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SPEAKERS PANEL (PLANNING)

Day: Wednesday
Date: 14 September 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 for absence 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 20 July 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)	21.01039.FUL - LAND OFF COOMBES VIEW, BROADBOTTOM	5 - 40
b)	21.01459.FUL - AMENITY AREA ADJACENT TO 25 GROSVENOR STREET, STALYBRIDGE	41 - 84
c)	22.00177.FUL - BESTALINKS LTD, 2 WOOD STREET, DUKINFIELD	85 - 104
d)	22.00372.FUL - 132A-134 MOTTRAM ROAD, HYDE, SK14 2RZ	105 - 142
e)	22.00619.FUL - REDFERN INDUSTRIAL ESTATE, DAWSON STREET, HYDE	143 - 162
f)	22.00642.FUL - ASHTON SIXTH FORM COLLEGE, DARNTON ROAD, ASHTON-UNDER-LYNE	163 - 194
5.	APPEAL/COST DECISION NOTICES	
a)	APP/G4240/W/22/3294983 - LAND ADJACENT TO 1 MOUNT PLEASANT, BARMHOUSE LANE, HYDE, SK14 3BX	195 - 202
b)	APP/G4240/W/22/3294983 - LAND ADJACENT TO 1 MOUNT PLEASANT, BARMHOUSE LANE, HYDE, SK14 3BX	203 - 204
c)	APP/G4240/D/22/3300629 - HODGE MANOR, HODGE LANE, BROADBOTTOM, SK14 6BW	205 - 208

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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6. URGENT ITEMS

To consider any other items, which the Chair is of the opinion should be considered as a matter of urgency.

7. DATE OF NEXT MEETING

To note that the next meeting of the Speakers Panel (Planning) will take place on 19 October 2022.

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.

Agenda Item 3

SPEAKERS PANEL (PLANNING)

20 July 2022

Commenced: 10:00am

Terminated: 10.55am

Present: Councillor McNally (Chair)
Councillors Affleck, Bowerman, Dickinson, Owen, Mills and Quinn

Apologies: Councillors Boyle, Pearce and Ricci

9. DECLARATIONS OF INTEREST

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

10. MINUTES

The minutes of the proceedings of the meeting held on 8 June 2022, having been circulated, were approved and signed by the Chair as a correct record.

11. 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:	21/01348/FUL Howarth Timber Group
Proposed Development:	Erection of timber manufacturing facility unit (Use Class B2); and five mixed use employments units (Use Classes B2, B8, E(g)(i)(ii)(iii)); with associated external storage and yard areas, parking and landscaping. Land northwest of Shepley Industrial Estate, Shepley Road, Audenshaw
Speaker(s)/Late Representations	Will Martin, on behalf of the applicant, addressed the Panel in support of the application.
Decision:	That planning permission be granted subject to the prior signing of a S106 agreement, the conditions outlined in the submitted report and an additional condition relating to noise mitigation: “Prior to the first use of the development hereby approved, the noise mitigation measures outlined in the submitted Noise Assessment (undertaken by Miller Goodall, ref: 102639, version 2, dated 10.11.2021) shall be implemented in full, with evidence of such implementation submitted to and approved in writing

	<p>by the Local Planning Authority. The measures shall be retained as such thereafter.</p> <p>Reason: In the interest of residential amenity in accordance with Policy H10 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.”</p>
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Name and Application No:	<p>22/00368/FUL</p> <p>Johnson Mowat</p>
Proposed Development:	<p>Development of 1 no. three bedroom dwelling (re-submission of application 21/01210/FUL).</p> <p>Land south of John Street, Heyrod, SK15 3BS</p>
Speakers(s)/Late Representations	<p>Gen Kennington, on behalf of the applicant, addressed the Panel in support of the application.</p>
Decision:	<p>That planning permission be granted subject to the conditions as detailed within the submitted report.</p>

Name and Application No:	<p>20/00977/FUL</p> <p>Mr & Mrs Knowles</p>
Proposed Development:	<p>Change of use from domestic dwelling to consulting rooms for the provision of medical and health services.</p> <p>Siren House, 437 Stockport Road, Hyde, SK14 5ET</p>
Speakers(s)/Late Representations	<p>Chung Farrow-Ryue addressed the Panel objecting to the application.</p> <p>Raad Al-Hamdani, on behalf of the applicant, addressed the Panel in support of the application.</p>
Decision:	<p>That planning permission be granted subject to the conditions as detailed within the submitted report.</p>

Name and Application No:	<p>22/00433/FUL</p> <p>Mr Doug Kenney</p>
Proposed Development:	<p>Proposed upper level side patio and external steps and other external alterations including render to front and side elevation, new windows to the front elevation and landscaping works (re-submission further to 21/01204/FUL) (part-retrospective).</p> <p>21 Richmond Crescent, Mossley, OL5 9LQ</p>
Speakers(s)/Late Representations	<p>Cllr Stephen Homer and Mr Doug Kenney, the applicant, addressed the Panel in support of the application.</p>
Decision:	<p>Officer recommendation was to refuse.</p> <p>Members considered that the development would be in keeping with dwellings in the local area in accordance with UDP policies</p>

	<p>C1, H10 and SPD policy RED1 and therefore resolved to grant planning permission subject to the following conditions:</p> <p>1. The development hereby permitted must begin before the expiration of three years from the date of this permission.</p> <p>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.</p> <p>2. The development hereby approved shall be carried out in full accordance with the following plans: location plan; and existing and proposed plans reference 021/WA/001 revision A.</p> <p>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, RED4 and RED5 of the Tameside Residential Design SPD; Policies C1 and H10 of the Tameside UDP).</p> <p>3. The external materials shall match those used in the existing building.</p> <p>Reason: In the interests of the visual amenities of the locality, in accordance with UDP Policy C1: Townscape and Urban Form.</p>
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Name and Application No:	22/00530/FUL Wain Homes (North West) Ltd
Proposed Development:	Full approval for the erection of 29no. dwellings and associated works. Newton Business Park, Cartwright Street, Hyde
Speakers(s)/Late Representations	Claire Campbell, on behalf of the applicant, addressed the Panel in support of the application.
Decision:	That planning permission be granted subject to an amended S106 agreement and the conditions detailed within the submitted report.

Name and Application No:	22/00418/FUL Wain Homes (North West) Ltd
Proposed Development:	To vary condition 2 (specifying approved plans), to allow for amendments to house designs, of planning permission ref. 17/01089/REM – scheme of 64 dwellings. Newton Business Park, Cartwright Street, Hyde
Speakers(s)/Late Representations	Claire Campbell, on behalf of the applicant, addressed the Panel in support of the application.

Decision:	That planning permission be granted subject to an amended S106 agreement and the conditions detailed within the submitted report.
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Name and Application No:	22/00380/FUL Mr & Mrs Keyzer
Proposed Development:	First floor side and ground floor rear extension. 22 Churchbank, Stalybridge, SK15 2QJ
Decision:	That planning permission be granted subject to the conditions as detailed within the submitted report.

12. APPEAL DECISIONS

Application Reference/Address of Property	Description	Appeal Decision
APP/G4240/Z/22/3293550 Advertising right adjacent to 47 Clarendon Place, Hyde, SK14 2ND	Proposed replacement of previously in place poster to digital equivalent poster.	Appeal dismissed.

13. URGENT ITEMS

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

14. DATE OF NEXT MEETING

RESOLVED

That the next meeting of the Panel would take place on 14 September 2022.

CHAIR

Application Number	21/01039/FUL
Proposal	Erection of 12no. apartments within a 3 storey block and associated works
Site	Land off Coombes View, Broadbottom
Applicant	Box Clever Consulting Ltd
Recommendation	Grant planning permission subject to conditions.
Reason for report	A Speakers Panel decision is required because the application is major development.
Background Papers:	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

1. SITE & SURROUNDINGS

- 1.1 The application relates to an area of undeveloped land to the west of Coombes View, which is a residential cul-de-sac located off Moss Lane. The site is located to the South West of Broadbottom Village Centre. The site is irregular in shape and covers an area of approximately 0.2 hectares. It borders the turning head of the highway with the boundary enclosed behind a 1.8m railing fence. The site has not been previously developed and is heavily vegetated with numerous mature trees and shrubs located throughout and across its boundaries. There is a fall in levels of over 4m to the south/south western corner.
- 1.2 Broadbottom train station is located off the entrance to Moss Lane. The Glossop/Manchester railway line is located across the northern boundary and the Great Wood (Site of Biological Importance (SBI) / Local Nature Reserve) located across the western boundary. Properties within Coombes View are two storey properties of brick construction, these are arranged as either semi-detached or rows of small terrace formats. Parking within the cul-de-sac is restricted and when instances of on street parking occur this has a tendency to result in access problems. Moss Lane has a more rural character and opens out into open countryside to the south/west.

2. PROPOSAL

- 2.1 The application seeks full planning permission for a residential development of a residential apartment block of 12 apartments. A supporting statement by Jigsaw Homes (registered provider) states that it is the intention to provide all 12 of the apartments on an affordable (rent) basis.
- 2.2 Amendments have been made during the assessment of the application which altered the design, siting and parking arrangements of the building. The building would be split level in design standing at a maximum of 3 storeys in height and then reducing to single storey. The siting of the building has been influenced by a need to observe spacing standards to adjacent properties and also avoid encroachment to the SBI boundary located to the north.
- 2.3 Access would be taken from the head of Coombes View. A total of 13 parking spaces would be provided along with a dedicated turning head to the front of the building.
- 2.4 The building would be constructed from a mix of buff brick, cladding and glazing. This provides texture to the elevations. To reduce the height and mass, the building would have

a flat roof. The accommodation split would be 9no 1 bed and 3no 2 bed apartments, they would measure between 42 square metres (sqm) (1 bed) to 52sqm (2 bed). The grounds around the building would be landscaped and be available for communal use.

2.5 The development looks to retain as many existing trees as possible. In total there would be 15 trees/groups to be removed. The condition of these trees has been fully detailed within the accompanying tree survey.

2.6 The application is supported with the following documents:

- Arboricultural Impact Assessment;
- Bat Survey;
- Construction Methodology and Environmental Management Plan
- Crime Impact Assessment;
- Design & Access Statement;
- Ecology report (subsequently updated);
- Drainage Strategy;
- Geo Environmental Statement
- Landscaping details;
- Land Contamination Assessment
- Planning Statement
- Supporting Affordable Housing Statement (Jigsaw Homes)
- Tree Survey and Arboricultural Impact Assessment

3 PLANNING HISTORY

3.1 19/00224/FUL - Full planning application for the erection of a part 2 part 3 storey apartment block supporting 15 no. one and two bedroom apartments for over 55s with associated infrastructure, car parking and landscaping – Application Withdrawn 12.12.2019

4 PLANNING POLICY

National Planning Policy Framework

4.1 Paragraph 9 of the National Planning Policy Framework (NPPF) states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area.

4.2 Paragraph 11 states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay (as per section 38(6) of the Planning and Compulsory Purchase Act 2004). However, where the development plan is absent, silent or out of date, planning permission should be granted unless the application of policies in the NPPF that protects areas or assets of particular importance, provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

4.3 Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

Development Plan

- 4.4 The adopted development plan is the Tameside Unitary Development Plan (2004) and the Greater Manchester Joint Waste Development Plan Document (2012). The site is unallocated bordering the Green Belt and SBI which are located immediately to the west.

Tameside Unitary Development Plan (2004)

4.5 **Part 1 Policies**

- 1.3: Creating a Cleaner and Greener Environment;
- 1.4: Providing More Choice and Quality of Homes;
- 1.5: Following the Principles of Sustainable Development;
- 1.6: Securing Urban Regeneration;
- 1:10: Protecting and Enhancing the Natural Environment;
- 1:11: Conserving Built Heritage and Retaining Local Identity;
- 1.12: Ensuring an Accessible, Safe and Healthy Environment.

4.6 **Part 2 Policies**

- H1: Housing Land Provision
- H2: Unallocated Sites
- H4: Type, Size and Affordability of Dwellings
- H5: Open Space Provision
- H10: Detailed Design of Housing Developments
- T1: Highway Improvement and Traffic Management
- T7: Cycling
- T10: Parking
- C1: Townscape and Urban Form
- N3: Nature Conservation Factors
- N5: Trees within Development Sites
- N7: Protected Species
- MW11: Contaminated Land
- MW12: Control of Pollution
- U3: Water Services for Developments
- U4: Flood Prevention
- U5: Energy Efficiency

Places for Everyone

- 4.7 The Places for Everyone Joint Development Plan Document was published in August 2021. It was submitted to the Secretary of State in February 2022 and inspectors are appointed to carry out an independent examination. It is a joint plan covering nine of the ten Greater Manchester districts, including Tameside, and is intended to provide the overarching framework to strategically manage growth across the boroughs.
- 4.8 Paragraph 48 in the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to: the stage of preparation of the emerging plan (the more advanced its preparation, the greater weight may be given); the extent to which there are unresolved objections (the less significant, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).
- 4.9 Whilst Places for Everyone has been published and submitted, a number of representations have been received objecting to policies, and so in accordance with paragraph 48 of the NPPF, only very limited weight can be given to those policies at this time.

Other Considerations

- 4.10 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a persons rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.
- 4.11 The application has been considered in accordance with the Tameside One Equality Scheme (2018-22), which seeks to prevent unlawful discrimination, promote equality of opportunity and good relations between people in a diverse community. In this case the proposed development is not anticipated to have any potential impact from an equality perspective.

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 by neighbour notification letter, display of a site notice; and advertisement in the local press.

6. SUMMARY OF THIRD PARTY RESPONSES

- 6.1 30 representations in objection to the development have been received the reasons for which are summarised as follows:
- 6.2 Land Use:
- Loss of Protected Green Space contrary OL4 Protected Green Space
 - Would set an undesirable precedent
- 6.3 Design:
- Development is out of character with Broadbottom.
 - Overdevelopment of the site.
 - Poor design/appearance.
 - Building height is too high.
- 6.4 Highways & Access:
- The number of cars/vehicles parking on Moss Lane and Coombes view is already more than the road can accommodate, leading to people parking in dangerous places, on pavements and often leaving junctions and driveways unsighted from oncoming traffic. This is also causing restricted access on pavements for the use of pedestrians and creating dangerous junctions.
 - Access is Substandard for construction traffic.
 - Moss Lane cannot accommodate further development.
 - Lack of adequate parking and impact on highway safety.
 - Residents of Coombes View need dedicated parking.
 - Structural integrity of the railway bridge.
 - Development needs more parking capacity.
 - Lack of Pedestrian footways on Moss Lane.
- 6.5 Ecology:
- Adverse impact on adjacent SBI (Great Wood).
 - Lack of Biodiversity Net Gain.
 - Impact on trees and wildlife.
 - Loss of mature trees.

- 6.6 Amenity:
- Loss of privacy / overlooking to existing properties.
 - Noise and disturbance to existing residents.
 - Spacing standards are not observed.
- 6.7 Objections to Amendments:
- Scale and materials out of keeping.
 - Overshadowing and loss of privacy to adjacent properties.
 - Ecology impacts.
 - Broadbottom station is not accessible to disabled persons.

7. RESPONSES FROM CONSULTEES

- 7.1 Housing - No objections, supportive of the proposal for affordable housing. Comment that it is expected that a local connection to Tameside for 100% if the properties on first and subsequent lets will apply, and that suitable nomination and allocation arrangements will be agreed between TMBC and the Registered Provider.
- 7.2 Contaminated Land – No objections subject to recommended conditions requiring further site investigations.
- 7.3 Environment Health Officer – Supportive of recommendations within the submitted noise assessment and request that the mitigation measures are conditioned. Further recommendation relating to controls on construction hours.
- 7.4 Greater Manchester Ecology Unit (GMEU) – The submitted landscape scheme is largely sympathetic to the local context. Concerns had been raised over the location of the car parking and impact on trees (root protection areas) and adjacent SBI. The layout provides for greater protection of the broadleaved woodland and SBI, Should the scheme be progressed with a recommendation for approval conditions are required relevant to landscaping and biodiversity plan (notwithstanding the submitted information).
- 7.5 Greater Manchester Archaeology Advisory Unit (GMAAS) – Satisfied that the proposed development does not threaten the known or suspected archaeological heritage. On this basis there is no reason to seek to impose any archaeological requirements upon the applicant.
- 7.6 Local Highway Authority (LHA) – No objections subject to conditions. Note that the bridge on Moss Lane is subject to an 18 tonne weight limit restriction, confirm that arrangements for deliveries and construction vehicles can be adequately controlled through a Construction Management Plan. Following completion of the development access and manoeuvring arrangements are suitable and the 13 parking spaces would be adequate for the scale of the development. Conditions are recommended relevant to the provision of vehicle & cycle parking, lining and signage improvements to Moss Lane and assessment of slope stability within the site.
- 7.7 Lead Local Flood Authority (LLFA) – Recommend that further investigations are undertaken in to the use of SUDS/Infiltration techniques. Recommend pre-commencement conditions requiring submission of further drainage information.
- 7.8 Network Rail – Following receipt of amendments to the site boundary confirm removal an earlier holding objection. Recommend a series of informative relevant to development within the vicinity of the railway.
- 7.9 Police (Secure by Design) – Comment that they support the application subject to the layout issues within Section 3.3 and section 4 of the Crime Impact Assessment being conditioned.

- 7.10 Transport for Greater Manchester (TfGM) – Development falls below the quantum of development which would trigger a highway impact review. No objections but advise that secure cycling storage is accommodated.
- 7.11 Tree Officer – No objections. The proposed plans indicate that the majority of the significant mature trees around the boundary are to be retained. This should provide adequate screening to surrounding properties. Some of the proposed parking / hard standing areas do encroach on to the Root Protection Areas of a number of these trees. The amended proposal will involve the removal of one Category B tree to facilitate the parking bays, however, given the otherwise good tree cover at the site, this would be acceptable. The trees to be retained should be protected to the recommendations in BS 5837 and the submitted Arboricultural Constraints Appraisal. Permeable paving is a good option for the parking bays within root protection areas, but should be installed using no dig construction methods. The species mix for the tree planting proposed for the development is appropriate to the location and the plans. Two for one replacement planting to mitigate for tree losses, as indicated on the landscape masterplan and strategy, would be acceptable.
- 7.12 United Utilities (UU) – No objections subject to details of the site drainage being conditioned in accordance with the drainage hierarchy and that site is drained on separate foul and surface water systems.

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. At the heart of the NPPF is the presumption in favour of sustainable development.
- 8.3 The NPPF states that a presumption in favour of sustainable development should be at the heart of every application decision. For decisions 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 The site is unallocated on the UDP Proposals Map (2004), it sits at the head of Coombes View cul-de-sac which is solely in residential use. The proposals would be evidently compatible with the prevailing land use on Coombes View. However, immediately across the western boundary is the border with Great Wood which is a Site of Biological Importance and also a Local Nature Reserve, located within a larger swathe of countryside which is allocated as Green Belt. There is no evidence of the site having been previously developed and accordingly it is considered to be greenfield.
- 9.2 By virtue of its undeveloped nature the site functions as green space. Policy OL4 of the UDP seeks to retain areas of protected green space, including spaces identified within the development plan, as well as non designated functioning areas of land in similar use, but

which are too small to be shown as protected green spaces on the proposals map. Consideration of the undeveloped nature and location to the adjacent SBI suggests the boundary is 'blended' and the site shares many of the characteristics of the SBI.

- 9.3 Policy OL4 identifies a number of exceptions which may permit the release or redevelopment of land which functions both formally and informally as green space. The policy makes clear reference that the criteria should not apply if: 'part or all of the land involved would continue to fulfil a local need for amenity space, provide a valued sense of openness in the street scene, maintain the character and environmental quality of the area, maintain an open land corridor or substantial enclave of open space within the urban area, provide links to or continuity with wider areas of countryside, or form a wildlife corridor'.
- 9.4 The site is fenced off with no available public access. Its value/function for the purposes of policy OL4 is as a natural area which also has some visual amenity benefits. The Open Space Assessment identifies Broadbottom as falling within the Longdendale settlement. 100% of the population have an acceptable access standard to natural space / countryside (defined as a 10 minute walk). This reflects the village's position in relation to the Pennines / Peak Park. Within Tameside Borough only Mossley is comparable to this standard. The Open Space Strategy also identifies that within Longdendale access to amenity space (managed space) is higher (87.9%) than the Borough average (78.6%) of the population meeting the accessibility standard.
- 9.5 It is clear from the representations received that local support for the existing site is high, and value is taken from its associated ecology value neighbouring Great Wood. A balanced assessment is needed of the proposals, and this is informed in part by the evidence base of the Open Space Assessment, in addition to consultation undertaken with the Arboricultural Officer and Ecologists within GMEU.
- 9.6 The site falls outside of the SBI boundary as defined on the 2004 UDP proposals map. The site has naturalised, and a lack of management means that the actual boundary to Great Wood is therefore somewhat blended. It would seem reasonable to assume part of the western corner is within the SBI. GMEU have reviewed the ecology survey and the recommended mitigation package. They identify that whilst some harm would occur, this needs to be balanced against other planning considerations. Normally GMEU would recommend a buffer between 5-10metres to the SBI boundary to ensure it is appropriately protected from the impact of the proposed development. The proposed building is located at least 6 m away from the SBI at its closest point while gardens are just over 3 m from the SBI boundary. Given the limited number of trees proposed for removal, tree loss is not considered to significantly impact the integrity of the SBI. The development is relatively small scale so human pressure on its long-term condition is likely to be limited. Subject to conditions ensuring appropriate safeguards to the SBI boundary, existing retained trees and future landscaping proposals, there are no reasons why the impacts of the development cannot be mitigated.
- 9.7 In terms of housing development, the council cannot demonstrate a deliverable five year supply of housing land. It is therefore recognised that the NPPF is a material consideration that carries substantial weight in the decision making process. Assuming the development is considered sustainable, paragraph 11 is clear that where no five year supply can be demonstrated, the presumption in favour of sustainable development should be used to determine planning applications. In addition, there is also a need for affordable housing to be provided in the area, that this development will go towards meeting.
- 9.8 The site is located on the periphery of Broadbottom village centre which is directly accessible via Moss Lane. This central location within the urban fabric means that it is within the catchment of essential services and amenities including the train station, which is a short walking distance away. The location is accessible and sustainable for planning purposes.

9.9 The balance between the loss of the green space and housing supply is supported subject to appropriate conditions relating to biodiversity protection. There is an overriding case relevant to the supply of affordable housing, which would outweigh the associated harm to the loss of the green space. The NPPF identifies that there are three overarching objectives to sustainable development, economic, social and environmental. The proposals are considered to be in broad compliance with these factors recognising the sites UDP allocation, sustainable location and contribution to affordable housing supply.

10. DESIGN & LAYOUT

10.1 Policies C1 and H10 seeks to ensure that developments are designed to respect their surroundings and contribute positively to the character of the area, having particular regard to the layout, density, design, scale, height, massing, appearance, materials and landscaping prevalent in the area. New development should be compatible with the local character and encourage local distinctiveness through the use of appropriate and high-quality building materials, architectural detailing and boundary treatment.

10.2 The apartments would be accommodated within a single block. This would be of a split level design to address site conditions. The accommodation would be provided over 3 floors including a lower ground floor space. The size and location of the building have been influenced to address on site constraints which include the change in levels, relationship to existing residents and influence of trees and biodiversity.

10.3 The applicant has submitted amendments to the design to address concerns raised within representations, the advice of officers and technical consultees. These alterations have seen the building re-positioned to improve the interface distance to Moss lane and Coombes View properties. In addition the scale of the block has been broken down into 3 interconnected blocks, favourably reducing the overall mass. The building position and re-configured car park also improve the relationship of the development to the adjacent SBI, the car park itself is now less reliant upon retaining structures to the benefit of the long term retention of trees.

10.4 In responding to the local context, the scale, materials and fenestration of the apartment block would exhibit a contemporary form. The use of buff brick is a reference to the stone which is prevalent within Broadbottom. The height, scale, and features of the apartment would be larger than that of the immediate properties the use of site levels and inclusion of a flat roof help to reduce the impact considerably. The design and scale would frame the highway in a successful manner providing a desirable frontage to Coombes View. The location of the parking to the north of the site integrates well within the site removing what would otherwise be an undesirable dominance of parking.

10.5 Apartments represent a very efficient use of land this is demonstrated by the density which can be achieved, which in this instances equates to 60 units per hectare. This aligns to NPPF objectives and the emerging strategy of the PfE to promote the efficient re-use of land within established settlements where located close to public transport, this is particularly important in periods of housing undersupply.

10.6 The block would be set within landscaped grounds. The retention of mature trees within the site would enhance the setting of the block. It would provide some screening from surrounding views and also help to the building to 'bed into' its surroundings.

10.7 Having full consideration to the design merits of the proposal and the layout of the scheme it is considered that the development would deliver an attractive residential environment which would complement the existing area. The scale and density of the development works to the sites constraints, the block would not be domineering. The design would be of a sufficient quality which would sit comfortably within its surroundings. It is therefore considered that the proposal adheres to the objectives of UDP policy H10 and the adopted SPD which stress the

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

11. RESIDENTIAL AMENITY

- 11.1 The adopted policies within the Council's Residential Design Guide Supplementary Planning Document strive to raise design standards; they should be applied along with the criteria of Building for Life (BFL). Good design is aligned to the delivery of high residential amenity standards. This should reflect equally on the environment of existing residents as well as that of future residents. Paragraph 130(f) of the NPPF states that development should seek to provide a high standard of amenity for existing and future users alike. This is reflected in policy H10 and the recommendations of the Residential Design Guide SPD, which seek to ensure that all development has regard to the amenity of existing and proposed properties.
- 11.2 The layout and height of the apartment block has been amended to improve the relationship to street and that of existing residents. The building would stand at a maximum 3 storeys in height with other elements reducing down to single storey. The building has been designed so that the eaves height is comparable to the existing properties, and sections provided demonstrate how this would be achieved. The siting of the properties would be 16m away from the rear elevation of 24 Moss Lane and would be positioned 13.5m away (on an acute angle) from the rear elevation of no. 9 and 11 Coombes View. The elevations facing these properties would contain secondary windows which are proposed to be un-openable and obscurely glazed. In terms of the objections raised on amenity, privacy and outlook/light, the proposals are deemed to be sufficiently compliant with policy RD5.
- 11.3 Disruption from the development would be mainly attributable to the construction phase. A Construction Environment Management Plan (CEMP) has been submitted which commits to best practice guidelines for reducing noise and disturbance. Notwithstanding the submitted detail, a condition is required for a further updated CEMP to address highway matters. The loading and unloading of materials along with contractor parking will need to be handled sensitively especially given weight restrictions to Moss Lane. Environmental Health has no objections to the proposals. As stated, vehicle movements to/from the site would not be discernible above that of existing highway users, the proposals would not give rise to undue impacts.
- 11.4 With regard to the amenity which will be afforded to the residents of the development, it is of note that each of the properties meets with the technical housing standards. The close proximity of the site to existing Broadbottom Village Centre, transport links, nearby local amenities and open space means that residents would also benefit from an acceptable standard of access to local services.

12. HIGHWAYS AND ACCESS

- 12.1 The apartment block would take pedestrian and vehicle access from the head of the Coombes view cul-de-sac. Amendments to the layout and scale during the application process have seen the provision of a relocated 13 space car park within the site, the internal layout allows for manoeuvring of vehicles within the site so that they can egress in a forward gear.
- 12.2 The sites does demonstrate sustainable credentials given its proximity to Broadbottom train Station, bus services as well as the amenities associated with the Village Centre. Acknowledgment is made to Moss Lane and Coombes View having a narrow carriageway so the construction phase of the development would be sensitive. There is capacity for off-street car parking within Coombes View through the provision of private parking managed by Jigsaw homes. Take up of these parking spaces has been observed to be low with a preference for

the convenience of on-street parking, nonetheless the provision of this capacity is considered significant/relevant to the proposals.

- 12.3 Policy T1 requires all developments to be designed to improve the safety for all road users. Likewise paragraph 111 of the NPPF confirms that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 12.4 The LHA has reviewed the application and the predicted vehicle journeys on the network during at peak periods. It will generate a maximum of 10 no. additional two-way vehicle movements on a typical weekday. The LHA is satisfied that the increased vehicle trips generated by the development are minimal and therefore the residual cumulative impact on the road network would be acceptable.
- 12.5 The LHA is satisfied that the post construction vehicles using the existing access/egress from the development via Coombes View/Moss Lane is satisfactory and meets requirements for maximum gradients from existing junctions. The LHA is aware that there is a weight limit of 18 tonnes on the bridge at the junction of Mottram Road/Moss Lane which would restrict construction/delivery vehicles to the development during the construction phase. This has not been picked up on the submitted construction environmental management plan, but can be suitably addressed by a planning condition.
- 12.6 In recognition of the above issues, the development has appropriately demonstrated that safe and convenient access can be achieved to meet all highway users' requirements. The disruption associated with traffic during the construction period can be managed in a viable manner to ensure minimal disruption would occur during the temporary period. Once operational, the associated traffic movements from the site would not be significant and there would remain appropriate capacity on the local network. Safety would not be compromised and future residents would have direct access to public transport. The proposals would be in compliance with the requirements of T1, T7, T10 and T11 and NPPF paragraph 111.

13. DRAINAGE AND FLOOD RISK

- 13.1 The site is in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. The proposals would see the removal of vegetation, and whilst gardens and soft landscaping areas would be incorporated within the design there would be an increase in hard surfacing.
- 13.2 A drainage strategy 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 a combined drain. The LLFA and UU has reviewed and raised queries with the strategy conclusion, they note that infiltration techniques may be viable at the location due to favourable ground conditions.
- 13.3 Notwithstanding the comments from the drainage authorities, there are not considered to be any fundamental drainage issues on the site. The observations raised by the LLFA and UU 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 and that the proposals would not result in a detrimental impact on flood risk or drainage capacity.

14. GROUND CONDITIONS

- 14.1 The site falls outside of the Coal Authority's defined development high risk area. As such, a coal mining risk assessment has not been undertaken. Consultation with the Coal Authority has confirmed no objections.

- 14.2 Consultation with GMAAS confirms that there are no heritage assets or any known archaeological potential within the application site. As such, there is no reason to require any archaeological investigations of the ground conditions.
- 14.3 The Environmental Protection Unit (EPU) have reviewed the initial site investigation appraisal which identified some elevated concentration of lead within the soil. Further investigation will be required to inform the remediation strategy. This is not a constraint to development and there are no objections raised to the proposals subject to recommended conditions. The conditions recommended by the EPU are considered reasonable and necessary to ensure that future users of the proposed development would not be exposed to potential risks caused by contamination at the site.
- 14.4 It is noted that there is a fall in levels across the site. The split level design seeks to work with levels to reduce the overall mass of the building. In addition, the location of car parking areas has been amended to reduce the impact upon root protection areas. Notwithstanding these matters it is recommended that a condition is applied relevant to further assessment of the slope stability to determine the exact nature of the any retaining structures. This would accord with the provisions of paragraph 184 of the NPPF.

15. LANDSCAPING, TREES & ECOLOGY

- 15.1 Paragraph 174 of the NPPF states that the planning system should contribute to and enhance the natural and local environment. The site currently has a good ecological value, associated with the level of tree and vegetation cover.
- 15.2 The tree survey identified 24 individual and 8 groups of trees along with hedgerows within the site. Species include mature Oak, Sycamore, Ash, Birch and Willow. The survey identifies that in total 15 individual/groups of trees would require removal. Trees within the site have not been subject to any management, higher quality trees are found to the site boundaries and these will in the main be retained. The trees to be retained will be protected throughout the construction period, the long-term impact of the trees lost will be mitigated through replacement planting of native species which is proposed on a two for one basis. The tree officer has reviewed the proposal and subject to conditions relevant to protective fencing and replacement planting is supportive.
- 15.3 The applicant states that the hard and soft landscaping in this scheme is designed to be sympathetic to the surrounding area. The level of tree retention and replanting is deemed to be acceptable.
- 15.4 An extended phase 1 habitat survey and bat survey have been submitted with the application. In the preparation of this report GMEU provided records of three Sites of Biological Importance (SBI) within the search area, the closest of which are Hurst Clough and Great Wood which adjoin one another, the latter also being designated as a Local Nature Reserve (LNR). Both these SBI's predominantly comprise semi-natural woodland (a large proportion of which is ancient woodland) which is located on steep slopes, but support other habitats including grassland. In addition GMEU also provided a number of protected and priority species records within the search area including bats (pipistrelle spp.), birds and badger. None of these records originate from the site and almost all are several hundred metres away.
- 15.5 In summary, the site comprises a mosaic of semi-natural broadleaved woodland, dense scrub, tall ruderal and poor semi-improved grassland with a hedgerow along the southwest site boundary. Several plant species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) were also recorded within the site.

- 15.6 The scheme has been designed to minimise loss of woodland habitat and avoid the SBI. The proposed car parking area does infringe the SBI and retained areas of woodland but tree roots will be protected by overlaying them with a GEOWEB tree root protection system. It is proposed that an ecological clerk of works should be present during key stages of the construction phase to provide a toolbox talk to contractors and to demarcate the extent of the development footprint with the SBI being fenced off to signify that contractors must not enter or materials be stored in this area. Specific details will need to be included within a construction environmental management plan (CEMP). A landscape scheme has been developed which will involve sensitive landscaping and introduction of appropriate species to surrounding retained habitats. The eradication of Schedule 9 plants and snowberry would also help enhance the biodiversity value of woodland. These measures should form part of a 25 year aftercare woodland management plan to ensure the measures are successful.
- 15.7 The proposals have been considered by the Council's Tree Officer along with GMEU who are supportive with the strategy and the overall level of planting which is proposed. The Tree Officer requires further assurance about the methods to be used for tree protection and recommends that a condition be attached to any approval requiring submission of additional information. Subject to this requirement, the proposals are considered to be in accordance with the requirements of policy N4, N5 and NPPF paragraph 174.
- 15.8 The level of retained tree cover is significant and well-proportioned to the scale of the development. The landscaping strategy makes appropriate provision for a suitable level of wildlife habitat. Whilst comments have been received regarding the potential impact of the proposals upon wildlife a suitable level of assessment has been undertaken and there is no evidence of any adverse effect upon protected species and the proposals are in accordance with policy N7: Protected Species.

16. DEVELOPMENT CONTRIBUTIONS

- 16.1 The scale of the development constitutes a major development, as such there would normally be a requirement to meet affordable housing (15%), green space and highways contributions as per the requirements of policies H4, H5 and T13 of the UDP. Education contributions don't apply on development below 25 dwellings. The affordable housing requirement would be exceeded through the applicant's intention to provide all of the apartments on an affordable basis managed through Jigsaw Homes, this can be secured through a condition. Beyond improvements to signage along Moss Lane and any associated repairs to Coombes View there are no identified highway impacts associated with the development which would warrant off-site mitigation via a commuted sum. Likewise, with reference to Green Space contributions, beyond on site planting given the modest scale of development and finding within the open space assessment there is not demonstrable need to provide off-site contributions.

17. OTHER MATTERS

- 17.1 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. A construction management plan (to be conditioned) 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.
- 17.2 Network Rail: Amendments to the red line boundary has resulted in the withdrawal an earlier objection from Network Rail. It is only the car parking that will be constructed within the

vicinity of the railway boundary. Advice has been supplied relevant to safe working within the railway boundary, these matters can be addressed by way of an informative.

- 17.3 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 assets.
- 17.4 Security: The application has been accompanied by a Crime Impact Statement. Subject to implementation of the recommendations, 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.

18. CONCLUSION

- 18.1 At the heart of the NPPF is a presumption in favour of sustainable development, this requires planning applications that accord with the 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.
- 18.2 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.
- 18.3 The redevelopment of the site at the head of an established residential cul-de-sac would be readily compatible with the housing development that is established within the locality. The scale and design of the development is deemed to be appropriate in that it would not give rise to any adverse environmental or amenity issues. The development would add to and contribute too much needed, good quality affordable housing in a period of documented under supply, a matter which is afforded significant weight to the planning assessment process.
- 18.4 The design creates a positive and welcoming residential environment. The apartments would make a positive contribution to the local housing stock, in accordance with core principles of the NPPF.
- 18.5 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:

Grant planning permission 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.
Proposed Site Plan ref PL-700-01 Rev 10

Proposed Overview Elevations ref DR-200-02 Rev 4
Proposed Overview Plans ref DR-200-01 ref Rev 7
Amended Site Sections ref SE-251-01 Rev 7
Coombes View Constraints ref PL-700-04 Rev 5

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

3. Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and/or full specification of materials to be used: externally on the building; 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 polices H10: Detailed Design of Housing Developments, OL10: Landscape Quality and Character and C1: Townscape and Urban Form

4. 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 (LPA). The scheme shall be implemented and verified as approved and shall include all of the following components unless the LPA dispenses with any such requirement specifically in writing:
 1. A site investigation strategy, based on the Groundtech Geo-Environmental Appraisal (reference 17068/344) detailing any additional 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 LPA prior to any investigation works commencing at the site.
 2. The findings of the site investigation and detailed risk assessment referred to in point (1) including all relevant soil / water analysis and ground gas / groundwater monitoring data.
 3. Based on the site investigation and detailed risk assessment referred to in point (2) 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.
 4. 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 (3) 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.

5. Prior to use, a verification / completion report demonstrating all remedial works and measures required to address all unacceptable risks posed by contamination and ground gas have been fully implemented in accordance with the approved remediation strategy shall be submitted to, and approved in writing by the Local Planning Authority (LPA). If during development, contamination not previously identified is encountered, then no further development (unless otherwise agreed with the LPA), shall be undertaken 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 LPA. The remediation strategy shall be fully implemented and verified as approved. The discharge of this planning condition will be given in writing by the LPA 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 LPA and occupation of the development shall not commence until this time unless otherwise agreed in writing by the LPA. R

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.

6. The car parking spaces to serve the development hereby approved shall be laid out as shown on the approved site plan ref PL-700-01 Rev 10 prior to the first occupation of that development and shall be retained free from obstruction for their intended use thereafter.

Reason: To ensure that the development has adequate car parking arrangements in accordance with UDP Policy T10 Parking.

