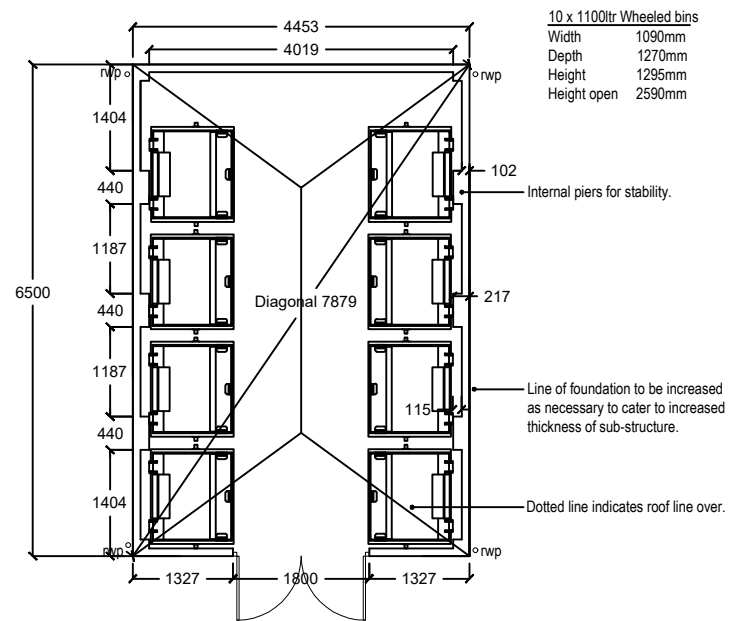
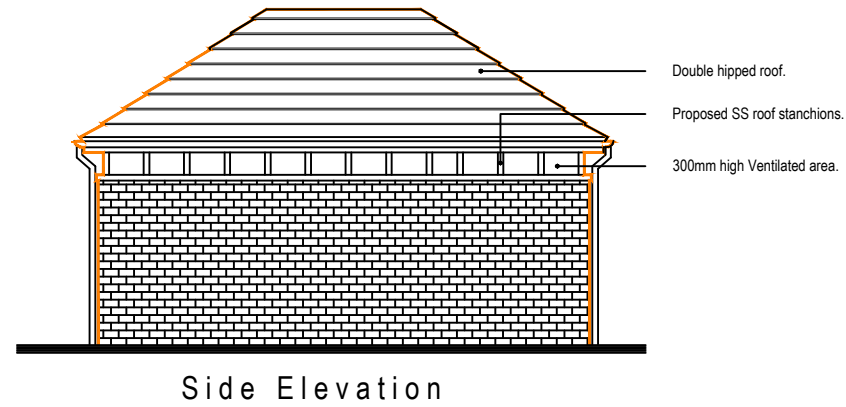
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10 x 1100 ltr Wheeled Bin Store

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Barratt Manchester
Worrall House
683 Chester Road
Manchester
M16 0QS
Telephone: 0161-872-0161
Facsimile: 0161-848-7332

Job Hattersley Phase 7			
Title Refuse Housing -			
Design By CL	Date May 21	Drawing Number H05/ BS 0 1	Rev #
Drawn By	Scale @ A1 1 : 1 0 0		

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Application Number 21/01352/FUL

Proposal Proposed single storey rear extension and alterations.

Site 139 St. Annes Road, Denton

Applicant Mr and Mrs A Gwynne

Recommendation Approve, subject to conditions.

Reason for Report The applicant is an elected Member of Tameside Council.

1. APPLICATION DESCRIPTION

1.1 The application seeks planning permission for the erection of a single storey rear extension to a residential dwelling. It will replace an existing conservatory extension and project approximately 4.06m beyond the rear elevation of the application property, extend approximately 7.6m in width and have a height of approximately 3.2m. The extension features a flat roof with 2 no. roof lanterns. The materials are proposed to match those of the existing property.

1.2 The application is supported by the following drawings:

- AGD/01B Existing and Proposed Plans and Elevations – Received by the Council 23 November 2021.
- Location plan – Received by the Council 23 November 2021.

2. SITE AND SURROUNDINGS

2.1 The application site occupies a corner plot location of a cul-de-sac adjoining the eastern end of St. Annes Road. Off street parking provision is provided by the front driveway. The boundary adjacent to the gable end of the application property to the north is flanked by a public footpath which connects the eastern and western ends of St. Annes Road. Opposite the site, separated by a public footpath is the former Penny Farthing public house and to the rear is the site of a pre-school.

2.2 The existing property is a two storey detached dwelling. A rear conservatory with a low-slope roof has previously extended the property. To the front and rear are generous gardens.

2.3 The design and appearance of the existing property is of a modern-traditional design, matching other properties on the cul-de-sac and constructed from brick with render to the first floor with a gable style concrete tiled roof above.

3. PLANNING HISTORY

3.1 There is no relevant planning history relating to the application site.

4. RELEVANT PLANNING POLICIES

4.1 Tameside Unitary Development Plan (UDP) Allocation

4.2 Unallocated, within the Denton North East Ward.

4.3 Part 1 Policies:

- 1.3: Creating a Cleaner and Greener Environment
- 1.5: Following the Principles of Sustainable Development

4.4 Part 2 Policies:

- H10: Detailed Design of Housing Developments
- C1: Townscape and Urban Form

4.5 Other Policies

Residential Design Guide Supplementary Planning Document (SPD):

- RED1: Acknowledge Character
- RED2: Minimum Privacy and Sunlight Distances
- RED3: Size of Rear Extensions
- RED4: Design of Rear Extensions

4.6 National Planning Policy Framework (NPPF):

- Section 2: Achieving Sustainable Development
- Section 12: Achieving Well Designed Places

4.7 National Design Guide (2021)

Illustrates how well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.

5. PUBLICITY CARRIED OUT

5.1 In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and the Tameside Statement of Community Involvement, the adjoining owner or occupiers were notified of the proposed development.

- Neighbour notification letters were sent to nine addresses; and
- Display of site notice.

6. RESPONSES FROM CONSULTEES

6.1 Given the nature of the proposal, no consultees were asked to comment.

7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED

7.1 None received.

8. ANALYSIS

8.1 The main issues to consider in the determination of this application are:

- The principle of the development;
- Design and local character; and
- Residential amenity.

9. PRINCIPLE

9.1 Paragraph 126 of the National Planning Policy Framework states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Paragraph 130 further states that decisions should ensure developments are visually attractive, as a result of good architecture, layout and appropriate and effective landscaping and will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.

9.2 Locally, Policy H10 and C1 of the adopted Tameside UDP states that new development will be required to be of a high quality design that complements or enhances the character and appearance of the surrounding area.

9.3 The site is unallocated, is a residential property and a proposed extension to the property would maintain the residential intensity of the site and subject to design/amenity considerations, as outlined below. The proposal is therefore acceptable in principle subject to both design and amenity.

10. DESIGN AND APPEARANCE

10.1 Policy RED1 requires that proposals should apply an architectural style that reflects the existing dwelling and surrounding area and should not alter the scale and mass of the existing dwelling. Policy RED4 of the Residential Design Guide states that extensions to the rear of a house must not dominate the host dwelling, align in terms of scale and mass and roof styles should align with the host dwelling.

10.2 Under Class A (Part 1, Schedule 2) of the Town and Country Planning General Permitted Development Order, a single storey rear extension can be erected within the curtilage of a dwelling house, but in the instance of the application property, would be limited to a projection of 4m beyond the rear wall of the original dwelling house, total height of 4m and eaves height of 3m within 2m of any boundary. In this particular case, the extension only requires planning permission by virtue of it extending 4.06m from the rear wall of the dwellinghouse. This is a material planning consideration in the determination of this application.

10.3 Given the non-excessive scale and size of the extension, Officers are of the view that the development will be a subordinate addition to the existing property and would not unacceptably alter the scale and massing of the main dwelling, compliant with policies RED1 and RED4 of the SPD in this regard. The extension will be constructed with matching materials and with matching fenestration detailing and will represent a complimentary addition to the main dwelling.

10.4 The roof design is not strictly in accordance with policy RED4, as the proposed flat roof with 2 no. lanterns would not generally be in keeping with the host dwelling. However, the roof design when paired with the height and projection of the proposed extension is not considered to be materially disparate from appearance of the existing conservatory to the point that the proposed extension would result in a significant impact on the character and appearance of the host dwelling from any public vantage points, nor the wider area.

Moreover, Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development)(England) Order 2015 sets out what alterations and extensions can be undertaken to a dwelling as 'permitted development', without requiring a planning application to be made. The application proposal, as a result of projecting 4.06m from the rear wall of the application property, would not be permitted development, though Officers have regard to what would be allowed as permitted development for a single storey rear extension and the viable permitted development fall-back position of the application.

- 10.5 Overall, the proposed single storey rear extension is deemed to meet the standards and guidelines set out under SPD Policies RED1 and RED4, Policies C1 and H10 of the adopted Tameside UDP and the NPPF.

11. RESIDENTIAL AMENITY

- 11.1 Paragraph 130 (f) of the NPPF seeks to secure a high standard of amenity for all existing and future occupants.
- 11.2 Locally, the adopted Tameside UDP Policy H10 requires that any development, including extensions, should not have unacceptable impacts on the amenity of neighbouring properties through loss of privacy nor overshadowing.
- 11.3 In addition, the Tameside Residential Design Supplementary Planning Document (March 2010) (the SPD) contains specific standards and guidelines for different development types to ensure that no undue amenity impacts are caused to the occupiers of neighbouring properties. Policy RED2 establishes guidelines for privacy and sunlight distances; in order to ensure that developments do not cause unacceptable overshadowing, loss of natural light, or reduce privacy to neighboring properties, minimum distance allowances have been implemented between new extensions and existing properties. Policy RED3 of the SPD states that if rear extensions are badly designed they can result in overshadowing, loss of privacy and/or a reduced outlook for neighbouring properties and their inhabitants. In order to avoid such issues, the Council will limit the size of extensions using a 60 degree angle line rule. If a neighbour has an existing extension and this is the nearest habitable room window, the rule should be applied from the extension. The proposed development complies with the 60 degree angle requirement in respect of RED3 and the separation distance requirement in respect of RED2.
- 11.4 Notwithstanding the above, given the orientation of the application property in relation to neighboring properties, no. 137 St. Annes Road and the site of the pre-school to the rear, together with the existing boundary treatment, it is not expected that the proposed rear extension would cause undue amenity impacts to the occupiers of the neighbouring properties by way of loss of light/overshadowing, outlook/overbearing impact nor loss of privacy/overlooking
- 11.5 In light of the above, the proposed rear extension is deemed to meet the standards and guidelines set out under the SPD Policy RED2 and RED3, Policy H10 of the adopted Tameside UDP and the NPPF.

12. CONCLUSION

- 12.1 To conclude, the proposed single storey rear extension would not have a negative impact on the character and appearance of the existing dwelling and surrounding area. In addition, the proposed extension would not significantly harm the outlook or result in overshadowing, loss of privacy or a loss of light to the surrounding neighbours. For the aforementioned reasons, it is considered that the application is in accordance with the revised NPPF, UDP policies 1.3,

C1 and H10 together with the Councils adopted Residential Design SPD Policies RED1, RED2, RED3 and RED4 and is therefore recommended for approval.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. The development hereby permitted must begin 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, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in full accordance with the following amended plans/details received 23 November 2021:

AGD/01B Proposed Plans and Elevations
Location Plan

Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policies and relevant national Planning Guidance (Policies RED1, RED2, RED3 and RED4 of the Tameside Residential Design SPD; Policies C1 and H10 of the Tameside UDP).