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

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

8. No work shall take place in respect to the construction of the approved highway to the Development, as indicated on the approved site plan, until a scheme relevant to highway construction has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of:-
 1. Phasing plan of highway works.
 2. Surface and drainage details of all carriageways and footways.
 3. Details of the works to the reinstatement of redundant vehicle access points as continuous footway to adoptable standards following the completion of the construction phase.
 4. Details of the areas of the highway network within the site to be constructed to adoptable standards and the specification of the construction of these areas.
 5. Details of carriageway markings and signage.
 6. Full details of a lighting scheme (to an adoptable standard) to the private driveways, there shall be no spillage of lighting outside of the site into adjacent woodland above a level of 3 lux.

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 Policy T1: Highway Improvement and Traffic Management.

9. No development shall commence until such time as a Demolition Construction Environment Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of:
 - Wheel wash facilities for construction vehicles;
 - Arrangements for temporary construction access;
 - Contractor and construction worker car parking;
 - Turning facilities during the remediation and construction phases;
 - Details of on-site storage facilities;
 - Details of restriction to weight limits of Construction Vehicles along Moss Lane;

- Emergency contact details of the site manager to be displayed publically.

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 Policy T1: Highway Improvement and Traffic Management.

10. With the exception of site clearance and preparation no development shall take place until details of further ground investigations including as necessary further borehole investigations, soil testing and a watching brief to enable a slope stability assessment to provide evidence to show how the risk of a landslip will be addressed. The scheme shall include scaled plans showing cross sectional information and the design of any retaining structures which are required to ensure that the ground conditions are suitably stable. The development shall then be carried out, maintained and managed in accordance with the submitted details

Reason: To ensure that adequate slope stability measures are put in place on the site in accordance with Paragraph 184 of the NPPF'.

11. No part of the development hereby approved shall be occupied until details of the secured cycle storage provision to serve apartments have been submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans showing the location of storage and details of the means of enclosure. The secured cycle storage arrangements shall be implemented in accordance with the approved details prior to the occupation of the first apartment and shall be retained as such thereafter.

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

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

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

13. None of the dwellings hereby approved shall be occupied until details of the means of storage and collection of refuse generated by the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans showing the location of the required number of bins to be stored within each plot and any communal bin storage areas and scaled plans of the means of enclosure of all bin stores, including materials and finish. The bin storage arrangements for each dwelling shall be implemented in accordance with the approved details prior to the occupation of that dwelling and shall be retained as such thereafter.

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

14. 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.

15. The development hereby approved shall be carried in accordance with the measures listed in the Security Strategy (Section 4) of the Crime Impact Statement submitted with the planning application and shall be retained as such thereafter.

Reason: In the interests of security and residential amenity.

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 NPPF or any future guidance that replaces it. The scheme shall include:

- i) The numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 15% of housing units/bed spaces;
- 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 RSL 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 H5 and paragraph 65 of the NPPF.

17. With exception of site preparation, clearance and demolition works no development shall take place until a landscape and ecological management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include the following elements:

- i) details of maintenance regimes for all landscaped areas;
- ii) details of any new habitat created on-site and confirmation that a net gain has been achieved across the site; and,
- iii) details of management responsibilities.

The landscape and ecological management plan shall be implemented prior to the first occupation of any of the approved dwellings or within an agreed timeframe with the Local Planning Authority.

Reason: In the interests of visual amenity and environmental quality of the site in accordance with polices H10: Detailed Design of Housing Developments, OL10: Landscape Quality and Character, C1: Townscape and Urban Form and policy N7: Protected Species.

18. Prior to commencement of development updated bat survey shall be undertaken of bat roost potential of all trees to be removed within the site. In addition a reasonable avoidance method statement for badgers shall also be supplied to and agreed in writing by the LPA. The method statement will include:

- i) a re-survey of trees within the site for bat roost potential
- ii) a re-survey of the site and within 30m of the site where possible for badger setts;

- iii) methodologies for clearance of dense areas of vegetation and trees under the supervision of an ecological clerk of works;
- iv) identification of derelict structures and areas of rubble with the potential to be used as setts by the clerk of works and the methodology for clearing such areas under the supervision of the clerk of works;
- v) procedures if a badger sett is found in other areas in the absence of the clerk of works;
- vi) procedures on-site during construction to prevent accidental harm to badgers that may venture on to the site at night; and,
- vii) a landscape design that accommodates as far as possible movement across the site for badger on completion.

The agreed method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the LPA.

Reason: To ensure that adequate mitigation measures are put in place to prevent harm to protected species in accordance with UDP policy N7 Protected species.

19. The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To safeguard existing trees, in the interest of visual amenity in accordance with UDP policy N5: Trees within Development Sites



1 storey Garage attached to side of 24 Moss Ln.

Frosted glazing for all west-facing windows.

MOSS LANE

COOMBES VIEW

Indicative charging station positions.
Indicative cable routes for ducting.
Indicative cable routes for future ducting.

- Retaining Wall Structure
- Grey hatch pattern denotes GEOWEB® Tree Root Protection System Flooring.
- Grass/Planting
- Paved surface
- Tarmacked surface

EV CHARGING
To comply with AP(S): Infrastructure for the charging of electric vehicles, BS 7671, BS 8300-1 and IET's Code of Practice.
Indicative duct route for future expansion of EV system (subject to detail design development); potential to provide wall-mounted charging points fixed onto retaining wall structure for spaces 08-13.
Car Park will achieve 50% EV Charging (by offering 5 spaces with accessible charging points (03-07) + 2 disabled spaces (01-02) with individual charging points.

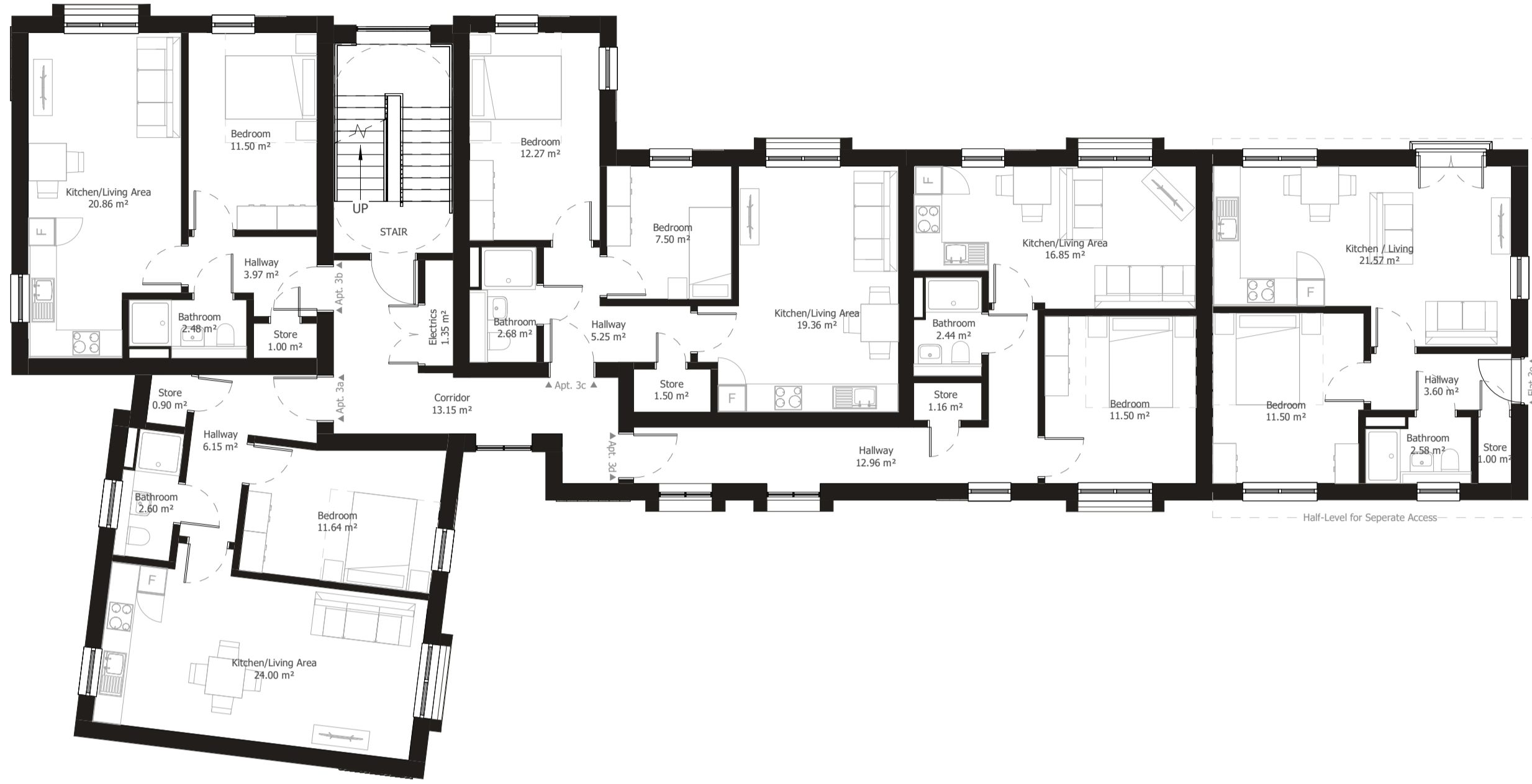
- 10 05/02/22 Amendment to apt. areas following Jigsaw review and subsequent partial redesign
- 9 06/07/22 Network Rail Leasing Boundary & Retaining Wall Spot Elevations
- 8 01/07/22 EV Charging Provision and subsequent alteration to car park
- 7 21/06/22 Spaces 12 & 13 moved to end of Parking Grid
- 6 20/05/22 Updated Tree Data and Revised Parking Layout
- 5 05/05/22 Revised Car Parking
- 4 22/04/22 Floor Plan Amendments
- 3 11/04/22 Block 11 Mount 13th Gate, Frosted Glazing added to Western Facade.
- 2 29/03/22 Loss of 2nd Storey to Blocks 1 & 2, Height Reduction of Internal Floors and New Agit to North of 05B.
- 1 24/03/22 First Issue

Drawing Number	Revision	
PL-700-01	10	
Proposed Site Plan		
Project: Coombes View		
Client: Box Clever Consulting Ltd		
Job Number: 2671	Site: A1	Scale: 1 : 200
Drawn: KC	Approved: PM	Date: Feb '21



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First Floor Plan
1 : 100



Second Floor Plan
1 : 100



Lower Ground Floor Plan
1 : 100



Ground Floor Plan
1 : 100

Coombes View - Rentable Area Schedule

Level	No. of Bedrooms	Area
Lower Ground Floor		
Apt. 1a	1 Bed	47.6 m ²
Ground Floor		
Apt. 2b	1 Bed	42.6 m ²
Apt. 2c	2 Bed	52.0 m ²
Apt. 2d	1 Bed	44.8 m ²
Apt. 2a	1 Bed	48.3 m ²
First Floor		
Apt. 3e	1 Bed	43.0 m ²
Apt. 3d	1 Bed	48.3 m ²
Apt. 3c	2 Bed	52.0 m ²
Apt. 3b	1 Bed	42.6 m ²
Apt. 3a	1 Bed	48.3 m ²
Second Floor		
Apt. 4b	1 Bed	48.3 m ²
Apt. 4a	2 Bed	52.0 m ²
		570.0 m ²

Coombes View - Circulation Schedule

Level	Area
Lower Ground Floor	
LGf Circulation	21.2 m ²
Ground Floor	
GF Circulation	29.8 m ²
First Floor	
FF Circulation	26.7 m ²
Second Floor	
SF Circulation	25.9 m ²
	103.6 m ²

- 7 05082022 Amendment to apt. areas following jigsaw review and subsequent partial redrawing
- 6 03082022 Updated Schedule Information
- 5 04052022 Plan/Elevation Upgrade
- 4 22042022 Floor Plan Amendments
- 3 11042022 Block 1 Window 1.50m Glaz. Frosted Glazing added to Windows Facade.
- 2 29032022 Loss of 2nd Storey to Blocks 1 & 2, Height Reduction of Internal Floors and New Apts to South of Site.
- 1 24032022 First Issue

Drawing Number: **DR-200-01** Revision: **7**

Proposed Overview Plans

Client: **Coombes View**

Box Clever Consulting Ltd

Job Number	Site	Scale
2671	AL	1 : 100
Issue	Approved	Date
KC	PM	Feb '22



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Materials Key

Facing Materials:

1. Primary Masonry Construction - Buff Brick
2. Secondary Complementary Brick or Artstone Blockwork
3. Contrasting Facing Material - Horizontal Cladding Board, Grey

Roof:

4. Gutter & Rainwater Pipework - uPVC, Black
5. Parapet Capping - Aluminium Wall Coping, Anthracite Grey TBC

Features:

6. Box Frame Architrave - Powder-Coated Metal, Black
7. Repeated Brick Feature Detail
8. Railing Structure - Colour to Match Features

Doors, Windows & Glazed Screens:

9. Window Frame Material - uPVC, Anthracite Grey TBC
10. Window Heads - Soldier Course, Buff Brick
11. Window Header Cills - Buff Brick
12. Window Cills - Artstone
13. Main Glazing - Clear Glass, Toughened
14. Secondary Glazing - Obscured Glass
15. Solid Infill Panelling - Anthracite Grey TBC
16. Tax Windows
17. Recess Panels to Match Tax Windows

PLEASE NOTE:

- All windows and doors are to have a minimum reveal of 75mm.
- RWP positions are indicative and will be confirmed upon completion of roof design and drainage strategy.
- The topography is an average cut line of the existing falls on site. This is only an indication and should not be used as a visual guide for measurements.



Front Elevation
1 : 100



Left Elevation
1 : 100



Rear Elevation
1 : 100



Right Elevation
1 : 100

4 05082022 Amendment to apt. areas following Jigsaw review and subsequent partial redesign
3 21062022 Updated Car Park Levels
2 06062022 Plan/Elevation Upgrades
1 20042022 First Issue

Drawing Number: DR-200-02
Revision: 4
Proposed Overview Elevations

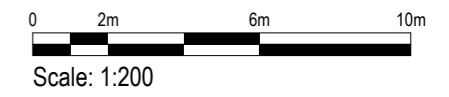
Project: Coombes View
Client: Box Clever Consulting Ltd

Job Number	Site	Scale
2671	AL	As Indicated
Revised	Approved	Date
KC	PM	Apr '22

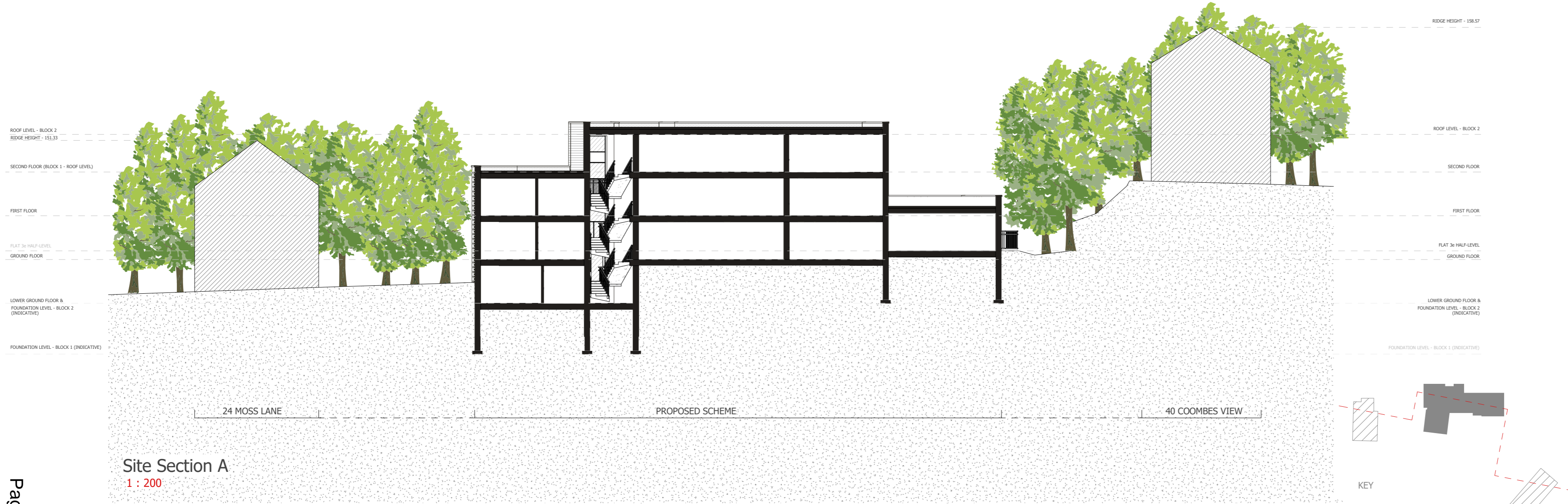
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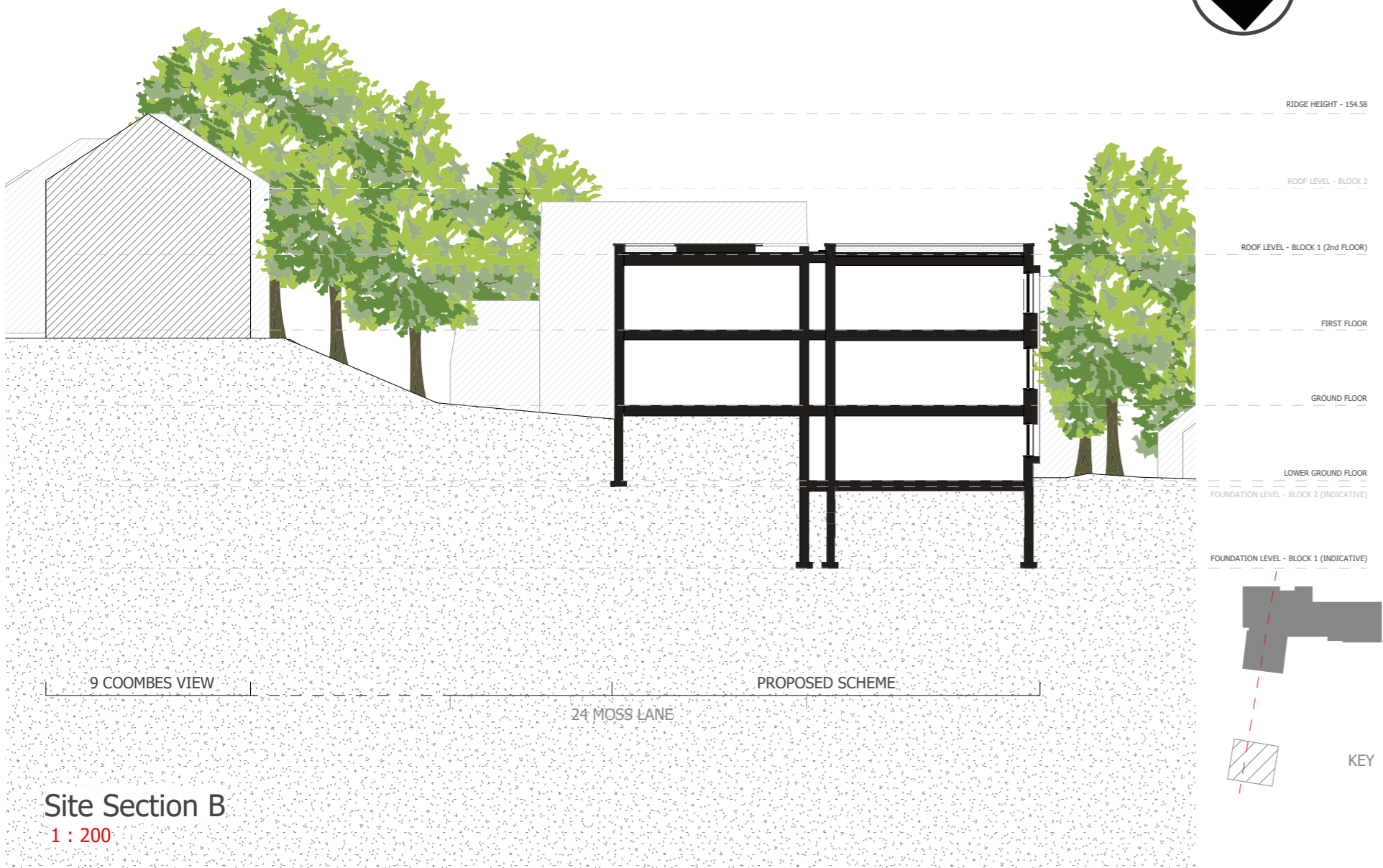
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NOTE: The position of each Site Section has been distorted slightly (refer to Key) in order to show the proposed building mass against existing adjacent property heights.



Site Section A
1 : 200



Site Section B
1 : 200



Site Section C
1 : 200

- 7 21/05/2022 Updated Car Park Levels
- 6 06/05/2022 Parapet and Level Amendment
- 5 27/04/2022 Roof and Floor Upgrades
- 4 11/04/2022 Block 1 Moved 1.35m East, Frosted Glazing added to Western Facade.
- 3 06/04/2022 Site Section C and Section Position Clarified
- 2 29/03/2022 Loss of 2nd Storey to Blocks 1 & 2, Height Reduction of Internal Floors and New Apts to North of Site.

Rev	Date	Notes
1	24/03/2022	First Issue

Drawing Number: SE-251-01 Revision: 7

Drawing Title: Site Sections
Project: Coombes View

Client: Box Clever Consulting Ltd

Job Number	Size	Scale
2671	A2	1 : 200
Drawn	Approved	Date
KC	PM	Mar '22

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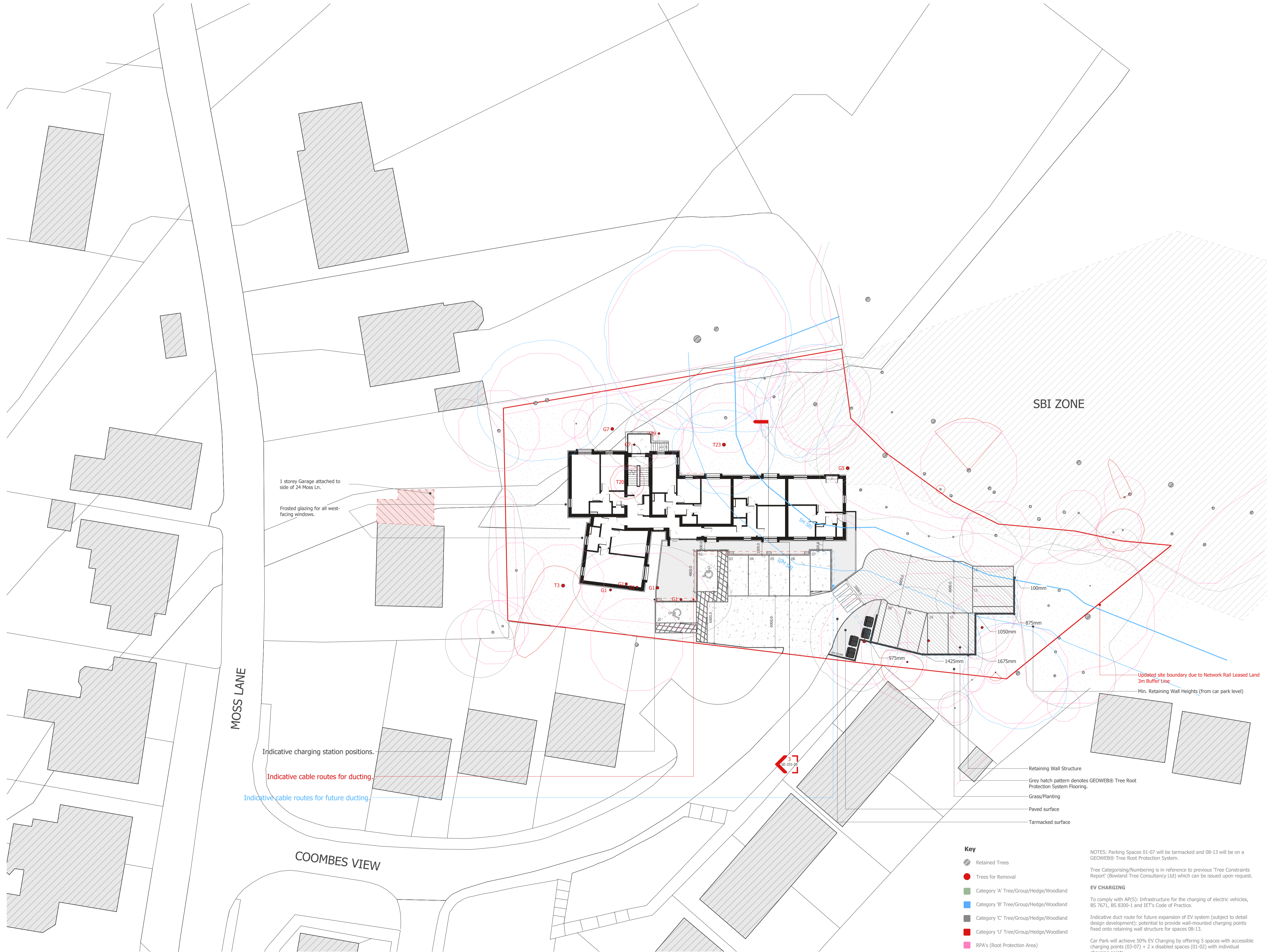
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0 2m 6m 10m
Scale: 1:200



MOSS LANE

COOMBES VIEW

SBI ZONE

1 storey Garage attached to side of 24 Moss Ln.
Frosted glazing for all west-facing windows.

Indicative charging station positions.
Indicative cable routes for ducting.
Indicative cable routes for future ducting.

Updated site boundary due to Network Rail Leased Land 3m Buffer Line
Min. Retaining Wall Heights (from car park level)

- Retaining Wall Structure
- Grey hatch pattern denotes GEOWEB® Tree Root Protection System Flooring.
- Grass/Planting
- Paved surface
- Tarmacked surface

Key

- Retained Trees
- Trees for Removal
- Category 'A' Tree/Group/Hedge/Woodland
- Category 'B' Tree/Group/Hedge/Woodland
- Category 'C' Tree/Group/Hedge/Woodland
- Category 'U' Tree/Group/Hedge/Woodland
- RPA's (Root Protection Area)

NOTES: Parking Spaces 01-07 will be tarmacked and 08-13 will be on a GEOWEB® Tree Root Protection System.

EV CHARGING
To comply with AP(S): Infrastructure for the charging of electric vehicles, BS 7671, BS 8300-1 and IET's Code of Practice.

Indicative duct route for future expansion of EV system (subject to detail design development): potential to provide wall-mounted charging points fixed onto retaining wall structure for spaces 08-13.

Car Park will achieve 50% EV Charging by offering 5 spaces with accessible charging points (03-07) + 2 x disabled spaces (01-02) with individual charging points.

- 05/08/2022 Amendment to app. scheme following design review and subsequent partial redesign
- 06/07/2022 Network Rail Leasing Boundary & Retaining Wall Spot Elevations
- 01/07/2022 EV Charging Provision and subsequent alteration to car park
- 21/06/2022 Spaces 12 & 13 moved to end of Parking Grid
- 20/06/2022 Final Issue

Drawing Number: **PL-700-04** Revision: **5**

Drawing Title: **Coombes View Constraints**

Project: **Coombes View**

Client: **Box Clever Consulting Ltd**

Job Number	Site	Scale
2671	A1	1 : 200
Issue	Approved	Date
KC	PM	May '21



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Application Number 21/01039/FUL

Erection of 12No. apartments within a 3 storey block and associated works

Photo 1: Aerial view of site

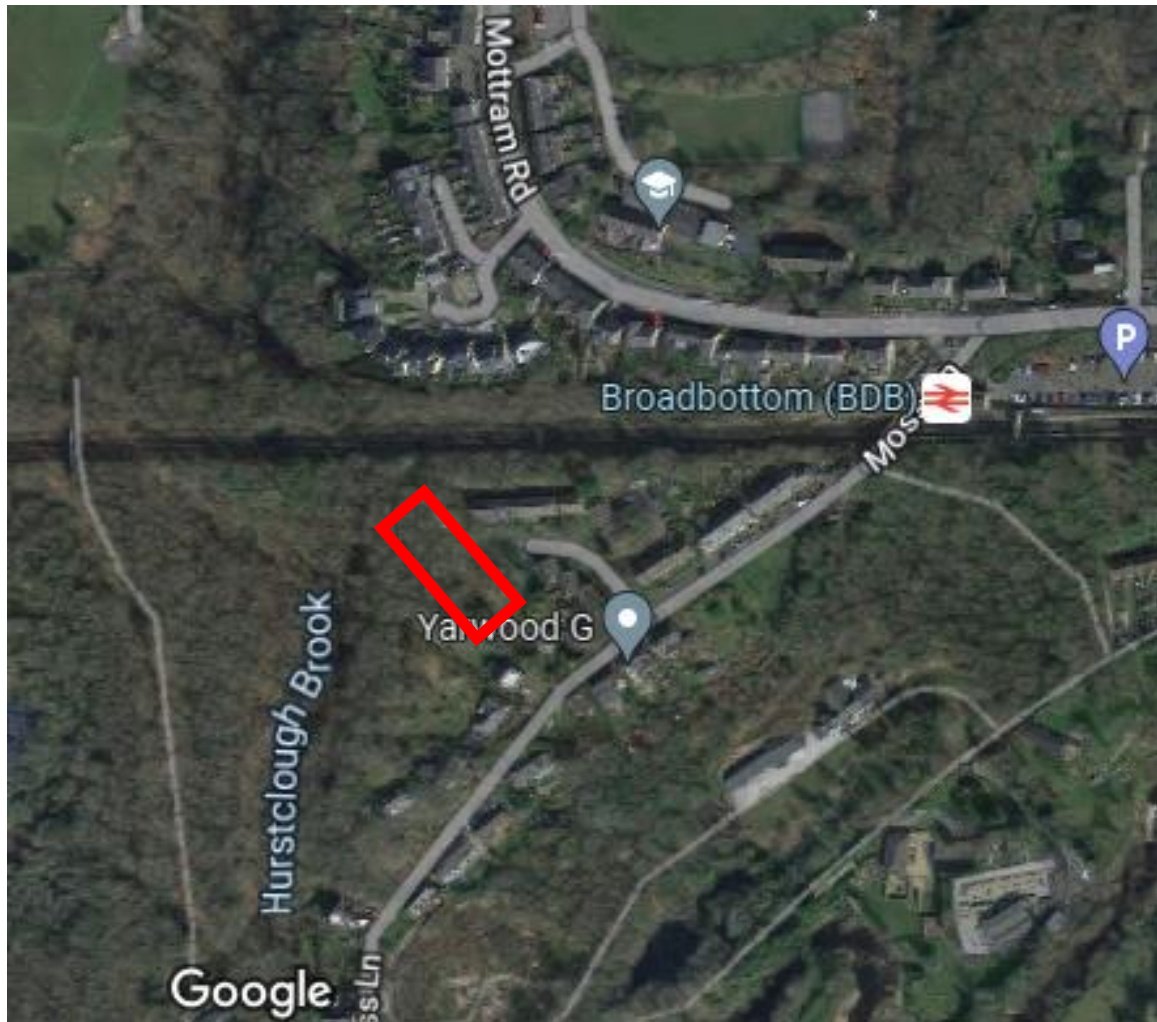


Photo 2: View from moss lane looking into Coombes View



Photo 3: Site Entrance off Coombes View



Photo 4: View within the site towards northern area



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Application Number:	21/01459/FUL
Proposal:	Erection of five storey building for use as a residential institution (Use Class C2), with access and associated infrastructure
Site:	Amenity Area Adjacent to 25 Grosvenor Street, Stalybridge
Applicant:	Evans UK Property Ltd
Recommendation:	Grant planning permission subject to a unilateral undertaking under s106 of the Town and Country planning Act 1990 and conditions.
Reason for Report:	A Speakers Panel decision is required because the application constitutes a major development.
Background Papers:	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

1. SITE & SURROUNDINGS

- 1.1 The application relates to an area of derelict open space located adjacent to 25 Grosvenor Street close to the junction of Grosvenor Street and Trinity Street within the Stalybridge Town Centre Boundary. The site consists of 0.0327ha of previously developed space that is currently derelict, fenced off and unused.
- 1.2 The sites boundaries are defined by Grosvenor Street to the north, a Tesco petrol filling station (west), the rear of residential properties on Kenworthy Street to the south and the blank side gable of commercial properties on Grosvenor Street to the east.
- 1.3 As well as being situated within the Town Centre Boundary, the site lies within the Stalybridge Town Centre Conservation Area.

2. PROPOSAL

- 2.1 This full application seeks planning permission for the erection of a four to five storey building, for use within Use Class C2 (residential institution). The facility would provide living accommodation for adults, who would receive care at the facility.
- 2.2 The building would provide 21 apartments, four of which would be two bedroomed and the remaining seventeen would be one bedroomed. At ground floor, an office with staff facilities such as a bedroom, kitchen and toilets would be provided; alongside a bin store, cycle store, plant room. A lift would be provided alongside stairs to access upper floors.
- 2.3 The building would measure a maximum of five storeys in height, stepped to four storeys towards its eastern elevation. It would measure a maximum height of 16.2 metres (m), and 13m at its four storey sections. The building at its far eastern elevation would include a curved appearance. It would have a flat roof throughout. The building would consist of a primarily red brick finish, with soldier brick courses and plinth style details present at each storey. A secondary grey brick finish would be utilised on the western section of the fourth and fifth storey of the building. Aluminium doors and UPVC windows are proposed, both finished black.
- 2.4 The applicant has indicated that the development would provide long term accommodation for individuals. The proposals demonstrate that each of the apartments would be self-

contained, and self-sufficient per se, all including bedroom, bathroom, kitchen/dining and living space facilities. The apartments would operate as supported living accommodation, with care provided by staff who are based on site 24 hours per day. They would assist residents on a daily basis, and the level of care provided would depend upon the needs of each resident.

3. PLANNING HISTORY

- 3.1 17/00012/OUT – Erection of part 3, part 4 storey apartment building to accommodate up to 14 units (Outline – all matters reserved) – Approved June 2019

4. PLANNING POLICY

National Planning Policy Framework

- 4.1 Paragraph 9 of the National Planning Policy Framework (NPPF) states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area.

- 4.2 Paragraph 11 states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay (as per section 38(6) of the Planning and Compulsory Purchase Act 2004). However, where the development plan is absent, silent or out of date, planning permission should be granted unless the application of policies in the NPPF that protects areas or assets of particular importance, provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

- 4.3 Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

Development Plan

- 4.4 The adopted development plan is the Tameside Unitary Development Plan (2004) and the Greater Manchester Joint Waste Development Plan Document (2012).

Tameside Unitary Development Plan (2004)

4.5 Part 1 Policies

- 1.3: Creating a Cleaner and Greener Environment;
- 1.4: Providing More Choice and Quality of Homes;
- 1.5: Following the Principles of Sustainable Development;
- 1.6: Securing Urban Regeneration;
- 1.7: Supporting the Role of Town Centres;
- 1:10: Protecting and Enhancing the Natural Environment;
- 1:11: Conserving Built Heritage and Retaining Local Identity;
- 1.12: Ensuring an Accessible, Safe and Healthy Environment.

4.6 Part 2 Policies

- H4: Type, Size and Affordability of Dwellings
- H10: Detailed Design of Housing Developments

- T1: Highway Improvement and Traffic Management
- T7: Cycling
- T10: Parking
- C1: Townscape and Urban Form
- C2: Conservation Areas
- C4: Control of Development in or adjoining Conservation Areas
- N3: Nature Conservation Factors
- N7: Protected Species
- MW11: Contaminated Land
- MW12: Control of Pollution
- S4: Retail Dominance and Shopping Frontages
- U3: Water Services for Developments
- U4: Flood Prevention
- U5: Energy Efficiency

Places for Everyone

- 4.7 The Places for Everyone Joint Development Plan Document was published in August 2021. It was submitted to the Secretary of State in February 2022 and inspectors are appointed to carry out an independent examination. It is a joint plan covering nine of the ten Greater Manchester districts, including Tameside, and is intended to provide the overarching framework to strategically manage growth across the boroughs.
- 4.8 Paragraph 48 in the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to: the stage of preparation of the emerging plan (the more advanced its preparation, the greater weight may be given); the extent to which there are unresolved objections (the less significant, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).
- 4.9 Whilst Places for Everyone has been published and submitted, a number of representations have been received objecting to policies, and so in accordance with paragraph 48 of the NPPF, only very limited weight can be given to those policies at this time.

Other Considerations

- 4.10 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a persons rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.
- 4.11 The application has been considered in accordance with the Tameside One Equality Scheme (2018-22), which seeks to prevent unlawful discrimination, promote equality of opportunity and good relations between people in a diverse community. In this case the proposed development is not anticipated to have any potential impact from an equality perspective.

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 by neighbour notification letter, display of a site notice; and advertisement in the local press.

6. SUMMARY OF THIRD PARTY RESPONSES

6.1 In response to the neighbour notification letters, there have been 35 letters of objection. The concerns raised within the letters of objection are summarised below:

- The proposed development would cause amenity concerns, including loss of sunlight and privacy through overlooking;
- The development would affect views from adjacent developments due to its height;
- The development proposes no off-street parking, which would cause highway safety issues;
- The development may not be safe being sited directly adjacent to the fuel station;
- The area is already busy and noisy during night time hours, and the proposed development would contribute to this issue;
- Construction of the development would cause traffic and access disruption;
- The area is currently landscaped and this would be lost as a result of the development;
- Other empty buildings in Stalybridge would be better suited to the proposed use;
- The development would not aid the town centre vibrancy of Stalybridge, nor assist the high street.

6.2 Councillor Dickinson has objected to the proposed development. The concerns raised within this letter of objection are summarised below:

- Although understanding that the development would save the Council money, the proposed facility should not be situated on a prime site, within the town centre. The town was awarded the Town Centre Challenge fund, with £2m being spent on Market Street. The development follows the development of the Old Police Station building recently. Planning proposals within a town centre should look at a town as a whole, not just a particular site which has become available;
- The town centre should be supported to encourage people to shop and live within the area. Although facilities providing care are required, sites just outside of the town centre within walking distance should be considered;
- Such developments would unlikely result in the town centre becoming more upmarket;
- The proposed development would overshadow the sunlight enjoyed by the adjacent Summers Quay development, and would alter the quality of life for those who reside in that development;
- If balconies are proposed on the building, would they be placed on the south facing side, to catch the sunlight which has been denied to the Summers Quay development.