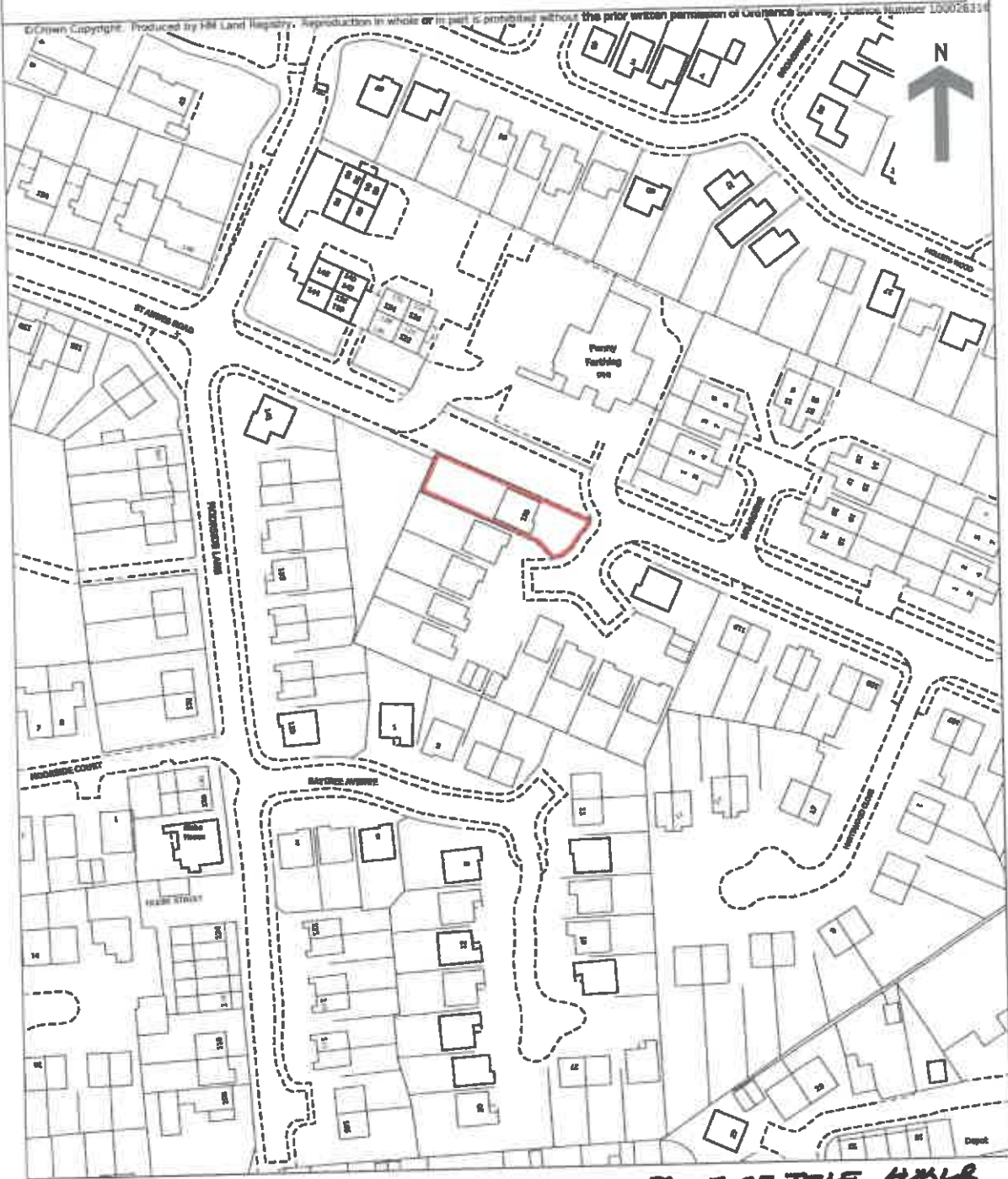
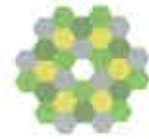
3. The external materials shall match those used in the existing building.

Reason: In the interests of the visual amenities of the locality, in accordance with UDP Policy C1: Townscape and Urban Form.

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HM Land Registry Current title plan

Title number **GM868662**
Ordnance Survey map reference **SJ9395NW**
Scale **1:1250**
Administrative area **Greater Manchester :
Tameside**