7. RESPONSES FROM CONSULTEES

7.1 Local Highway Authority (LHA) – No objections, subject to conditions requiring a demolition and construction management plan; submission of a Green Travel Plan; and a scheme for secured cycle storage. A financial contribution to off-site highway works is also requested.

7.2 United Utilities (UU) – No objections, subject to a condition requiring the scheme be implemented in accordance with the submitted drainage scheme. Notes the presence of a water main and public sewer in the vicinity of the site, and recommends the applicant makes contact prior to works commencing.

7.3 Lead Local Flood Authority (LLFA) – No objections, following the submission of additional information, subject to a condition requiring a surface water drainage scheme.

- 7.4 Greater Manchester Ecology Unit – No objections. Considers the risk of the development to bats is negligible, with no further information required. The risk to nesting birds is low, and an informative is recommended. Notes the small loss of ecological value at the site, and recommends a financial contribution should be secured for off-site ecological compensation measures.
- 7.5 Environmental Health – No objections, subject to conditions requiring acoustic mitigation measures outlined within the submitted Noise Impact Assessment to be implemented; and restrictions on construction working hours. The proposed waste and recycling facilities may not be sufficient for the future development, and a revised bin storage area should be provided.
- 7.6 Contaminated Land – No objections, subject to conditions requiring a full site investigation strategy to be undertaken, followed by an options appraisal/remediation strategy and verification plan; and that recommended remedial measures be implemented prior to use.
- 7.7 Transport for Greater Manchester – No objections. Offers advice regarding access points should be formally closed if necessary; cycle storage provision; Travel Plan and Traffic Regulation Orders.
- 7.8 Greater Manchester Police Designing out Crime Officer – No objections. The physical security measures and layout considerations included within the Crime Impact Statement should be implemented.
- 7.9 Waste Management – No objections following clarification that the use would be commercially operated. Notes a private waste contract would be required.
- 7.10 Canal and River Trust – No comment on the application.
- 7.11 Coal Authority – No objections, the site falls outside of the defined Development High Risk Area.

8. ANALYSIS

- 8.1 The site lies wholly within the Stalybridge Town Centre boundary, as identified within the Tameside Unitary Development Plan (UDP). Policy S4 of the UDP states that outside of the primary shopping areas of the town centres (as shown on the Proposals Map), the Council will permit a diversity of uses which contribute to the overall appeal of the town centre, help to minimise the extent of empty properties, and improve the appearance of the centre.
- 8.2 The condition and appearance of the site is considered to have deteriorated over time. The site remains in an untidy and derelict state since the previous application at this site. Given previous permissions had not been implemented and had lapsed, it remains that the site is undeveloped and reflects negatively on the local environment. It is considered that the site serves little positive benefit to the immediate area, exacerbated by the prominent location on a corner plot. The planning application presents an opportunity to address this in a positive manner, which adheres to the principles of sustainable development through the reuse of a previously developed site.
- 8.3 The application proposes a residential care facility (Use Class C2). This would involve residential accommodation for service users, alongside staff facilities for those staff employed to provide care to future service users. Whilst the site is situated within the Town Centre boundary, it falls outside of the Primary Shopping Area. As such, the potential retail function of the site is not subject to any protection, where the use would be appropriate within this area of the town centre. The proposed development would contribute to the vitality and viability of Stalybridge Town Centre by generating a source of footfall and encouraging the

occupation of what is otherwise a vacant site, which presently detracts from the Stalybridge Conservation Area, within a highly sustainable and prominent location.

- 8.4 Paragraph 6 of the NPPF states that to support the Government's objective of significantly boosting the supply of homes, it is important that the needs of groups with specific housing requirements are addressed, amongst other things. The proposed development would meet this requirement within the context of need in the Borough.
- 8.5 The site is located within a highly accessible area within a town centre, connected to public transport, local services and employment uses within Stalybridge. In light of the above, the principle of the proposed facility in this location is considered to be acceptable.

9. DESIGN & LAYOUT

- 9.1 Policies within the UDP and NPPF 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).
- 9.2 As noted earlier, the condition and appearance of the site has deteriorated over time, and now remains in an untidy and derelict state. In its undeveloped state, the site reflects negatively on the local environment, and offers little positive benefit to the immediate area, in a prominent corner plot location.
- 9.3 It is considered that a number of the neighbouring buildings have common material finishes, often consisting of red brick or millstone grit and slate, with contrasting embellishments. To the north of the site, immediately opposite on the other side of Grosvenor Street, is a modern apartment development measuring five to seven storeys in height, Summers Quay. This building consists of facing brick with contrasting brick at lower levels, and grey cladding at higher levels of the building.
- 9.4 The proposed development would complement the siting of Summers Quay, providing a high quality gateway to Grosvenor Street from Trinity Street. At a maximum five storeys in height, the building would measure the same as Summer's Quay at the immediate entrance to Grosvenor Street, with a curved appearance in this location, in order to soften the edge of the building, although the building at its eastern most part would be set at four storeys in height, reducing the prominence of the structure, and adding interest.
- 9.5 The fenestration to the building, in the same manner as Summers Quay, would provide a strong vertical and horizontal alignment. The scale and proportions of the building would reflect the industrial heritage of the town, and would provide some context to the proportions and vertical emphasis of the mill buildings within the local area.
- 9.6 The material palette would consist of a primarily red brick finish, complementing the brickwork to the Grosvenor Street edge of the adjacent Summers Quay development. Soldier brick courses and plinth style details are present at each storey of the building. A secondary grey brick finish would reduce the massing of the structure, and would complement the grey clad finish to the upper floors of the adjacent Summers Quay development. The mix of materials would reference the colouring of local stone as mentioned earlier, and the grey brick at upper levels would serve to break down the overall massing of the building to reflect local slate and darker industrial tones.
- 9.7 To the northern elevation of the building, facing Grosvenor Street, the building would provide glazed openings and the main building entrance at street level, creating an active frontage. This would create a welcoming gateway to the retail quarter further westward along Grosvenor Street, ensuring an overlooked area and lighting levels emanating from the

building during hours of darkness, assisting with a good sense of safety and security to this area. The contrasting grey brick upper floors of the building would be visible due to height in an eastward direction along Grosvenor Street, and it is considered that the material choice at that level would complement the grey coloured roof line of the two storey buildings adjacent, reducing its prominence.

- 9.8 Each floor of the building would also include fenestration onto Kenworthy Street, situated to the rear of the site. This is particularly welcomed, considering the majority of the retail units fronting Grosvenor Street back onto Kenworthy Street, creating a primarily servicing strip along this highway. Although the building would include servicing access to the rear, it would include a ground floor window, and multiple windows at first floor level upwards, creating overlooking of this street and a further sense of security to the area.
- 9.9 In light of the above, the design and scale of the building is appropriate in this location, compliant with policies contained within the UDP and the NPPF.

10. IMPACT UPON HERITAGE ASSETS

- 10.1 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 10.2 Policy C2 of the UDP states that the character and appearance of the Borough's Conservation Areas will be preserved or enhanced through the control of development, the promotion of improvement measures, or both.
- 10.3 Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 10.4 Paragraph 200 states that any harm to, or total loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 10.5 Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 10.6 The site lies within the Stalybridge Town Centre Conservation Area.
- 10.7 The Stalybridge Conservation Area Appraisal and Management Proposals Document provides an up to date assessment of the conservation area by analysing its built form, historical context and natural setting to define the special interest of the area. It also identifies key positive and negative impacts, erosion of character and potential threats and considers the appropriateness of the conservation area boundary. The document makes recommendations for future policy and action by the Council to preserve and/or enhance the area's special character.
- 10.8 No demolition is proposed as part of this application. However, the appearance of this underused site is having a negative impact upon the character of the Conservation Area. The redevelopment proposed would enhance the character and appearance of the conservation area, particularly enhancing the gateway location to the Grosvenor Street retail quarter, with a building consisting of modern architecture and high quality materials, subject to a planning

condition requesting further details of such. The proposed development would provide an active frontage to Grosvenor Street, enhancing the environment of those who utilise this highway and walking route.

- 10.9 Furthermore, it is considered that the proposed development would enhance the environment on Kenworthy Street to the rear, which is primarily utilised at the back of neighbouring Grosvenor Street properties for servicing access. The development as a whole would enhance the Conservation Area and its sense of security.
- 10.10 Due to the positioning of the site, and the screening afforded from the Summers Quay development, which has a height above this development, the views across to Armentieres Square and the canal would be largely unaffected. The Square, being an important open civic space, is already affected by contemporary design of modern developments (such as Summers Quay) which surround it, and the proposed development being of a similarly contemporary design would complement this redevelopment.
- 10.11 In light of the above, the proposed development would enhance an underused site in the conservation area, and would complement existing contemporary developments within close proximity, improving the environment for users of this area of the conservation area. The development is therefore not considered to be causing any harm to the designated heritage asset.
- 10.12 The Council has paid special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area, according with the requirements of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act, as well as the UDP and NPPF.

11. RESIDENTIAL AMENITY

- 11.1 It is important that the proposed development protects the amenity of surrounding residential uses.
- 11.2 The main neighbouring developments affected by the proposal would be Summers Quay residential apartments to the north, and Grosvenor Gardens to the south.
- 11.3 Summers Quay is a five to seven storey building to the opposite side of Grosvenor Street, and at its closest point to the site in question measures five storeys in height. Regarding the future relationship between the proposed development and Summers Quay, both buildings include windows fronting Grosvenor Street which serve habitable rooms.
- 11.4 Policy RD5 of the Tameside Residential Design Supplementary Planning Document (SPD) states that a distance of at least 21.0m should be maintained between habitable room windows, on a relationship between one to two storey or two to two storey rooms. This policy applies to conventional layouts and between new and existing developments. Acknowledging that the building would measure more than two storeys in height, this policy also stipulates that an additional 3.0m should be incorporated for every additional storey, to a maximum of 36.0m.
- 11.5 The proposed building would be sited approximately 13.2m from Summers Quay to the north, at its closest point. Whilst the proposed building would include habitable room windows within this elevation serving bedrooms, kitchens and living areas as their main outlook, the windows situated to the southern-most point of Summers Quay are smaller secondary windows, serving primarily kitchen and living areas. Residents within those units affected benefit from larger habitable room windows serving the same rooms internally, to the east and west of the building. Therefore, although the separation distances outlined above would not be met, it is considered that the residents of Summers Quay would not be unduly affected by the

proposed development, given they benefit from larger outlooks to alternative elevations of the building which would remain unaffected. In terms of privacy, the secondary windows could, in theory, be screened by affected residents of Summers Quay, without reducing their main outlooks to those other areas. The significant distances (over 42.0m) between the main outlooks of apartments within Summers Quay facing southward into their shared courtyard area, and the proposed development, would not significantly affect privacy or amenity of this development.

- 11.6 It is accepted that the proposed development would overlook the parking and outdoor amenity space serving Summers Quay, within the courtyard area, however, although gated, this area is visible from the street scene. Furthermore, it is already overlooked by a number of the different residents within the development itself.
- 11.7 The separation distance, at 13.2m, as outlined above does not meet the above separation distances. In terms of the amenity of future occupiers, this area of the town centre is characterised by closely spaced development, as viewed along Grosvenor Street to the west. Notwithstanding, given the windows within the southern elevation of Summers Quay are smaller secondary windows serving habitable rooms, it is considered that the amenity of future occupiers would not be unduly affected.
- 11.8 Further, in the majority of cases, the living accommodation within the proposed development would be provided with alternative outlooks which would not directly face the southern elevation of Summers Quay. For example, the two bed apartment ('Apt Type 3') situated within the eastern-most portion of the building would be served by two windows to the kitchen/living space – one to the north and one to the east. Similarly, the central two bed apartment ('Apt Type 2') would include a kitchen/living space directly facing the southern elevation, but a bedroom which would have an oblique relationship facing towards the courtyard area. This relationship overall is thereby considered to be acceptable.
- 11.9 Each of the proposed apartments are provided with internal space which at least meet the Nationally Described Space Standards, therefore providing for a sufficient level of amenity for future occupiers.
- 11.10 To the south of the development, a residential apartment block, Grosvenor Gardens is situated beyond Kenworthy Street. Although habitable room windows are proposed to the south of the proposed development, the orientation of the two properties would result in no direct overlooking or direct facing between the two. The building would be situated between 7.7m and 9.3m from the boundary wall to the garden area serving Grosvenor Gardens. Although this relationship is considered to be relatively close, the boundary serving Grosvenor Gardens includes landscaping, reducing the prominence of the height of the proposed building within this area and also reducing the level of overlooking. Further, it is considered that some level of overlooking would already occur from the rear facing windows within the first floors of properties to the south of Grosvenor Street, albeit at an increased distance to the proposed. On balance, considering the screening which exists within this area, it is not considered that the relatively close relationship would be detrimental to the amenity of those utilising the garden area.
- 11.11 The submitted Solar Shading Study demonstrates that, by nature of the position of the development, Grosvenor Gardens to the rear would not be overshadowed by the proposed development. A minimal impact on overshadowing for existing residential properties at Summers Quay to the north is demonstrated, however as mentioned earlier those units to the south benefit from alternative outlook within the east and west of that building, thereby reducing any impact.
- 11.12 The applicant has submitted a Noise Impact Assessment in order to assess the amenity of future occupiers with regards to noise and disturbance from surrounding uses. This is particularly relevant within this busy town centre location, with some evening opening uses

within the vicinity, including the Tesco filling station to the east, and public houses to the west, for example. The Noise Impact Assessment makes recommendations, including installation of specific glazing and acoustic ventilation options to be installed, in order to reduce internal noise within the apartments to acceptable levels. The Council's Environmental Health Officers have reviewed this document, and recommend a condition to ensure the mitigation measures are installed. Such a condition is thereby recommended. They also recommend that any construction works be undertaken during daytime hours, and a condition stipulating this is also recommended.

- 11.13 In light of the above, the amenity of both future and existing occupiers is considered to be acceptable.
- 11.14 In light of the above, the development is acceptable in this regard, ensuring a reasonable level of amenity for future occupiers, and not causing undue noise and disturbance to residential uses.

12. HIGHWAY SAFETY & ACCESSIBILITY

- 12.1 The proposed development would generate only a small amount of vehicle movements that are considered to be minimal. In light of this, the proposed development would not create a severe cumulative impact upon the highway network.
- 12.2 The development proposes no dedicated car parking provision. The LHA initially raised concerns, noting that this falls below the recommendation to provide parking for such uses. However, the applicant presented additional information, noting that the site is located within a town centre location, and typically the proposed use does not attract the same levels of car ownership as a residential use. Furthermore, the applicant indicated that a maximum of two staff would ordinarily be based on-site at any one time, dependent on shift patterns and some crossover. In this instance, it is considered appropriate that no parking is provided. The town centre includes a variety of shops and services, accessible to both future residents and the staff to be based at the development. Notwithstanding, it is considered that any residents with cars, in addition to visitors and staff, would be required to utilise off-street parking elsewhere within the town centre, or on-street parking close to the development, much of which is subject to restrictions on stay. As a result, it is considered appropriate to reduce reliance upon the private car, and incentivise future users of the development to travel utilising public transport, or via walking and cycling. The LHA thereby recommended that a Green Travel Plan be submitted, in order to raise awareness of opportunities for reducing travel by car and including a range of measures and initiatives promoting a choice of transport mode. The plan should also include a clear monitoring regime with agreed targets. Such a condition is therefore recommended.
- 12.3 The submitted plans demonstrate that a room would be provided at ground floor for storage of cycles. The LHA considers that 12no. spaces should be provided for use by cycles. These are important matters to promoting sustainable travel and can be addressed by way of a condition.
- 12.4 Further to the internal cycle storage provision to be created, the LHA have recommended that facilities for cyclists be improved close to the site, in order to encourage sustainable transport links. Within the vicinity of the site lies Mottram Road, and which is subject to a long term plan to upgrade infrastructure for cyclists, to improve links to and from Stalybridge town centre. The LHA requested a commuted sum of £15,000 in order to contribute to such works, which the applicant has agreed to. These measures would encourage future users of the site to access the site sustainably, rather than the development becoming reliant upon the private car.

- 12.5 It is reasonable to impose a condition requiring the submission and approval of a demolition and construction management plan relating to the construction phase of the development.
- 12.6 In concluding highways matters, the proposed development would not result in an adverse impact on highway safety in terms of trip generation, and a Green Travel Plan would encourage use of sustainable transport methods for future users of the development, with improvements for cyclists made within the vicinity, subject to the recommended conditions and commuted sum. The proposals would not result in a detrimental impact on highway safety.

13. DRAINAGE AND FLOOD RISK

- 13.1 The site is situated within Flood Zone 1.
- 13.2 The applicant has submitted a Drainage Strategy alongside the planning application. United Utilities have reviewed the supporting information and consider it to be acceptable, recommending that the development be undertaken in accordance with the same. A relevant condition is therefore recommended requiring the drainage scheme to be implemented as proposed. United Utilities also note that water mains and public sewers are situated in the vicinity of the site, and state that they would not permit building over or in close proximity to such, and it is the responsibility of the developer to demonstrate the relationship between this and the development, prior to works commencing. An informative is therefore recommended which advises the applicant to contact United Utilities in advance of any works taking place.
- 13.3 The Lead Local Flood Authority (LLFA) have reviewed the submitted information, and initially requested that further detail be provided, including additional attenuation measures for the proposed development. The LLFA have reviewed this information, and raise no objections providing a full drainage scheme is agreed and implemented. Therefore, a condition requiring a full sustainable drainage scheme to be submitted is recommended,
- 13.4 Subject to imposition of conditions as set out above, it is considered that the proposals have demonstrated they can be implemented without undue flood risks, and to ensure that an appropriate amount of attenuation can be achieved to account for climate change.

14. GROUND CONDITIONS

- 14.1 The site falls outside of the Coal Authority's defined Development High Risk Area. As such, a Coal Mining Risk Assessment is not required.
- 14.2 The Environmental Protection Unit (EPU) have reviewed the submitted phase 1 contamination report. The report noted that, based on the history of the site, contamination on the site could be associated with made ground from the possible demolition of historical residential dwellings built pre-1852. This could include heavy metals, Polycyclic Aromatic Hydrocarbons, sulphates, Asbestos Containing Materials and ground gas. In addition, there may also be localised spillages of fuel and/or volatile contamination from the adjacent petrol station. The EPU raise no objections to the application, and recommend that a condition is attached to any approval which would require a full site investigation strategy to be undertaken, followed by an options appraisal/remediation strategy and a verification plan, in order to address any unacceptable risks posed by contamination. The condition would ensure any recommended remedial works and measures be implemented prior to first use.
- 14.3 The conditions recommended by the EPU are considered reasonable and necessary to ensure that future users of the proposed development would not be exposed to potential risks

caused by contamination at the site, and subject to its imposition the application is thereby considered acceptable in this regard.

15. ECOLOGY

- 15.1 Greater Manchester Ecology Unit (GMEU) have reviewed the application. They note that although the site has a low ecological value at present, there would nonetheless be a loss of ecological value at the site as a result of the proposed development. As a result, they consider that off-site compensation should be provided.
- 15.2 A Biodiversity Metric has been provided in support of the application, in order to categorise the loss in question. This has calculated a loss of 0.09 biodiversity units. As the loss is very small scale, it is recommended that a financial contribution be provided as an alternative to on-site provision, in order that habitat creation and enhancement works could be carried out within the local area, on an alternative site, in order to offset the loss of biodiversity at this site. It is proposed that a financial contribution of £1,350 be provided, which has been agreed with the applicant, and this would fund tree and scrub planting in order to offset the current provision at this site.
- 15.3 The submitted ecology information confirms that the wall of the adjacent building has a negligible bat roosting potential. A tree on the site has also been assessed as having a low potential, however GMEU consider that this is unreasonable, and unlikely to be utilised by roosting bats. GMEU therefore considered that the risk to bats as a result of the development is low, and do not require further information or precautions. They do however advise that the risk to nesting birds is low, and recommend an informative advising the applicant of their responsibility should nesting birds be affected by the development.
- 15.4 The application is thereby considered acceptable in these regards.

16. DEVELOPER CONTRIBUTIONS

- 16.1 In relation to developer contributions, any requirements in this regard must satisfy the following tests (as stated in paragraph 57 of the NPPF):
- a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development.
- 16.2 As noted earlier, the proposed development would lead to a loss of ecological value at the site. Noting that the loss would be small in scale, it would not be appropriate or practical to replace the loss with enhancements on site, and therefore an off-site contribution of £1,350 is sought.
- 16.3 The applicant will be required to make a contribution to the provision of cycle infrastructure upgrades within the local area, in accordance with Policy T13 of the adopted UDP. A contribution of £15,000 is to be secured towards improvements to cycle infrastructure.
- 16.4 The developer contribution calculation takes into account the level of biodiversity loss on-site, and the level of works necessary to offset this loss elsewhere. Similarly, the upgrades to the cycle facilities would improve access to the proposed development, and would encourage sustainable transport links, reducing reliance upon the private car.
- 16.5 The development proposed is for a C2 (residential institution) use rather than a C3 (residential) use, and therefore there is no requirement in policy terms for provision of affordable housing, green space or education contributions. Should residential development

be proposed at the site in future, a planning application would be required to change the use of the proposed building.

- 16.6 The biodiversity and cycle contributions would meet the CIL regulations in that they are necessary to make the development acceptable in planning terms (given the loss of biodiversity provision on site; and the limited cycle facilities available at present), directly related to the development (as the loss of biodiversity is occurring on the site; and as the close proximity ensures that future users are likely to use these facilities: and proportionate in that the sums are based on the size of the development.

17. OTHER MATTERS

- 17.1 The application has been accompanied with a Crime Impact Statement. This has been reviewed by the Greater Manchester Police Designing Out Crime Officer, who has concluded that the contents of the statement are sufficient. The Designing Out Crime Officer recommends that physical security measures are implemented, in order to achieve good levels of security and reduce the fear of crime for future users of the development and for members of the public. The applicant is advised of this via an informative.
- 17.2 The application has been accompanied by a Waste Management Strategy, which has been reviewed by the Council's Environmental Health and Waste Management officers. They note that, as a commercial premises falling under Use Class C2, the development would unlikely be served by the Council's waste management services and vehicles. A private waste contractor would therefore be employed by the applicant to establish future waste provision and collection. Assuming a private waste contractor is employed as would be required, it is considered that the proposed development would be adequately served for the purposes of waste collection, according with the requirements of the National Planning Policy for Waste (NPPW).

18. CONCLUSION

- 18.1 The application proposes the erection of a five storey building which would be utilised for commercial purposes, operating as a facility where care is provided to residents. The site is previously developed, brownfield land, and is not allocated for other purposes.
- 18.2 The site is situated within a busy town centre, close to shops and services. The town centre benefits from public transport links including bus and rail, and provides sustainable connections to surrounding areas, reducing reliance upon the private car. Encouraging town centre living accords with the strategy outlined both locally within the UDP and nationally within the UDP, with a diversity of uses within these areas.
- 18.3 The design and scale of the development is considered to be acceptable, located opposite a modern apartment building, Summers Quay. The development would be designed in a similar manner, and it is considered that the development would be appropriate visually, enhancing this area of the town centre.
- 18.4 Following an assessment of the relationship between the development and surrounding heritage assets, namely the Stalybridge Town Centre Conservation Area, it is considered that no harm would be caused to the character of such as a result of the development. The proposals would improve the site, and would complement other modern developments within this area of the town centre.
- 18.5 The proposal is considered not to be detrimental to residential amenity, with the relationship between the building and those surrounding to be considered acceptable. In particular, the

relationship between the building and Summers Quay situated to the north of the site has been assessed in detail and is considered appropriate.

- 18.6 The development would not cause undue impacts to highway safety, and would be considered acceptable subject to the imposition of conditions.
- 18.7 There are no objections to the proposals from the statutory consultees in relation to the proposals which is considered to be an efficient use of an existing site.
- 18.8 The proposal therefore complies with relevant development plan policies as well as those contained within the NPPF and is considered acceptable when taking into account other material planning considerations.

RECOMMENDATION

Grant planning permission subject to a unilateral undertaking under s106 of the Town and Country Planning Act 1990 and 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.

- Location plan. Dwg no. 12188-AEW-XX-XX-DR-A-0500, rev. PO1;
- Proposed elevations. Dwg no. 12188-AEW-XX-XX-DR-A-0510, rev. PO1;
- Proposed ground floor plan. Dwg no. 12188-AEW-XX-XX-DR-A-0504, rev. PO1;
- Proposed first floor plan. Dwg no. 12188-AEW-XX-ZZ-DR-A-0505, rev. PO1;
- Proposed second floor plan. Dwg no. 12188-AEW-XX-ZZ-DR-A-0506, rev. PO1;
- Proposed third floor plan. Dwg no. 12188-AEW-XX-ZZ-DR-A-0507, rev. PO1;
- Proposed fourth floor roof – extent of blue roof. Dwg no. 12188-AEW-XX-04-DR-A-0514, rev. PO1;
- Proposed roof plan. Dwg no. 12188-AEW-XX-XX-DR-A-0509, rev. PO1;
- Proposed site plan. Dwg no. 12188-AEW-XX-XX-DR-A-0503, rev. PO1;
- Proposed site plan – ground floor. Dwg no. 12188-AEW-XX-XX-DR-A-0502, rev. PO1.

Reason: In the interests of the visual amenities of the locality and in accordance with polices of the adopted TMBC UDP.

- 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 building; 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 polices OL10: Landscape Quality and Character and C1: Townscape and Urban Form.

- 4) No development, other than site clearance, demolition 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 (LPA). The scheme shall be implemented and verified as approved and shall include all of the following components unless the LPA dispenses with any such requirement specifically in writing:

1. A site investigation strategy, based on the submitted E3P Phase 1 Geoenvironmental Site Assessment (ref: 15-417-R1-1), 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 LPA prior to any investigation works commencing at the site.

2. The findings of the site investigation and detailed risk assessment referred to in point (1) including all relevant soil / water analysis and ground gas / groundwater monitoring data.

3. Based on the site investigation and detailed risk assessment referred to in point (2) 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.

4. 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 (3) 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 184 of the National Planning Policy Framework.

- 5) Prior to first occupation of the development hereby approved, a verification / completion report demonstrating all remedial works and measures required to address all unacceptable risks posed by contamination and ground gas have been fully implemented in accordance with the approved remediation strategy shall be submitted to, and approved in writing by the Local Planning Authority (LPA). If during development, contamination not previously identified is encountered, then no further development (unless otherwise agreed with the LPA), shall be undertaken 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 LPA. The remediation strategy shall be fully implemented and verified as approved.

The discharge of this planning condition will be given in writing by the LPA 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 LPA and occupation of the development shall not commence until this time unless otherwise agreed in writing by the LPA.

Reason: To ensure any unacceptable risks posed by contamination are appropriately addressed and the site is suitable for its proposed use in accordance with paragraph 184 of the National Planning Policy Framework.

- 6) With exception of site clearance and demolition, and notwithstanding the submitted plans / information, no further development shall commence until a detailed surface water drainage scheme and associated strategy has been submitted to and approved in writing by the Local Planning Authority. The scheme to be submitted shall include:

- Investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof), to include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- A restricted rate of discharge of surface water, if infiltration is discounted by the investigations;
- Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- Be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards;
- Incorporate mitigation measures to manage the risk of sewer surcharge where applicable;
- Demonstrate that foul and surface water shall drain on separate systems;
- Shall include details of ongoing maintenance and management. The development shall be completed and maintained in full accordance with the approved details.

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 Policy U3 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

- 7) Prior to the first occupation of the development hereby approved, the principles outlined in the submitted Foul and Surface Water Drainage Design (dwg ref: 4/8284-100, rev. 1, dated 17.12.2021, prepared by Clancy) shall be implemented in full.

For the avoidance of doubt, surface water shall drain at the restricted rate of 5l/s.

The measures shall be retained as such thereafter.

Reason: To ensure proper drainage of the area, in accordance with Policy U3 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

- 8) No development shall commence until a Demolition and Construction Environment Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of:-
- Wheel wash facilities for construction vehicles;
 - Arrangements for temporary construction access;
 - Contractor and construction worker car parking;
 - Turning facilities during the remediation and construction phases;
 - Details of on-site storage facilities;
 - Details of mitigation measures to ensure free flow of traffic on the surrounding streets during the construction phase.

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

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

- 9) Prior to the first occupation of the development hereby approved, details of secured cycle storage to be installed to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include scaled

plans showing the location of storage and details of the means of enclosure. The secured cycle storage shall be installed in accordance with the approved details prior to the first occupation of the development and shall be retained as such thereafter.

Reason: In the interest of highway safety in accordance with Policy T1 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

- 10) Prior to the first occupation of the development hereby approved, the noise mitigation measures outlined in the submitted Noise Impact Assessment (undertaken by Hann Tucker Associates, ref: 29377/NIA1) shall be implemented in full, with evidence of such implementation submitted to and approved in writing by the Local Planning Authority. The measures shall be retained as such thereafter.

Reason: In the interest of residential amenity in accordance with Policy H10 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

- 11) Prior to the first occupation of the development hereby approved, a Green Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be designed to raise awareness of opportunities for reducing travel by car, and shall feature a range of measures and initiatives promoting a choice of transport mode, and a clear monitoring regime with set targets. The Green Travel Plan shall thereafter be implemented as per a timetable agreed within the approved details.

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

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

Reason: In the interest of residential amenity in accordance with Policy H10 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

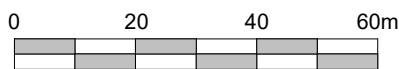
- 13) All windows shall be constructed with a minimum 65mm deep external reveals (or recesses).

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

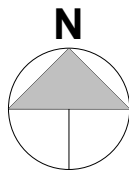
- 14) Prior to the first occupation of the development hereby approved, a scheme for any television / radio aerial / satellite dish or other form of antenna shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed with such approved 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.

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Scale @ 1:1250



NOTES

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12188-AEW-XX-XX-M3-A-001-Main Model [P0.1] [S0]

CDM 2015

Client notified of duties:

Principal Designer:

Unless noted below, all known hazards have been highlighted on the drawing:

P01	21.12.21	DS	BR
Issued For Planning			

REV	Date	Drawn by: -	Checked by: -
S2			

Status	Purpose of Issue
S2	Planning

drawing stage **Developed Design**

client
Evans UK

project
Stalybridge - Grosvenor Street

drawing title
Location Plan

date	10.12.21	drawn	DS
scale @ A4	1 : 1250	checked	BR

Rev P01
 12188-AEW-XX-XX-DR-A-0500

Dwg No
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 0161 214 4370
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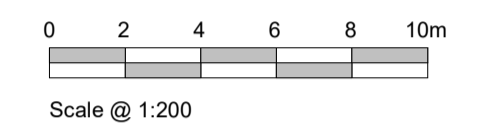
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CDM 2015

Client notified of duties:
Principal Designer:
Unless noted below, all known hazards have been highlighted on the drawing:



Street Scene E
Scale @ 1 : 200



Street Scene N
Scale @ 1 : 200



Street Scene S
Scale @ 1 : 200

P01	21.12.21	DS	BR
Issued For Planning			
REV	Date	Drawn by -	Checked by -
Status	Purpose of Issue		
S2	Planning		
drawing stage Developed Design			
client			
Evans UK			
project			
Stalybridge - Grosvenor Street			
drawing title			
Proposed Street Elevations			
date	17.12.21	drawn	JFS
scale @ A1	1 : 200	checked	DS

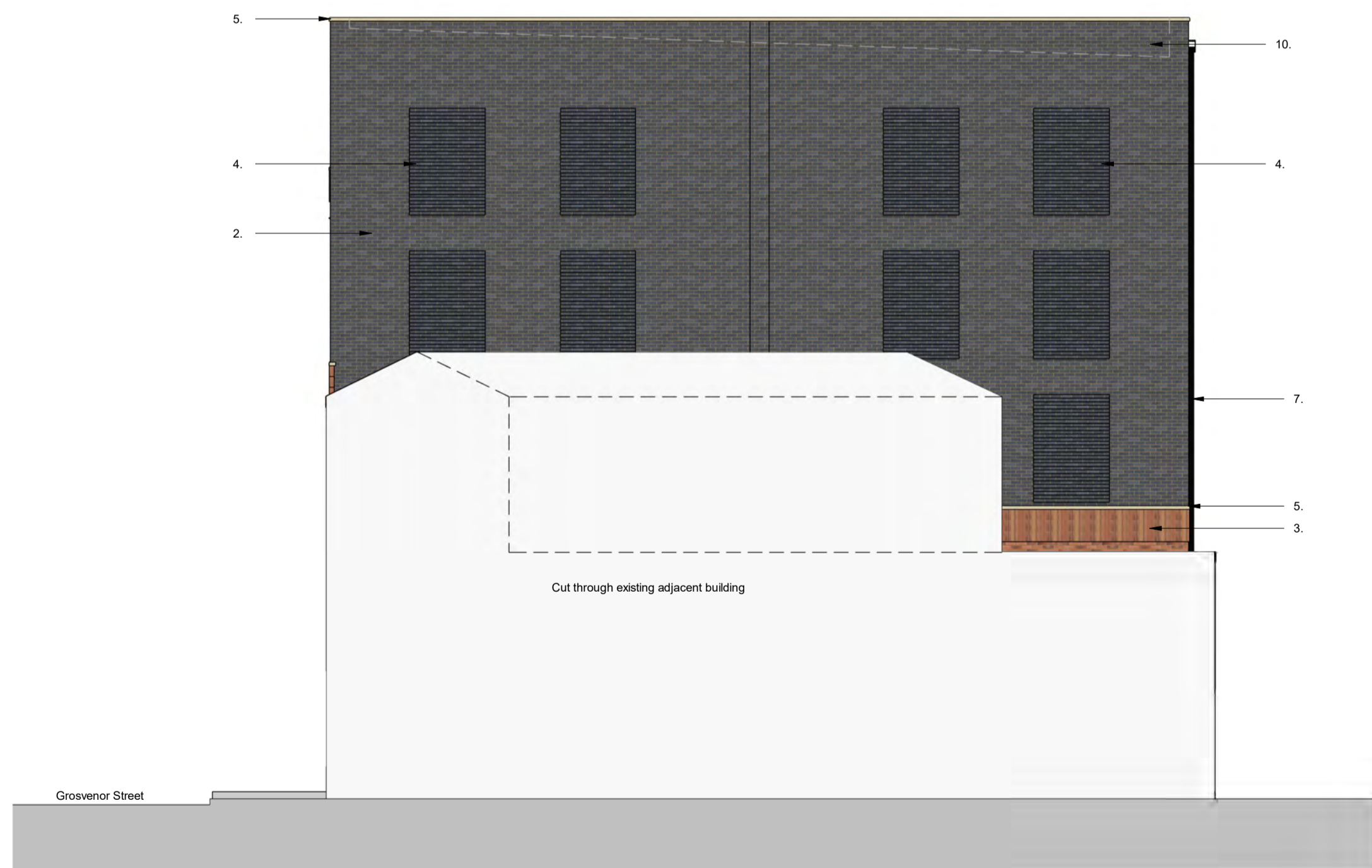
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East
Scale @ 1 : 100



North
Scale @ 1 : 100



West
Scale @ 1 : 100



South
Scale @ 1 : 100

NOTES

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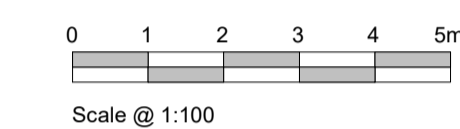
This drawing contains the following model files:-
12188-AEW-XX-XX-M3-A-001-Main Model [P0.1] [S0]

CDM 2015

Client notified of duties:

Principal Designer:

Unless noted below, all known hazards have been highlighted on the drawing:



Materials Key

- Red Facing Brick
- Alternative facing brick - dark
- Red Soldier course brick detailing band
- Corduroy feature brick detailing - Red/alternative
- Art stone band/Parapet capping
- Upvc windows - Black
- Black Upvc Rainwater pipe & Hoppers
- Aluminium Framed entrance door - Black
- Aluminium/composite door - Black (Cycle/Bin Store & Roof Access)
- Parapet to roof
- Indicative building signage position - Wording, materials, size to be agreed