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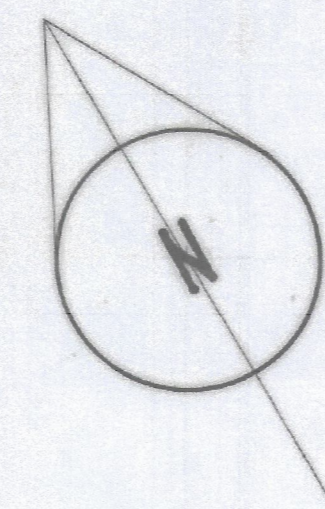
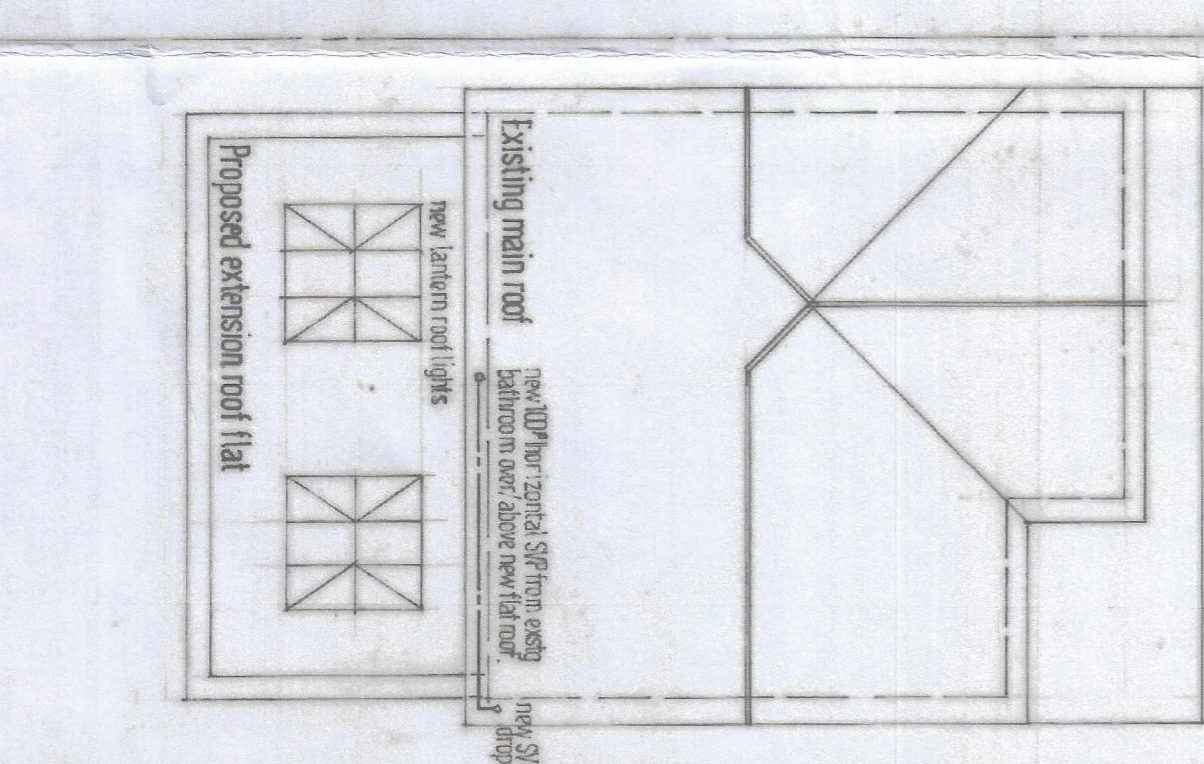
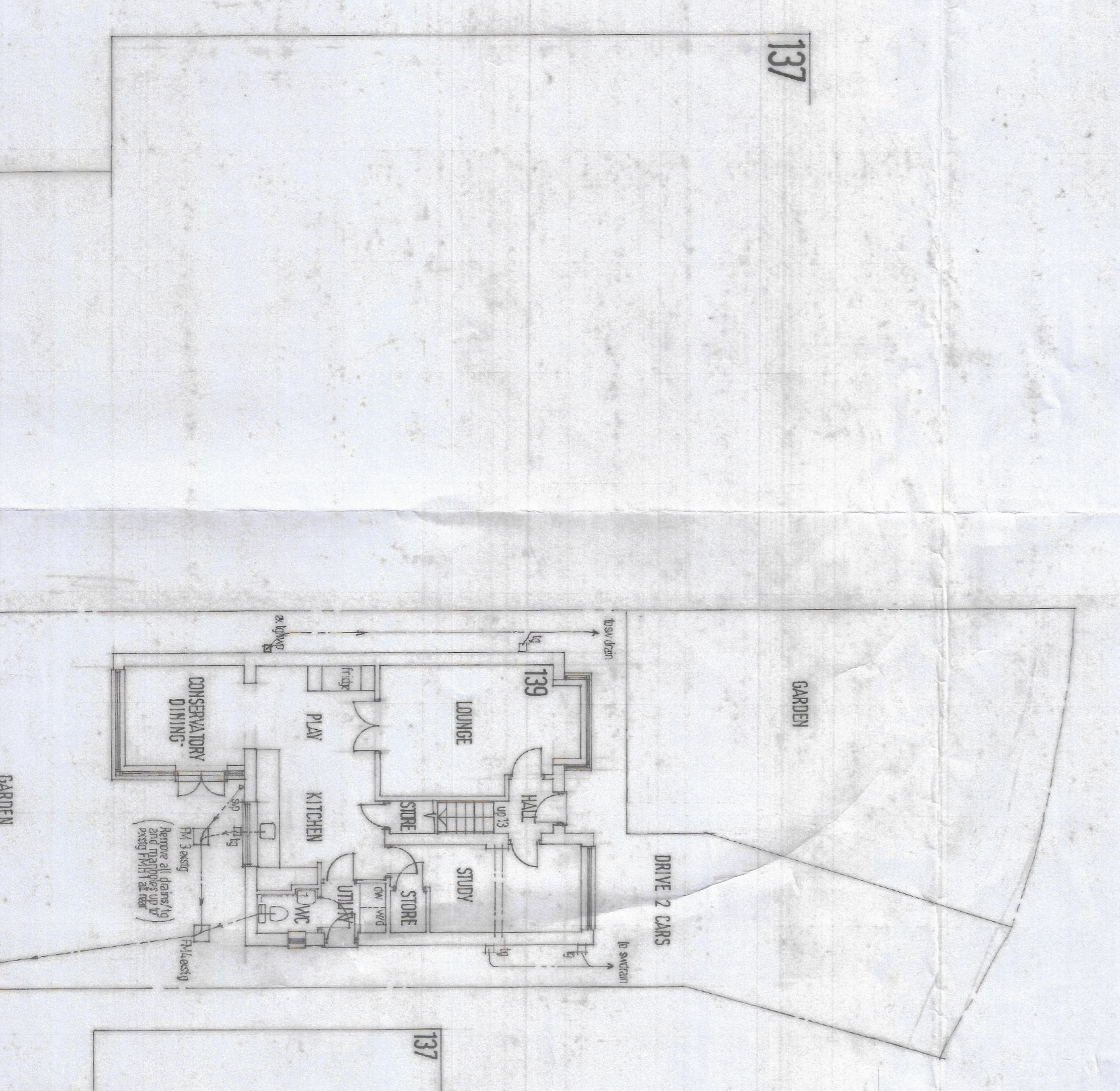
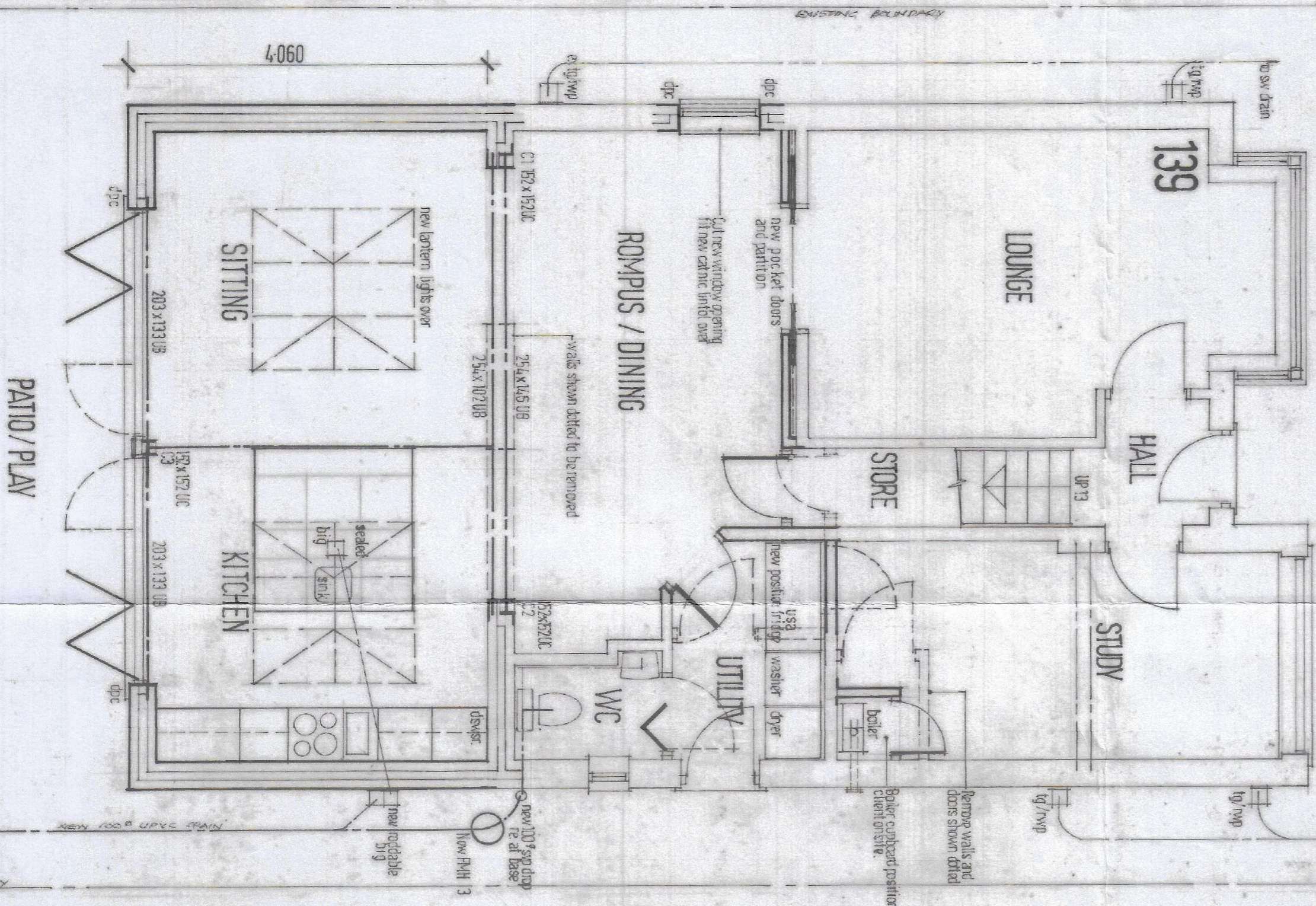
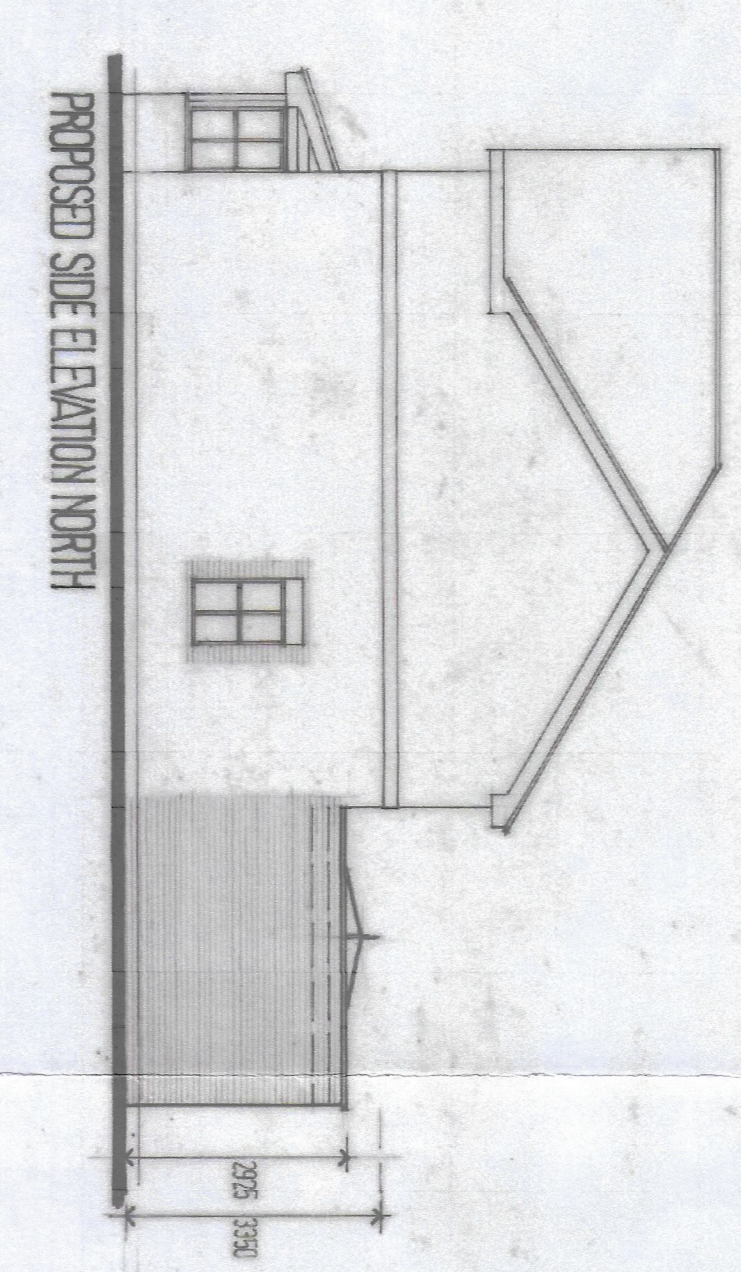
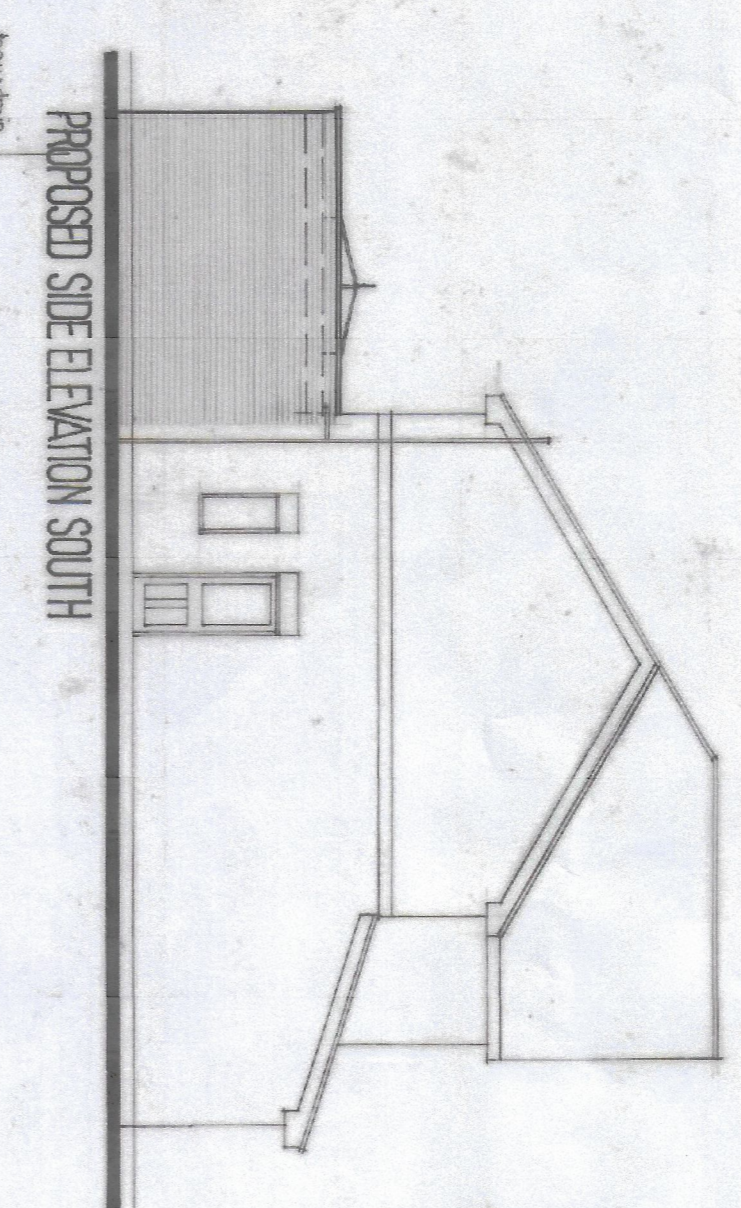
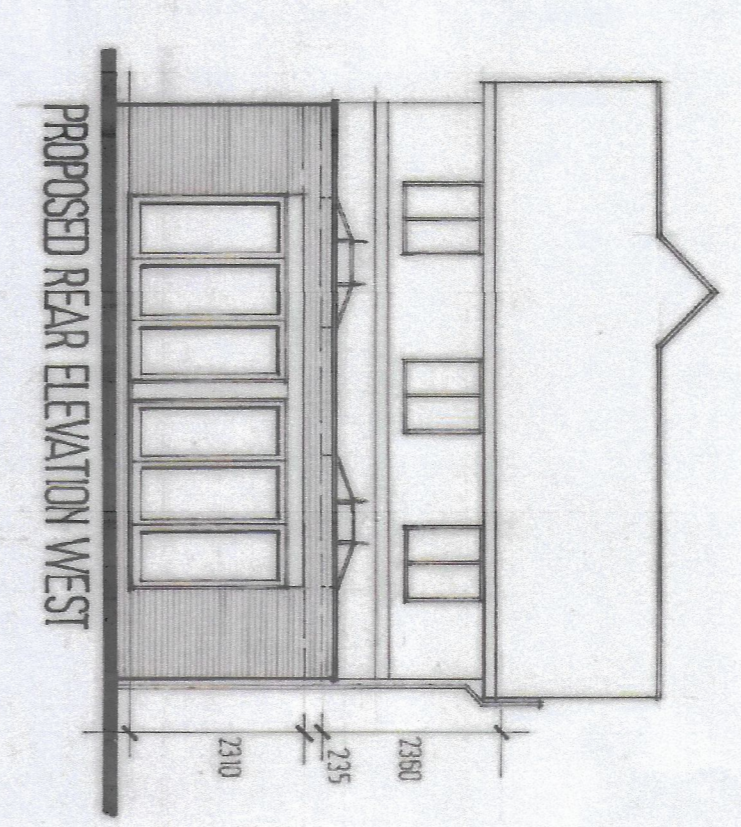
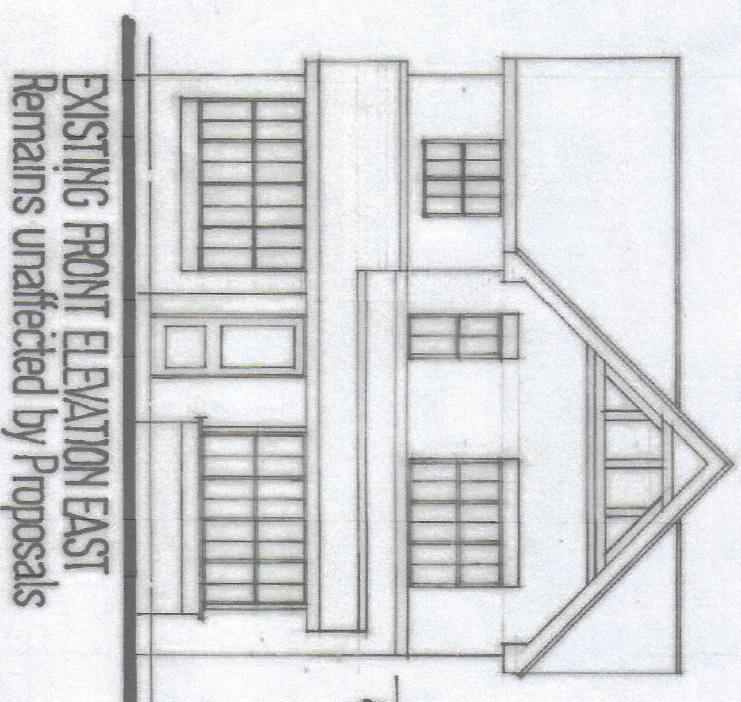
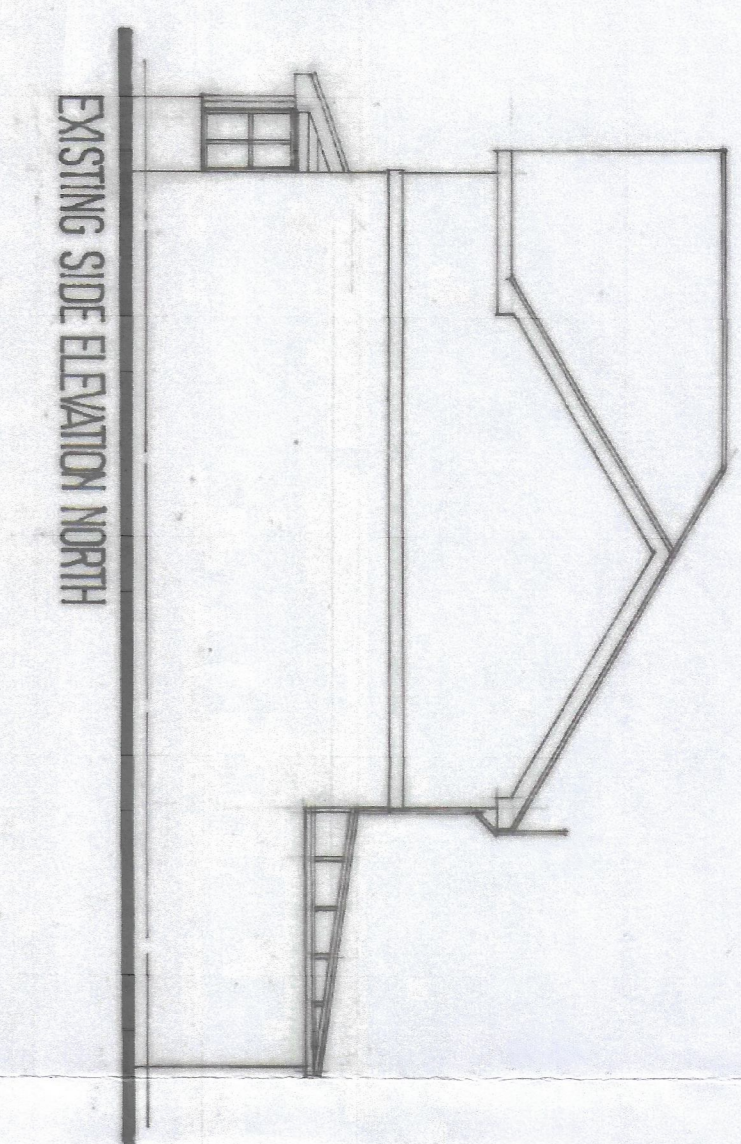
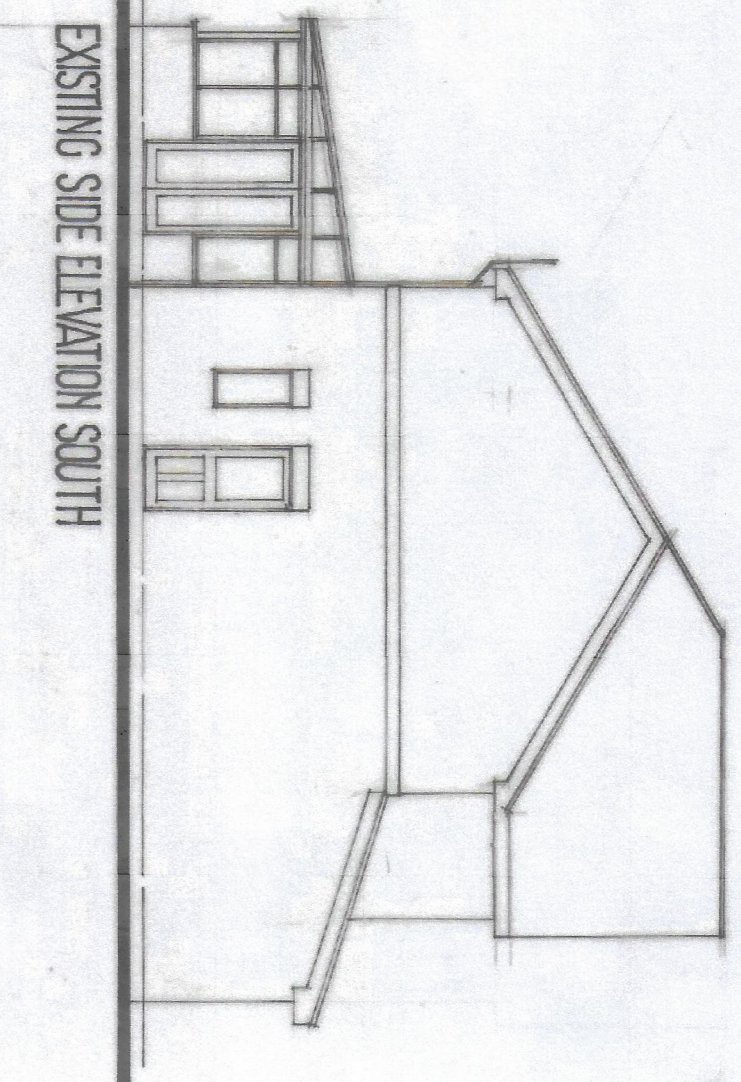
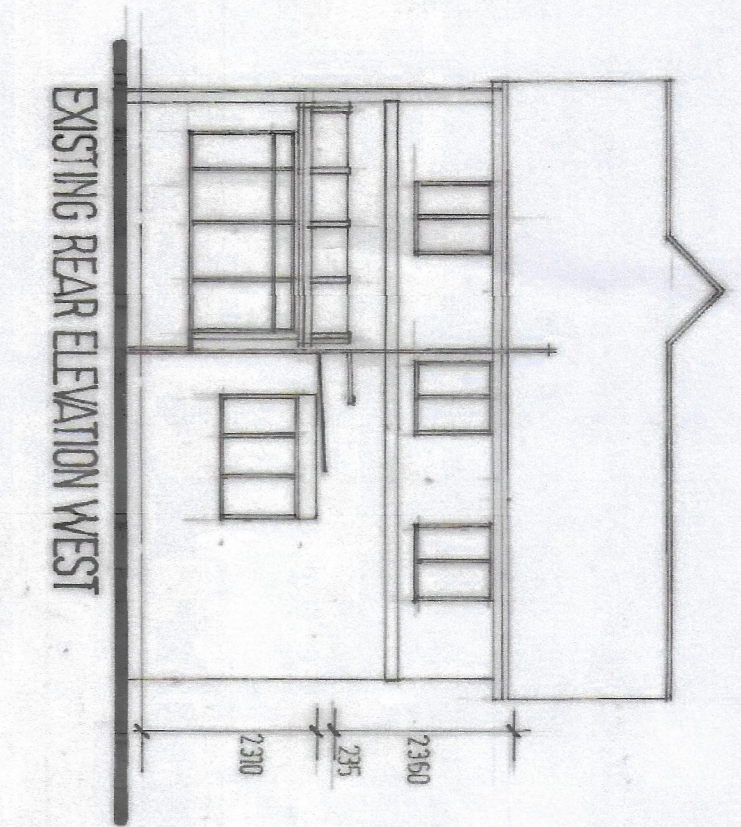
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NOTES:

- 1) All dimensions are to the face of the work unless otherwise stated.
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PROPOSED SINGLE STOREY REAR EXTENSION and Alterations

AT: -139 St. ANNES ROAD DENTON, Tameside. MANCHESTER, M34 3DY.

FDR: MR and MRS A. GWINNE owner/occupiers

DRAWING NO. AGD/01 B

SCALE: - 1:100 / 1:50

SITEC Architectural
188, OLDHAM ROAD
ASTON - UNDER LYNE
LANCS. OL7 9AN Tel: 0161 343 3007
email: sitec-fts@btconnect.com

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Application Number 21/00881/FUL

Proposal Erection of a 5 storey apartment building (32no. total apartments) with associated landscaping, separate bin storage and undercroft car parking at ground floor level.

Site Site of former North Star public house, Queen Street, Dukinfield

Applicant SMN Design and Construction Ltd

Recommendation Members resolve to grant planning permission, subject to recommended conditions.

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

1. APPLICATION DESCRIPTION

- 1.1 The application seeks full planning permission for a residential development comprising of 32 apartments and associated works.
- 1.2 The accommodation would be provided within a modern 4 storey block incorporating undercroft car parking. The accommodation mix would comprise of 20 x 1 bedroom apartments and 12 x 2 bedroom apartments all of which would be provided on an affordable basis via a registered provider. There would be 8 apartments laid out across each floor, 4 either side of a central corridor. The building would be located on vacant land which was formally occupied by a public house.
- 1.3 The apartments would measure either 53 square metres (sqm) or 70sqm in area and comprise of a kitchen/living area, bedroom, separate bathroom and dedicated built in storage. The proposal would see the accommodation provided on a 100% affordable basis via a registered housing provider.
- 1.4 The building makes provision for 24 parking spaces within an undercroft accessed via a private gated entrance off Queen Street. There would be limited soft landscaping to the frontage of the apartment block.
- 1.5 The building would be constructed from a red and buff brick. Vertical glazing would be separated by feature metallic panelling and boundaries would be constructed from brick and railings. Window openings would be positioned with a deep reveal to the front and rear elevations only. The building would have a flat roof located behind a parapet which would have a reveal to all elevations.
- 1.6 The application has been supported by the following reports;
 - Full Plans Package
 - Design and Access Statement
 - Drainage Strategy
 - Ecological Impact assessment
 - Geo-Environmental Assessment

2. SITE & SURROUNDINGS

- 2.1 The application site is located off Queen Street within the Central Estate. The estate was constructed in the 1960s/70s period and comprises of a series of maisonettes set within 3

and 4 storey blocks accessed from external walkways. The estate is set within communal landscaped grounds immediately to the east of King Street. Within the estate there are a series of dedicated walkways which connect to services outside of the estate as well as an onsite retail parade.

- 2.2 The site itself was formally occupied by the North Star public house which was demolished over 10 years previous. The site comprises of a vacant hard surfaced area, it is rectangular in shape and measures approximately 880sqm in area, the site is flat but there are retaining structures to the rear (southern) boundary to account for a change in site levels beyond the site. Vegetation within the site is largely self-set and no trees or shrubs are of any significant amenity value.