P01 21.12.21 DS BR
Issued For Planning

REV Date Drawn by - Checked by -

Status Purpose of Issue
S2 Planning

drawing stage **Developed Design**

client

Evans UK

project

Stalybridge - Grosvenor Street

drawing title

Proposed Elevations

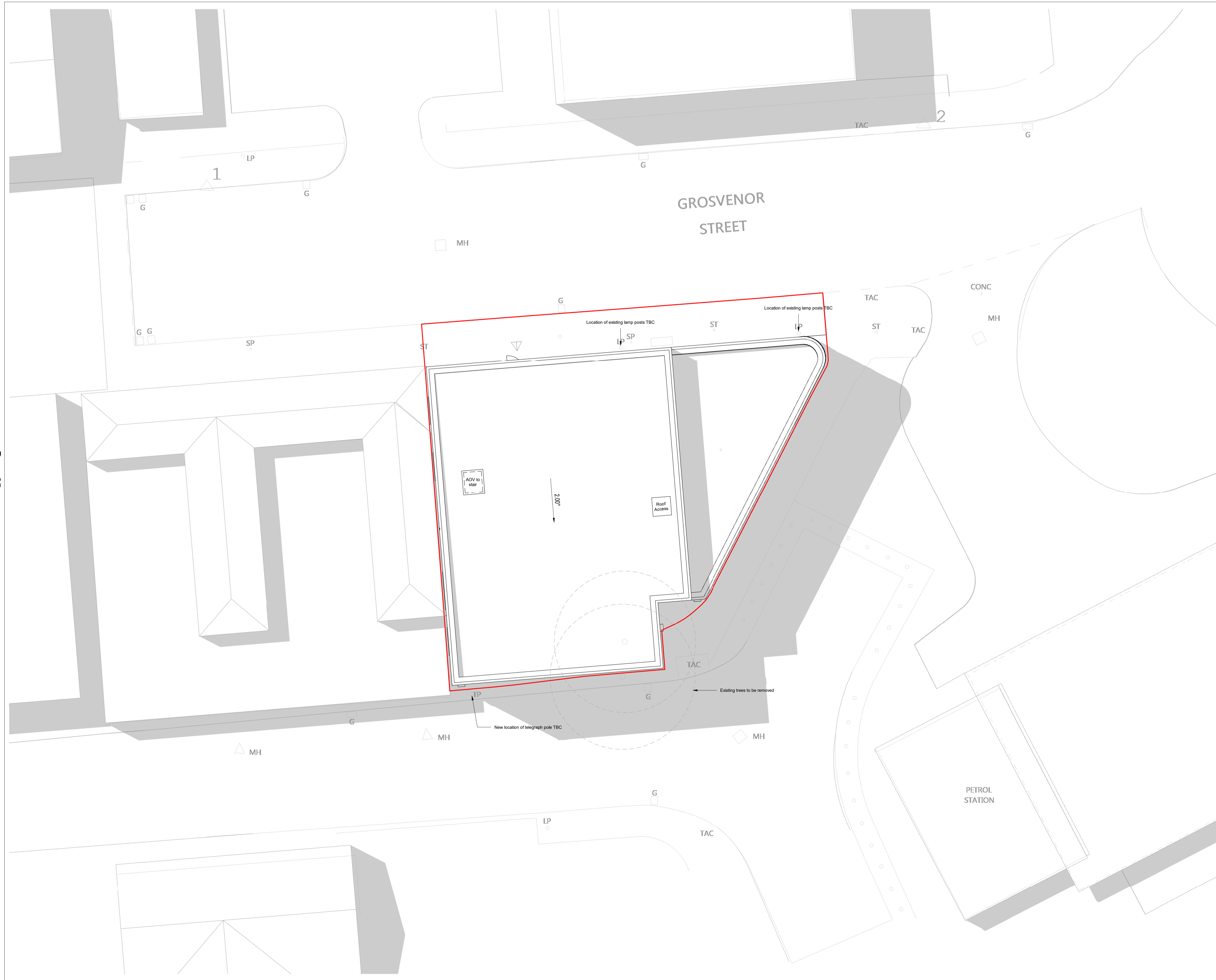
date 21.12.21 drawn DS
scale @ A1 1 : 100 checked BR

Rev No **P01**

12188-AEW-XX-XX-DR-A-0510

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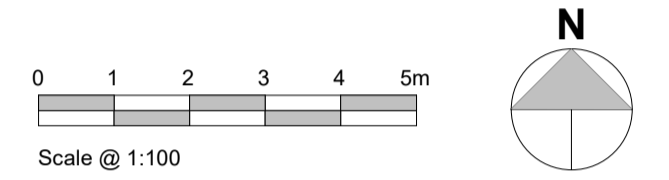


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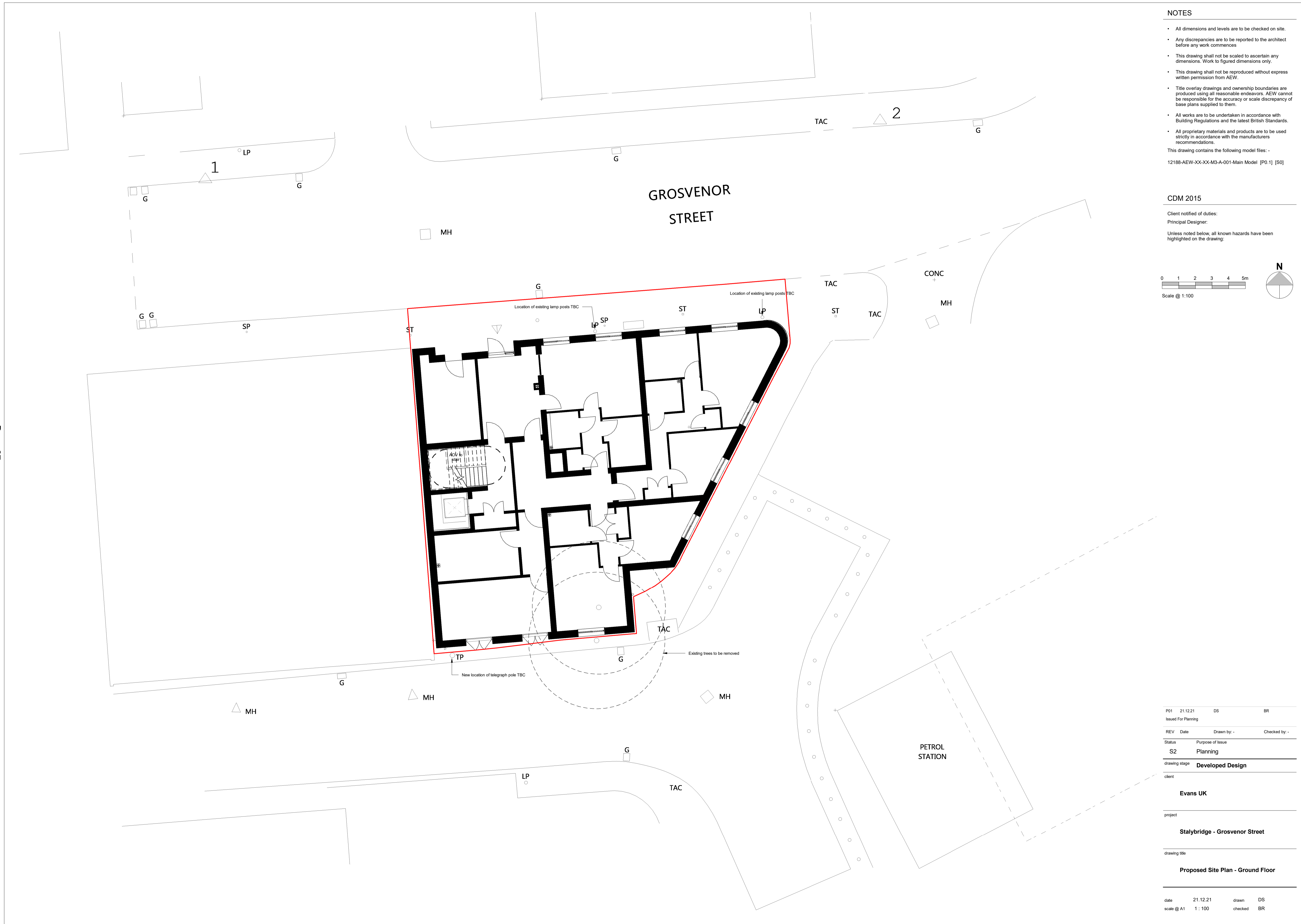
CDM 2015

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P01	21.12.21	DS	BR
Issued For Planning			
REV	Date	Drawn by -	Checked by -
Status	Purpose of Issue		
S2	Planning		
drawing stage	Developed Design		
client	Evans UK		
project	Stalybridge - Grosvenor Street		
drawing title	Proposed Site Plan		
date	10.12.21	drawn	DS
scale @ A1	1 : 100	checked	BR

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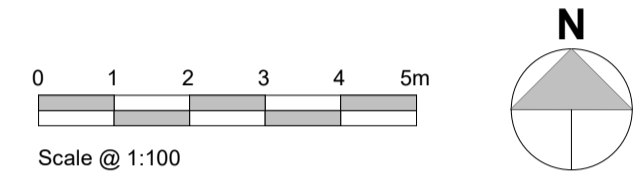


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P01	21.12.21	DS	BR
Issued For Planning			
REV	Date	Drawn by -	Checked by -
Status	Purpose of Issue		
S2	Planning		
drawing stage	Developed Design		
client	Evans UK		
project	Stalybridge - Grosvenor Street		
drawing title	Proposed Site Plan - Ground Floor		
date	21.12.21	drawn	DS
scale @ A1	1 : 100	checked	BR

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CDM 2015

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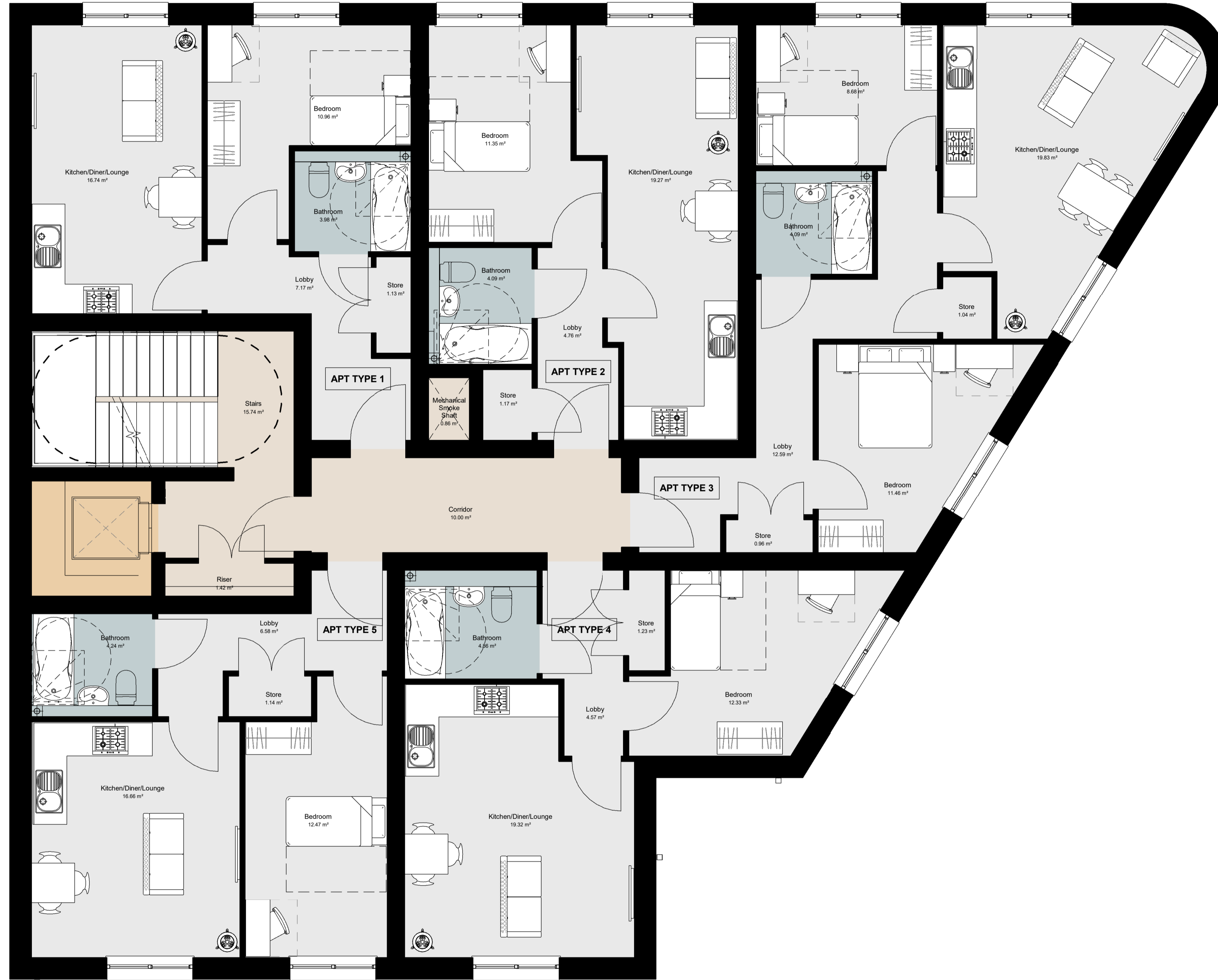
Area Schedule (GIA)	
Level	Area
00 Ground Floor	282.9 m ²
01 First Floor	285.4 m ²
02 Second Floor	285.4 m ²
03 Third Floor	285.4 m ²
04 Fourth Floor	216.8 m ²
	1355.9 m ²

Area Schedule (Rentable)		
Name	Level	Area
Apartment Type 3	00 Ground Floor	61.3 m ²
Apartment Type 4	00 Ground Floor	43.7 m ²
Office & Staff Accommodation	00 Ground Floor	42.3 m ²
Apartment Type 1	01 First Floor	41.6 m ²
Apartment Type 2	01 First Floor	42.3 m ²
Apartment Type 3	01 First Floor	61.2 m ²
Apartment Type 4	01 First Floor	43.7 m ²
Apartment Type 5	01 First Floor	42.7 m ²
Apartment Type 1	02 Second Floor	41.6 m ²
Apartment Type 2	02 Second Floor	42.3 m ²
Apartment Type 3	02 Second Floor	61.2 m ²
Apartment Type 4	02 Second Floor	43.7 m ²
Apartment Type 5	02 Second Floor	42.7 m ²
Apartment Type 1	03 Third Floor	41.6 m ²
Apartment Type 2	03 Third Floor	42.3 m ²
Apartment Type 3	03 Third Floor	61.2 m ²
Apartment Type 4	03 Third Floor	43.7 m ²
Apartment Type 5	03 Third Floor	42.7 m ²
Apartment Type 1	04 Fourth Floor	41.6 m ²
Apartment Type 2	04 Fourth Floor	42.3 m ²
Apartment Type 3	04 Fourth Floor	38.8 m ²
Apartment Type 5	04 Fourth Floor	42.7 m ²
22		1006.9 m ²

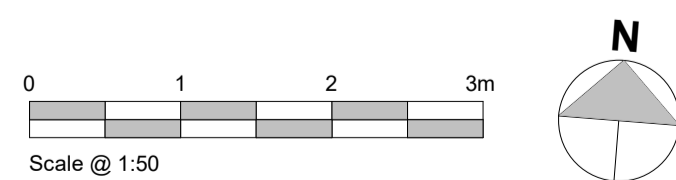
P01	21.12.21	DS	BR
Issued For Planning			
REV	Date	Drawn by -	Checked by -
Status	Purpose of Issue		
S2	Planning		
drawing stage	Developed Design		
client	Evans UK		
project	Stalybridge - Grosvenor Street		
drawing title	Proposed Ground Floor Plan		

date	09.12.21	drawn	JS
scale @ A1	1 : 50	checked	BR

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Proposed 01 First Floor
Scale @ 1 : 50



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CDM 2015

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P01	21.12.21	DS	BR
Issued For Planning			
REV	Date	Drawn by -	Checked by -
Status	Purpose of Issue		
S2	Planning		

drawing stage **Developed Design**

client

Evans UK

project

Stalybridge - Grosvenor Street

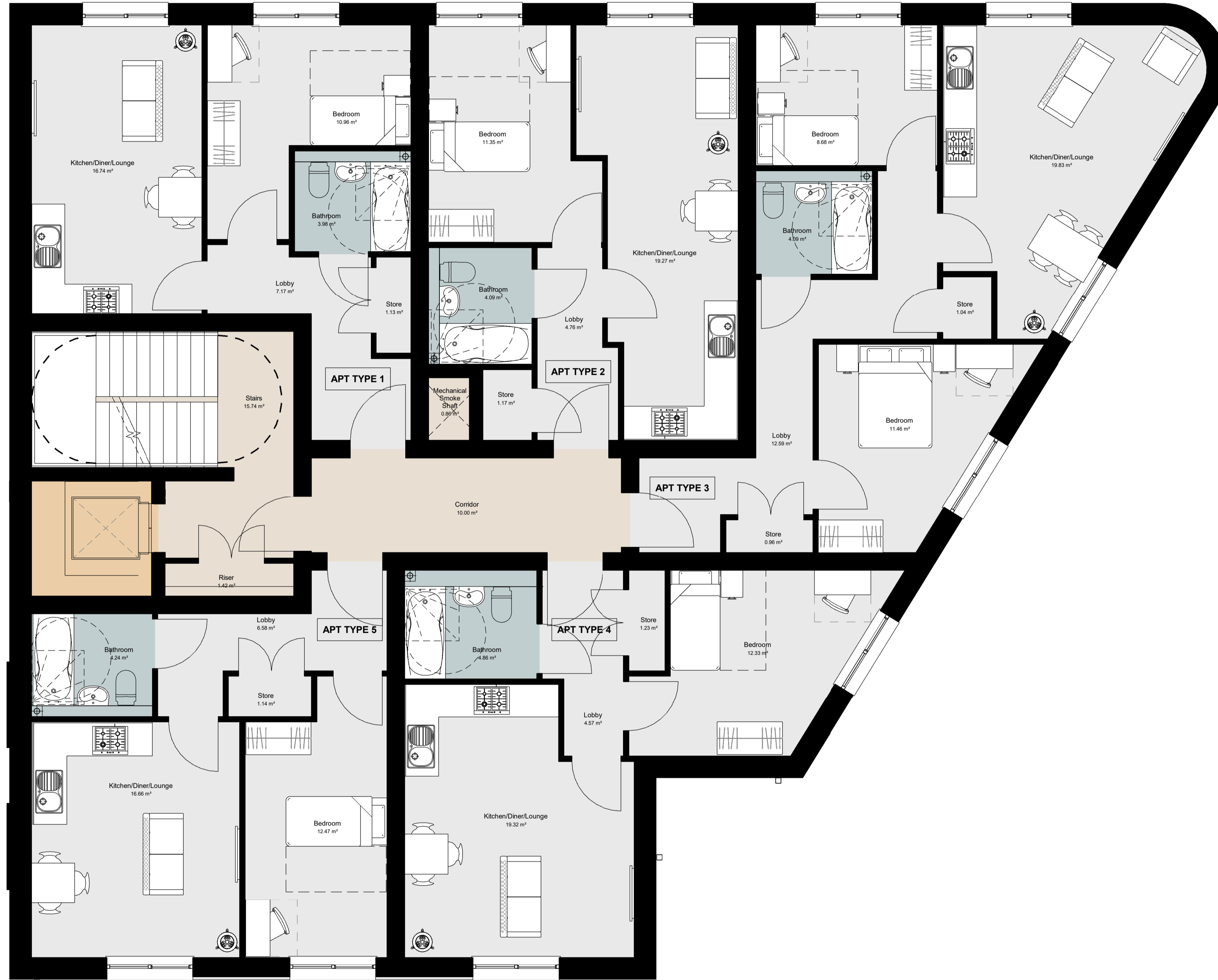
drawing title

Proposed First Floor Plan

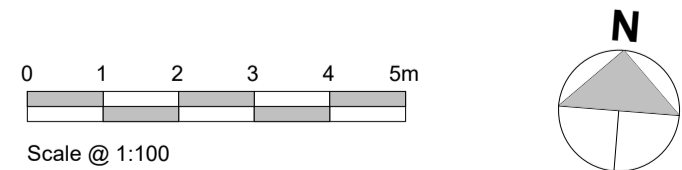
date 09.12.21 drawn JS

scale @ A1 1 : 50 checked BR

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Proposed 02 Second Floor
Scale @ 1 : 50



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CDM 2015

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Principal Designer:
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P01	21.12.21	DS	BR
Issued For Planning			
REV	Date	Drawn by -	Checked by -
S2			
Status	Purpose of Issue		
S2	Planning		

drawing stage **Developed Design**

client

Evans UK

project

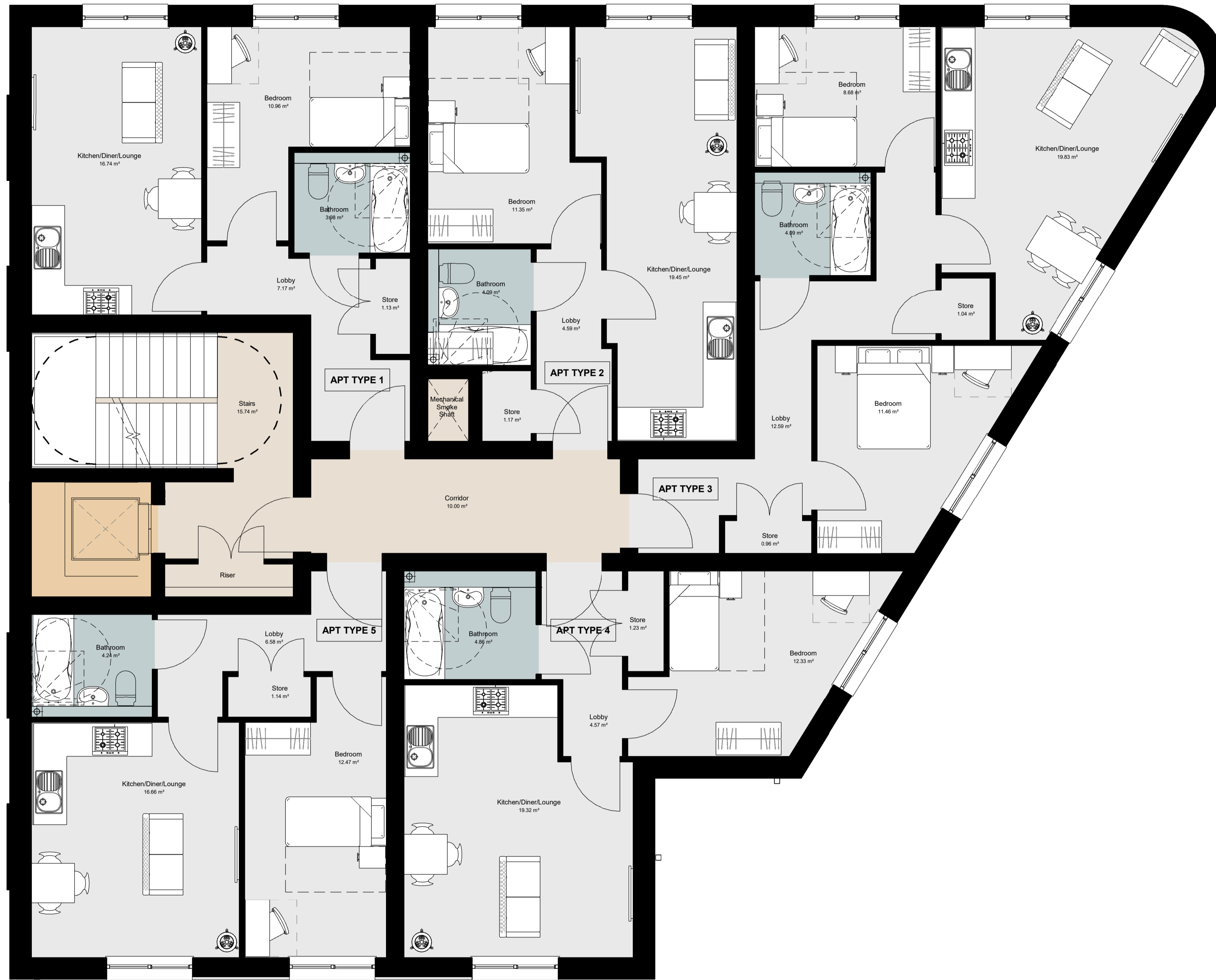
Stalybridge - Grosvenor Street

drawing title

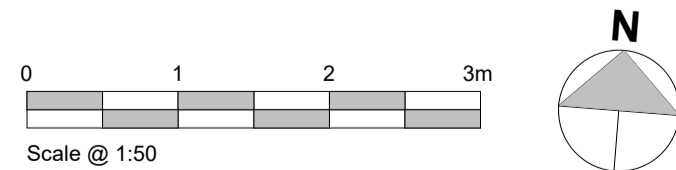
Proposed Second Floor Plan

date 16.12.20 drawn JS
scale @ A1 1 : 50 checked BR

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Proposed 03 Third Floor
Scale @ 1 : 50



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CDM 2015

Client notified of duties:
Principal Designer:
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P01	21.12.21	DS	BR
Issued For Planning			

REV	Date	Drawn by -	Checked by -
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Status	Purpose of Issue
S2	Planning

drawing stage **Developed Design**

client

Evans UK

project

Stalybridge - Grosvenor Street

drawing title

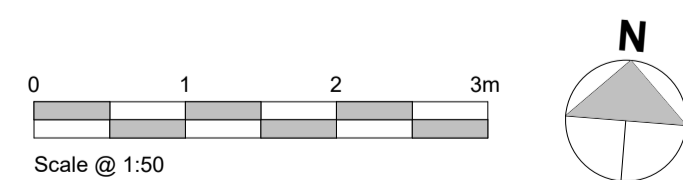
Proposed Third Floor Plan

date	16.12.20	drawn	JS
scale @ A1	1 : 50	checked	BR

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Proposed 04 Fourth Floor - Blue Roof
Scale @ 1 : 50



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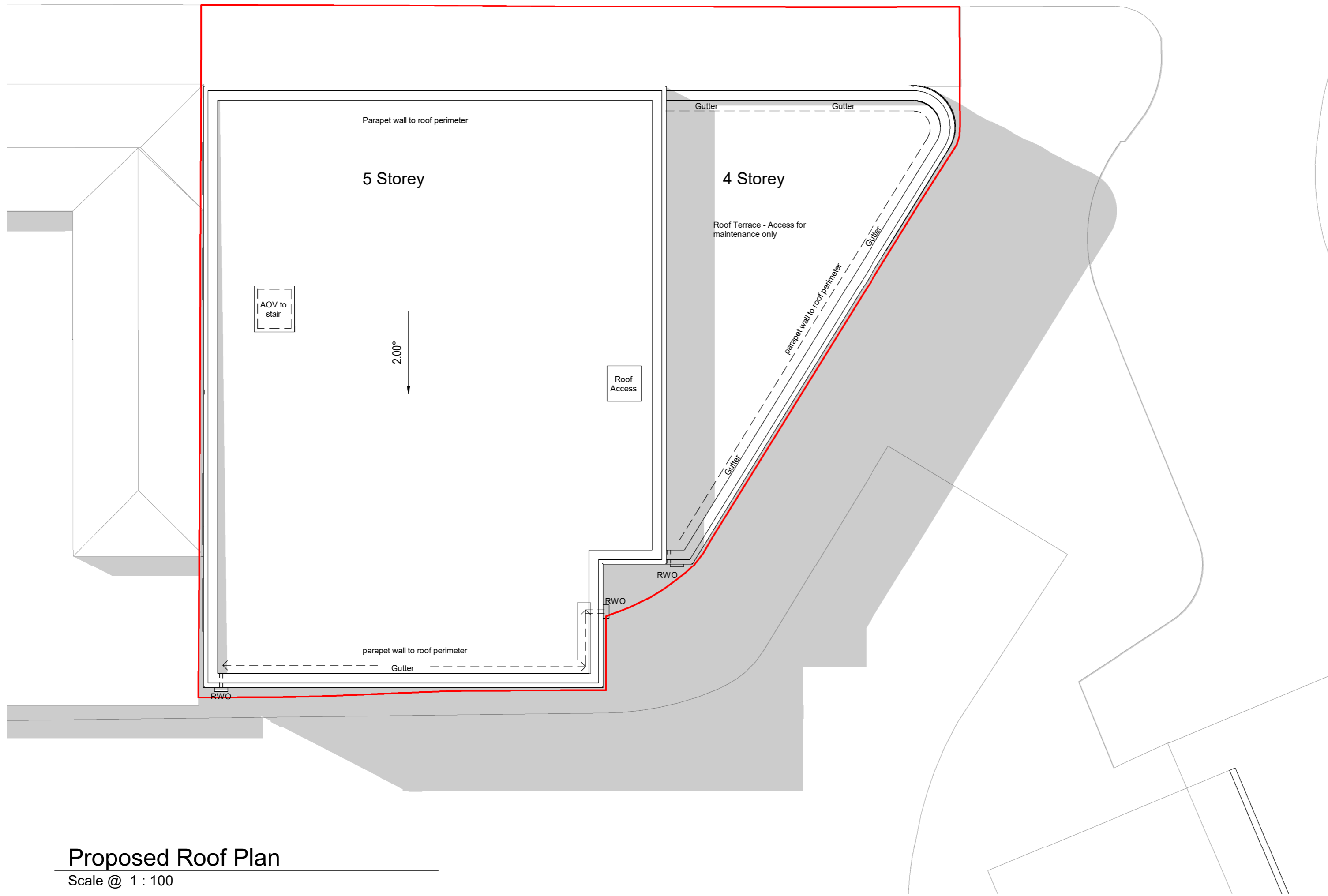
CDM 2015

Client notified of duties:
Principal Designer:
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EXTENT OF BLUE ROOF INDICATIVE ONLY AND TO BE FULLY DESIGNED. ROOF FINISHES TO PAVING OR DECKING ON PESTAL. FULL SPECIFICATION TO BE CONFIRMED WITH DESIGNED DESIGN)

P01	30.08.22	BS	DS
Issued For Planning			
REV	Date	Drawn by -	Checked by -
Status	Purpose of Issue		
S2	Planning		
drawing stage Developed Design			
client			
Evans UK			
project			
Stalybridge - Grosvenor Street			
drawing title			
Proposed Fourth Floor Roof - Extent of Blue Roof			
date	30.08.22	drawn	BS
scale @ A1	1 : 50	checked	DS

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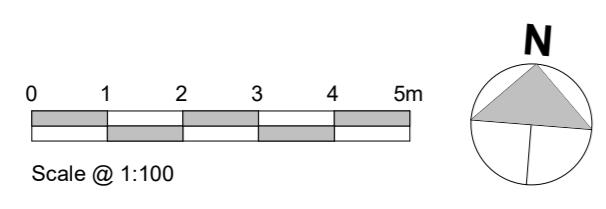
- ### NOTES
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P01	21.12.21	DS	BR
Issued For Planning			
REV	Date	Drawn by: -	Checked by: -
Status	Purpose of Issue		
S2	Planning		
drawing stage	Developed Design		
client	Evans UK		
project	Stalybridge - Grosvenor Street		
drawing title	Proposed Roof Plan		
date	10.12.21	drawn	DS
scale @ A2	1 : 100	checked	BR

Proposed Roof Plan
Scale @ 1 : 100



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Application Number 21/01459/FUL

Erection of five storey building for use as a residential institution (Use Class C2), with access and associated infrastructure

Photo 1: Aerial view of site



Photo 2: Site as viewed from Grosvenor Street



Photo 3: Site as viewed from Kenworthy Street



Photo 4: Site as viewed in a westward direction along Grosvenor Street. The existing Summers Quay development is visible opposite the site, to the north.



Application Number:	22/00177/FUL
Proposal:	Demolish existing brick fabrication building. Build new 2 storey fabrication building and hard landscape perimeter of building up to boundary fence.
Site:	Bestalinks Ltd, 2 Wood Street, Dukinfield
Applicant:	Mr Martin Smith
Recommendation:	Refuse planning permission.
Reason for Report:	A Speakers Panel decision is because the application has been called-in by Councillor Sweeton.
Background Papers:	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

1. SITE & SURROUNDINGS

- 1.1 The application site is situated at the furthest extent of Wood Street, which is a relatively short, no-through road off Victoria Street (A627) in Dukinfield. The site comprises approximately two thirds of a hectare and is bounded by the railway to the north-east and by houses to the south-east and south-west. To the north-west, the site abuts the vehicle turning head at the end of Wood Street, from where the site is accessed, and a building occupied by the applicant company.
- 1.2 Currently, the site is occupied by a single-storey, brick-built building, used for manufacturing purposes, that is situated towards the north-western corner, and a row of pre-fabricated cabins along the south-western side. Otherwise, the site is hard-surfaced and includes a number of mature trees along the south-eastern boundary.

2. PROPOSAL

- 2.1 The application seeks full planning permission to develop a new building to be used for manufacturing purposes and which would replace the existing buildings on the site. The new building would rise to approximately 4.7m at the eaves and to approximately 5.8m at the ridge of the dual pitched roof. The ground floor would provide approximately 578 square metres (sqm) of floor space to be used as a workshop and for storage, and a smaller first floor, located in the north-eastern part of the building, would provide approximately 80sqm of office space.
- 2.2 Above a low, brick-built plinth, the external walls of the building would be finished with profiled steel cladding, coloured grey. All of the existing vegetation on the site would be removed. Four car parking spaces and a cycle store would be provided in the space between the building and the turning facility at the end of Wood Street.

3. PLANNING HISTORY

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

4. PLANNING POLICY

National Planning Policy Framework

- 4.1 Paragraph 9 of the National Planning Policy Framework (NPPF) states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area.
- 4.2 Paragraph 11 states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay (as per section 38(6) of the Planning and Compulsory Purchase Act 2004). However, where the development plan is absent, silent or out of date, planning permission should be granted unless the application of policies in the NPPF that protects areas or assets of particular importance, provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 4.3 Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

Development Plan

- 4.4 The adopted development plan is the Tameside Unitary Development Plan (2004) and the Greater Manchester Joint Waste Development Plan Document (2012).

Tameside Unitary Development Plan (2004)

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;
- 1.9: Maintaining Local Access to Employment and Services
- 1.10: Protecting and Enhancing the Natural Environment
- 1.12: Ensuring an Accessible, Safe and Healthy Environment
- MW11 Control of Pollution

Part 2 Policies

- E3: Established Employment Areas
- E6: Detailed Design of Employment Developments
- T1: Highway Improvement and Traffic Management.
- T7: Cycling
- T10: Parking
- C1: Townscape and Urban Form

Supplementary Planning Documents

- 4.5 Employment Land Supplementary Planning Document

Places for Everyone

- 4.6 The Places for Everyone Joint Development Plan Document was published in August 2021. It was submitted to the Secretary of State in February 2022 and inspectors are appointed to carry out an independent examination. It is a joint plan covering nine of the ten Greater Manchester districts, including Tameside, and is intended to provide the overarching framework to strategically manage growth across the boroughs.

- 4.7 Paragraph 48 in the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to: the stage of preparation of the emerging plan (the more advanced its preparation, the greater weight may be given); the extent to which there are unresolved objections (the less significant, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).
- 4.8 Whilst Places for Everyone has been published and submitted, a number of representations have been received objecting to policies, and so in accordance with paragraph 48 of the NPPF, only very limited weight can be given to those policies at this time.

Other Considerations

- 4.9 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a persons rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.
- 4.10 The application has been considered in accordance with the Tameside One Equality Scheme (2018-22), which seeks to prevent unlawful discrimination, promote equality of opportunity and good relations between people in a diverse community. In this case the proposed development is not anticipated to have any potential impact from an equality perspective.

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 publicised by neighbour notification letters.

6. SUMMARY OF THIRD PARTY RESPONSES

- 6.1 Objections to the application have been received from four neighbouring households. The reasons given for objecting are summarised below:
- The existing factory is already a source of noise disturbance and the proposed increase in size of the building will exacerbate the problem
 - Although the application indicates otherwise, the increase in size would result in an increase in the number of employees and a consequent increase in demand for on-street parking spaces where already there is congestion and competition for parking spaces.
 - The proposed steel cladding finish of the building is out-of-keeping in what is primarily a residential area.
 - The proximity of the proposed building to houses will result in significant over-shadowing.
 - The trees that would be lost provide for foraging and habitats for bats and birds.
 - Concern is expressed that damage might be caused to existing houses whilst the building is being constructed.
- 6.2 A fifth representation does not object specifically but raises concerns about
- Possible overshadowing
 - That adequate parking be provided
 - Any illumination causing glare
 - Increased noise if the hours of operation are extended

7. RESPONSES FROM CONSULTEES

- 7.1 Network Rail have issued what it describes a holding objection. Concern is expressed about the possibility of:
- foundations encroaching on to railway land;
 - access for maintenance being restricted;
 - structures being used by trespassers to scale the railway boundary;
 - scaffolding falling on to the railway; and,
 - crane arms extending over the railway.
- 7.2 The Coal Authority has offered no objection subject to a condition requiring site investigation works and any remedial measures necessary being attached to any permission.
- 7.3 The local highways authority has objected on the grounds of inadequate off-street car parking provision which would cause increased demand for on-street parking which could not be accommodated on Wood Street could and would have a detrimental impact on highway safety.
- 7.4 The Head of Environmental Services (Public Protection) has raised no objections to the proposal and has suggested that conditions: restricting the hours of demolition and construction work, and use thereafter; and, requiring acoustic insulation of plant and machinery, be attached to any permission.

8. ANALYSIS

- 8.1 A key theme of the UDP is that attracting new, quality jobs into the Borough and securing the future of major existing employers must continue to be the priority, to offset expected further losses in mature industries and to diversify opportunities for local people. Flexibility to accommodate local employment initiatives, will contribute to this priority. To this end, according to UDP policy 1.1:

To counteract a continuing decline in the Borough's established employment base and to increase the earnings potential of work in the area, measures will be taken to create and maintain a healthy and diverse local economy and to attract quality jobs. This will include facilitating the retention of indigenous and expanding businesses.

- 8.2 With this aim UDP policy E3 states that:

In the "established employment areas" shown on the proposals map, the Council will permit development for employment purposes both on vacant sites and through the redevelopment of sites already in use. These policies accord with paragraph 81 of the NPPF which requires that:

Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt.

- 8.3 In light of the above it is considered that the principle of the proposed development is acceptable and compliant with policies 1.1 and E3 of the UDP and with Sections 2 and 6 of the NPPF.
- 8.4 Being acceptable in principle, the issues to be considered in the determination of the application are therefore
- the impacts on existing residential amenities and on the highway network; and,
 - the design and appearance of the building.

9. IMPACT ON AMENITY

- 9.1 There would be external passageway around the whole of the building. Along the south-western side the passageway between the building and gardens of neighbouring houses would be less than 2m wide. On the south-eastern side the gap would increase to little more than 2.5m. Whilst the building would hardly cast any shadow over neighbouring houses and their gardens given the position of the building to the north, the proximity of the building to the party boundaries, and its size, would not only create an over-bearing impact and sense of enclosure on the houses and gardens, where occupiers should be able to expect a reasonable level of openness of aspect, but would also restrict the amount of daylight enjoyed by occupants. Moreover, the use of the building will fall within Use Class B2 (general industrial), which previously was excluded from the definition of a use that can be carried out in any residential area without detriment to the amenity of that area. Whilst residents would have been aware of the presence of the neighbouring general industrial site before moving in to the houses, the proposal would bring that use, and the noise and activities it entails, in to very close proximity to the houses, further to the detriment of the existing residential amenity. The proposal thereby fails to comply with policies 1.3, E6(d) and MW11 of the UDP, the provisions of the Employment Land Supplementary Planning Document and Section 12 of the NPPF.
- 9.2 Application of the car parking standards included in the Employment Land Supplementary Planning Document would require that 11 car parking spaces be provided to serve the new building. Four spaces are proposed, and these to serve both the existing building in Wood Street and the new building.
- 9.3 With the exclusion of the turning head, Wood Street is approximately 74m long and serves not only the applicant company but also an adjacent vehicle repair garage and houses on the opposite side. Whilst there is a parking court behind the houses, the sub-standard level of parking provision proposed, and any increased vehicle movements generated, would cause employees, and others visiting the premises, to park vehicles on the road and create conflicts and competition for convenient on-street parking spaces. As now, vehicles would likely be parked at the end of the road and so create obstruction where the intention is to provide a turning facility for vehicles, including for emergency and refuse collection vehicles. The creation of a development that causes undue harm to the amenity of neighbours by failing to minimise the scope for conflicts between road users is contrary to policies E6(a) and E6(d) of the UDP and Section 9 of the NPPF.