3. PLANNING HISTORY

- 3.1 05/00373/OUT - Erection of 18no self-contained apartments within a 4 storey block – Approved 01/06/2005
- 3.2 07/00826/REM - Erection of 15no. 2 bed apartments and 3no. 1 bed apartments with undercroft car parking – Approved 12.09.2007

4. RELEVANT PLANNING POLICIES

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

4.2 Part 1 Policies

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

4.3 Part 2 Policies

- H2: Unallocated sites
- H4: Type, size and affordability of dwellings
- H5: Open Space Provision
- H6: Education and Community Facilities
- H7: Mixed Use and Density.
- H10: Detailed Design of Housing 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
- N7: Protected Species
- MW11: Contaminated Land
- U3: Water Services for Developments
- U4: Flood Prevention
- U5: Energy Efficiency

4.4 **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

4.5 **Other Policies**

- TMBC Residential Design Supplementary Planning Document
- Trees and Landscaping on Development Sites SPD adopted in March 2007
- Tameside Open Space Review 2018

5 PUBLICITY CARRIED OUT

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

- Neighbour notification letters to 107 addresses
- Display of site notice
- Advertisement in the local press

6 RESPONSES FROM CONSULTEES (SUMMARISED)

6.1 Coal Authority – The application site falls within the defined Development High Risk Area. Suitable Risk Assessment has been undertaken which has been informed by site investigations. No objections are raised.

6.2 Contaminated Land – No objections. Recommend condition for further investigation and remediation if deemed necessary.

6.3 Education – Would like to see a contribution towards education infrastructure. No assessment of local need within the catchment area has been provided.

6.4 Environment Health Officer (EHO) – No objections subject to conditions relating to working hours and details of refuse storage arrangements.

6.5 Greater Manchester Archaeology Advisory Service – No objection. Comment that the application is not supported by an archaeological assessment or heritage statement. It is probable that any redevelopment of the site will encounter the buried foundations of nineteenth century terraced houses that once occupied the site, however subsequent redevelopment and street layout alterations during the mid to late twentieth century, including the construction and demolition of the former North Star public house, will have severely truncated and damaged any such remains. It is likely that only fragmentary survival of nineteenth century fabric will survive, suggesting that the area could only offer a marginal contribution towards our understanding of the period. On this basis there is no reason to seek to impose any archaeological requirements upon the applicant.

- 6.6 Green Space Manager – No objection to the proposals. No contribution for offsite improvements are sought.
- 6.7 Local Highway Authority (LHA) – Recommend a conditional approval. The development would not in the LHA’s opinion have an unacceptable impact on highway safety or capacity of the highway network. The access/egress arrangements onto Queen Street are satisfactory and the level of parking whilst below 100% can be tolerated given the sustainable credentials of the site.
- 6.8 Housing Growth – Supportive of the proposals and the contribution to affordable housing.
- 6.9 Lead Local Flood Authority (LLFA) – Have reviewed the drainage strategy and raised no objections. Site is not prone to flood risk and identify that further investigation is required to identify whether surface water can be addressed via infiltration.
- 6.10 Police (Secure by Design) – No comments received on the submitted Crime Impact Statement.
- 6.11 Transport for Greater Manchester (TfGM) – Development is below the threshold of a highway impact assessment. Recommend that secure cycle parking is provided.
- 6.12 United Utilities – Raise no objections, the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. Recommend drainage design be addressed via conditions requesting compliance with the drainage hierarchy.

7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- 7.1 In response to the consultation undertaken there have been two letters of objection received.
- 7.2 The following concerns have been raised within the individual objection letters, these are summarised as follows:
- Private residential accommodation should not be built in the area;
 - The design will impact on the amenity of the area;
 - Impact upon natural light and overshadowing to properties;
 - Increased traffic and associated disruption;
 - Site should be developed as a park and not housing; and
 - Lack of investment in the central estate why build new properties.

8. ANALYSIS

- 8.1 Section 38 of the Planning and Compulsory Purchase Act 2004 states that applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2 Paragraph 219 of the NPPF confirms that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF.
- 8.3 The current position is that the Development Plan consists of the policies and proposals maps of the Unitary Development Plan (2004) and the Greater Manchester Joint Waste Plan Development Document.
- 8.4 The NPPF states that a presumption in favour of sustainable development should be at the heart of every application decision. For decision on planning applications 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. PRINCIPLE OF DEVELOPMENT

- 9.1 Section 5 of the NPPF requires local planning authorities to support the delivery of a wide choice of quality homes in sustainable locations. The site is not allocated on the adopted UDP proposals map and is not subject to any other designations. Policy H2 (Unallocated Sites) applies to housing development proposed on unallocated sites, it gives preference to the reuse of previously developed sites. Paragraph 60 of the NPPF identifies the Government objective to significantly boost the supply of homes, stating that 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, given the sites location within an established residential area with links to services the proposals would meet these policy objectives.
- 9.2 With regard to the principle of the residential redevelopment of the site, it is noted that this principle has been established on the granting of previous planning permissions the last of which was in 2007. Previous permissions had not been implemented and the permission had lapsed it remains that the site is undeveloped and reflects negatively on the local environment.
- 9.3 There is no doubt that the site constitutes previously developed land (PDL) for the purposes of the planning assessment. The proposal presents an opportunity to address this by instating long-term stewardship of the site. The Council does not have a five year housing supply, where this is the case the NPPF is clear that contribution to housing supply is a material consideration in the assessment process. The opportunity to make a positive contribution to housing supply by the redevelopment of a brownfield site is considered to be highly sustainable and this is afforded significant weight in the determination of the application.
- 9.4 The site is located within a highly accessible area well connected to public transport, local services and employment uses within Dukinfield and Ashton. Paragraph 11 of the NPPF requires that all developments are considered in light of their sustainable credentials, which have three dimensions (economic, social and environmental). The development would contribute directly to the choice of housing, particularly since it is proposed to be provided on an affordable basis. 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 accommodation can be constructed to reduce energy/carbon emissions. Therefore, 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.

10. DESIGN & LAYOUT

- 10.1 Policies within the UDP, NPPF and the adopted Residential Design Guide SPD are clear in their expectations of achieving high quality development that enhances a locality and contributes to place making objectives. The NPPF emphasises that development should be refused where it fails to take opportunities available to improve the character and quality of an area and the way that it functions (para. 134).
- 10.2 The key factors to evaluate are the building's scale, form, massing, facing materials and relationship to other buildings. The local area has a strong identity, as defined by the residential blocks within the Central Estate. The various residential blocks frame the access roads in a consistent manner with the blocks also separated by communal areas of open space.
- 10.3 The site is rectangular in shape and this dictates the design and form of the apartment block proposed. Overall, the development responds to the location in a considered manner. Whilst the existing residential blocks are predominantly 3 storeys in height there is precedent for 4 storey split level buildings where there is a change in level. At an equal 4 storeys in height the proposals would only be marginally larger than that of the immediate terrace block at Alderley Terrace.
- 10.4 With reference to the design and architectural finish, the block would exhibit a more contemporary form than that of the established terraces within the Central Estate. The main difference to the design and form is the inclusion of the internal stairwell. This is welcomed as it gives a consistent finish to the external elevations and is also deemed to be more secure for future residents.
- 10.5 The materials palette would include two brick types with the building sitting on a buff plinth with a red multi-rustic above. The fenestration follows a consistent arrangement across elevations with a strong vertical emphasis to openings. These windows would be set within a deep reveal with a band of external panels adding interest to the appearance. The entrance has been improved through the inclusion of glazed curtain walling, this improves the legibility of the entrance as well as overall security through passive surveillance. The parapet would be defined by soldier courses to add texture and depth to the buildings appearance. The quality of the materials would be secured under a condition requiring full submission of all details to the LPA.
- 10.6 The development would frame Queen Street in an appropriate manner and the overall approach to the design is considered positive in terms of how it responds to the site's constraints and the relationship to the surrounding area. The elevations and materials respond successfully to the site's context, the design exhibits depth and character which is befitting of the locality and meets with design objectives.
- 10.7 Apartments represent a very efficient use of land, demonstrated by the density which can be achieved. The site measures approximately 0.09ha in area so the density would equate to 400 units per hectare. Whilst this density would appear to be substantial, in the context of the locality there is more than adequate capacity to accommodate the scale of development. The scale of the development aligns to NPPF objectives to promote the efficient re-use of land within established urban areas particularly in periods of housing undersupply.
- 10.8 Having full consideration to the design merits of the proposal, and the layout of the scheme, the development would deliver an attractive residential environment which would complement the existing area. The scale and density of the development is reflective of that of the built form within the Central Estate and the design and form would be compatible with the street scene and relationship to neighbours. A condition will require that material samples are presented prior to their use within the construction, this would ensure that the final

appearance is of high quality standard and in line with what has been set out in the proposed scheme.

- 10.9 The redevelopment of the site would uplift the appearance of the locality and contribute to environmental improvements in the local area. The proposal adheres to the objectives of UDP policy H10 and the adopted SPD which stress the importance of residential development being of an appropriate design, scale, density and layout.

11. DESIGN 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 quality residential amenity standards, this should reflect equally on the environment of existing residents as well as that of future residents. Technical standards (spacing distances policy RD5) form part of the criteria to the assessment of good design, but this should not override principles of successful place making. Good design is about how buildings relate to one another, their place within the streetscape and interaction within their surroundings. Developments should not be dictated by highway (policy RD13) they should observe established street patterns (policy RD3) and promote natural surveillance at street level (policy RD4).
- 11.2 Since the demolition of the public house the site has stood vacant and contributes little to the local amenity and environment quality. There would be direct amenity benefits attributed to the investment and redevelopment of the site.
- 11.3 The siting of the apartment block is such that it would be positioned to present a gable 20.7m from the rear elevation of Alderley Terrace (located to the west), 18.3m from the gable of Queens Terrace (located to the east) and 16m (to the south) from the rear of Dukinfield Methodist Church. The spacing standards required by policy RD5 would be met and the relationship to existing properties deemed to be acceptable with reference to privacy, overshadowing and outlook.
- 11.4 The occupants of the apartments would be served with a good level of amenity. The layout of the accommodation is such that they have well-proportioned room sizes in line with housing technical standards. The apartments are served with large levels of glazing which will provide good levels of light and ventilation. Residents will also have access to the wider amenity space and onsite services which serve the Central Estate.
- 11.5 The layout and form of development represents a considered response to its context, and would avoid any undue impact on the amenity of neighbouring properties which overlook the site, and for future occupiers by reason of visual intrusion, overshadowing, loss of daylight, overlooking or loss of privacy and accords with the provisions of policy H10 and the adopted SPD.

12. HIGHWAY MATTERS

- 12.1 Pedestrian and vehicular access would be taken off Queen Street via a barrier controlled entrance. A total of 24 parking spaces along with dedicated cycle storage would be provided within a secure undercroft.
- 12.2 The accommodation would be provided on an affordable (rental) basis via a registered provider. Typically, car ownership amongst tenants is likely to be lower than compared to open market accommodation and this is reflective across occupants of the wider Central Estate. The development would require only minor improvement to the entrance onto Queen

Street, this would be limited to improvements to pedestrian footways and lighting where necessary. The extent of works could be controlled via planning conditions.

- 12.3 The development proposes 24 no. off street vehicle parking spaces, a planning condition will also ensure that provision is made for electric vehicle charging. Policy RD8 requires 0.5 parking spaces and the level of parking provision meets with policy guidance. In addition, the applicant is committed to the delivery of proposals for secure/covered cycle storage, this along with the site's location, within close proximity to sustainable transport facilities, provides residents with an attractive alternative to the use of a private vehicle.
- 12.4 Consultation with the LHA confirms that the design and layout would be acceptable to ensure safe and convenient access and manoeuvring arrangements for vehicles and pedestrians alike into and out of the site. The LHA is also satisfied with the level of parking provision. Vehicle movements associated with development would not be significant and there is considered to be adequate capacity within the local network.
- 12.5 The location of the development is within an established urban area which is served with access to public transport. The Central Estate, along with King Street, provide local conveniences which can serve resident's day to day requirements. This represents an accessible and sustainable location for the purposes of planning policy.
- 12.6 The access and parking arrangements have been designed in conjunction with advice given from the LHA and they have raised no objections. Conditions will ensure that the access arrangements are designed to technical standards. 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. AFFORDABLE HOUSING

- 13.1 Paragraph 65 of the NPPF identifies that all major residential developments (those of 10 units and above) should involve the provision of affordable housing. This is below the threshold identified by policy H5 which set a threshold of 25 units. The Housing Needs Assessment identifies an expectation of 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.
- 13.2 The applicant identifies that the accommodation would be provided on a social/affordable rent basis and is currently in discussions with a registered provider. The intention would be to lease the apartments in consultation with the Council's housing service. The proposal therefore represents a 100% affordable development exceeding the policy requirement of policy H4 of the UDP and paragraph 65 of the NPPF. In the circumstances of the application it is considered reasonable to secure the affordable housing via a planning condition.

14. DRAINAGE

- 14.1 The site is in flood zone 1 and is therefore at a lower risk of flooding, and there is no requirement for a flood risk assessment. A drainage strategy has been submitted with the application which has been reviewed by both the LLFA and United Utilities.
- 14.2 Flood risk and the overall water management strategy have been appropriately investigated. The full methodology of the drainage system is a matter of detail that can be subject to an appropriately worded condition. Historically the site has been hard surfaced so there would be no material increase in the impermeable area if the proposals were granted. The use of soakaways has been discounted following initial ground investigations, the proposal is to capture rainwater and release it via an attenuated system into the existing drainage network.

The details to be secured via a condition, surface water would be attenuated to ensure that greenfield run-off rates can be achieved.

- 14.3 Subject to the safeguarding of the recommended conditions requiring drainage details to be submitted, no objections are raised from a drainage perspective.

15. TREES & ECOLOGY

15.1 The site is void of vegetation and provides no meaningful habitat. Redevelopment of the site would see the built form largely extend to established boundaries. There are proposals to include a landscaping margins to the frontage and bird and bat boxes would also be accommodated within the design.

15.2 Section 11 of the NPPF advocates biodiversity enhancement. For reasons stated above there are limited opportunities to raise the biodiversity value of the site. The proposals which are suggested are considered a proportionate response which is appropriate to the scale of development.

16. GROUND CONDITIONS, MINING & CONTAMINATION

16.1 The application has been accompanied with a suitable site investigation and coal mining risk assessment consultation which has met with support of the Coal Authority and has appropriately addressed matters of mining legacy.

16.2 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. This would be secured through the requirements of a planning condition.

17. 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 polices H4, H5 and T13 of the UDP.

17.2 The affordable housing requirement would be exceeded through the applicant's intention to provide all of the apartments on an affordable basis. The affordable housing contribution carries significant weight in the assessment of the application.

17.3 Beyond improvements to site entrance onto Queen Street there are no highway impacts associated with the development which would warrant off-site mitigation via a commuted sum.

17.4 Likewise, with reference to green space, the estate is considered to be adequately served and Dukinfield Park is also in close proximity. Noting that 21 of the apartments would be one bedroom the accommodation is not deemed to be suited to family accommodation. Contributions towards education would therefore not be warranted.

18. OTHER ISSUES

18.1 Noise: Noise affecting the development is largely transport based as there are no commercial or industrial uses within the proximity of the site. 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. In the interests of existing residents of the Central Estate a construction management plan can be secured by condition and will ensure disturbance is kept to a minimum during the construction period. Residential use is fully compatible with the local established character, there is no reason why existing residents amenity should be impacted upon negatively from the development.

- 18.2 Sustainability: The redevelopment of a previously developed site within an accessible location accords with the strategic principles of sustainable development. The apartments would be constructed to reduce energy usage. The addition of electric vehicle charging points along with secure cycle storage demonstrates a commitment to sustainable travel.
- 18.3 Heritage: There are no recorded assets within the vicinity of the site. The development will therefore not have any influence on the setting of any designated assets.
- 18.4 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 and private areas including the main communal entrance. The parking would be accommodated with a secure barrier controlled environment.
- 18.5 Air Quality: The site is located outside of an air quality management area (AQMA) therefore mitigation is not warranted to protected inhabitants of the development. The provision of cycle storage and electric vehicle charging points along with the sites sustainable credential will encourage travel by sustainable means.
- 18.6 Bin Storage: Adequate internal bin storage for the apartments is proposed within the block and this can be appropriately serviced from the public highway.

19. 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 adopted development plan to be approved without delay, and where the development plan is absent, silent or out of date, planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the framework as a whole or specific policies in the framework indicate that development should be restricted.
- 19.2 A balanced assessment has been undertaken of the proposals and it is recommended that the application should be approved having regard to the policies of the development plan, national planning policy and guidance and all material considerations raised.
- 19.3 The redevelopment of a brownfield site for residential purposes would be compatible with the housing strategy and would also be readily compatible with the dwellings within the Central Estate. The development would add to and contribute to much needed, good quality affordable housing in a period of documented under supply.
- 19.4 The scheme meets planning policy objectives and is in general conformity with local and national policy. The proposal would make a positive contribution to the area, whilst having an acceptable impact on and relationship with the existing surrounding development.
- 19.5 Taking into account the relevant development plan policies and other material considerations, subject to the identified mitigation measures, it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the benefits associated with the granting of planning permission. The proposals represent 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 planning permission be granted, subject to the following conditions:

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

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

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

Plans:

Location Plan QS-BTP-00-LP-DR-A-3657_100

Proposed Site Plan QS-BTP-00-SP-DR-A-3657_110 A2 1:200 Rev 2

Proposed Ground Floor Plan QS-BTP-00-GF-DR-A-3657_111 A2 1:100 Rev 2

Proposed First Floor Plan QS-BTP-00-1F-DR-A-3657_112 A2 1:100 Rev 2

Proposed Second Floor Plan QS-BTP-00-2F-DR-A-3657_113 A2 1:100 Rev 2

Proposed Third Floor Plan QS-BTP-00-3F-DR-A-3657_114 A2 1:100 Rev 2

Proposed Fourth Floor Plan QS-BTP-00-4F-DR-A-3657_115 A2 1:100 Rev2

Proposed Front Elevation (North) QS-BTP-00-E-DR-A-3657_120 A2 1:100 Rev 2

Proposed East Gable Elevation QS-BTP-00-E-DR-A-3657_121 A2 1:100 Rev 2

Proposed West Gable Elevation QS-BTP-00-E-DR-A-3657_122 A2 1:100 Rev 2

Proposed Rear Elevation (South) QS-BTP-00-E-DR-A-3657_123 A2 1:100 Rev 2

Proposed Streetscene Elevations QS-BTP-00-E-DR-A-3657_124 A2 1:200 Rev 1

Proposed Bin Store Drawings QS-BTP-00-ZZ-DR-A-3657_125 A2 1:50 Rev 1

Proposed Cycle Store Drawings QS-BTP-00-ZZ-DR-A-3657_126 A2 1:50

Proposed Bird & Bat Box Locations QS-BTP-00-SP-DR-A-3657_127 A2 1:200 Rev 1

Reports:

Crime Impact Statement September 2021

Design and Access Statement Rev 1

Drainage Strategy report ref JSD/J084 August 2021

Ecological Impact Assessment September 2021

Geo-Environmental appraisal ref GRO-20300-2692 August 2021

Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policies and relevant national planning guidance.

- 3) Notwithstanding any description of materials in the application form and shown within the Design & Access Statement 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.

The car and cycle parking spaces to serve each dwelling as part of the development hereby approved on Proposed Site Plan QS-BTP-00-SP-DR-A-3657_110 A2 1:200 Rev 2 shall be laid out as shown on the approved site plan prior to the first occupation of that dwelling and

shall be retained free from obstruction for their intended use thereafter. Driveways shall be constructed on a level which prevents displacement of materials or surface water onto the highway and shall be retained as such thereafter.

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

- 4) 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:-

- Arrangements for the control of noise and dust;
- Any 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.

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

- 5) 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.

- 6) No work shall take place in respect to the construction of the approved highway access, 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. Surface and drainage details of all carriageways and footways.
2. Details of the works to the reinstatement of redundant vehicle access points as a continuous footway to adoptable standards following the completion of the construction phase.
3. 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.
4. 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.

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

7) As indicated on the approved plan Proposed Site Plan QS-BTP-00-SP-DR-A-3657_110 A2 1:200 Rev 2 prior to the first occupation of the development hereby approved an electric vehicle charging design shall be approved in writing by the local planning authority which complies to the requirements listed below:-

- 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 7kW, 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.

8) 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.

9) No development, other than site clearance and site compound set up, shall commence until a remediation strategy, detailing the works and measures required to address any unacceptable risks posed by contamination at the site to human health, buildings and the environment has been submitted to, and approved in writing by the local planning authority. The scheme shall be implemented and verified as approved and shall include all of the following components unless the local planning authority dispenses with any such requirement specifically in writing:

1. A Preliminary Risk Assessment which has identified:
 - All previous and current uses of the site and surrounding area.
 - All potential contaminants associated with those uses.
 - A conceptual site model identifying all potential sources, pathways, receptors and pollutant linkages.
2. A site investigation strategy, based on the Preliminary Risk Assessment in (1) detailing all investigations including sampling, analysis and monitoring that will be undertaken at the site in order to enable the nature and extent of any contamination to be determined and a detailed assessment of the risks posed to be carried out. The strategy shall be approved in writing by the local planning authority prior to any investigation works commencing at the site.
3. The findings of the site investigation and detailed risk assessment referred to in point (2) including all relevant soil / water analysis and ground gas / groundwater monitoring data.
4. Based on the site investigation and detailed risk assessment referred to in point (3) an options appraisal and remediation strategy setting out full details of the remediation works and measures required to address any unacceptable risks posed by contamination and how they are to be implemented.
5. A verification plan detailing the information that will be obtained in order to demonstrate the works and measures set out in the remediation strategy in (4) have been fully implemented including any requirements for long term monitoring and maintenance.

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.

- 10) Upon completion of any approved remediation scheme(s), and prior to occupation, a verification / completion report demonstrating all remedial works and measures detailed in the scheme(s) have been fully implemented shall be submitted to, and approved in writing by, the local planning authority. The report shall also include full details of the arrangements for any long term monitoring and maintenance as identified in the approved verification plan. The long term monitoring and maintenance shall be undertaken as approved.

If, during development, contamination not previously identified is encountered, then no further development (unless otherwise agreed in writing with the local planning authority), shall be undertaken at the site until a remediation strategy detailing how this contamination will be appropriately addressed and the remedial works verified has been submitted to, and approved in writing by the local planning authority. The remediation strategy shall be fully implemented and verified as approved.

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 any other requested information has been provided to the satisfaction of the local planning authority and occupation of the development shall not commence until this time unless otherwise agreed in writing 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.

- 11) No development shall commence (excluding the demolition of existing structures and site clearance or preparation) until 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. The strategy shall demonstrate that foul water and surface water shall be drained from the site via separate mechanisms and shall detail existing and proposed surface water run-off rates. The strategy shall also include details of on-going management and maintenance arrangements. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.

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

- 12) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 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 policies H10: Detailed Design of Housing Developments, OL10: Landscape Quality and Character and C1: Townscape and Urban Form.

- 13) The development hereby approved shall be carried in accordance with the measures listed in the Security Strategy (Section 7) of the Crime Impact Statement dated 10 September 2021 submitted with the planning application and shall be retained as such thereafter.