10. DESIGN AND APPEARANCE

- 10.1 Whereas once the application site formed part of a wider industrial area situated between houses in Victoria Road and the railway, the site is now bounded by houses to the north and faces towards houses across Wood Street to the south. The functional design and appearance of the proposed building are of a type one might reasonably expect to find within an industrial area but not of a type that would complement the character of the surrounding area which is now largely residential. The impact of the design and appearance of the building would then be exacerbated by the proximity of it to neighbouring houses. Failing to relate well to its surroundings, in this location the building does not achieve the quality of design and appearance that is required by: policies 1.3, E6(b) and C1 of the UDP, paragraph 10.4 of the SPD; and, Sections 2 and 12 of the NPPF.

11. OTHER ISSUES

- 11.1 Network Rail's comments are noted. Some of these are not planning related, such as possible encroachment on to railway land, and others could be addressed by appropriate

condition, which would require the submission, and approval in liaison with Network Rail, of a Construction Management Plan.

RECOMMENDATION

That planning permission be refused for the following reasons:

1. The size of the proposed building, and its proximity to the party boundaries with the curtilages of neighbouring houses, would not only create an over-bearing impact and sense of enclosure on the houses and gardens, where occupiers should be able to expect a reasonable level of openness of aspect, but would also restrict the amount of daylight enjoyed by occupants. Moreover, the use of the building will fall within Use Class B2 (general industrial), and the proposal would bring that use, and the noise and activities it entails, in to very close proximity to the houses, further to the detriment of the existing residential amenity. The proposal thereby fails to comply with policies 1.3, E6(d) and MW11 of the Tameside Unitary Development Plan, the provisions of the Employment Land Supplementary Planning Document and Section 12 of the National Planning Policy Framework.
2. The sub-standard level of parking provision proposed, and any increased vehicle movements generated, would cause employees, and others visiting the premises, to park vehicles on the road and create conflicts and competition for convenient on-street parking spaces. As now, vehicles would likely be parked at the end of the road and so create obstruction where the intention is to provide a turning facility for vehicles, including for emergency and refuse collection vehicles. The creation of a development that causes undue harm to the amenity of neighbours by failing to minimise the scope for conflicts between road users is contrary to policies E6(a) and E6(d) of the Tameside Unitary Development Plan and Section 9 of the National Planning Policy Framework.
3. The functional design and appearance of the proposed building are of a type one might reasonably expect to find within an industrial area but not of a type that would complement the character of the surrounding area which is now largely residential. The impact of the design and appearance of the building would then be exacerbated by the proximity of it to neighbouring houses. Failing to relate well to its surroundings, in this location the building does not achieve the quality of design and appearance that is required by: policies 1.3, E6(b) and C1 of the Tameside Unitary Development Plan, paragraph 10.4 of the Employment Land Supplementary Planning Document; and, Sections 2 and 12 of the National Planning Policy Framework.



Location Plan
Scale 1:1250

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Site Plan
Scale 1:250

 **Indicates Existing Buildings Within Ownership Of The Applicant**



6 Conway Close
Alkrington
Middleton
Manchester, M24 1EW
E: conway-design@outlook.com

JOB TITLE : **New Industrial Unit**
ADDRESS : **2 Wood Street, Dukinfield**
DRAWING TITLE : **Existing Site And Location Plan**
SCALE : **As Noted @ A3**
DRAWN : xxx DATE : 04.01.22

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Location Plan
Scale 1:1250

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Site Plan
Scale 1:250

- Indicates Existing Buildings Within Ownership Of The Applicant
- Indicates Land Ownership Of Applicant
- Indicates Phase 1 of the proposal
- Indicates Phase 2 of the proposal, Phase 2 to follow on from Phase 1 within 6 months of Phase 1 completion.
- Indicates Permeable / Porous Tarmac Finish



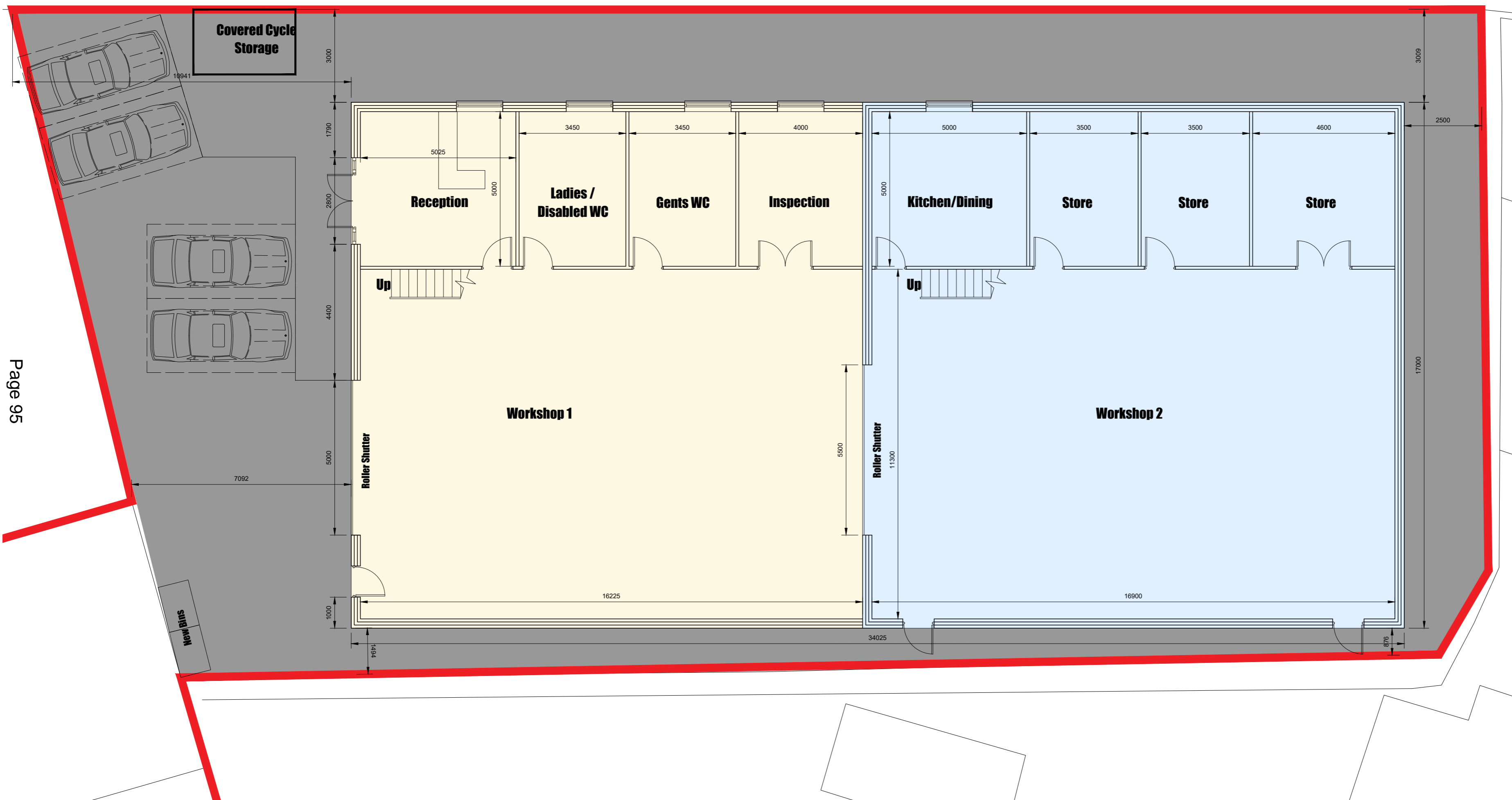
6 Conway Close
Alkington
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Manchester, M24 1EW
E: conway-design@outlook.com

JOB TITLE : New Industrial Unit
ADDRESS : 2 Wood Street, Dukinfield
DRAWING TITLE : Proposed Site And Location Plan
SCALE : As Noted @ A3
DRAWN : xxx DATE : 04.01.22

JOB NO./ DWG NO. 433-04E

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Sample image of proposed 8 Bike Shelter

- Indicates Phase 1 of the proposal
- Indicates Phase 2 of the proposal, Phase 2 to follow on from Phase 1 within 6 months of Phase 1 completion.

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JOB TITLE : New Industrial Unit
 ADDRESS : 2 Wood Street, Dukinfield
 DRAWING TITLE : Proposed Ground Floor Plan
 SCALE : 1:100 @ A2
 DRAWN : xxx DATE : 04.01.22

JOB NO./ DWG NO. 433-05D

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New Elevational Finishes

Brickwork Below DPC

Wall Cladding

Roof

Windows and Doors

Rainwater Goods

Soffits and Fascias

Red engineering brickwork

Kingspan QuadCore KS1000RW - Goosewing Grey - RAL 080 70 05

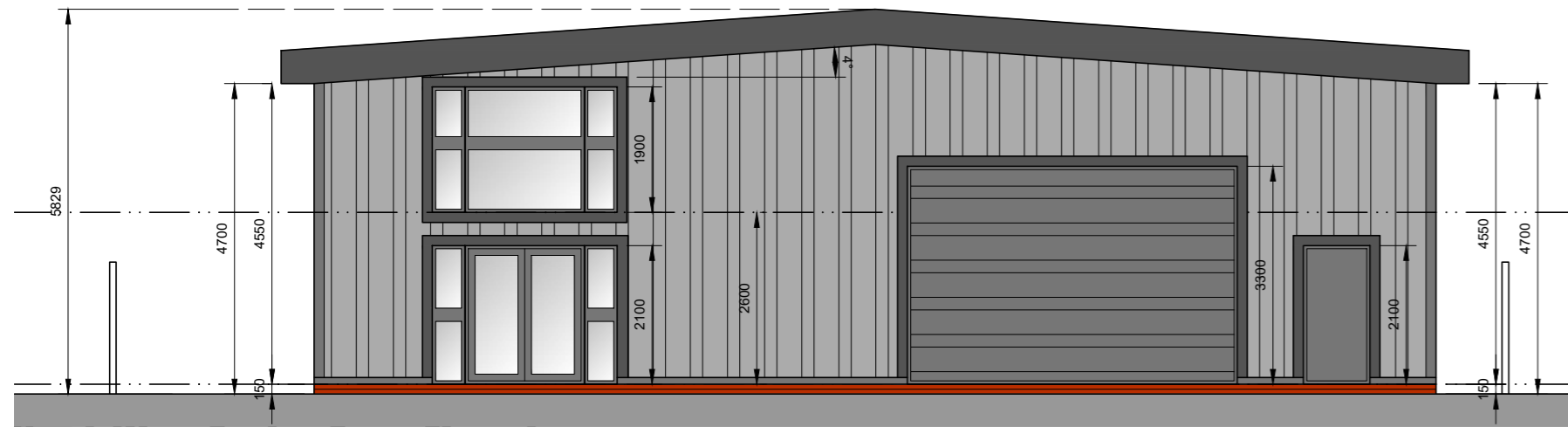
Kingspan KS1000RW - Goosewing Grey - RAL 080 70 05

Anthracite grey powder coated aluminium

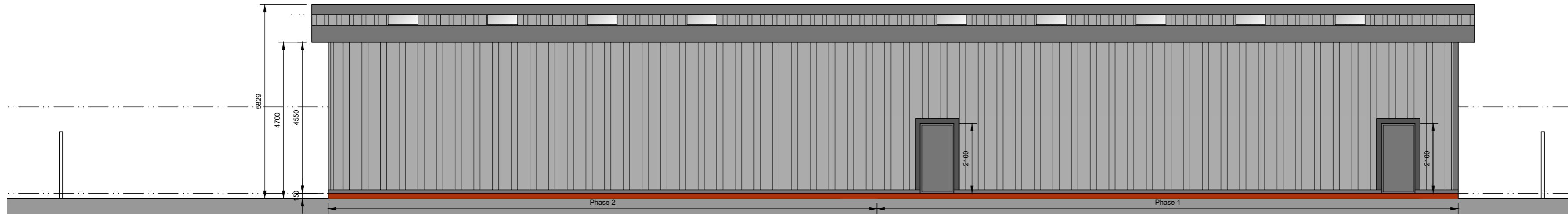
Anthracite grey - with highline invisible gutters

Anthracite grey

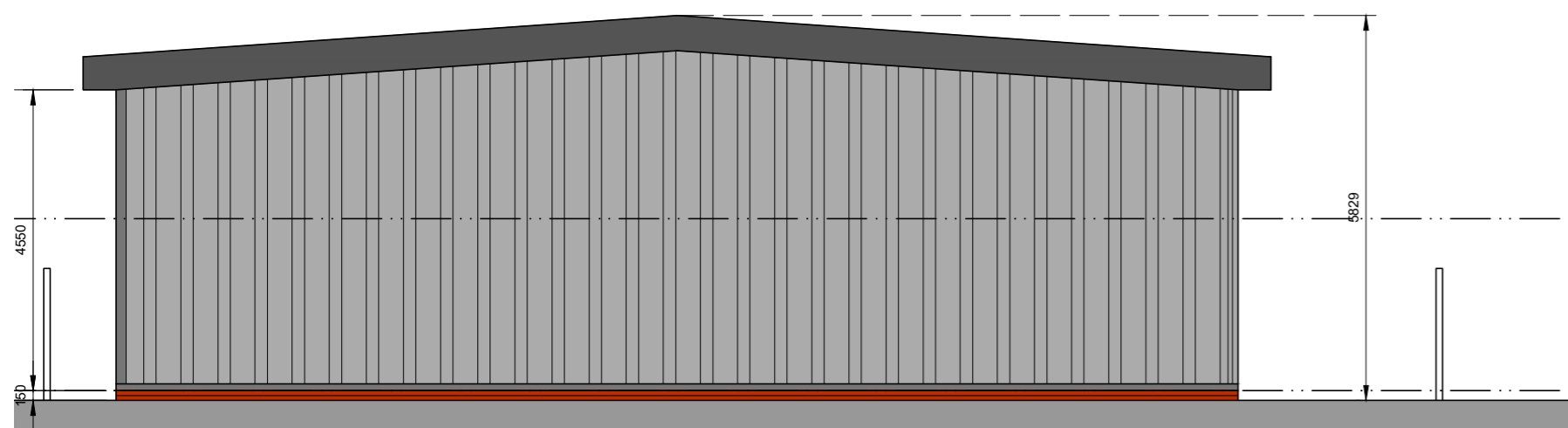
Conway Architectural Design shall have no responsibility for any use made of this document other than for that which it was prepared and issued. This drawing should not be scaled. Work to figured dimensions only.
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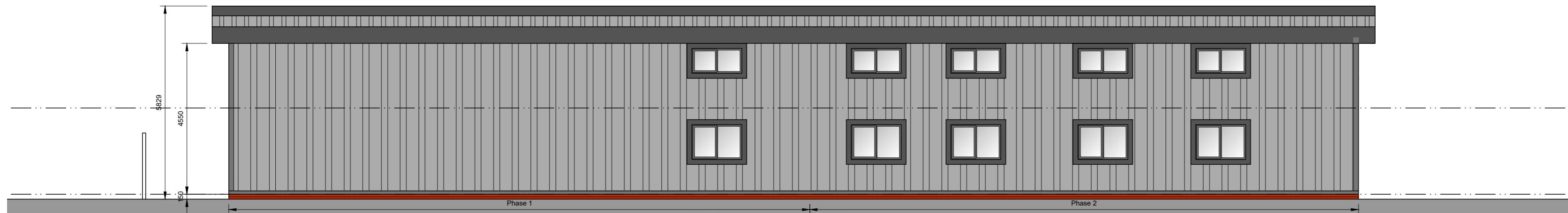
North West Facing Front Elevation



South West Facing Side Elevation



South East Facing Rear Elevation



North East Facing Side Elevation

Page 97

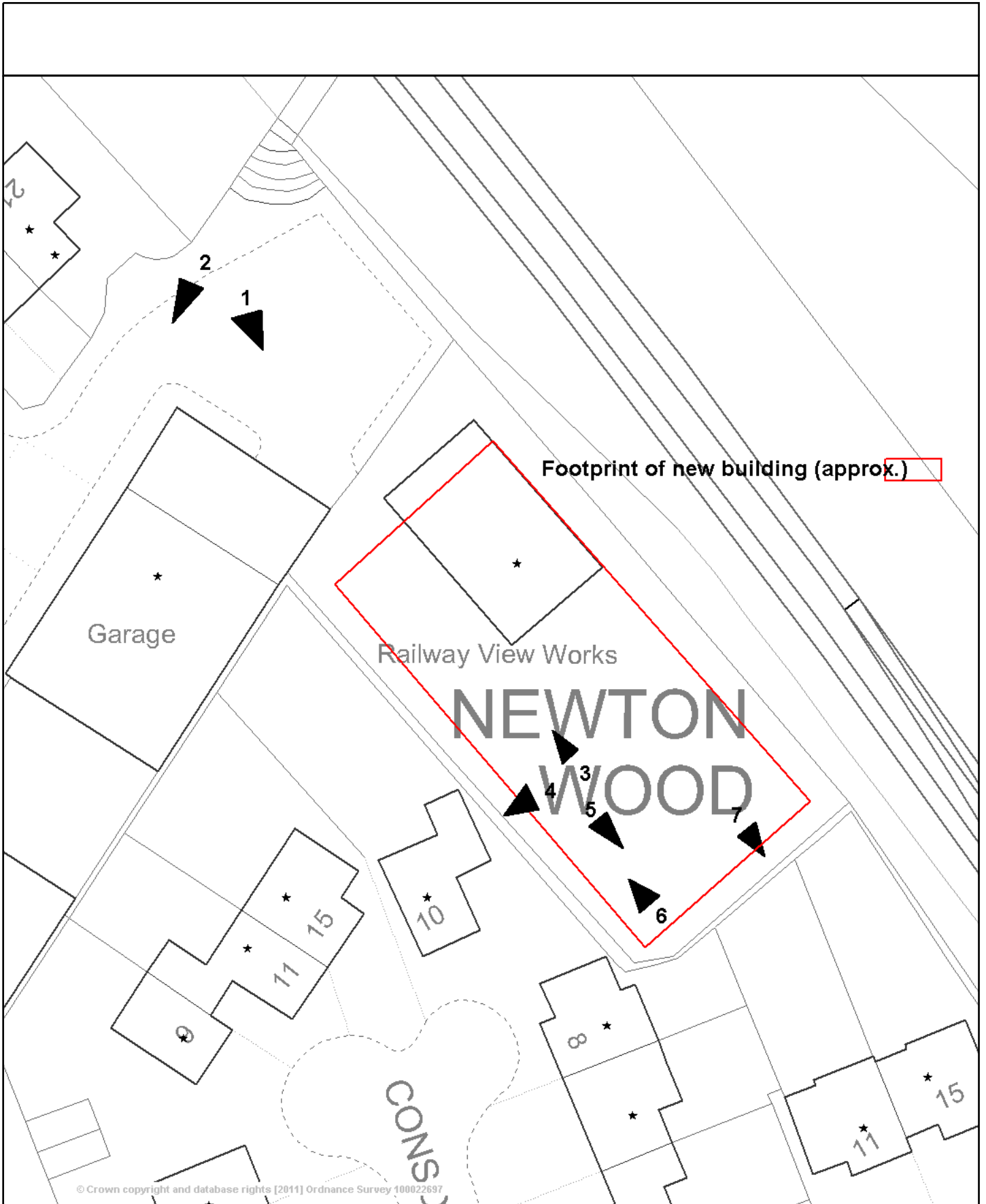


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JOB TITLE : New Industrial Unit
 ADDRESS : 2 Wood Street, Dukinfield
 DRAWING TITLE : Proposed Elevations
 SCALE : 1:100 @ A2
 DRAWN : xxx DATE : 04.01.22

JOB NO./ DWG NO. 433-08D

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Scale 1/400 Date 11/4/2022

Centre = 394229 E 396776 N

Photo 1



Photo 2



Photo 3



Photo 4



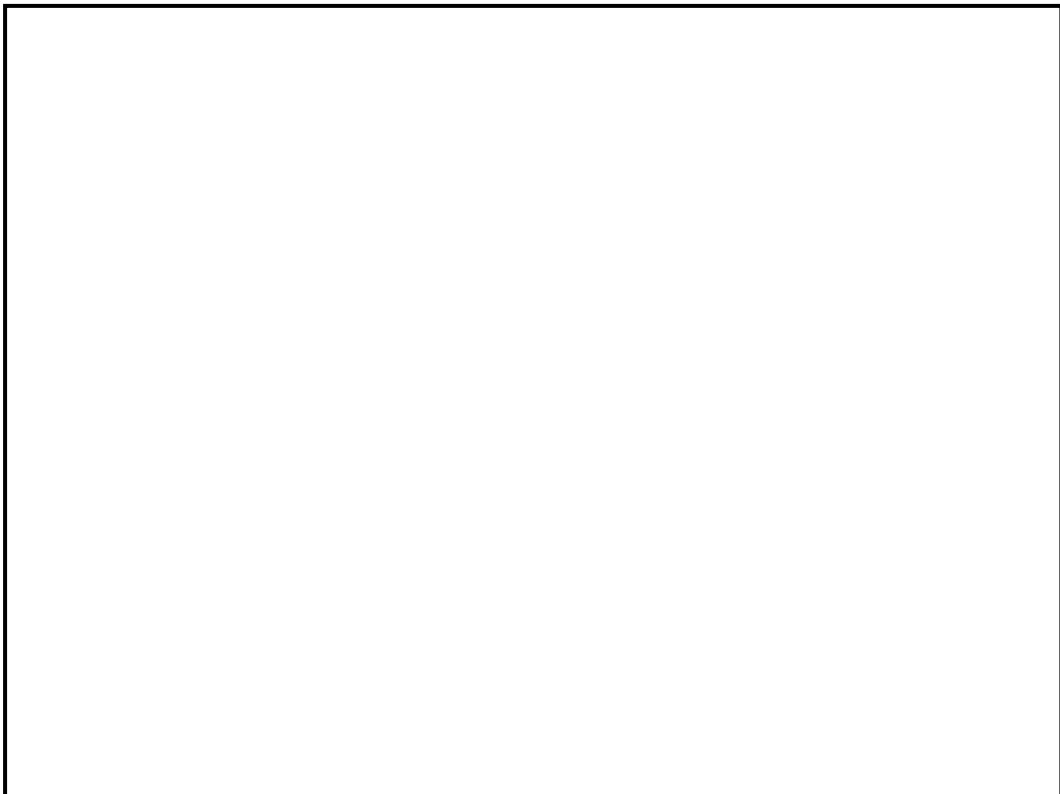
Photo 5



Photo 6



Photo 7



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Application Number	22/00372/FUL
Proposal	Erection of a 4 storey apartment block comprising 17 no. apartments with associated parking and private amenity space.
Site	132a-134 Mottram Road, Hyde, SK14 2RZ
Applicant	Texas Group PLC
Recommendation	Refuse planning permission.
Reason for report	A Speakers Panel decision is required because the application constitutes major development.
Background Papers:	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

1. SITE & SURROUNDINGS

- 1.1 The application site is located between no. 132 and 136 Mottram Road and is to the south of the signalised junction with Halton Street. The site is rectangular in shape and covers an area of approximately 0.1 hectares. It is vacant albeit heavily overgrown in self set vegetation. Previously the site supported a large Victorian villa, this was demolished a significant time ago with little remains other than boundary features. To the south of the site is Tinkers Passage beyond which is Hyde United football ground. There is a fall in levels from south to north of approximately 7 metres. The neighbouring property no.136 Mottram Road, occupies a lower level to the site, within the site there are clear views down into the garden and to habitable room windows.
- 1.2 Within the vicinity of the site Mottram Road comprises of red brick residential terraces which are of a uniformed 2 storeys in height. The properties occupy a very consistent building line to the highway. Mottram Road is subject to parking restrictions with double yellow lines extending across the site frontage. Mottram Road/Halton Street is a busy junction and traffic is prone to queuing during peak periods. Hyde Town centre is located approximately 500m to the west.

2. PROPOSAL

- 2.1 The application seeks full planning permission for a residential development of 17no apartments with associated works including car parking and landscaping. The apartments would be constructed within a single split level block which would present 4 storeys to Mottram Road and 2 storeys to Tinkers passage. The accommodation split would comprise of 6 x 1 bed and 11 x 2 bed apartments with provision for 17 dedicated parking spaces. The apartments range in size from 50sqm (1bed) to 73sqm (2bed).
- 2.2 The building would be positioned approximately 20m back from Mottram Road. The parking court would be provided to the front of the block accessed from a vehicular and pedestrian entrance on the western boundary to 132 Mottram Road. Communal landscaped grounds would be provided around the building with the larger area being on the western side.
- 2.3 The Transport Statement states that vehicular access to the development will be provided via an additional arm to the south of the A57 Mottram Road / Hatton Street signal controlled junction. The access arm is proposed to be signalised and operate on a demand dependent

stage.

- 2.4 The block would be constructed from brick and would exhibit a contemporary form influenced by its large window openings. The floor plan is arranged with 2 apartments on the ground floor, 4 apartments on the first floor, 6 apartments on the second floor and 5 apartments on the third floor. The internal arrangement has a central access corridor which runs along a north/south axis, this dictates that the majority of the apartments have a single west or east facing outlook across neighbouring properties.
- 2.5 The application has been supported with the following documents:
- Full plans package including montages;
 - Design and Access Statement;
 - Drainage Strategy;
 - Ecological Impact Assessment;
 - Planning Statement;
 - Transport Statement, and;
 - Viability Appraisal
- 2.6 Amended plans have been submitted to address highways issues and concerns raised by officers on residential amenity grounds. The following response has been provided by the applicant to the issues raised:
- Ground and first floor apartments: The distance from the proposed principle window to the closest existing habitable room window is 15m at 60°. We can deduct 6m from the required 21m for the 60° therefore we are compliant.
 - Second floor: The distance is the same as ground and first, ie 15m but since it is on second floor we need to add an extra 3m to the required distance, therefore we need to provide 18m. We only have 15m distance and therefore acknowledge that we are non-compliant on this point, but this should be weighed up against the fact that the SPD is guidance, as opposed to forming part of the statutory development plan policy, and that the scheme will ensure that a small but complex and constrained site will come forward for development.
 - Third floor: The line of view from the middle of the third floor windows is obstructed by the projecting roof of the second floor below. Therefore there isn't a direct view from the third floor to the existing house so this should be considered compliant.

3. PLANNING HISTORY

- 3.1 06/00246/FUL – Erection of 13 number 2 bed and 2 no 1 bed apartments – This application was within a single 4 storey block and included provision for 15 car parking spaces – Approved 5 June 2006
- 3.2 20/01169/FUL – Erection of a 4 storey apartment block comprising 8 no. apartments with associated rear parking, and an additional 6 no. three story mews houses with integral garages and associated parking – Withdrawn 8 April 2021

4. PLANNING POLICY

National Planning Policy Framework

- 4.1 Paragraph 9 of the National Planning Policy Framework (NPPF) states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area.

4.2 Paragraph 11 states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay (as per section 38(6) of the Planning and Compulsory Purchase Act 2004). However, where the development plan is absent, silent or out of date, planning permission should be granted unless the application of policies in the NPPF that protects areas or assets of particular importance, provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

4.3 Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

Development Plan

4.4 The adopted development plan is the Tameside Unitary Development Plan (2004) and the Greater Manchester Joint Waste Development Plan Document (2012).

Tameside Unitary Development Plan (2004)

4.5 **Part 1 Policies**

- 1.3: Creating a Cleaner and Greener Environment;
- 1.4: Providing More Choice and Quality of Homes;
- 1.5: Following the Principles of Sustainable Development;
- 1.6: Securing Urban Regeneration;
- 1:10: Protecting and Enhancing the Natural Environment;
- 1:11: Conserving Built Heritage and Retaining Local Identity;
- 1.12: Ensuring an Accessible, Safe and Healthy Environment.

4.6 **Part 2 Policies**

- H1: Housing Land Provision
- H2: Unallocated Sites
- H4: Type, Size and Affordability of Dwellings
- H5: Open Space Provision
- H10: Detailed Design of Housing Developments
- T1: Highway Improvement and Traffic Management
- T7: Cycling
- T10: Parking
- C1: Townscape and Urban Form
- N3: Nature Conservation Factors
- N5: Trees within Development Sites
- N7: Protected Species
- MW11: Contaminated Land
- MW12: Control of Pollution
- U3: Water Services for Developments
- U4: Flood Prevention
- U5: Energy Efficiency

Places for Everyone

4.7 The Places for Everyone Joint Development Plan Document was published in August 2021. It was submitted to the Secretary of State in February 2022 and inspectors are appointed to carry out an independent examination. It is a joint plan covering nine of the ten Greater

Manchester districts, including Tameside, and is intended to provide the overarching framework to strategically manage growth across the boroughs.

- 4.8 Paragraph 48 in the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to: the stage of preparation of the emerging plan (the more advanced its preparation, the greater weight may be given); the extent to which there are unresolved objections (the less significant, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).
- 4.9 Whilst Places for Everyone has been published and submitted, a number of representations have been received objecting to policies, and so in accordance with paragraph 48 of the NPPF, only very limited weight can be given to those policies at this time.

Other Considerations

- 4.10 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.
- 4.11 The application has been considered in accordance with the Tameside One Equality Scheme (2018-22), which seeks to prevent unlawful discrimination, promote equality of opportunity and good relations between people in a diverse community. In this case the proposed development is not anticipated to have any potential impact from an equality perspective.

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 by neighbour notification letter, display of a site notice; and advertisement in the local press.

6. SUMMARY OF THIRD PARTY RESPONSES

- 6.1 One representation in objection to the development has been received the reasons for which are summarised as follows:
- Concerns about the scale of the development;
 - Overshadowing to rear garden and rooms within the property;
 - Loss of privacy from overlooking;
 - Concerns about car parking.

7. RESPONSES FROM CONSULTEES

- 7.1 Coal Authority – No objections do not identify any mining legacy issues. Recommend that any approval is subject to standing advice.
- 7.2 Contaminated Land - When considering the information from the historical mapping, potential sources of contamination at the site could include made ground, which may have concentrations of contamination that are above soil screening criteria for a residential end use. Asbestos in soils may also be present in any made ground. In addition, depending on

the depth of made ground, it is possible that ground gasses will be present at the site.
No objections subject to recommended conditions.

- 7.3 Environmental Health – No objections to the proposals recommend conditions including noise mitigation to address background traffic.
- 7.4 Greater Manchester Archaeological Advisory Service (GMAAS) – Contrary to the National Planning Policy Framework, the application is not supported by any other material that assesses development impacts on the site’s heritage or archaeological potential. However, given that other examples of similarly dated buildings can be found extant within the wider area, GMAAS consider that evaluation and/or recording of any surviving footings of the villa within the site would not lead to any significant knowledge gain, and that no archaeological mitigation is required.
- 7.5 Greater Manchester Ecology Unit (GMEU) – No objections to the conclusions of the submitted ecological survey and no further surveys are required. The site supports young scrub woodland with several more mature broadleaved trees. The woodland is species-poor, with little in the way of a developed shrub, field or ground vegetation layers, and is not of substantive ecological value. Recommend conditions relevant to site clearance, landscaping and biodiversity mitigation.
- 7.6 GMP Designing out Crime Officer – Note that the application has not been accompanied with a Crime Impact Statement.
- 7.7 Local Highway Authority (LHA) – Comment that they are satisfied with the access and egress arrangements. They require the access road to the development be incorporated and controlled by the existing signals at the junction of Halton St/Mottram Rd with its own on demand phase and primary signal head, as to avoid any conflicts with pedestrians/vehicles at this junction. They advise that this additional signal head must be agreed with TfGM/UTC and installed before construction of the development takes place. Recommend approval subject to conditions.
- 7.8 Lead Local Flood Authority (LLFA) – Comment that there are limitations with the submitted drainage strategy. Advise that the applicants submits a comprehensive strategy supported by site based data to inform a strategy which accords with the drainage hierarchy.
- 7.9 Transport for Greater Manchester (TfGM) – Comment that further information is required before they can confirm the acceptance of the proposed signalised entrance. They state that any design would need to be based on a topographical survey to ensure suitability. The plan as submitted appears to show existing stop lines (west arm of Mottram Road) and pedestrian crossings in different positions to the existing, as such it is envisaged all signalised equipment is likely to require replacing.
- 7.10 Tree Officer – The majority of trees on site are low value scrub that would not be considered a constraint to development. The retention of the single tree from G4 would be acceptable as this is the highest value tree of the group providing good visual amenity to the public highway. The proposed replacement trees would be satisfactory for the development and adequately mitigate losses.
- 7.11 United Utilities – Do not support the submitted drainage strategy. The application has failed to provide robust evidence that the drainage hierarchy has been thoroughly investigated. If planning permission was to be granted recommend conditions relevant to the sites drainage.
- 7.12 Waste Management – Raise concerns that sufficient capacity for refuse has not been accommodated within the development.

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. At the heart of the NPPF is the presumption in favour of sustainable development and
- 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 Planning permission for residential development has previously been granted (ref 06/00246/FUL) for the redevelopment of the site for 15 apartments, the decision was dated June 2006. Since this planning approval the Council has adopted its residential design guide 2010 and the NPPF was first published (2012) with most recent revision being introduced in July 2021. Amongst other things the policy framework promote good quality design. Paragraph 126 of the framework states; *'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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 134 is unequivocal in the importance of achieving good design, it states; *'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design. Assessment of the design, its relationship to the locality is fundamental to the acceptability of the proposals.*
- 9.3 The previous planning consent was never implemented and across the intervening years the site has not been subject to any routine maintenance. As a consequence the site has naturalised with self-set vegetation taking a firm hold of the site. The NPPF advises that land

which has blended into the landscape should be excluded from the interpretation of Previously Developed Land (PDL), notwithstanding the level of vegetation there remains significant remains from the previous development to represent PDL for the purposes of the planning assessment. It is also of note that the site is identified within the Tameside Strategic Housing and Economic Land availability assessment (SHELAA) as being within the 6-10 year supply.

- 9.4 In terms of housing development, Members will be aware that the Council cannot demonstrate a deliverable five year supply of housing land. It is therefore recognised that the NPPF is a material consideration that carries substantial weight in the decision making process. Assuming the development is considered sustainable, the NPPF is clear that where no five year supply can be demonstrated, the presumption in favour of sustainable development identified at paragraph 11 of the NPPF should be used to determine planning applications. The opportunity to develop the site for 17 apartments would make a positive contribution to housing land supply, this should be apportioned due weight in the decision making process.
- 9.5 The site occupies a prominent position at the junction of Halton Street with Mottram Road. The vacant nature detracts from the local environment, the principle of securing the long-term stewardship of the site would normally be welcomed, residential development would be immediately compatible with adjacent uses and the location close to amenities of Hyde town centre dictates that it is a sustainable location. Whilst the planning history, PDL nature and identification within the SHELLA are all positive it is matters of design, amenity and access where concerns are raised.

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 places a firm emphasis on the need to secure good quality design. Paragraph 126 states that the creation of high-quality, beautiful and sustainable 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 presents a number of design criteria, it state that decisions should ensure that developments:

- a) 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;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

- 10.2 Policy RD22 of the adopted SPD applies specifically to infill development it advises that:

- Plot and boundary widths should align with the surrounding street.
 - Scale and mass of dwellings should align with their surroundings.
 - Architectural styles and materials should generally align with the existing.
 - Development must follow an existing building line and orientation, particularly at road frontage.
 - Ensuring privacy distances are achieved.
 - Proposals should not land lock other potential development sites.
 - Retaining and providing appropriate outdoor amenity space, parking & access.
- 10.3 The apartments would be accommodated within a single apartment block set back from the highway. This would be of a split level design to address site conditions. The accommodation would be provided over 4 floors with two gables presented to Mottram Road. Mottram Road it comprises of two storey dwellings constructed to a very uniformed building line. The size of the building would not be comparable to anything within the immediate locality.
- 10.4 Policies C1, H10 and those of the Residential Design Guide seek to ensure that developments are designed to respect their surroundings and contribute positively to the character of the area, having particular regard to the layout, density, design, scale, height, massing, appearance, materials and landscaping prevalent in the area. New development should be compatible with the local character and encourage local distinctiveness through the use of appropriate and high-quality building materials, architectural detailing and boundary treatment. The requirements of the policy are consistent with the NPPF for the purposes of decision-making.
- 10.5 The design takes a bespoke approach. Ordinarily there are many aspects to this and the choice of materials which would otherwise be deemed as acceptable. The crucial element is demonstrating how the development responds to its context, addresses its sites constraints and relates to the character of its locality.
- 10.6 Concerns had been raised with the applicant in relation to the size of the development, the access and parking arrangements and the influence upon the amenity of neighbouring residents. The applicant presents the case that the development would diversify the local housing stock with the height being comparable to the previous building which occupied the site.
- 10.7 The constraints of the site include the suitability and capacity of Mottram Road / Halton Street as a point of access, the fall in levels across the site and relationship to existing properties. It is on all of these points which the development raises issues.
- 10.8 Apartment developments yield high density development. In this regard the proposal would equate to an overall density of approximately 108uph. Taken in the context of the site, surrounding density and site constraints, this is considered to represent a significant overdevelopment of a limited site. The scale and servicing requirements of the development would have clear influences on the height, mass and parking arrangements of the development, these element of the design causing the most concern.
- 10.9 The scale and position of the building would be a significant departure from that of the established housing stock. As identified, Mottram Road has a very strong character which is defined by two storey (largely terraced) housing stock positioned along a very uniformed building line. Where larger properties do exist these are positioned on an identical footing to neighbours, there is no precedent for building to be positioned back from the highway and beyond the rear elevations of existing properties. In addition, standing at 4 storeys in height, on the principle (Mottram Road) facing elevation the building would appear highly prominent and immediately out of kilter with the scale of the neighbouring properties. The position and size of the building would appear dominant, this would accentuated by the position within the

site and beyond the established building line, the block would appear to loom above in the more modest scale of the neighbouring properties and this would not be in-keeping with the character of the locality and contrary to policy C1, H10 and paragraph 130, particularly with regard to criteria B (layout), C (local character) & D (sense of place).

- 10.10 Policy RD7 of the residential Design Guide identifies that large areas of surface car parking should be avoided. The proposals would see all of the sites parking accommodated to the sites frontage with the 17 spaces also abutting the boundary to the neighbouring properties at 132 and 136 Mottram Road. Whilst boundary treatments and soft landscaping would help to reduce the visual impact it would, like the apartment block, represent a strong departure from the established development pattern. The location at the head of Halton Street / Mottram Road junction would also mean it would appear highly prominent and detract from the character of the locality.
- 10.11 UDP, NPPF polices and the guidance of the SPD are clear in their expectations of achieving high quality development that enhances a locality and contributes to place making. The NPPF emphasises that development should be refused where it fails to take opportunities available to improve the character and quality of an area and the way that it functions (para. 130). The cumulative impact of the above design issues identifies that the development by virtue of its scale, layout and parking presents itself as overdevelopment of a constrained site which would be materially harmful to local character and public amenity.
- 10.12 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 H10 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. DESIGN AND RESIDENTIAL AMENITY

- 11.1 The adopted policies within the Council's Residential Design Guide Supplementary Planning Document strive to raise design standards; they should be applied along with the criteria of Building for Life (BFL). Good design is aligned to the delivery of high residential amenity standards. This should reflect equally on the environment of existing residents as well as that of future residents. Paragraph 130(f) of the NPPF states that development should seek to provide a high standard of amenity for existing and future users alike. This is reflected in policy H10 and the recommendations of the Residential Design Guide SPD, the guidelines of which seek to ensure that all development has regard to the amenity of existing and proposed properties.
- 11.2 The scale of the building would not be comparable to existing residential properties within the locality. The size and location of the building and its influence upon the amenity levels of neighbouring properties is a significant concern. The building would be positioned so it would be setback from the neighbouring properties, it would then be split level in response to the fall in levels across the site. The building would therefore stand at 4 storeys on the southern elevation (Mottram Road) tapering to 2 storeys to the north (Tinkers Passage). A total of 10 of the apartments would have a single aspect with their outlook towards either the western or eastern boundaries of neighbouring properties gardens. The relationship which would be forged would not be a successful one and it is considered that the development would result in clear and demonstrable harm to the occupants of the existing properties which neighbour the site. The scale of this harm is largely attributable to the mass and position of the building which accentuates the concerns, the design being harmful to levels of privacy, outlook and light. In addition, the appearance of the building would be visually intrusive to both neighbouring residents (no.s 132 and 136) and those further afield as a direct consequence

of level of fenestration would result in a perceived feeling of overlooking and greater sense of enclosure.

- 11.3 Policy RD5 of the SPD relates to minimum privacy distances this advises that a minimum separation of 21m should be achieved between existing properties and new developments. It identifies that this separation should be increased by an additional 3m on sloping sites in addition to another 3m for every change in storey height, the policy requirements would be 27m. The development would be positioned at an oblique angle to the nearest property (no.136) the SPD accommodates for this by allowing a reduction of 1m per 10 degree difference. Accounting for the change in building height, site levels and position of original habitable room windows the spacing distance should be 21.5m. The block would be positioned approximately 15m from the first floor habitable room window reducing to 12m to the ground floor extension window of no.136 Mottram Road. This lack of compliance to the spacing standards demonstrates that there would invariably be a loss of amenity through overlooking and loss of outlook from habitable rooms and external areas alike. It is not considered that there is a justification for supporting such a departure.
- 11.4 In addition to direct concerns about privacy there are also matters of noise and disturbances to be considered. The development would present a large communal car park immediately to the boundary of the neighbouring properties. Whilst activity within this area is likely to be masked by background traffic levels it would still have a demonstrable and adverse impact upon immediate residents having regard to the level of noise and disturbance which can be attributed to the parking of residents within this area and in such close proximity to a rear boundary.
- 11.5 With regard to the amenity of future occupiers, it is noted that each of the smallest of the apartments would measure 50sqm which meets the nationally described space standard for a 1 bedroom 2 person accommodation. Internally the occupants of the apartments would be served with a good level of amenity although the majority of the flats would not be served with any private outside amenity space. The apartments are served with large levels of glazing which will provide good levels of light and ventilation, the layout would however dictate that outlook to the rear apartments is limited to views across private gardens. The communal garden space would help to mitigate against the lack of private outside space.
- 11.6 The proposals suggest the inclusion of a bin store which would be located within the car park adjacent to the site frontage. The location would be visually prominent and the size would also not meet refuse storage requirements required for the scale of development. It is considered that a more appropriate arrangement would be to position the store close to the apartment block, this would be less visually intrusive and also provide more practical access for residents. However, notwithstanding these concerns, the concerns could ultimately be addressed via condition.
- 11.7 Whilst the layout and form of development would provide a suitable level of accommodation and amenity standard for future residents owing to the scale, siting of the building and orientation of windows, the development would have an undue impact upon the amenity of neighbouring properties by reason of visual intrusion, overshadowing, loss of daylight, overlooking and loss of privacy, consequently the proposals would be contrary to the policy H10 (detailed Design of Housing Developments) and the amenity and design standards advocated by the adopted SPD.

12. HIGHWAYS AND ACCESS

- 12.1 The apartment block would take pedestrian and vehicle access from a new dedicated entrance onto Mottram Road, this entrance would be offset marginally to the east of the junction with Halton Street, it is proposed to be signalised. There would be provision for 17 parking spaces including 1 dedicated disabled space to the front of the apartment block.

There would be no dedicated visitor (vehicle) parking spaces but provision would be made for covered cycles.

- 12.2 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 H10 (Detailed Design of Housing development)) states that development should not result in an unacceptable impact 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'.
- 12.3 It is observed that during peak periods there are significant delays from vehicle congestion from the junction of Halton Street which can extend west towards Hyde Centre and the Junction of Mottram Road to Lumn Road. The level of congestion is also attributed directly to local air quality issues with part of the Mottram Road corridor (to the west of the site) falling within an air quality management area (AQMA).
- 12.4 The highway implications of the proposed development have been carefully considered by the Local Highway Authority (LHA) and with TfGM (Transport for Greater Manchester) also providing input owing to the location of the access on a signalised junction. This review has covered the applicant's transport Statement and proposals to introduce a new signalised arm to the Mottram Road / Halton Street junction. TfGM control and manage the traffic signals across Tameside, as such any schemes that alter signalised junctions need to be agreed with them. Additionally, where developments impact on signalised junctions, TfGM have a duty of care to ensure that these impacts are satisfactorily mitigated as part of the planning process.
- 12.5 In terms of vehicle trips generated the LHA are satisfied that the vehicle trips generated by the development are would equate to a total of 4 two-way vehicle movements in the AM peak hour and 6 two-way vehicle movements in the PM peak hour. The site is highly accessible being within a walking distance of a Town centre on a Road served by public transport.
- 12.6 The LHA have confirmed that in principle they are satisfied that the proposed access onto Mottram Road would be satisfactory insofar that relevant gradients and visibility standards could be achieved. The LHA acknowledge that the development would need to incorporate an additional traffic signal with its own on demand phase signal, this would operate to ensure vehicles can access without conflict arising with pedestrians/vehicles at Mottram Road junction, the design needs to be agreed with TfGM. TfGM have requested additional information in the form of a topographical survey which shows the agreed position of the stop lines, following this the junction would need to be modelled to ensure that the junction is not running over capacity. The absence of this being demonstrated as a workable solution is a concern given the known level of congestion at the junction during peak times.
- 12.7 The absence of a detailed survey and design to the junction is a significant concern. The LHA identify that the traffic impacts of the development cannot be fully assessed. Secondary to this are there are also concerns over the lack of a phasing plan to demonstrate that the development could be constructed without severe disruption to the traffic flow on Mottram Road. This has been requested by the applicant but has not been received.
- 12.8 Concerns are raised with the access arrangements noting the traffic restrictions on Mottram Road, the ability to accommodate additional capacity being particularly compromised during peak periods. Whilst it is suggested that vehicle movements would be relatively limited, in the context of the site and local highway conditions the impact of the additional movements would be significant. These concerns are compounded given the lack of any visitor parking within the site, with the exception of the disabled parking spaces all bays are also likely to be

allocated to the proposed apartments. This would mean that any additional vehicles visiting the site, or within the ownership of the same household, would be displaced onto the surrounding highway network and the likelihood of Traffic Restriction Orders being breached.

- 12.9 Policy T1 requires all developments to ensure the developments are designed to improve the safety for all road users. Likewise Paragraph 111 of the NPPF confirms that development should be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Whilst the addition of a signalised arm to the existing junction is acceptable in principle it has not been suitably demonstrated within the submitted design that it could operate without being harmful to the operation of the junction. Given the associated congestion already experienced at the location it would be undesirable to permit further development which has the potential to exacerbate this for existing road users.
- 12.10 Following assessment of the proposals it is not considered that the application would suitably mitigate the associated impact of the development. It has not been demonstrated that the junction could be designed to the satisfaction of the LHA or TfGM in their responsibility for signalised junctions. Any additional congestion placed upon the arms of the Mottram Road / Halton Street junction would have an unacceptable impact on traffic flow, the application has therefore failed to demonstrate that the associated impacts 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 in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. The proposals would see the removal of vegetation, whist gardens and soft landscaping areas would be incorporated within the design there would be an increase in hard surfacing.
- 13.2 A Drainage Strategy 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 a combined drain. The LLFA and UU has reviewed and raised queries with e conclusion of the drainage strategy advising that this should be revisited.
- 13.3 Notwithstanding the comments from the drainage authorities there are not considered to be any fundamental drainage issues on the site. The observations raised by the LLFA and UU 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 and that the proposals would not result in a detrimental impact on flood risk or drainage capacity.

14. GROUND CONDITIONS

- 14.1 The site falls outside of the Coal Authority's defined Development High Risk Area. As such, a Coal Mining Risk Assessment has not been undertaken. Consultation with Coal Authority has confirmed no objections.
- 14.2 The Environmental Protection Unit (EPU) comment that there could be sources of contamination associated with made ground. This is not a constraint to development and there are no objections raised to the proposals subject further site investigations being secured by condition.

- 14.3 The conditions recommended by the EPU are considered reasonable and necessary to ensure that future users of the proposed development would not be exposed to potential risks caused by contamination at the site.

15. TREES & ECOLOGY

- 15.1 The application has been submitted with an Ecological Impact Assessment. The site hardstanding, poor semi improved grassland, dense/ scattered scrub and scattered trees. The habitats are considered to be of a substantive ecological importance, higher amenity trees would be retained on site which would be supplemented with additional tree planting.
- 15.2 Section 11 of the NPPF advocates biodiversity enhancement. The biodiversity value of the site can be enhanced as part of the landscaping proposals to be approved by condition. GMEU advise that this should include planting of native species and the fixture of bat and bird boxes to the completed development.

16. AFFORDABLE HOUSING AND DEVELOPMENT CONTRIBUTIONS

- 16.1 The scale of the development constitutes a major development, as such there would normally be a requirement to meet affordable housing requirements (policy H5), green space (policy H4), and highways (policy T13) contributions where required. Education contributions don't apply on development below 25 dwellings.
- 16.2 It would be preferred to address affordable housing requirements via a commuted sum. Consultation with the LHA has confirmed that a contribution towards footpath and lighting improvements to Tinkers passage should be secured to the sum of £9k. although it is the improvement to the Mottram Road/Halton Street junction which is the primary issue for off-site mitigation.
- 16.3 The applicant has challenged section 106 contributions towards affordable housing on grounds of viability. An assessment has been submitted which has been subject to internal review and comment. Agreement has been reached on the sale value but the conclusions reached on the build costs, site abnormal and marketing fees are not supported. The applicant has been asked to justify these assumptions but at the time of writing no further information has been provided.
- 16.4 In the absence of an agreed position on the viability appraisal it is not possible to make an objective assessment of the proposals and contributions required to meet policy requirements. Consequently it is considered that the proposals are contrary to policy H5 and T13.

17. OTHER MATTERS

- 17.1 Noise & Disturbance: - The main sources of noise to possibly effect future residents would arise from daytime activities which includes Transport Activity. Hyde United football ground is also located on the opposite side of Tinkers passage. The intervening distance and boundary treatment would be sufficient to ensure that activities are appropriately separated from the residential use. The EHO has reviewed the proposals and has no concerns about the future living conditions subject to an agreed specification on the window glazing. This is a matter which can be suitably controlled by a condition.
- 17.2 Crime Impact:- Consultation with the Designing Out Crime officer at GMP has highlighted the lack of a supporting Crime Impact Assessment with the application. The comments are noted,

there are no fundamental concerns about crime or its influence at the locality and it is considered to be matter which can be adequately addressed by a planning condition.

- 17.3 Waste Management – The identified levels of refuse storage is not considered to be proportionate to the scale of development, in addition it is also considered that the proposed location is not preferable noting its prominent visual impact and the practical requirements of future residents. Whilst the proposals are not considered acceptable by the LPA it is also a matter which could be addressed through a suitably worded condition.
- 17.4 Archaeology – GMAAS have been consulted and consider that there is limited archaeological potential within the site. No site investigations of potential below ground archaeological interest is deemed to be necessary.

18. CONCLUSION

- 18.1 The Council's current position on five year housing supply is material to the consideration of the application. However, the proposals would not achieve the 3 dimensions of sustainable development (i.e. social, economic and environmental considerations). There is no overriding case based on these considerations which would outweigh the associated harm that would result from the development associated with:
- Impact of the scale and design of the development upon the amenity level of existing properties;
 - The design and scale not responding to the local established development pattern and street context;
 - The inability to demonstrate that a safe access can be achieved which does not inconvenience existing road users as a result of additional congestion; and,
 - The failure to contribute to affordable housing.
- 18.2 The proposals are considered to represent a significant overdevelopment of a constrained site. The application has failed to address the site constraints in an acceptable manner and in the absence of any demonstrable benefits it is not considered that planning permission can be supported.

RECOMMENDATION

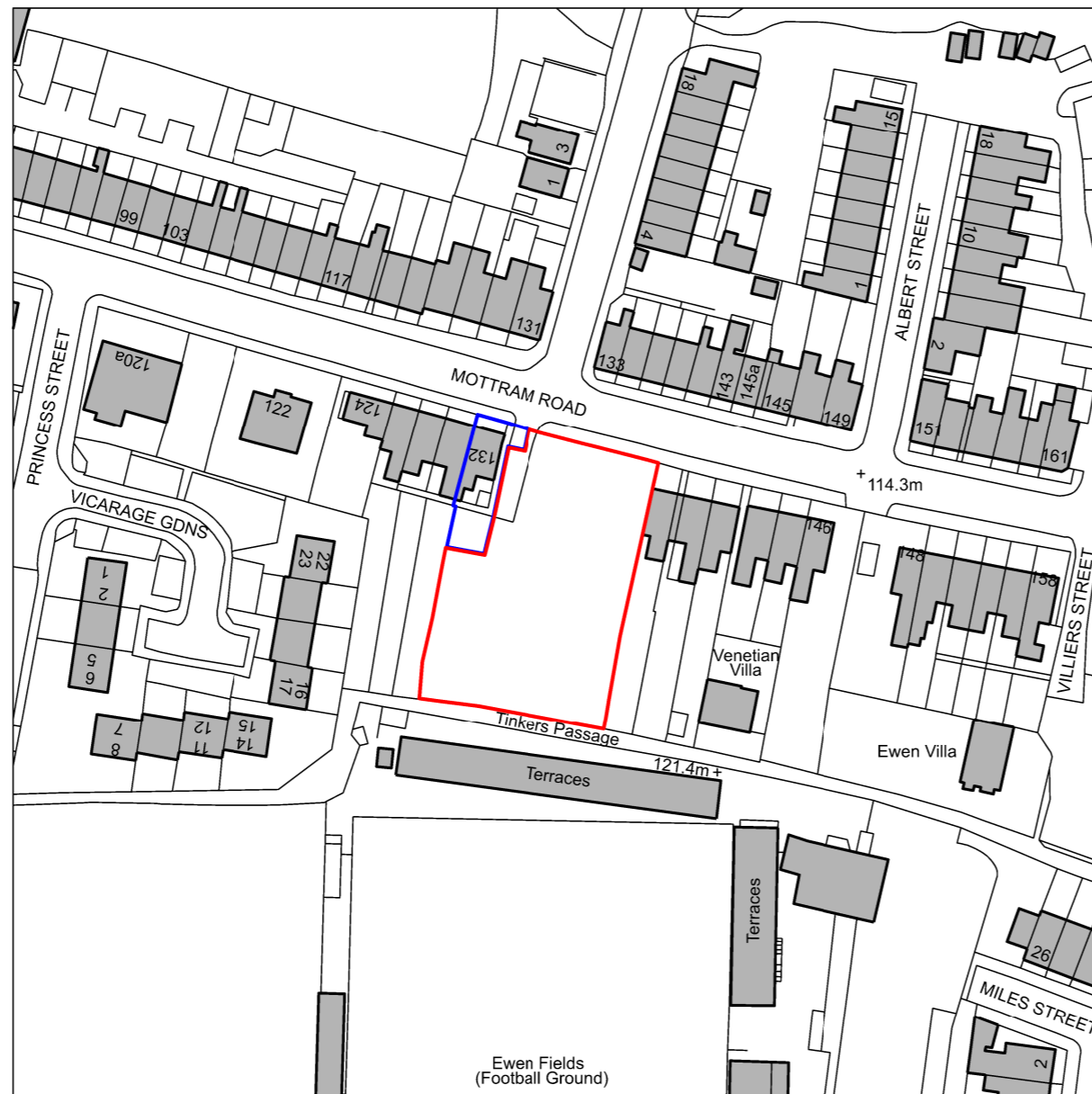
Refuse planning permission for the following reasons:

1. The proposals would present themselves as an overdevelopment of a limited and highly constrained site. At 4 storeys in height and occupying an elevated position the apartment block would result in undue overshadowing and overlooking resulting in a loss of outlook and privacy to neighbouring residents on Mottram Road which share a boundary to the development site. Neighbouring residents would also experience a rise in disturbance associated with increased vehicle activity and greater rise of vehicle conflicts owing to the constraints of the current highway capacity. This would be contrary to Saved Tameside UDP policies 1.1: Creating a Cleaner and Greener Environment, H10: Detailed Design of Housing Developments, Residential Design Guide SPD and design Guidance contained within Chapter 12 of the NPPF.
2. The scale and position of the building would be a significant departure from the established character of the locality. The design fails to respond to the local context, the building would appear highly prominent and immediately out of kilter with the scale of the neighbouring properties. The position and size of the building would appear dominant, this would be accentuated by the position within the site and beyond the established building line, the block would appear to loom above in the more modest scale of the neighbouring properties and

this would not be in-keeping with the character of the locality and contrary to policies C1, H10 of the Tameside UDP and paragraph 130 of the NPPF.

3. The site is located within an area which is prone to traffic congestion with the Mottram Road / Halton Street junction operating at or close to capacity during Peak Times. The application fails to demonstrate that a suitable access can be achieved which would not prejudice existing highways 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 applicant has failed to meet affordable housing requirements. In the absence of a robust viability appraisal and planning case highlighting material benefits it is not been possible to assess whether policy requirements can be relaxed. Consequently the proposals are considered to be contrary to Policy H5 of the Tameside UDP and Section 5 of the NPPF.

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SITE LOCATION PLAN
scale 1:1250@A3

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KEY
— site boundary
— ownership boundary

P01	21/03/22	Planning	ED
Rev:	Date:	Description:	By:



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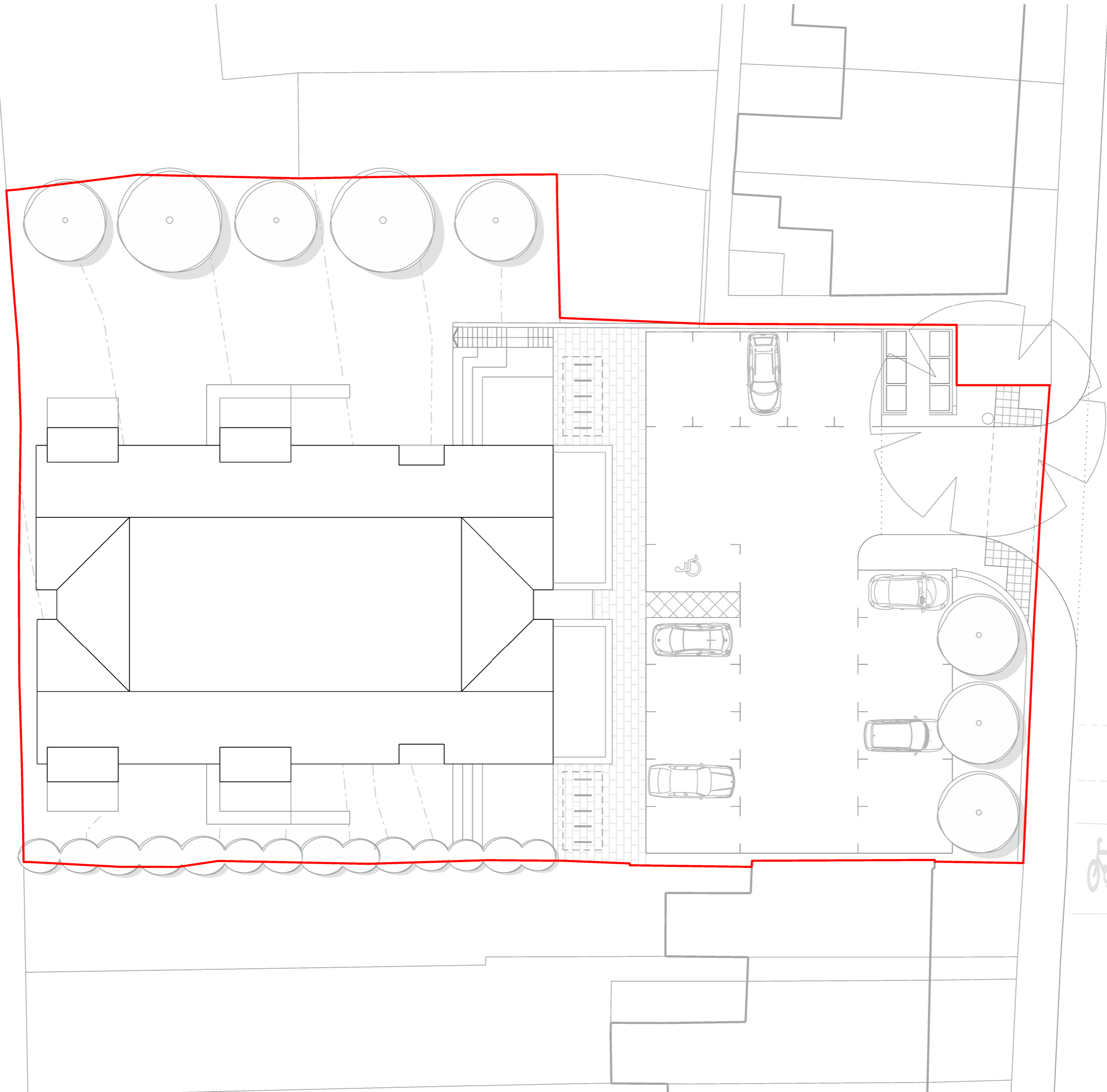
Project:
Mottram Road, Hyde

Title:
Site Location Plan

Status: **PLANNING** Scale @ ISO A3: 1:1250

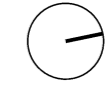
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P02	21/07/22	Pedestrian Crossing Added	ED
P01	21/03/22	Planning	ED
Rev:	Date:	Description:	By:



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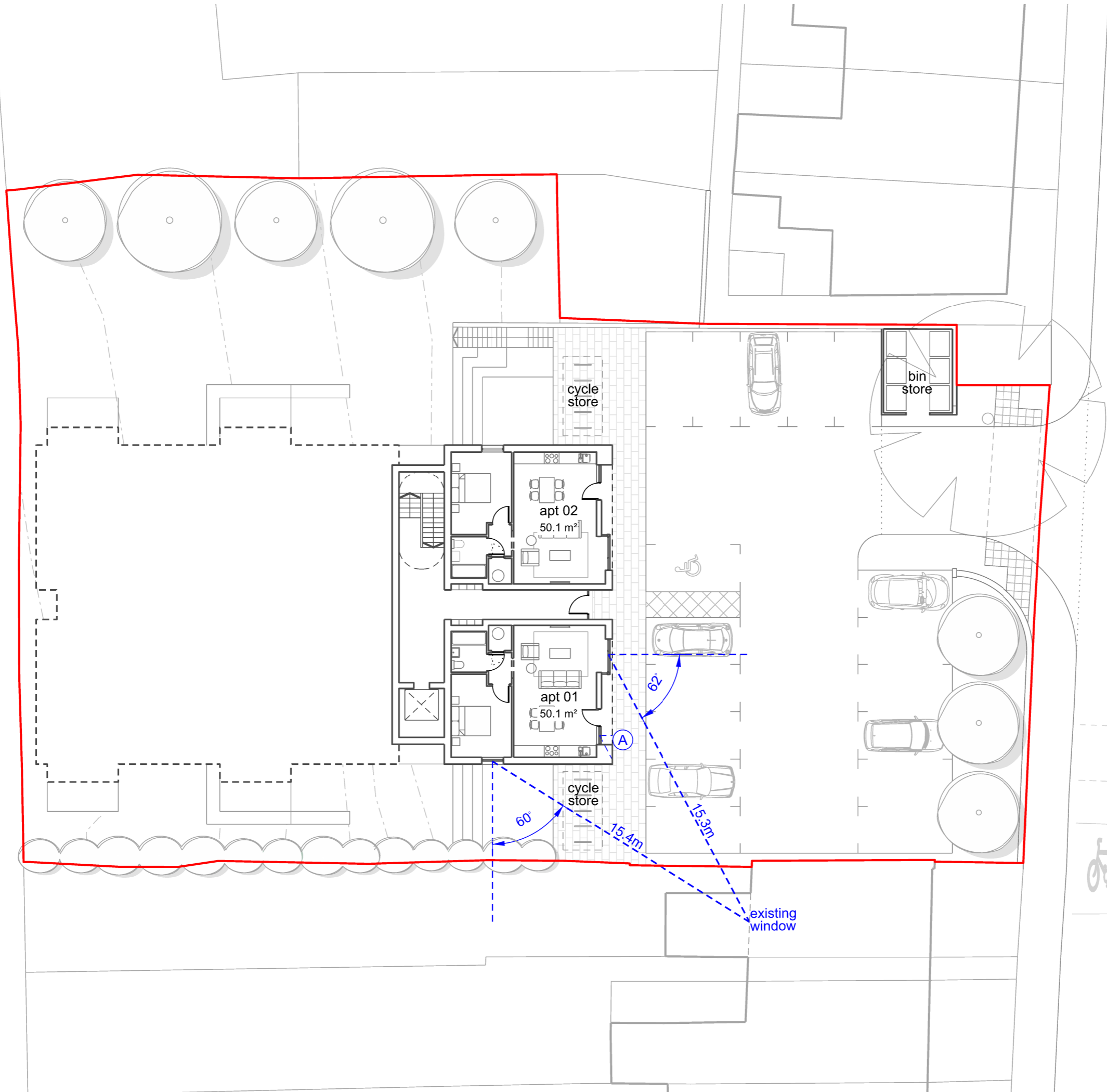
Project:
Mottram Road, Hyde

Title:
Proposed Roof Plan

Status: **PLANNING** Scale @ ISO A3: 1:200

Drawing Number: 0596-P3A-XX-XX-DR-A-05005 Revision: P02

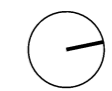
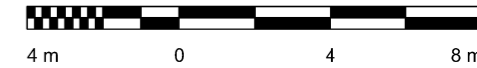
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Key
 (A) secondary window
 line of sight obscured by wall

P02	21/07/22	Privacy Distances Added	ED
P01	21/03/22	Planning	ED
Rev:	Date:	Description:	By:



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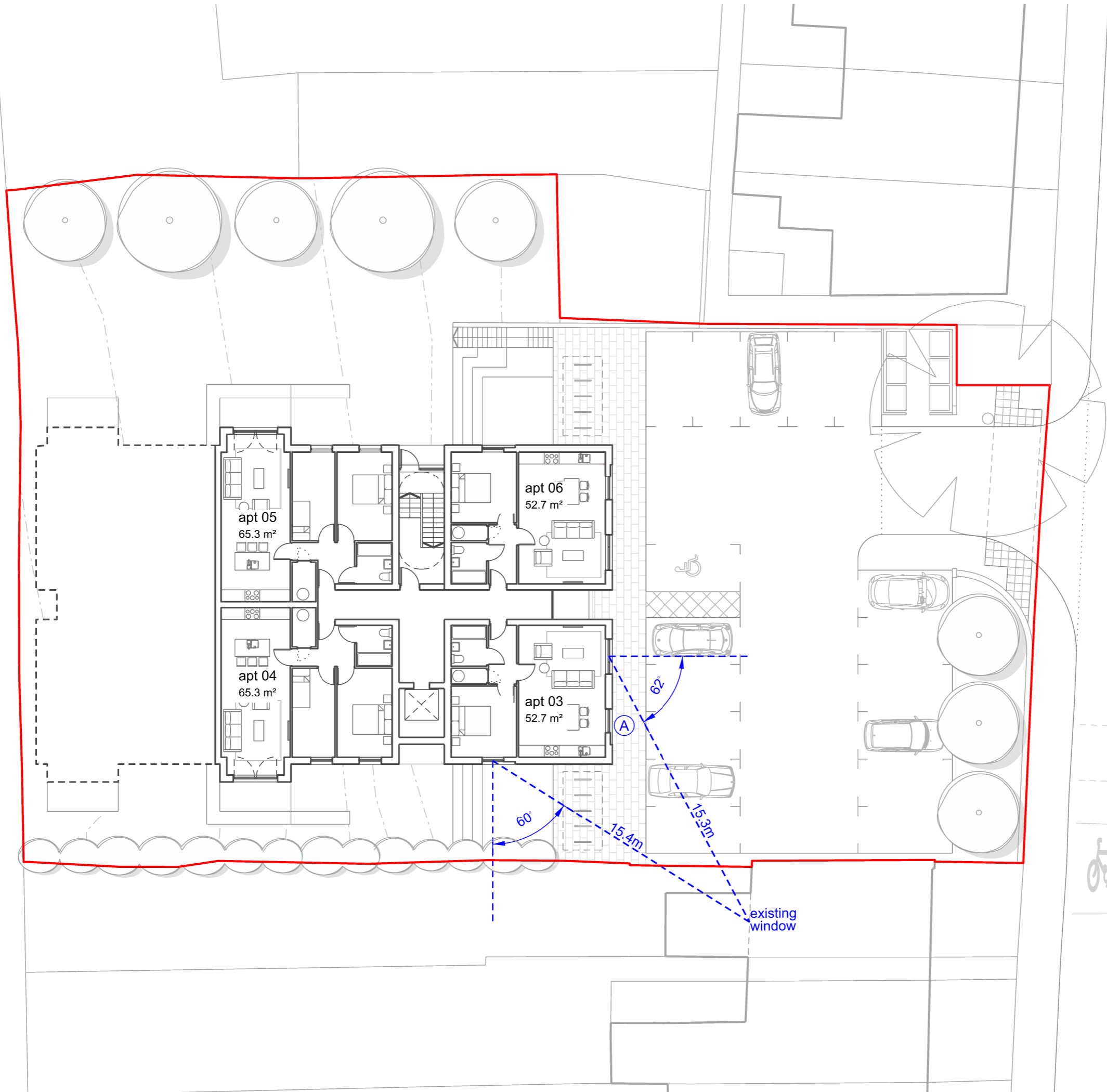
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Project:
 Mottram Road, Hyde

Title:
 Proposed Ground Floor Plan

Status: **PLANNING** Scale @ ISO A3: 1:200
 Drawing Number: 0596-P3A-XX-XX-DR-A-05001 Revision: P02

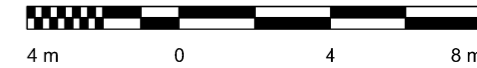
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Key
 (A) opaque glazing to secondary window

P02	21/07/22	Privacy Distances Added	ED
P01	21/03/22	Planning	ED
Rev:	Date:	Description:	By:



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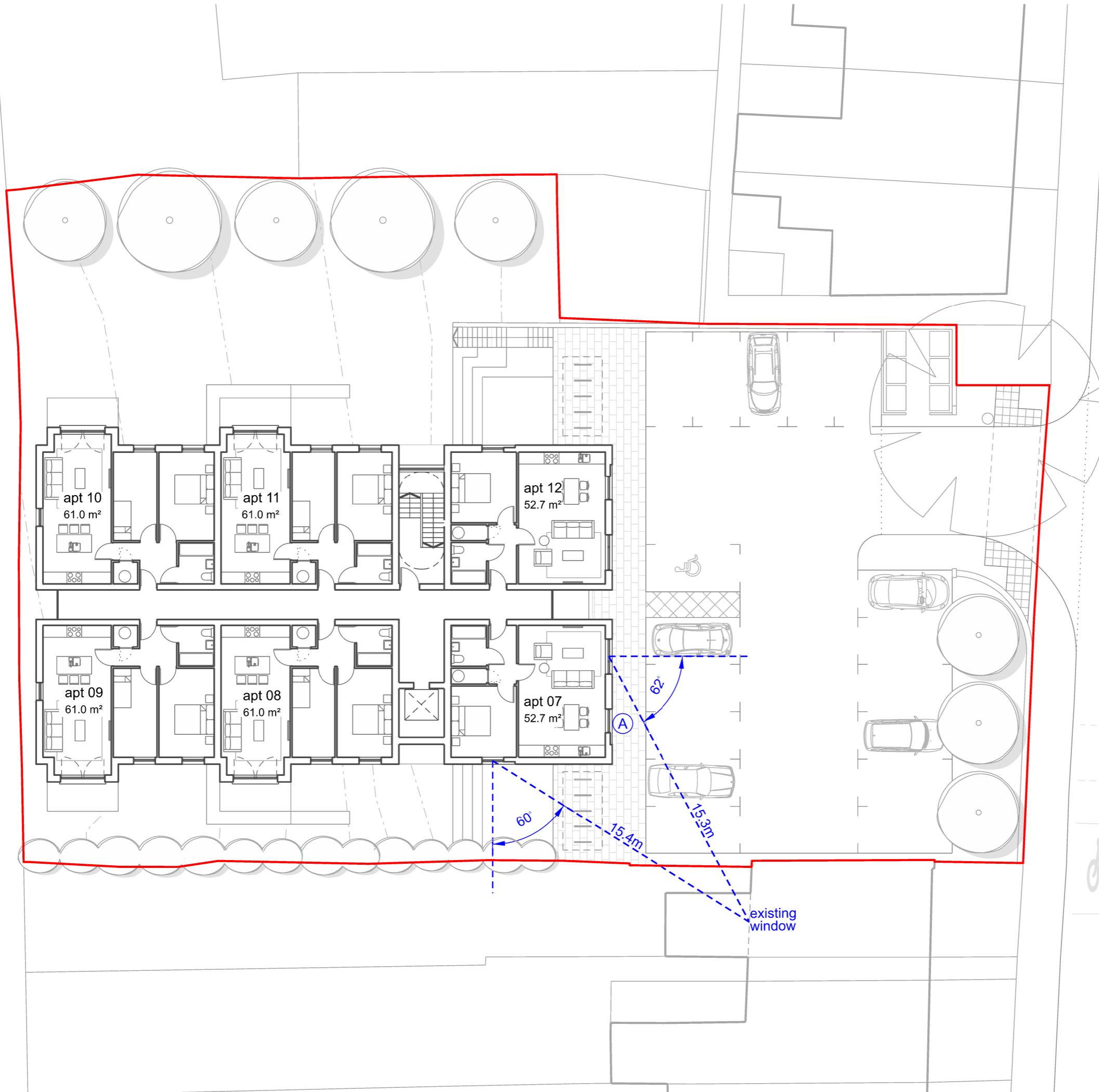
Project:
 Mottram Road, Hyde

Title:
 Proposed First Floor Plan

Status: **PLANNING** Scale @ ISO A3: 1:200

Drawing Number: 0596-P3A-XX-XX-DR-A-05002 Revision: P02

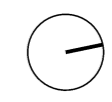
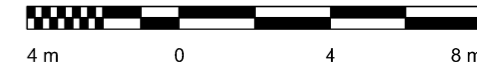
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Key
 (A) opaque glazing to secondary window

P02	21/07/22	Privacy Distances Added	ED
P01	21/03/22	Planning	ED
Rev:	Date:	Description:	By:



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Project:
 Mottram Road, Hyde

Title:
 Proposed Second Floor Plan

Status: **PLANNING** Scale @ ISO A3: 1:200

Drawing Number: 0596-P3A-XX-XX-DR-A-05003 Revision: P02

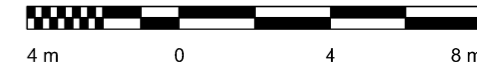
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Key
 (A) opaque glazing to secondary window
 (B) line of sight obscured by parapet roof please refer to elevation drawings: 0596-P3A-XX-XX-05202 & 05204

P02	21/07/22	Privacy Distances Added	ED
P01	21/03/22	Planning	ED
Rev:	Date:	Description:	By:



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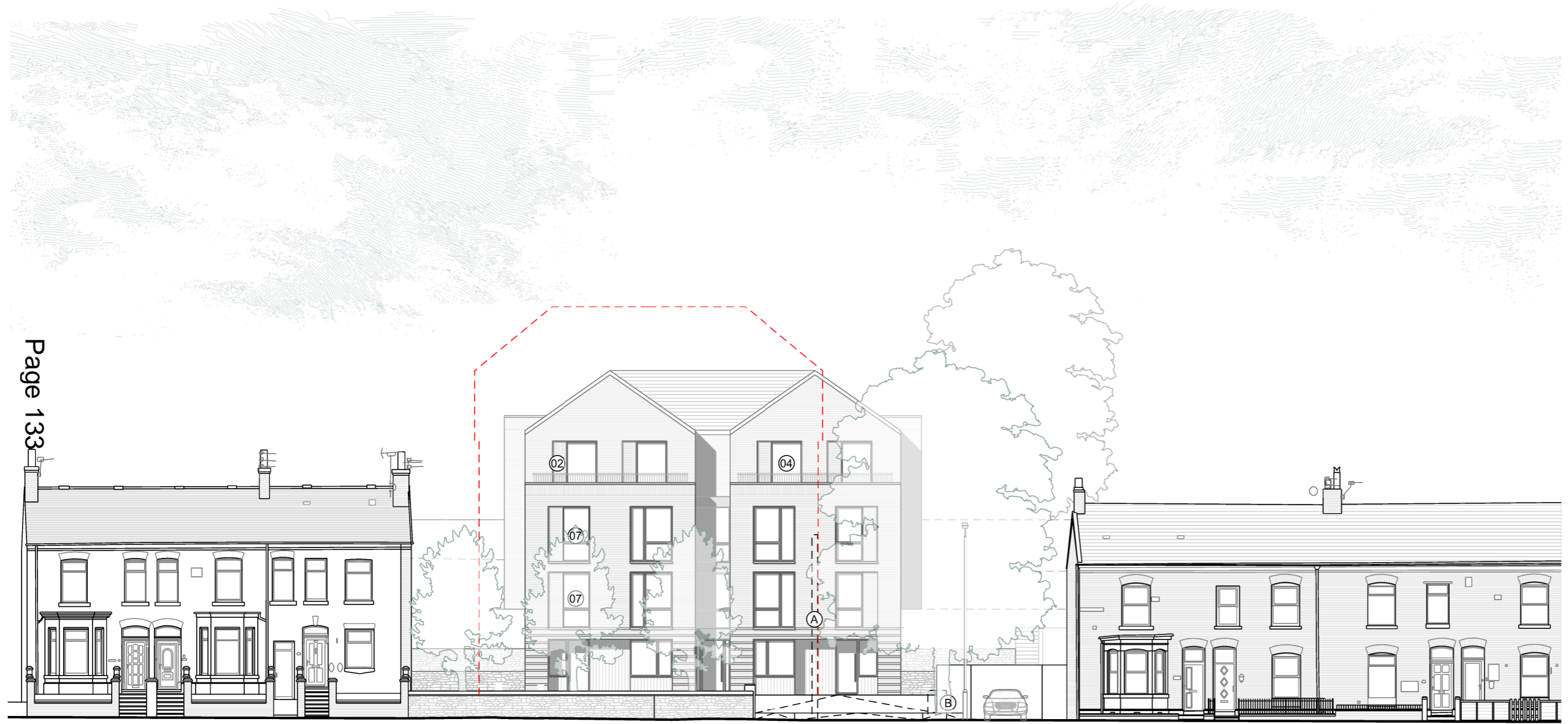
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Project:
 Mottram Road, Hyde

Title:
 Proposed Third Floor Plan

Status: **PLANNING** Scale @ ISO A3: 1:200
 Drawing Number: 0596-P3A-XX-XX-DR-A-05004 Revision: P02

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neighbouring properties

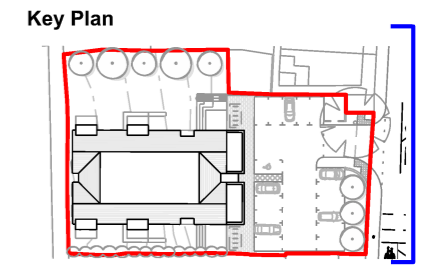
site

neighbouring properties

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- Legend**
- - - dashed line indicates extent of original house (now demolished)
 - (A) existing telegraph pole to be relocated
 - (B) existing junction box to be relocated

- Material Key**
- (01) Brickwork
 - (02) Recessed brickwork detail
 - (03) Brickwork soldier course
 - (04) Aluminum windows
 - (05) Cladding Panel
 - (06) Grey roof tile
 - (07) Opaque Glazing



P02	21/07/22	Windows Revised	ED
P01	21/03/22	Planning	ED
Rev:	Date:	Description:	By:



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 architects

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 altrincham
 cheshire
 WA14 1DY

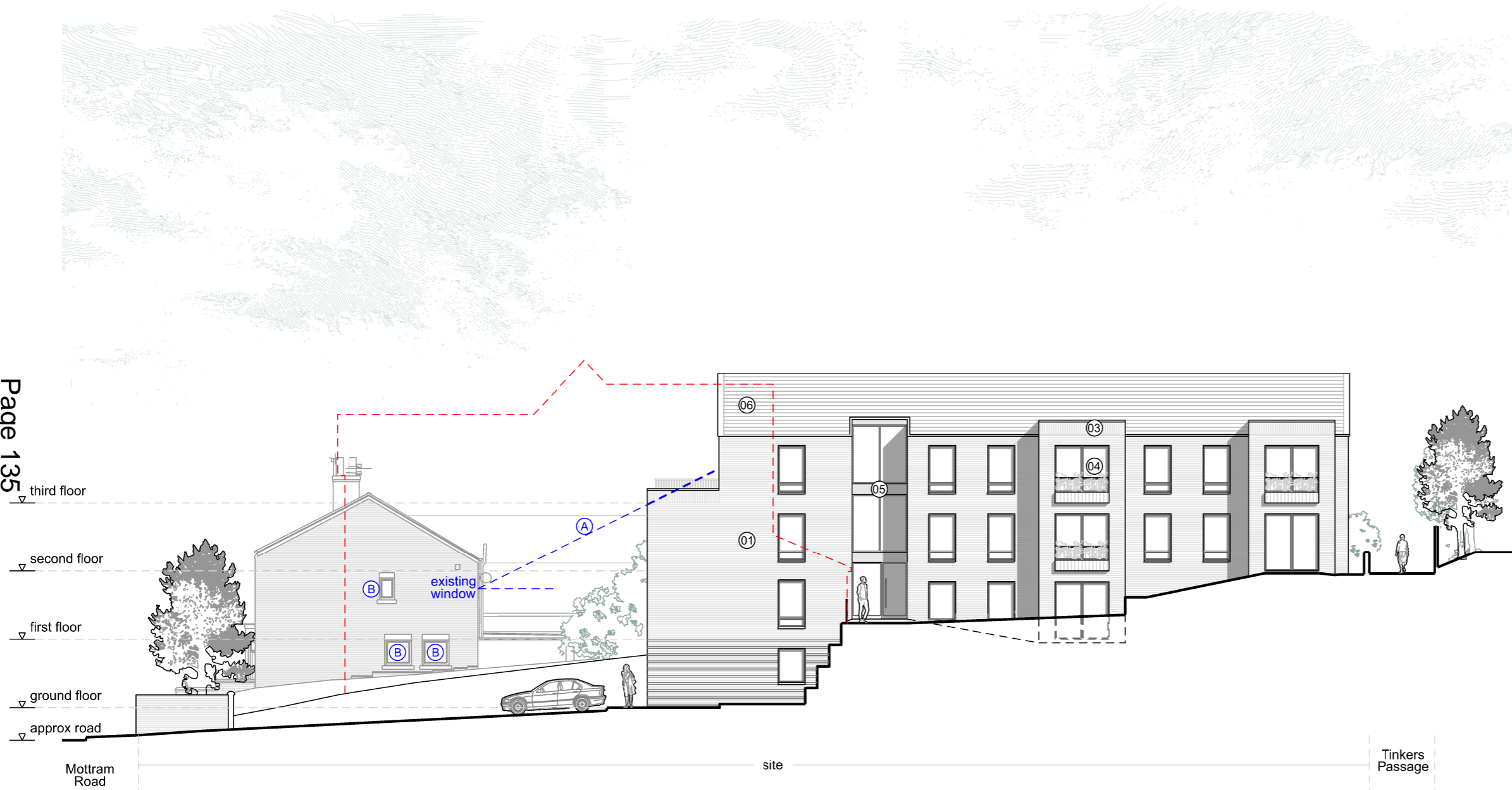
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Project:
 Mottram Road, Hyde

Title:
 Proposed Site Elevation 01

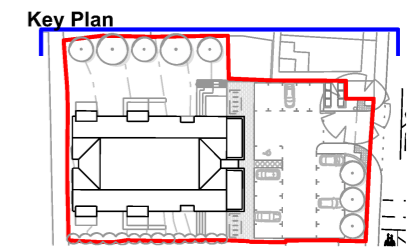
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- Legend**
- - - dashed line indicates extent of original house (now demolished)
- Material Key**
- ① Brickwork
 - ② Recessed brickwork detail
 - ③ Brickwork soldier course
 - ④ Aluminum windows
 - ⑤ Cladding Panel
 - ⑥ Grey roof tile
 - ⑦ Opaque Glazing



- Notes**
- Ⓐ line of sight obscured by parapet roof
 - Ⓑ opaque glazed windows as existing

P02	21/07/22	Privacy Distances Added	ED
P01	21/03/22	Planning	ED
Rev:	Date:	Description:	By:



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Project:
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Title:
 Proposed Site Elevation 04

Status: Scale @ ISO A3:
 PLANNING 1:200
 Drawing Number: Revision:
 0596-P3A-XX-XX-DR-A-05204 P02

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Page 137

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P01 21/03/22 Planning ED
Rev: Date: Description: By:

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Project:
Mottram Road, Hyde

Title:
Proposed Visualisation

Status: PLANNING Scale @ ISO A3: nts

Drawing Number: 0596-P3A-XX-XX-DR-A-05301 Revision: P01

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Application Number 21/00372/FUL

Erection of a 4 storey apartment block comprising 17 no. apartments with associated parking and private amenity space

Photo 1: Aerial view of site



Photo 2: Mottram Road Frontage (1)



Photo 3: Mottram Road Frontage (2)



Photo 4: View Towards 136 Mottram Road



Photo 5: Change in levels to no.136 Mottram Road



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6Application Number:	22/00619/FUL
Proposal:	Retrospective application for the rebuilding of a dilapidated former industrial unit and associated works to service yard.
Site:	Redfern Industrial Estate, Dawson Street, Hyde
Applicant:	Northern Quarter Properties Ltd
Recommendation:	Grant planning permission subject to conditions.
Reason for Report:	A Speakers Panel decision is required because the application constitutes a major development.
Background Papers:	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

1. SITE & SURROUNDINGS

- 1.1 The site relates to land to the rear of Redfern Industrial Estate, which is located to east of Dawson Street within Hyde.
- 1.2 The industrial estate is located behind the Stoneacre car showroom to the south of Market Street. The Industrial Estate comprises of a complex of buildings accessed from Dawson Street, this is dominated by a 4 storey red brick mill building which has a service yard located to its rear. Beyond the southern boundary is a former railway line which now forms part of the Trans Pennine Trail (TPT). The yard provides access to a series of single and two storey structures which provide employment accommodation, typically for engineering businesses. The service yard provides parking in addition to being used for open storage.
- 1.3 The site is located to the rear of the mill and frames the northern boundary of the shared yard. The location of the site dictates that it is not openly visible from any public vistas. As the description suggests the works are part retrospective, at present a steel frame has been erected and the concrete floor laid. All further works have ceased pending consideration of the planning application.
- 1.4 Whilst the site and adjoining uses are all industrial / employment in character there residential properties located west of Dawson Street. Dawson Street itself is not adopted, it is a commercial access which is characterised by a high dependence on on-street parking from employees of the surrounding businesses.

2. PROPOSAL

- 2.1 This full application seeks planning permission for employment warehousing (use class B8) with associated yard area. The building replaces a previous structure which occupied the site, initial works have been undertaken including the laying of foundations, floor and construction of steel frame. The application is therefore part retrospective.
- 2.2 The building would be sited to the rear of existing units with Redfern Industrial Estate. Accessed from Dawson Street it would be a roughly rectangular building which fronts onto the communal service yard. The building would have a floor area of 1,512 square metres (sqm), the front of the building would have a width of 43m and the rear of the building 39m, the depth of the building would be 39m. The eaves height would measure 4.2m and the ridge height 5.9m.

- 2.3 The building would be constructed with insulated wall panel cladding with 2 roller shutter doors to the service yard. The elevations would be contrasting grey colour with openings in yellow. Externally there would be a dedicated cycle store and provision for 14 vehicles.

3. PLANNING HISTORY

- 3.1 00/00309/OUT – Development of industrial floorspace within Classes B2 and B8 with ancillary B1 offices, associates access, car parking and landscaping (Outline) – Approved May 2003
- 3.2 16/00972/FUL – Erection of one industrial building to create 3749 sqm of B2 General Industrial floorspace – Approved May 2017

4. PLANNING POLICY

National Planning Policy Framework

- 4.1 Paragraph 9 of the National Planning Policy Framework (NPPF) states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area.
- 4.2 Paragraph 11 states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay (as per section 38(6) of the Planning and Compulsory Purchase Act 2004). However, where the development plan is absent, silent or out of date, planning permission should be granted unless the application of policies in the NPPF that protects areas or assets of particular importance, provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 4.3 Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

4.4 Development Plan

The adopted development plan is the Tameside Unitary Development Plan (2004) and the Greater Manchester Joint Waste Development Plan Document (2012).

Tameside Unitary Development Plan (2004)

4.5 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;
- 1.9: Maintaining Local Access to Employment and Services;
- 1.10: Protecting and Enhancing the Natural Environment;
- 1.12: Ensuring an Accessible, Safe and Healthy Environment.

4.6 Part 2 Policies

- C1: Townscape and Urban Form
- E3: Established Employment Areas
- E6: Detailed Design of Employment Developments
- MW11: Contaminated Land
- MW12: Control of Pollution
- N3: Nature Conservation Factors
- N4: Trees and Woodland
- N5: Trees within Development Sites
- N6: Protection and Enhancement of Waterside Areas
- N7: Protected Species
- OL10: Landscape Quality and Character
- OL15: Openness and Appearance of River Valleys
- T1: Highway Improvement and Traffic Management
- T7: Cycling
- T8: Walking
- T10: Parking
- T11: Travel Plans
- U3: Water Services for Developments
- U4: Flood Prevention
- U5: Energy Efficiency

Places for Everyone

- 4.7 The Places for Everyone Joint Development Plan Document was published in August 2021. It was submitted to the Secretary of State in February 2022 and inspectors are appointed to carry out an independent examination. It is a joint plan covering nine of the ten Greater Manchester districts, including Tameside, and is intended to provide the overarching framework to strategically manage growth across the boroughs.
- 4.8 Paragraph 48 in the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to: the stage of preparation of the emerging plan (the more advanced its preparation, the greater weight may be given); the extent to which there are unresolved objections (the less significant, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).
- 4.9 Whilst Places for Everyone has been published and submitted, a number of representations have been received objecting to policies, and so in accordance with paragraph 48 of the NPPF, only very limited weight can be given to those policies at this time.

Other Considerations

- 4.10 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a persons rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.
- 4.11 The application has been considered in accordance with the Tameside One Equality Scheme (2018-22), which seeks to prevent unlawful discrimination, promote equality of opportunity and good relations between people in a diverse community. In this case the proposed development is not anticipated to have any potential impact from an equality perspective.

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 by neighbour notification letters, display of site notice; and advertisement in the local press.

6. SUMMARY OF THIRD PARTY RESPONSES

- 6.1 No letters of representation have been received.

7. RESPONSES FROM CONSULTEES

- 7.1 Local Highway Authority (LHA) – No objections, subject to conditions requiring car parking and servicing to be implemented; a construction environment management plan; a scheme for electric vehicle charging points; implementation of secured cycle storage.
- 7.2 Lead Local Flood Authority (LLFA) – No objections, subject to a condition requiring a surface water drainage scheme.
- 7.3 United Utilities – No objections, subject to a condition requiring a surface water drainage scheme.
- 7.4 Environmental Health – No objections, subject to restrictions on construction working hours.
- 7.5 Contaminated Land – No objections, note that no contaminated land reporting was included with this application and when considering the potential historic contamination issues and the retrospective nature of this planning application, it is recommended that site investigation condition is applied.
- 7.6 Tree Officer – Confirms that there are no significant trees or vegetation within the footprint of the site and adjacent vegetation should not be adversely affected by the development.

8. ANALYSIS

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 8.2 The current position is that the Development Plan consists of the policies and proposals maps of the Unitary Development Plan and the Greater Manchester Joint Waste Plan Development Document.
- 8.3 The National Planning Policy Framework (NPPF) is also an important consideration. The NPPF states that a presumption in favour of sustainable development should be at the heart of every application decision. For planning application decision making this means:-
- approving development proposals that accord with the development plan without delay; and
 - where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless:-
 - 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 6 of the NPPF is entitled “Building a strong, competitive economy”. Paragraph 81 states that ‘planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.’
- 9.2 Whilst the site is not formally allocated within the UDP, it has a longstanding established employment use, historical maps show that this dates back to the mid-19th century. The site was originally part of the, Springbank Cotton Mill complex and then later it formed part of Redferns Rubber works which included the building demolished as part of this development, the site and surrounds now support a number of independent businesses.
- 9.3 There is a shortage in the supply/allocation of employment land within the Borough at the present time. This will be addressed within the emerging spatial plan, Places for Everyone, and a new local plan. The evidence submitted as part of the Greater Manchester Spatial Framework and Places for Everyone highlighted that Tameside has the lowest availability of industrial and warehousing space within Greater Manchester. Industrial and warehousing development has an important role to play in addressing the economic disparities across Greater Manchester and, in particular, to boost the competitiveness of the Borough within the northern areas. It is therefore material to the decision making process.
- 9.4 Policy E3 states that in Established Employment Areas, the Council will permit development for employment purposes. The erection of the proposed buildings would yield direct economic outputs and the creation of the employment floor space would provide direct employment opportunities. The investment within the site is welcomed and this would complement the wider employment offer within the established Redfearn Industrial Estate by providing further opportunities. This investment is welcomed and it fully accords with the strategic objectives of the council.
- 9.5 The principle of development is considered to be acceptable, the proposals would be fully compliant with the site allocation and meets the test of policy E3 ‘Established Employment Areas’ subject to all other material considerations being satisfied.

10. DESIGN & LAYOUT

- 10.1 Policy E6 ‘Detailed Design of Employment Developments’ sets out a number of design based criteria to be applied in the consideration of new employment development. Policy C1 promotes that new development responds positively to and with understanding of its local context.
- 10.2 The position of the building is such that it would occupy a central location within an established employment area; as such it would be screened from public views by the presence of surrounding buildings. Photographs of the building previously located on the site indicate that it was in a very poor state of repair/condition. The loss is not significant and in comparison the replacement building would offer modern well insulated employment accommodation. The scale and form is comparable to the building it replaces, whilst the materials are different to that of the traditional industrial redbrick of the adjacent mill this is not a concern. There is no significant heritage or amenity value to the site where the design would be akin to more recent developments in the area.
- 10.3 There would be local environmental improvements associated with the modern appearance of the building and adjoin service yard. This will enhance what is otherwise a very functional and somewhat dated employment setting.

- 10.4 The design is acceptable meeting the criteria of policy E6. The elevations exhibit an element of interest with the coloured openings providing welcome breaks within the façade and additional texture to the buildings appearance. The design and appearance of the building would frame the service yard in a successful manner. The modern construction would provide local amenity benefits to the character and setting of the employment estate.

11. RESIDENTIAL AMENITY

- 11.1 The site is not bounded immediately by any residential properties and is located within an almost exclusive employment area. The nearest properties are those located on Bradbury Street and Green Street which are located to the west of Dawson Street and exit onto Haughton Street.
- 11.2 The layout dictates that the service yard and access points to the building would remain in a central location framed by the existing building to the west, north and east and the boundary wall to the south beyond which is the TPT. This is favourable insofar as it would contain external activity to the central area of the site resulting in minimal disturbance to people who may be passing the site including along the TPT.
- 11.3 Consultation with Environmental Health has been positive and it is not envisaged that any disturbance should occur from the site which would be harmful to levels of public amenity, including any associated activity from vehicle movements from employees, visitors and deliveries.
- 11.4 Collectively having regard to the above, it is considered that the relationship to nearby residential properties would be acceptable with their amenity not being unduly prejudiced.

12. HIGHWAY SAFETY & ACCESSIBILITY

- 12.1. The Local Highway Authority (LHA) note that the development will be a rebuild of an existing industrial unit, and are satisfied that the historical vehicle trips generated from the previous use verses the proposed vehicle trips will not have not a have a severe impact upon the capacity of the local highways network.
- 12.2 UDP policy T10 requires a minimum of 1 parking space is provided per 850 sqm of floor space for B8 uses. The development proposes 13 no. off street vehicle parking spaces for the proposed 1342 sqm of B8 development. This is acceptable to the LHA based on the requirement set out in the SPD. Cycle storage is indicated as part of the proposals, these along with electric vehicle charging points, are required to promote sustainable modes of transport.
- 12.3 The site is accessed via a shared yard which also serves several neighbouring businesses. The access arrangements demonstrate that vehicles will be able to safely manoeuvre within the site without prejudicing neighbouring uses. The additional onsite parking provision will hopefully address some parking pressures experienced on Dawson Street which has been observed to be heavily parked during daytime site visits. Given the central and very accessible location it is reasonable to assume that an element of the employees would arrive by public transport. Likewise the accessibility to established residential areas and the TPT provide safe and convenient walking and cycling options to staff. To promote cycling secure cycle storage is proposed along with staff changing facilities and these would be accommodated within the development.
- 12.4 Accident data for the site has been provided and over a 5 year period where no accidents have been recorded within the immediate vicinity. The LHA are satisfied that it is robust and the vehicle trips generated by the development are minimal, based on 49 additional two-way vehicle movements over the course of a typical weekday. This would comprise a maximum

of 6 additional two-way movements made by HGV's which would have immediate access to the strategic highway network. The LHA are satisfied that there is sufficient capacity on the existing highway network to accommodate the development.

- 12.5 Having full consideration to the merits of the proposals it is considered that the development provides a safe, secure and convenient access for all road users in accordance with UDP policy T1.

13. DRAINAGE AND FLOOD RISK

- 13.1 The site is located in Flood Zone 1 and is therefore considered to be at the lowest risk of flooding. The site is presently laid entirely to hard surfacing and there would be no material increase to the size of this area.
- 13.2 The proposals are to drain the site into an existing site drainage system. No exact details of this have been provided and the LLFA have taken note of this. There would be no increase to surface water run-off as the site was, and will remain, completely laid to hard surfacing. There are no viable opportunities to connect an outfall to an existing watercourse so connection to the existing combined drain is deemed appropriately.
- 13.3 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 The site falls outside of the Coal Authority's defined Development High Risk Area. As such, a Coal Mining Risk Assessment is not required. The Coal Authority have however advised that their standing advice should be followed, in the interests of public health and safety. An informative is recommended advising the applicant of this.
- 14.2 The Environmental Protection Unit (EPU) have identified that there could be onsite contamination as a result of historic industrial processes. A condition is recommended for further assessment and potential investigation into ground conditions. There are implications associated with this given that development has commenced with foundations and floor slabs laid. The discharge of the condition may require elements of works to be removed but this is yet to be determined.
- 14.3 The conditions recommended by the EPU are considered reasonable and necessary to ensure that future users of the proposed development would not be exposed to potential risks caused by contamination at the site, and subject to its imposition the application is thereby considered acceptable in this regard.

15. LANDSCAPING & ECOLOGY

- 15.1 The site is void of any vegetation and as such has low biodiversity value. Section 11 of the NPPF advocates biodiversity enhancement. There is little to no scope to introduce new soft landscaping. Enhancements are therefore limited to physical features such as bird and bat boxes on the building. This is a matter to be addressed by planning condition.

16. CONCLUSION

- 16.1 The development will generate employment within an established employment area. The economic benefits associated with investment and subsequent employment opportunities

carry significant weight and the principle of the development is considered to be fully acceptable.

- 16.2 The building is a replacement structure to a previous building which was of a very poor and dated appearance. The building would take an appearance that is typical of commercial development within the locality and the scale, massing and design of the unit would not result in a detrimental impact on the character of the surrounding area. The modern construction details will deliver an energy efficient building which is an improvement on the historical precedent.
- 16.3 The proposal is considered not to be detrimental to highway safety, subject to the imposition of conditions to safeguard parking and turning within the yard.
- 16.4 There are no objections to the proposals from the statutory consultees in relation to the proposals which is considered to be an efficient use of an existing site.
- 16.5 The proposal therefore complies with relevant development plan policies as well as those contained within the NPPF and is considered acceptable when taking into account other material planning considerations.

RECOMMENDATION

Grant planning permission subject to the prior signing of a Section 106 Legal Agreement and 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.

Site location Plan ref PL02
Existing Site Plan/Block Plan ref PL02
Block Plan of the Site ref PL03
Proposed elevations ref PL04
Proposed Plan PL05

Reason: In the interests of the visual amenities of the locality and in accordance with policies of the adopted TMBC UDP.

- 3) Prior to the use of the development, contaminated land reporting will be required to determine the potential contamination risk and how this has/will be mitigated. The scheme shall be implemented and verified as approved and shall include all of the following components unless the LPA 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 LPA 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 / 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 LPA. 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 (LPA)), 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 LPA. The remediation strategy shall be fully implemented and verified as approved.

The discharge of this planning condition will be given in writing by the LPA 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 LPA and use of the development shall not commence until this time unless otherwise agreed in writing by the LPA.

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

- 4) 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.

- 5) No work shall take place in respect to the construction of the approved highway to the Development, as indicated on the approved site plan, until a scheme relevant to highway construction has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of:-
 1. Phasing plan of highway works.
 2. Surface and drainage details of all carriageways and footways.
 3. Details of the works to the reinstatement of redundant vehicle access points as continuous footway to adoptable standards following the completion of the construction phase.
 4. Details of the areas of the highway network/car park within the site to be constructed to adoptable standards and the specification of the construction of these areas.
 5. Details of carriageway markings and signage.
 6. Full details of a lighting scheme (to an adoptable standard) to the private carriageway and parking areas.

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 Policy T1: Highway Improvement and Traffic Management.

- 6) The car parking spaces to serve the development hereby approved shall be laid out as shown on the approved site plan ref PL 03 prior to the first occupation of that development and shall be retained free from obstruction for their intended use thereafter.

Reason: To ensure that the development has adequate car parking arrangements in accordance with UDP Policy T10 Parking.

- 7) No part of the development hereby approved shall be occupied until details of the secured cycle storage provision + changing facilities to serve the industrial unit 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 property and shall be retained as such thereafter.

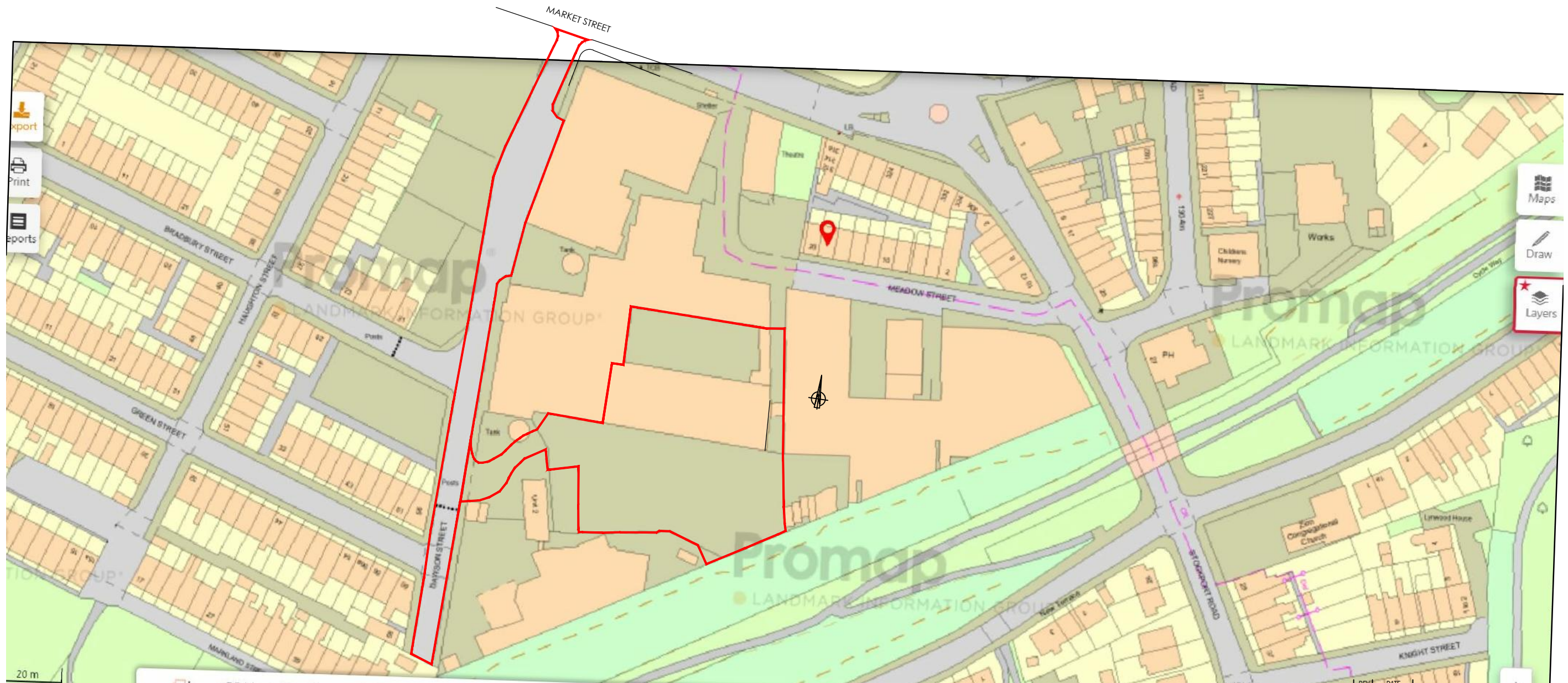
Reason: In the interest of promoting use of public transport and reducing environmental impact, in accordance with UDP Policies T1: Highway Improvement and Traffic Management

- 8) 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.

- 9) 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.



PROPOSED REBUILDING OF INDUSTRIAL UNIT: LOCATION PLAN
 REDFERN INDUSTRIAL ESTATE, DAWSON STREET, HYDE

SCALE 1:1250 @ A3



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 72A Water Lane,
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REFURB INDUSTRIAL ESTATE			
HYDE			
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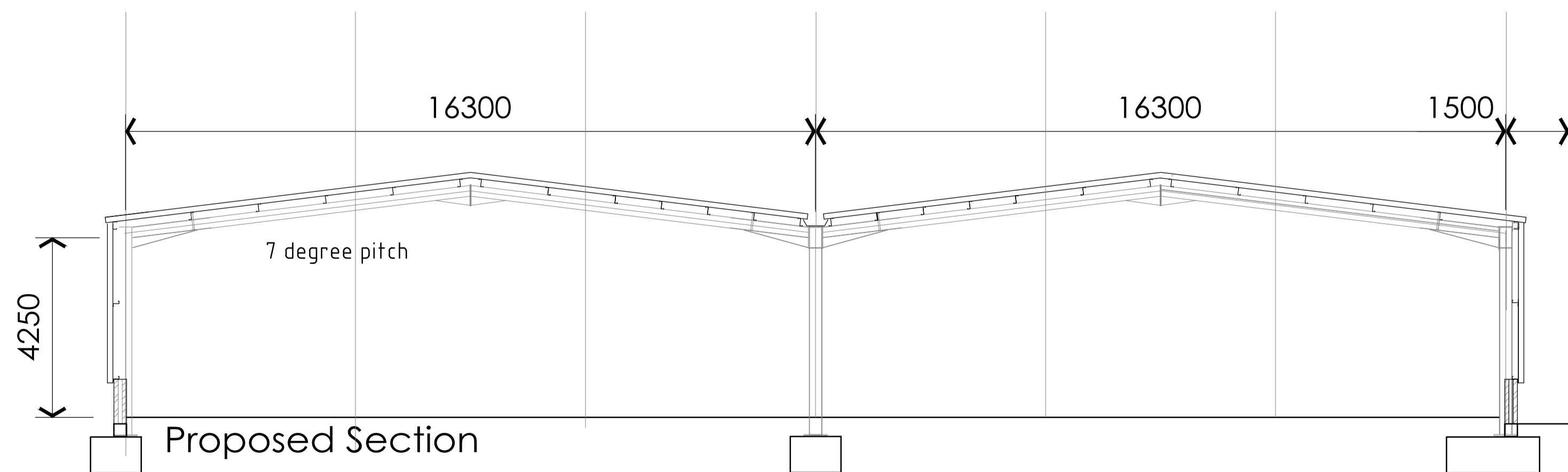
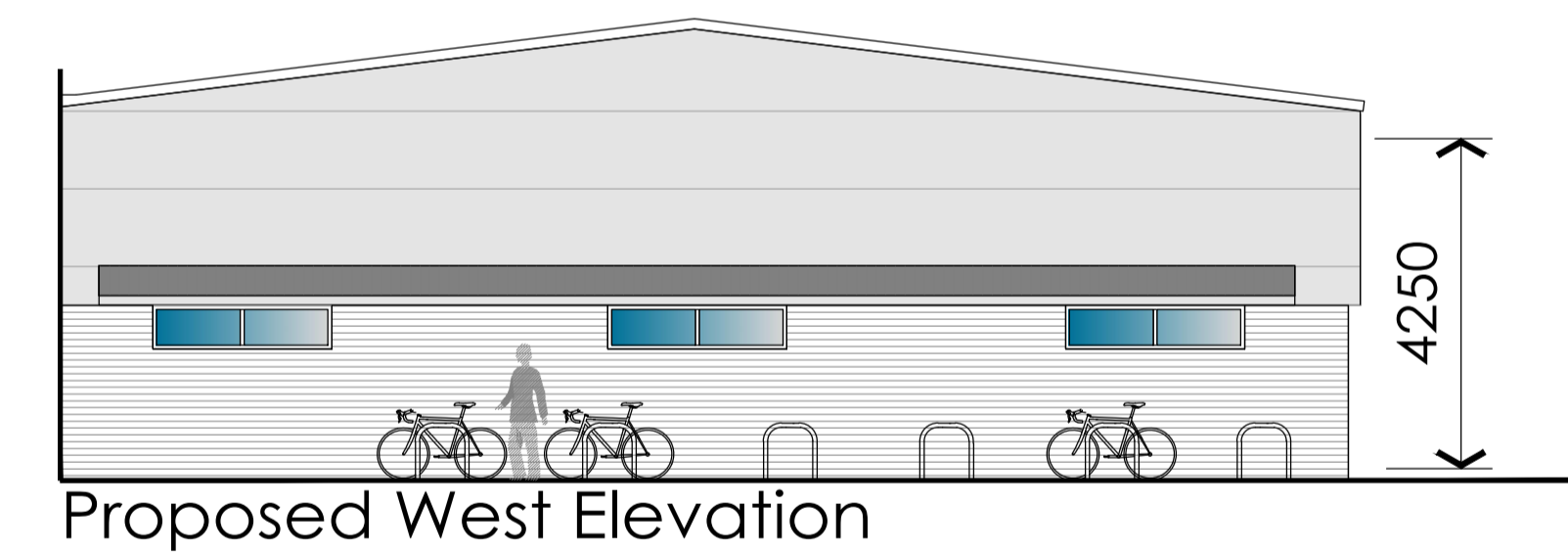
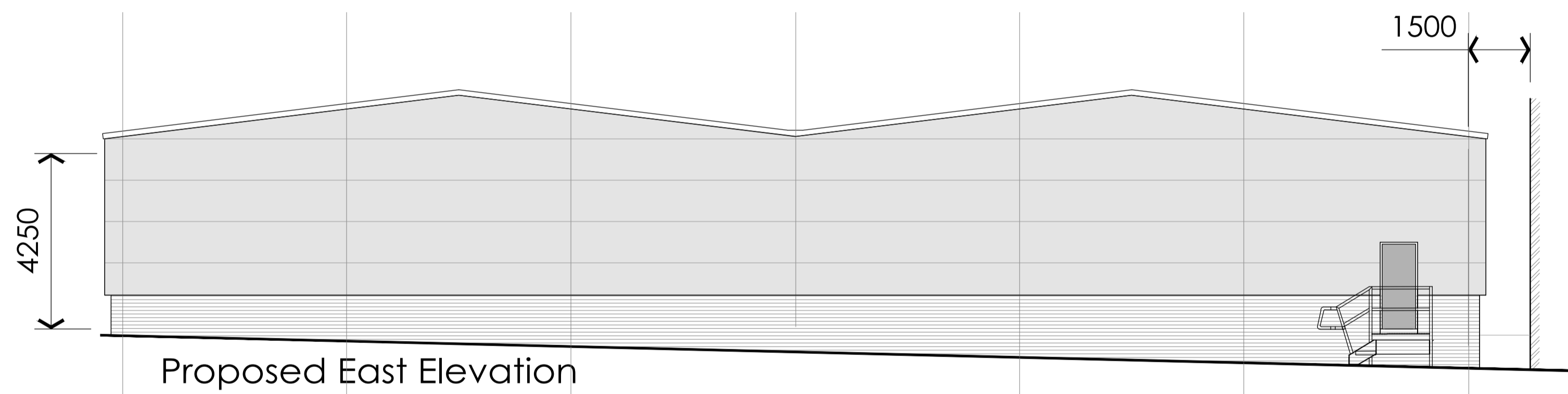
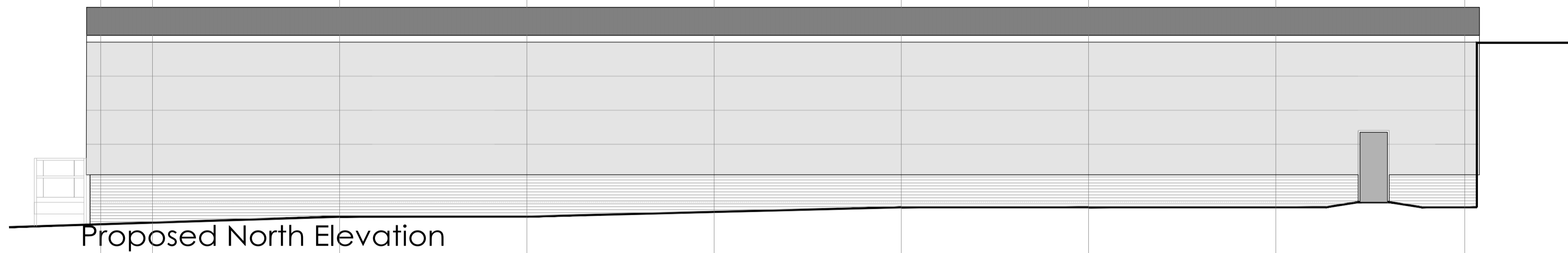
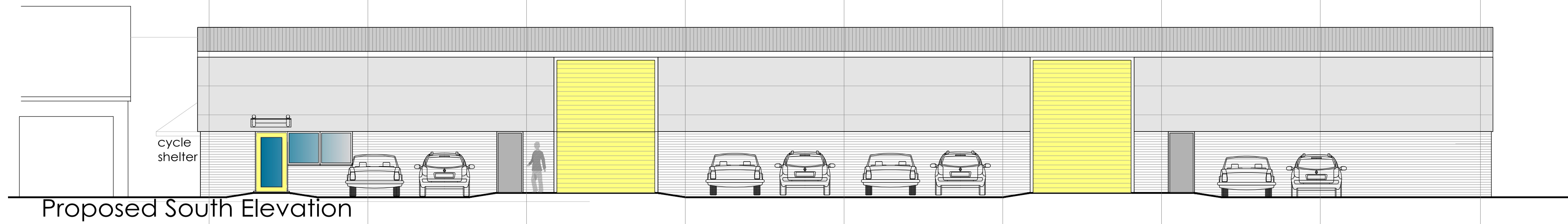
PROPOSED REBUILDING OF INDUSTRIAL UNIT: SITE PLAN
REDFERN INDUSTRIAL ESTATE, DAWSON STREET, HYDE

SCALE 1:200 @ A1

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PROPOSED REBUILDING OF INDUSTRIAL UNIT: PROPOSED ELEVATIONS
 REDFERN INDUSTRIAL ESTATE, DAWSON STREET, HYDE

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Application Number 22/00619/FUL

Retrospective application for the rebuilding of a dilapidated former industrial unit.