Reason: In the interests of security and residential amenity.

- 14) 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.

- 15) Prior to first occupation of the development, a scheme for any television / radio aerial / satellite dish or other form of antenna shall be submitted to and approved in writing by the local planning authority. The development shall be constructed with such approved details.

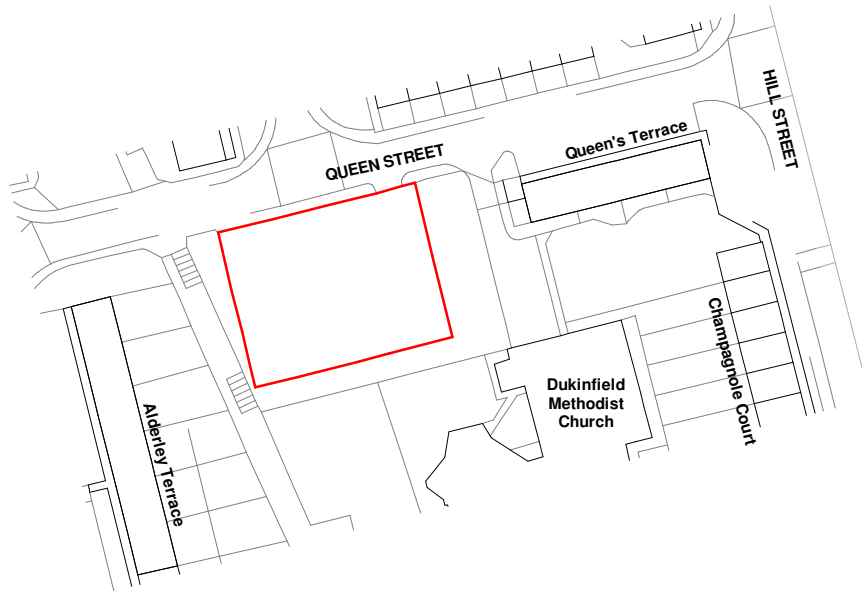
Reason: In the interest of the appearance of the building and the visually amenity of the locality. In accordance with policy C1 and H10 of the UDP.

- 16) The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- i. The numbers, type, tenure and location within the block of the affordable housing provision to be made which shall consist of not less than 15% of housing units;
- ii. The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii. The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord involved;
- iv. The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v. The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

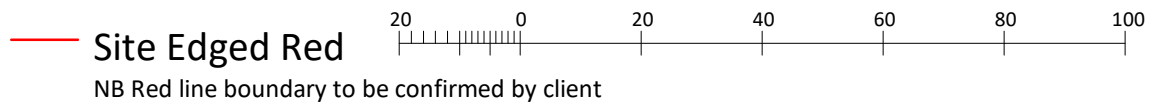
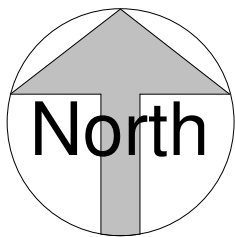
Reason: To meet identified housing need in accordance with UDP Policy H4 Type, Size and Affordability of Dwellings.

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00 Location Plan

1 : 1250



Rev	Date	Int	Description
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RIBA 
Chartered Practice

Client:
SMN Construction
Project:
Queen Street, Dukinfield

Job No:
3657

Scale @ A4:
1 : 1250

Description:
Location Plan

Drawn By:  Checked By:  Date: 20/01/20 Status Code: S2 Drawing No: **100** Rev:

Purpose of Issue:
Planning

File Identifier:
QS-BTP-00-LP-DR-A-3657_100

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Application Number 21/00881/FUL

Erection of a 5 storey apartment building (32no. total apartments) with associated landscaping, separate bin storage and undercroft car parking at ground floor level.

Photo 1: Aerial view of site



Photo 2: View looking into the site from Queen Street



Photo 3: View east along Queen Street



Photo 4: View from the Rear of the site



Photo 5: View to the south of the site towards Central retail parade

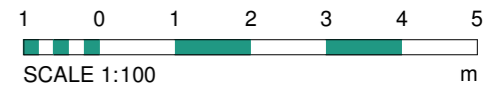


Photo 6: Former North Star public house which previously occupied the site



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North Elevation (Front)
1 : 100

Rev	Date	Int	Description
2	31.01.22	JW	Drawings amended in line with planners comments from 20.01.22
1	11.08.21	JP	Drawings amended following Planning comments.



CLIENT:

SMN Construction

PROJECT:

Queen Street, Dukinfield

DESCRIPTION:

Proposed Front Elevation

PURPOSE OF ISSUE:

Planning

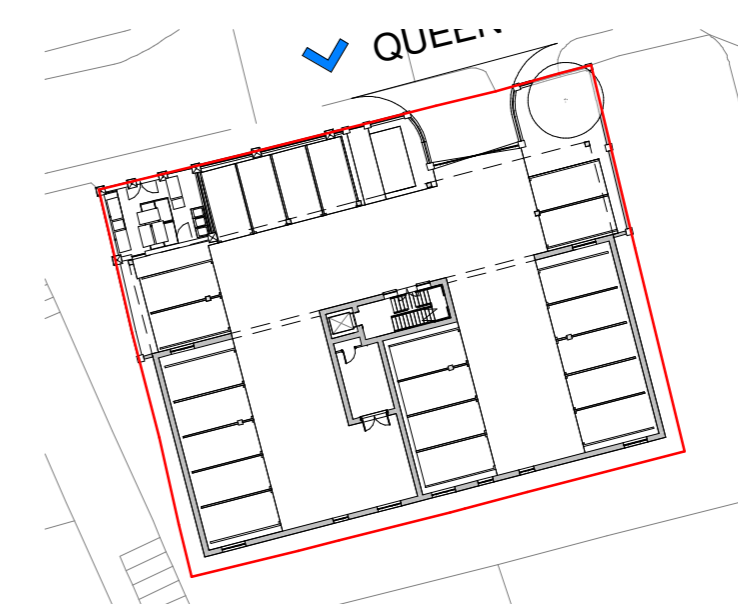
DRAWN BY:	CHECKED	DATE:	SCALE @ A2:
JP	VS	06/10/21	As indicated

JOB NO:	STATUS CODE:	DRAWING NO:	REV
3657	S2	120	2

FILE IDENTIFIER:

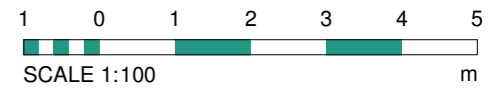
QS-BTP-00-E-DR-A-3657_120.2

Elizabeth House 486 Didsbury Road Heaton Mersey Stockport SK4 3BS
0161 443 1221 info@bernardtaylor.co.uk www.btparchitects.co.uk

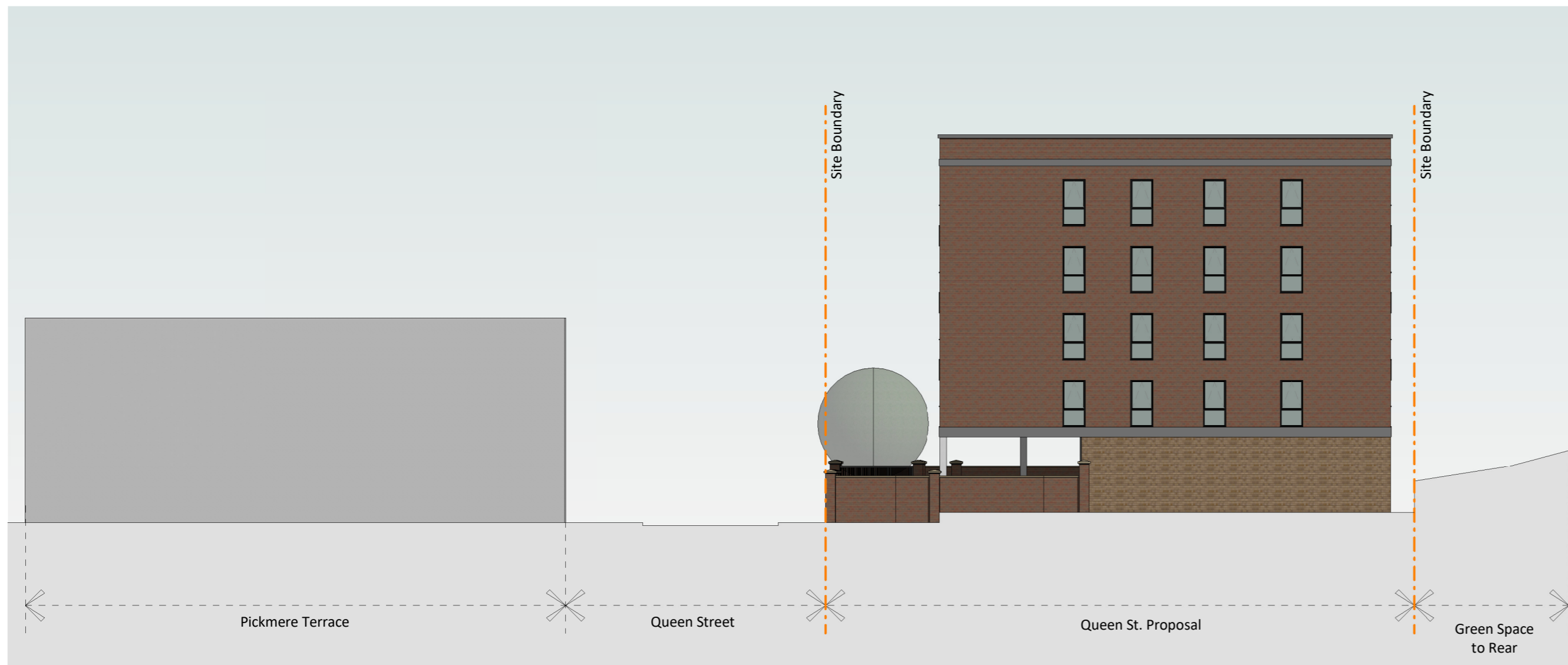


00 Key Plan (N)
1 : 500

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Page 19
Streetscene Elevation - Queen Street (Front Elevation)
1 : 200



Streetscene Elevation - Queen Street (West Elevation)
1 : 200

Rev	Date	Int	Description
1	31.01.22	JW	Drawings amended in line with planners comments from 20.01.22



CLIENT:
SMN Construction

PROJECT:
Queen Street, Dukinfield

DESCRIPTION:
Proposed Streetscene Elevations

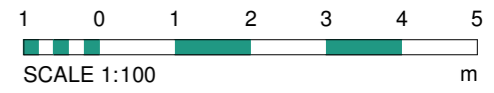
PURPOSE OF ISSUE:
Planning

DRAWN BY:	CHECKED	DATE:	SCALE @ A2:
JP	VS	10/08/21	1 : 200

JOB NO:	STATUS CODE:	DRAWING NO:	REV
3657	S2	124	1

FILE IDENTIFIER:
QS-BTP-00-E-DR-A-3657_124.1

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East Elevation (Gable)
1 : 100

Rev	Date	Int	Description
2	31.01.22	JW	Drawings amended in line with planners comments from 20.01.22
1	11.08.21	JP	Drawings amended following Planning comments.



CLIENT:
SMN Construction

PROJECT:
Queen Street, Dukinfield

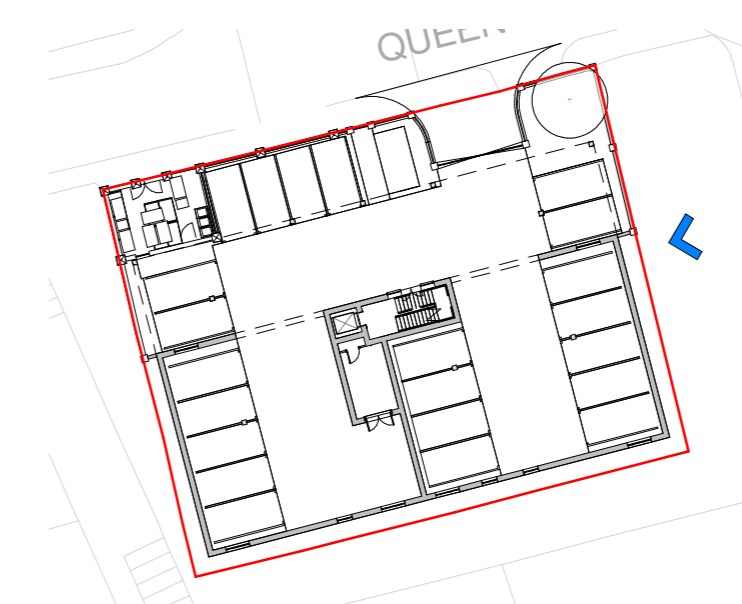
DESCRIPTION:
Proposed East Gable Elevation

PURPOSE OF ISSUE:
Planning

DRAWN BY:	CHECKED	DATE:	SCALE @ A2:
JP	VS	06/10/21	As indicated

JOB NO:	STATUS CODE:	DRAWING NO:	REV
3657	S2	121	2

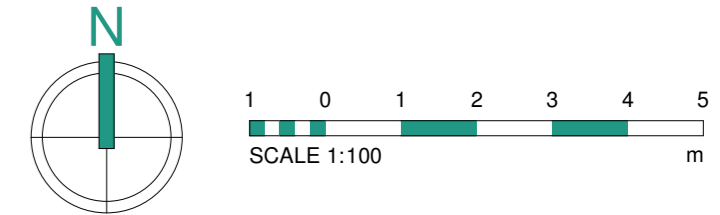
FILE IDENTIFIER:
QS-BTP-00-E-DR-A-3657_121.2



00 Key Plan (E)
1 : 500

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DO NOT SCALE FROM THIS DRAWING
ALL DIMENSIONS MUST BE CHECKED ON SITE BY
CONTRACTOR PRIOR TO CONSTRUCTION



LEGEND

- 1B1P Apartment 1no. per floor
 - 1B2P Apartment 2no. per floor
 - 2B3P Apartment 2no. per floor
 - 2B4P Apartment 3no. per floor
- TOTAL 5 storeys 32no. apartments**



Rev	Date	Int	Description
1	11.08.21	JP	Drawings amended following Planning comments.



CLIENT:
SMN Construction

PROJECT:
Queen Street, Dukinfield

DESCRIPTION:
Proposed First Floor Plan

PURPOSE OF ISSUE:
Planning

DRAWN BY:	CHECKED	DATE:	SCALE @ A2:
JP	VS	11/06/21	As indicated

JOB NO:	STATUS CODE:	DRAWING NO:	REV
3657	S2	112	1

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Appeal Decisions

Site visit made on 7 December 2021

by **A A Phillips BA(Hons) DipTP MTP MRTPI AssocIHBC**

an Inspector appointed by the Secretary of State

Decision date: 14 January 2022

Appeal A: APP/G4240/C/21/3279380

Land at 141 Mottram Moor, Hollingworth, Tameside SK14 8LZ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mr Vince Casale against an enforcement notice issued by Tameside Metropolitan Borough Council.
- The enforcement notice was issued on 16 June 2021.
- The breach of planning control as alleged in the notice is the erection of an agricultural building, covered storage area, feed silo, concrete hardstanding and associated works.
- The requirements of the notice are to remove the agricultural building, covered storage area, feed silo, concrete hardstanding and associated works from the Land and restore the Land back to its pre-existing condition before development commenced.
- The period for compliance with the requirements is four months.
- The appeal is proceeding on the grounds set out in section 174(2)(g) of the Town and Country Planning Act 1990 as amended.

Summary Decision: The appeal succeeds in part and the enforcement notice is upheld as varied in the terms set out in the Formal Decision.

Appeal B: APP/G4240/W/21/3279383

Land at 141 Mottram Moor, Hollingworth, Tameside SK14 8LZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Vince Casale against the decision of Tameside Metropolitan Borough Council
- The application Ref: 19/00648/FUL, dated 17 July 2019, was refused by notice dated 17 March 2021.
- The development as described on the Council's decision notice is erection of an agricultural building, tractor store, feed silos and associated works for the purposes of rearing cattle.

Summary Decision: The appeal is dismissed.

Appeal A on Ground (g)

1. The ground of appeal is that the time given to comply with the requirements is too short. The four calendar months given would be sufficient to remove the agricultural building, covered storage area, feed silo, concrete hardstanding and associated works from the Land and restore the Land back to its pre-existing condition before development commenced. The 9 month compliance period suggested by the appellant would be excessive given the ongoing harm caused by the development. However, I consider the period should be increased to enable the appellant to secure alternative land and suitable agricultural buildings to allow his business activities to continue. In this respect I consider six months would strike an appropriate balance and would

not place a disproportionate burden on the appellant. To this limited extent to the appeal on ground (g) succeeds.

Appeal B

Main Issues

2. The appeal site is situated within the Green Belt but the question of inappropriateness has not been raised. The development is part retrospective and therefore, the main issues are:
 - the effect on the living conditions of the occupants of nearby residential properties with particular reference to odour; and
 - the effect on the character and appearance of the area.

Reasons

3. The appeal site comprises an area of agricultural land situated to the rear of residential properties along Mottram Moor. It is accessed from Coach Road to the East. The unlawful development the subject of the planning application includes an agricultural building which is used as a cattle barn. It is mainly steel framed with timber cladding and a flat metal roof. The main building is used to rear cattle and there are a number of other buildings, structures and features in the locality which are also used in association with that use, including a feed silo, various containers, underground slurry tanks, outdoor storage and a waste bund.
4. It is my understanding that agricultural activities have taken place on the site for over two years. Although there is no evidence of any statutory nuisance as a result of odours emanating from the development there are comments and objections from local residents with specific reference to odour. The cattle building is approximately 45.5 metres from the nearest residential property on Mottram Moor and only approximately 20 metres from the closest rear garden boundary of a residential property on Mottram Moor.
5. During the past two years or so there is clear evidence of animal waste being spread on nearby fields and strong odours from the site. Given the close proximity of several residential properties to the south and east of the site I have no reason to dispute the level of odour disturbance stated by the Council and local residents. The appellant has stated that he has a licence with respect to the animal-related activities he carries out and is able to openly graze animals on nearby land. He has also stated that there has been no environmental health action against his agricultural activities. That may be the case, but it is clear that the Council's Environmental Health Officer has concerns about odours, stating that based on the location of the building and the number of cattle in the shed at any one time, there is a strong possibility of the development causing odours and insect nuisance to nearby residential properties, especially during warmer months.
6. In my judgement, grazing on agricultural land would be far less intensive than housing cattle in a building and is less likely to result in odours emanating from an intensive activity so close to residential properties. I have no reason to dispute the concerns of the Council and interested parties. I have taken account of the appellant's 'Bully Beef Farm Waste Disposal and Feed Storage Plan' but am concerned that the proposed methods are insufficient to overcome

the concerns with respect to odours given the close proximity to residential properties. Therefore, on this issue I conclude that the development has a harmful effect on the living conditions of the occupants of nearby residential properties with particular reference to odour. As such it is contrary to Policy OL12 of the Tameside Unitary Development Plan Written Statement Adopted Plan November 2004 (the UDP) which states that development of agricultural buildings will be permitted provided that the proposals are sited and designed to minimise any adverse impact on the amenity of adjacent dwellings unconnected with the farm.

7. The main building appears to have evolved over time, having apparently been altered and extended. As such it does not have a cohesive design but is a more ad hoc construction of timber boarding, blockwork and metal cladding. The site's appearance is untidy and cluttered with areas of outdoor storage, containers and temporary shelters/stores of various designs and materials. Given the relative remoteness from a main farmstead the site is very much at odds with its surroundings and is visually cluttered and incongruous in relation to its edge of residential setting.
8. I acknowledge that the site has an appearance which is similar to many other agricultural sites, but this one has a close visual relationship with residential properties and the valley floor in which it is situated. There are some trees in the locality and I have also noted that further landscape planting has taken place, but that only partly screens the buildings and other agricultural structures and paraphernalia. There is no clear evidence that the development relates to existing farm buildings. Consequently, the development is harmful to the landscape setting and is harmful to the character and appearance of the area.
9. Therefore, it is contrary to Policies OL10 and OL12 of the UDP which, in relation to agricultural buildings, seeks to minimise the visual impact on the landscape and relate well to existing farm buildings.

Formal Decisions

Appeal A

10. I direct that the enforcement notice shall be varied by the deletion from paragraph 6 of the words "four months" and the substitution therefor of the words "six months" as the time for compliance with the requirements.
11. Subject to this variation the enforcement notice is upheld.

Appeal B

12. The appeal is dismissed.

A A Phillips

INSPECTOR

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Appeal Decision

Site visit made on 5 January 2022 by Hilary Senior BA (Hons) MCD MRTPI

Decision by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 February 2022

Appeal Ref: APP/G4240/D/21/3284272

Former Breakthrough City Church, Ripon Street, Ashton-Under-Lyne, OL6 9PD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr M Seddon against the decision of Tameside Metropolitan Borough Council.
 - The application Ref 21/00796/FUL, dated 24 June 2021, was refused by notice dated 16 September 2021.
 - The development proposed is extension to form first floor and roof to existing single storey dwelling.
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Decision

1. The appeal is dismissed.

Appeal Procedure

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

Main Issue

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

Reasons for the Recommendation

4. Paragraph 126 of the National Planning Policy Framework 2021 (the Framework) states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. At paragraph 134 it sets out that development that is not well designed should be refused where it fails to reflect local design policies.
5. The host property is a single storey building recently converted from a church to a dwelling in a prominent location within the street scene. The building has a large footprint, but its single storey form provides a sense of openness and visual relief to the otherwise tightly knit residential area within which it is located.
6. The proposal would significantly increase the scale and massing of the property and would result in an overbearing addition with the resultant building being significantly larger than nearby development. This would be significantly at odds with the local vernacular. As a consequence, the extended dwelling would

be an unduly prominent and dominant addition in the street scene. The proposal would erode the sense of openness that the current property provides to the locality. The part single storey nature of the scheme is noted but this does not provide mitigation for the identified harm.

8. I conclude that the proposal would harm the character and appearance of the host dwelling and surrounding area. It would conflict with Policies C1 and H10 of the Tameside Unitary Development Plan (2004) which together seek to ensure that development is of high quality and sympathetic to local character. It would also conflict with policies RED1 and RED7 of the Tameside Residential Design Supplementary Planning Document (2010) which seeks to ensure that the scale and mass of dwellings is not significantly altered by an extension and that an increased roof height should not create a building of unacceptable scale for its surroundings or detract from the character of the area. The proposal also conflicts with the design aims of the Framework.

Other Matters

7. I note the support for the proposal, however this does not outweigh the harm the proposal would have on the character and appearance of the area. In addition, the absence of third party objections to the proposal is a neutral matter in my considerations.
8. The appellant has referred to a large building in the vicinity of the appeal site. Whilst I do not have the details of this before me, I note that it is not in a residential use and therefore not comparable to the appeal proposal.
9. I note the appellant's concerns regarding the Council's handling of the case. However, this is a matter that would need to be taken up with the Council in the first instance. In determining this appeal, I am only able to have regard to the planning merits of the case.

Conclusion and Recommendation

10. The proposed development conflicts with the development plan as a whole and there are no other considerations, that outweigh this conflict. I therefore recommend that the appeal is dismissed.

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and the Appeal Planning Officer's report and agree that the appeal should be dismissed.

RC Kirby

INSPECTOR