Photo 1: Aerial view of site



Photo 2: View down Dawson Street towards Market Street



Photo 3: View of shared service yard



Photo 4: View of partially constructed building



Photo 5: Aerial view of former building



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Application Number:	22/00642/FUL
Proposal:	Erection of sports & wellbeing extension & remodelling of existing sports hall.
Site:	Ashton Sixth Form College, Darnton Road, Ashton-under-Lyne
Applicant:	Ashton Sixth Form College
Recommendation:	Grant planning permission subject to conditions.
Reason for Report:	A Speakers Panel decision is required because the application constitutes major development.
Background Papers:	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

1. SITE & SURROUNDINGS

- 1.1 Ashton Sixth Form College campus fronts on to Darnton Road, it is situated behind houses on Montague Road to the west and Arundel Street to the east. It encompasses all of the land between the two roads which run parallel in southwards direction from their respective junctions with Darnton Road. The campus covers an area of approximately 3 hectares, the main collection of buildings are located within the northern portion of the site with sports fields and facilities located to the south.
- 1.2 The campus comprises a series of buildings built around the original (former) Ashton Grammar School built in 1928 and fronting Darnton Road. There is a mixture of architectural forms, styles and materials across the buildings within the campus. Buildings range in height between one and three storeys but the original block remains the dominant feature.
- 1.3 The application concerns development to the north of the existing sports hall building. This currently comprises of a single storey changing block, covered walkway and hard surfaced areas which is surrounded by buildings to 3 sides. The central area, along with the presence of adjacent buildings dictates that the building is screened from public view.

2. PROPOSAL

- 2.1 The application seeks full planning permission for a three storey extension to and remodelling of the college's existing sports block. The existing main sports hall shall be retained but areas will be remodelled internally. The proposals involve the demolition of an existing single storey lean-to building and covered walkway, the extension will include a first floor walkway to existing accommodation.
- 2.2 The accommodation will provide 1,303 square metres (sqm) of floor space with a footprint of 31.8 metres x 12.8 metres. The accommodation would comprise of the following:
 - Ground Floor: 2 x classrooms, new changing facilities, storage accommodation
 - First Floor: 4 x Classrooms, staff changing facilities, bridge link to existing student social area
 - Second Floor 4 x classrooms and a staff room.
- 2.3 The extension is designed with a mono-pitched roof set behind parapets. There are large elements of glazing set within a deep reveal to elevations, the windows will also include

integrated louvres. The proposed materials include brickwork, and metallic silver/grey cladding with some elements of curtain walling.

- 2.4 The application is accompanied with the following documents:
- Coal Mining Risk Assessment
 - Design & Access Statement
 - Parking Statement
 - Full Plans Package
- 2.5 The supporting statement identifies that the College is an Ofsted 'Outstanding' college and the leading provider of post-16 education in the Tameside area. A strategic decision was taken in 2021/22 to cap student numbers to a maximum of 2600, there are currently 2505 students on roll. The colleges states that at present, it is stretched in terms of teaching space, where the proposals represent a response to provide essential and necessary space to deliver its curriculum to both its existing roll and upper capacity. It is anticipated that there will be a minimal increase in the number of staff required as a result of the proposals.

3. PLANNING HISTORY

- 3.1 The campus has been extended and remodelled significantly over the years and there have been numerous application to reflect this. The most recent applications approved at the site are summarised as follows:
- 3.2 21/01072/FUL – Erection of a single storey food kiosk – Approved 03.11.2021
- 3.3 20/00546/FUL – Erection of a new storey classroom building – Approved 07.09.2020
- 3.4 16/00787/FUL – Demolition to the single storey wing to the main building, erection of a new two storey Art Building together with landscaping and associated works, including restatement of 4 no external canopies – Approved 11.10.2016
- 3.5 14/00471/FUL – Two-storey cafe and social space building (replacing the single storey wing to the main building and the existing external canopy area) together with landscaping and associated works – Approved 21.07.14

4. PLANNING POLICY

National Planning Policy Framework

- 4.1 Paragraph 9 of the National Planning Policy Framework (NPPF) states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area.
- 4.2 Paragraph 11 states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay (as per section 38(6) of the Planning and Compulsory Purchase Act 2004). However, where the development plan is absent, silent or out of date, planning permission should be granted unless the application of policies in the NPPF that protects areas or assets of particular importance, provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 4.3 Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan,

permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

- 4.4 Paragraph 95 emphasises the importance of planning decisions responding positively to meeting educational needs. It states; 'Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education'.

Development Plan

- 4.5 The adopted development plan is the Tameside Unitary Development Plan (2004) and the Greater Manchester Joint Waste Development Plan Document (2012).

Tameside Unitary Development Plan (2004)

Tameside UDP - Part 1 Policies:

1.3: Creating a Cleaner and Greener Environment

1.12: Ensuring an Accessible, Safe and Healthy Environment.

Tameside UDP - Part 2 Policies:

H6: Education and Community Facilities

OL4: Protected Green Space

OL10: Landscape Quality and Character

T1: Highway Improvement and Traffic Management

T7: Cycling

T8: Walking

T11: Travel Plans

C1: Townscape and Urban Form

N5: Trees within Development Sites

MW11: Contaminated Land

MW14: Air Quality

U3: Water Services for Developments

Places for Everyone

- 4.6 The Places for Everyone Joint Development Plan Document was published in August 2021. It was submitted to the Secretary of State in February 2022 and inspectors are appointed to carry out an independent examination. It is a joint plan covering nine of the ten Greater Manchester districts, including Tameside, and is intended to provide the overarching framework to strategically manage growth across the boroughs.

- 4.7 Paragraph 48 in the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to: the stage of preparation of the emerging plan (the more advanced its preparation, the greater weight may be given); the extent to which there are unresolved objections (the less significant, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

- 4.8 Whilst Places for Everyone has been published and submitted, a number of representations have been received objecting to policies, and so in accordance with paragraph 48 of the NPPF, only very limited weight can be given to those policies at this time.

Other Considerations

- 4.9 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a persons rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed

development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.

- 4.10 The application has been considered in accordance with the Tameside One Equality Scheme (2018-22), which seeks to prevent unlawful discrimination, promote equality of opportunity and good relations between people in a diverse community. In this case the proposed development is not anticipated to have any potential impact from an equality perspective.

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 by neighbour notification letter, display of a site notice; and advertisement in the local press.

6. SUMMARY OF THIRD PARTY RESPONSES

- 6.1 One letter of objection has been received the reasons for which are summarised as follows:
- There have been too many extensions at the college all of which are built to mixed design;
 - The extension will block out views of the Pennine hills;
 - Will there be more extensions in the future with little regard to nearby residents
 - Local residents are never considered

7. RESPONSES FROM CONSULTTEES

- 7.1 Coal Authority – Do not support the submitted Coal Mining Risk Assessment which does not give an adequate assessment of the ground conditions of the applicant site. Request that a pre-commencement planning condition to secure site investigation works to definitively prove the shallow coal mining situation within the site can be addressed.
- 7.2 Contaminated Land - When considering the information from the historical mapping, potential sources of contamination at the site could include made ground, which may have concentrations of contamination. No objection but recommend a condition that remediation strategy is undertaken prior to commencement of works.
- 7.3 Environmental Health – No objections to the proposals recommend conditions controlling working hours and that the details of any fixed plant be submitted for approval prior to installation.
- 7.4 Local Highways Authority – No objections confirm that the access and egress arrangements are acceptable. The overall off street parking provision is acceptable but provision should be made for dedicated electric charging (6 spaces). Also recommend that a construction management plan is conditioned and that the Colleges Travel Plan is updated.
- 7.5 United Utilities – Do not support the submitted drainage strategy. The application has failed to provide robust evidence that the drainage hierarchy has been thoroughly investigated. If planning permission was to be granted recommend conditions relevant to the sites drainage.
- 7.6 Waste Management – No issues raised by the proposals. The site is served by a private contractor and suitable arrangements are in place.

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. At the heart of the NPPF is the presumption in favour of sustainable development.
- 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 The principal policies that are most relevant in the determination of this application are highlighted above. The National Planning Policy Framework is a material consideration in planning decisions and this advises that Local Planning Authorities should approach decision making in a positive way to foster the delivery of sustainable development.
- 9.2 Within this overall framework the main issues in considering this application relate to:-
- The acceptability of a new building at the site in land use terms;
 - The impact of the proposed new building and associated works on the character and appearance of the locality;
 - The impact of the activity from the new use in terms of traffic and pedestrian movements and associated parking requirements
 - The sustainability credentials of the proposals.
- 9.3 Ashton Sixth Form College is an established education institution which has operated from the Darnton Road campus for a considerable time. The estate has constantly evolved to meet the changing needs of the curriculum to provide the highest standard of learning environment, the application would secure an increase in education floor space which would provide further qualitative improvement. As per the provisions of paragraph 95 of the Framework improvements to educational facilities to meet current and future needs is afforded significant weight for decision making purposes.
- 9.4 In terms of land use, the proposals are directly compatible with the established educational use. The college is one of the largest providers of education within the Borough and the proposals will facilitate the continued delivery of their higher education curriculum. The expansion of their property portfolio confirms that as an organisation they are a substantial investor and employer within the Borough. Investment within education is a key priority, and improvements to overall attainment will help to support the future development of the economy. The proposals are economically, environmentally and socially sustainable, the campus improvement will attract additional staff and students, whose presence would give a major and timely boost to local businesses. Large numbers of students and staff will also be on the immediate doorstep of local shops and services, increasing local spend. In addition,

redevelopment of an existing asset which is within an accessible location reduces environmental impact. Overall the proposals would be compatible with the economic, social and environmental elements of sustainable development.

10. DESIGN

- 10.1 The college campus fronts three highways and is a prominent complex within the locality. The campus comprises a collection of buildings with the oldest dating from the 1920's. Buildings range in height between one and three storeys, the original Darnton Road block is the most prominent structure. The architectural form varies significantly across the site, this largely reflects the age of construction and primary use. The submitted Design and Access Statement provides a thorough analysis of the sites characteristics and constraints.
- 10.2 The building which would be demolished is a lean-to construction of no architectural merit. The building has a central location within the complex of buildings and being only single storey in height screened from any public vista.
- 10.3 The proposed building would have a rectangular footprint that would measure approximately 31.8 metres by 12.8 metres. The ridge height of the building would stand at 3 storeys with a maximum ridge/parapet height of 12m, owing to its central location within the campus it would not have a prominent appearance. Whilst it would be larger in height than the building it would replace, views would be largely limited to within the campus itself owing to screening provided by the surrounding structures. As a result of the position and screening, there would be no significant overlooking or overshadowing issues arising.
- 10.4 Given the variety of materials and architectural form to buildings within the campus there is scope for flexibility to the design and finish of the extension. The materials would be taken from a relatively limited palette which includes brickwork plinth to first floor level above which a rain screen cladding system, the incorporation of large glazed openings within a deep reveal adds welcome depth and texture to the finish and appearance. The increase in height would give the building more prominence than the one it replaces, this will sit comfortably against the height and scale of the adjacent sports hall building.
- 10.5 The materials, scaling, massing and form of the proposal are felt to be sympathetic to the locality. The building has a more interesting architectural form to that which would be replaced, as a result it will enhance the immediate space and setting of neighbouring buildings. Perhaps more importantly, the proposal would create an improved modern learning and teaching environment which addresses the needs of a 21st century.
- 10.6 Overall, the proposed design and its use of high quality materials would enhance the campus by regenerating the area it would be sited within. This in turn would have a very positive benefit upon the character and appearance of the campus which would comply with the NPPF's recommendation on sustainable design.

11. RESIDENTIAL AMENITY

- 11.1 The central location of the proposed development with the campus means that it is separated from the site boundaries by other buildings or areas of car parking. In recognition of the intervening distances, the development is unlikely to have a detrimental impact upon the amenity afforded to residents of the surrounding environment in terms of levels of outlook, privacy and light.
- 11.2 The main consideration from an amenity perspective is that relating to disturbance associated with the construction phases of the development. It is recommended that a condition be

attached to secure the submission of a construction management plan prior to the commencement of development.

12. HIGHWAYS

- 12.1 The site is served by three independent accesses and there is a total of 161 car parking spaces along with dedicated secure cycle storage. The access arrangement and parking provision would be unaltered by the proposals. The college has confirmed that they are currently in the process of updating their travel plan, this is intended to promote sustainable travel methods to and from the College to all visitors and users.
- 12.2 The new classrooms are intended to provide the appropriate accommodation to meet curricula requirements. As a result of the new teaching spaces the college does not anticipate an increase to student or staff numbers. The new facilities will therefore see no specific need to increase staff or pupils numbers which would have no impact in terms of traffic demands at the site.
- 12.3 The location on the periphery of the town centre means that the site is highly accessible not only to the principal highway network but also a variety of transport means. There are a number of pedestrian crossing points in the vicinity which ensures that the site is easily accessible for those travelling on foot. There are frequent bus services accessed from Darnton Road with further rail and tram connections offered from Ashton Town Centre and Stamford Street. The site is highly sustainable in transport terms.
- 12.4 The LHA has considered the impact of the development on parking in the vicinity of the application site, the potential impact on public transport and the impact of the increased traffic flows on the surrounding highway network. The proposals are considered acceptable subject to the safeguarding of the recommended conditions.

13. DRAINAGE

- 13.1 The site is not located within an area that has any risk of flooding. The building is a replacement for an existing structure and there would be no increase in runoff rates occurring at the site. Drainage to the development will pick up existing connections with separate provision made for foul and surface water disposal. It is however likely that flows would have to be reduced to meet relevant drainage authority standards.

14. GROUND CONDITIONS

- 14.1 A Coal Mining Risk Assessment of the site has been carried out and submitted with the application. The report has been reviewed by the Coal Authority but objections have been raised relevant to the age and relevance to the proposals. Agreement has been reached with the Coal Authority for a conditional approach, this will ensure that adequate assessment is made and the detailed design of the building (namely foundations) prior to commencement of development. This will be assessed and discharged through consultation with the Coal Authority.
- 14.2 Regulatory services recommend that further investigations are undertaken into potential ground gas issues. This would be addressed via a standard condition requiring further investigation. Once the level of contamination is revealed, a remediation strategy should be submitted and approved together with a verification report confirming that the remediation measures have been carried out. The EHO identifies that the development is acceptable in this respect and conditions as requested can be imposed.

15. SUSTAINABILITY

- 15.1 The Design & Access statement identifies a commitment to improving the energy performance of the building. The extension would be constructed from to high levels of thermal insulation and airtightness along with low energy appliances. In comparison to the existing building it replaces it would represent a significant improvement in energy usage.

16. LANDSCAPING & ECOLOGY

- 16.1 Paragraph 174 of the NPPF states that the planning system should contribute to and enhance the natural and local environment. The area of development is completely void of any soft landscaping, the site is remote from areas of soft landscaping and there would be no loss to and landscaping features or trees. There are no associated adverse impacts arising from the development proposals.

17. CONCLUSION

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

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
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 in accordance with the following approved plans/details:
Plans:
022011-AAD-01-ZZ-DR-A-0001-P01 - WIP_Site Location Plan
022011-AAD-01-ZZ-DR-A-0002-P01 - WIP_Existing Ground Floor Plan
022011-AAD-01-ZZ-DR-A-0003-P01 - WIP_Existing First Floor
022011-AAD-01-ZZ-DR-A-0004-P01 - WIP_Block Plan
022011-AAD-01-ZZ-DR-A-0005-P01 - WIP_Proposed Ground Floor Plan
022011-AAD-01-ZZ-DR-A-0006-P01 - WIP_Proposed First Floor Plan
022011-AAD-01-ZZ-DR-A-0008-P01 - WIP_Floor Plans

022011-AAD-01-ZZ-DR-A-0009-P01 - WIP_Proposed Elevations

022011-AAD-01-ZZ-DR-A-0010-P01 - WIP_Sections

Reports:

022-011 Design & Access Statement Rev A

FUL-WORMS_EYE_PHASE_2_INVESTIGATION_TREE_AND_MINING_SUPPLEMENT-1435947

Reason: To ensure compliance with policies of the adopted Tameside UDP.

3. 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 (LPA). The scheme shall be implemented and verified as approved and shall include all of the following components unless the LPA 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 LPA prior to any investigation works commencing at the site.

3. The findings of the site investigation and detailed risk assessments 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.

4. Upon completion of any approved remediation scheme(s), and prior to use, 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 LPA. 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 the Local Planning Authority (LPA) shall be informed and no further development (unless otherwise agreed in writing with the LPA, 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 LPA. The remediation strategy shall be fully implemented and verified as approved.

The discharge of this planning condition will be given in writing by the LPA 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 LPA and use of the development shall not commence until this time unless otherwise agreed in writing by the LPA.

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

5. Prior to any demolition or site clearance works being undertaken a full demolition plan shall be submitted for approval in writing by the Local Planning Authority. The works shall be undertaken in full accordance with approved details. Following demolition a separate Construction Management Plan shall be submitted to the Local Planning Authority for approval in writing prior to any construction works taking place. The development shall be constructed in full accordance with approved details. Both the demolition and construction management plans shall include details of:

Hours of construction work and deliveries
Wheel wash facilities for construction vehicles;
Arrangements for temporary construction access;
Contractor and construction worker car parking;
Turning facilities during the remediation and construction phases;
Details of on-site storage facilities;
Site manager contact details;
Full details of any relevant signage and hoardings

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

Reason: To protect residents and the environment from adverse impacts during construction of the development hereby approved in accordance with UDP policies 1.12 and T1 'Highway Improvement and Traffic Management'.

6. No development shall commence (excluding the demolition of existing structures) until;
 - a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
 - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

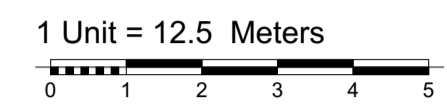
Reason: To ensure that mining legacy issues are adequately addressed in the interests of the future occupation of the site and paragraphs 183 and 184 of the NPPF.

7. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: To ensure that mining legacy issues are adequately addressed in the interests of the future occupation of the site and paragraphs 183 and 184 of the NPPF.

Revision No.	Transmittal Set Name	Date
P02	Site Location Plan Amendments	Work in Progress
P01	Initial Issue	28/06/2022

Project Boundary
Site Boundary



Supplementary Notes

- The above documentation is copyright© of aad Architects Ltd and is not to be copied or duplicated without express written authorisation by a Director of aad Architects Ltd.
- These notes are to be read in conjunction with all relevant Architectural Consultants drawings, and details, Structural Engineers details and calculations and all other specialist consultants' details and specifications.
- Drawing measurements shall not be obtained from scaling from the drawings.
- All dimensions are to be verified on site prior to construction.
- Any discrepancies are to be reported to aad Architects Ltd immediately.
- All work to be carried out at the discretion of the Building Control Officer and is to comply with all relevant regulations.
- All services installed to comply with all relevant regulations and to the satisfaction of the Boards concerned.
- Any required calculations are to be provided by a certified Structural Engineer or Builder at least 28 days before commencement of said works. (Client responsibility)
- Client is responsible to ensure that builder is a competent tradesman, experienced in construction work of this nature and that all aspects of their work is carried out to the highest quality with appropriate insurances in place.
- Appointment of the Principal Designer under CDM regulations 2015 and completion of HSE F10 (where applicable) is the responsibility of the Client.
- All drawings and associated information are stamped to indicate their use and their use is limited as such. Should Building works be procured from this information alone, the Clients chosen Contractor is to assume all design liability from this point forward.
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Client Details
Ashton Sixth Form College
Damton Rd, Ashton-under-Lyne
Ashton Sixth Form College,
Ashton-under-Lyne, OL6 9RL
New Link Extension to Existing Sports Hall

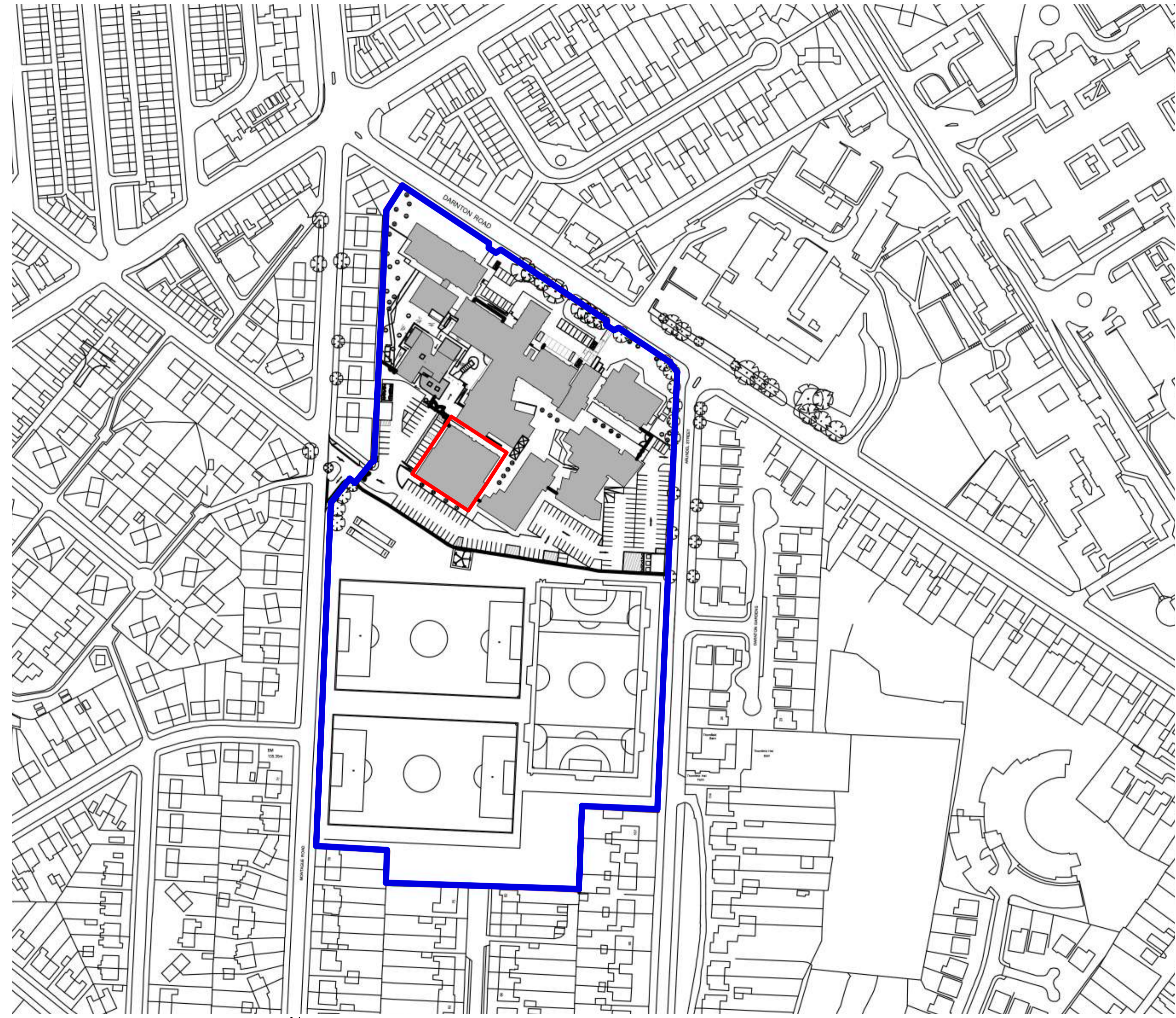
Site Location Plan

Scale(s)	Date	Drawn by	Checked by
1:1250, 1:100 @A1	28/06/2022	AR	TJ

Job Number: 021-011
Document Number:

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0. Site Location Plan 1:1250

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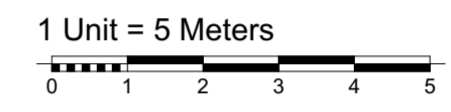


0. Block Plan 1:500

Revisions	Transmittal Set ID	Transmittal Set Name	Date
	P01	Initial Issue	Work in Progress

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Planning

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Ashton-under-Lyne, OL6 9RL

New Link Extension to Existing
Sports Hall

Block Plan

scale(s) 1:500, 1:100 @A2

date	drawn by	checked by
01/06/2022	AR	TJ

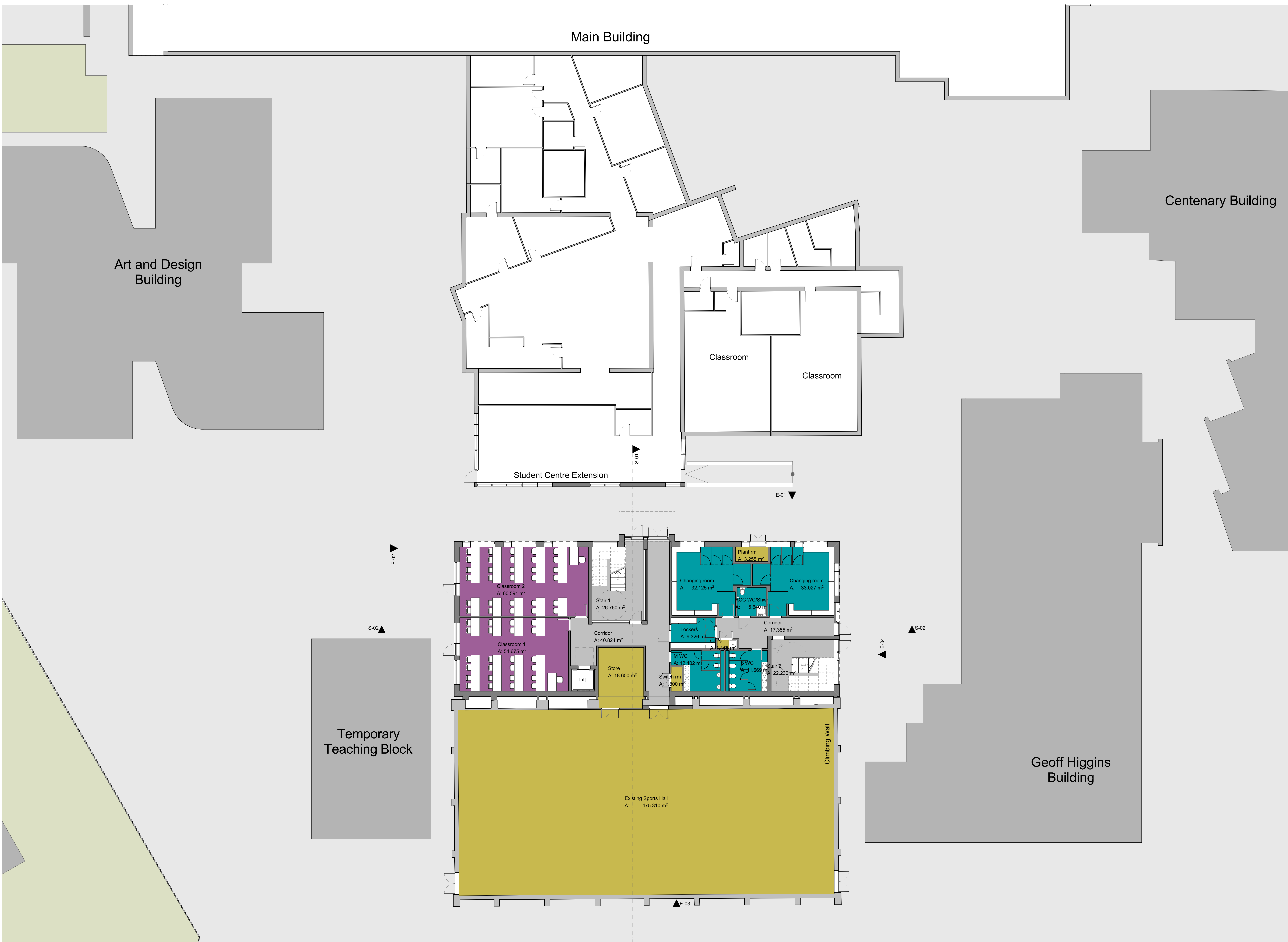
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Revision	Revised By	Revised Date	Work Done
P01	Initial Issue		



1 Unit = 1 Meter

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OL6 9RL

New Link Extension to Existing Sports Hall

Proposed Ground Floor Plan

Scale	Date	Drawn by	Checked by
1:100 @A0	01/05/2022	AR	TJ

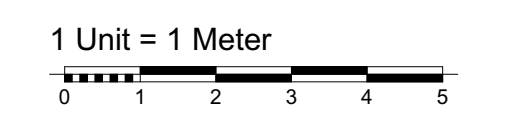
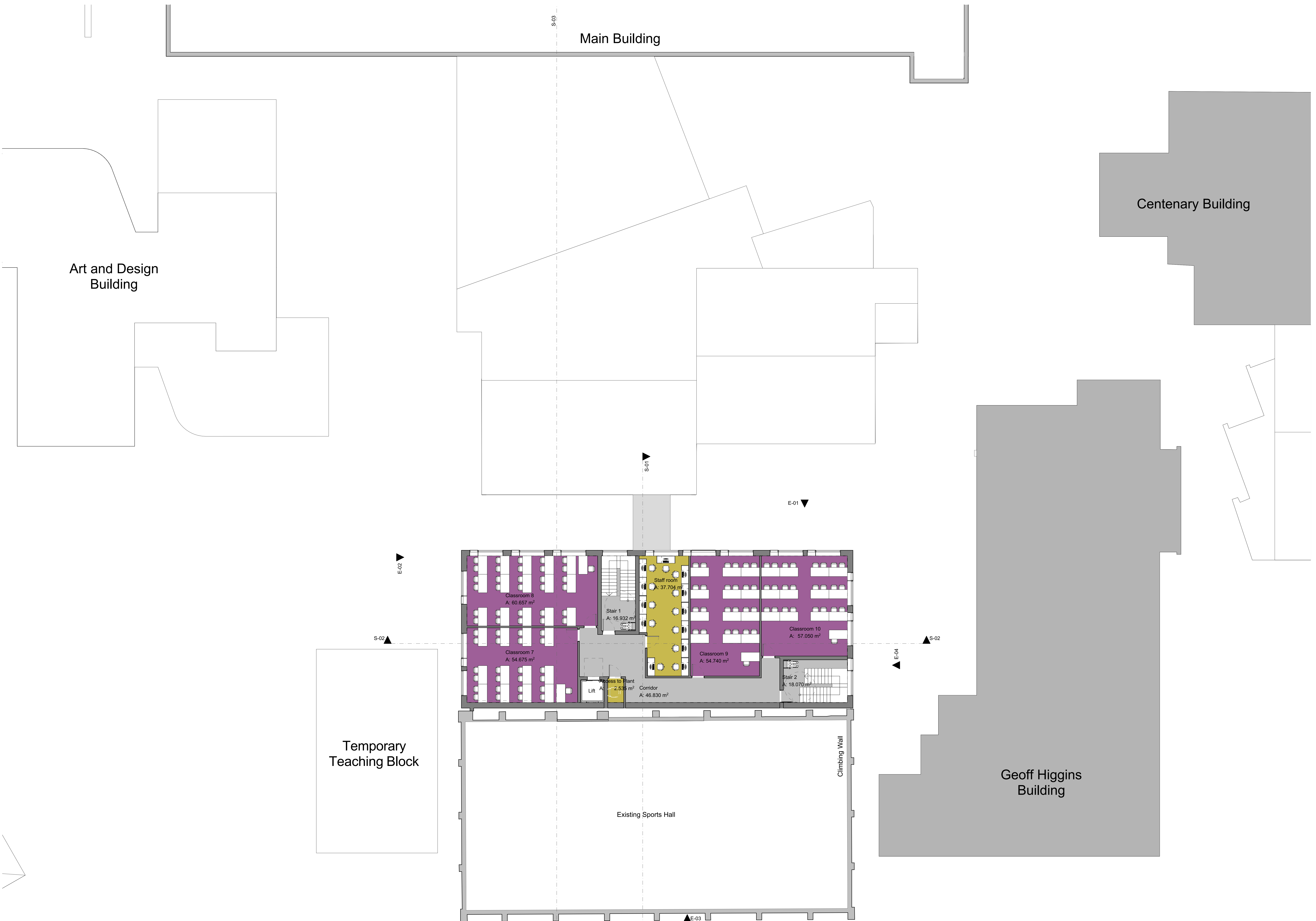
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OL6 9RL

New Link Extension to Existing Sports Hall

Proposed Second Floor Plan

date	drawn by	checked by
01/05/2022	AR	TJ

Job Number: 021-011

Document Number: 021011-AAD-01-ZZ-DR-A-007-P01 - WIP

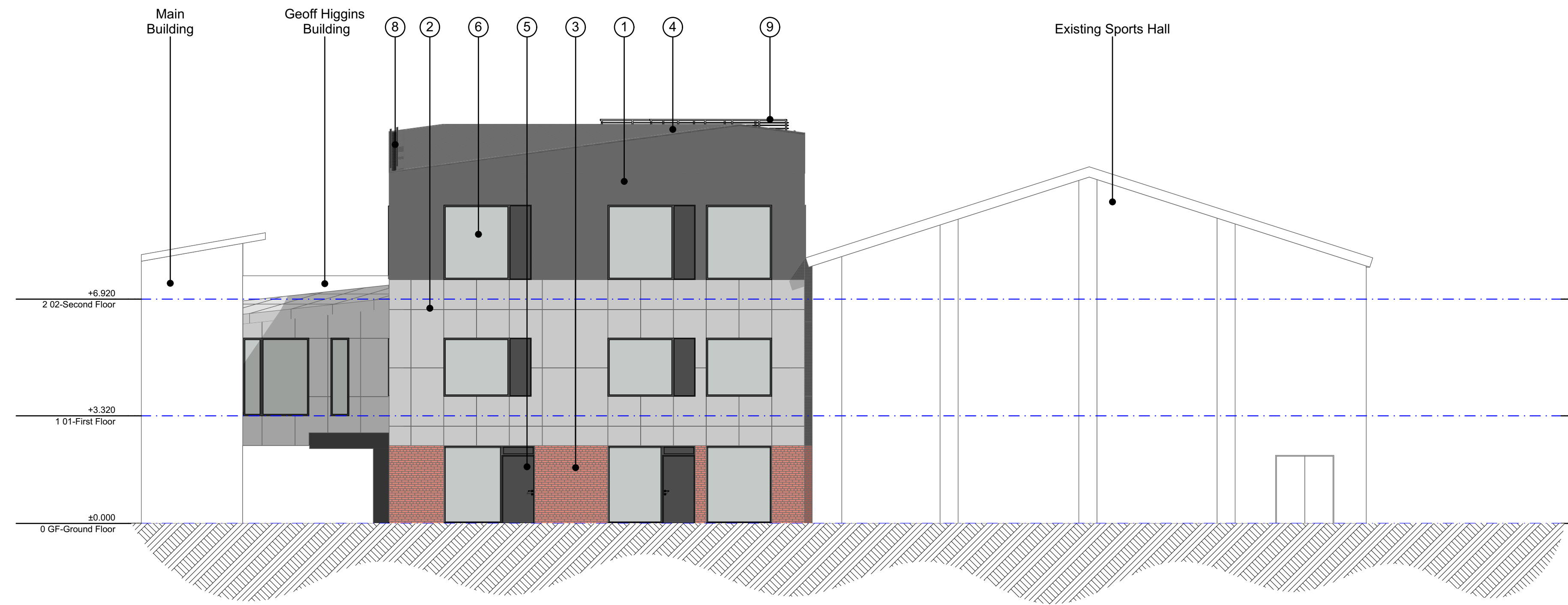
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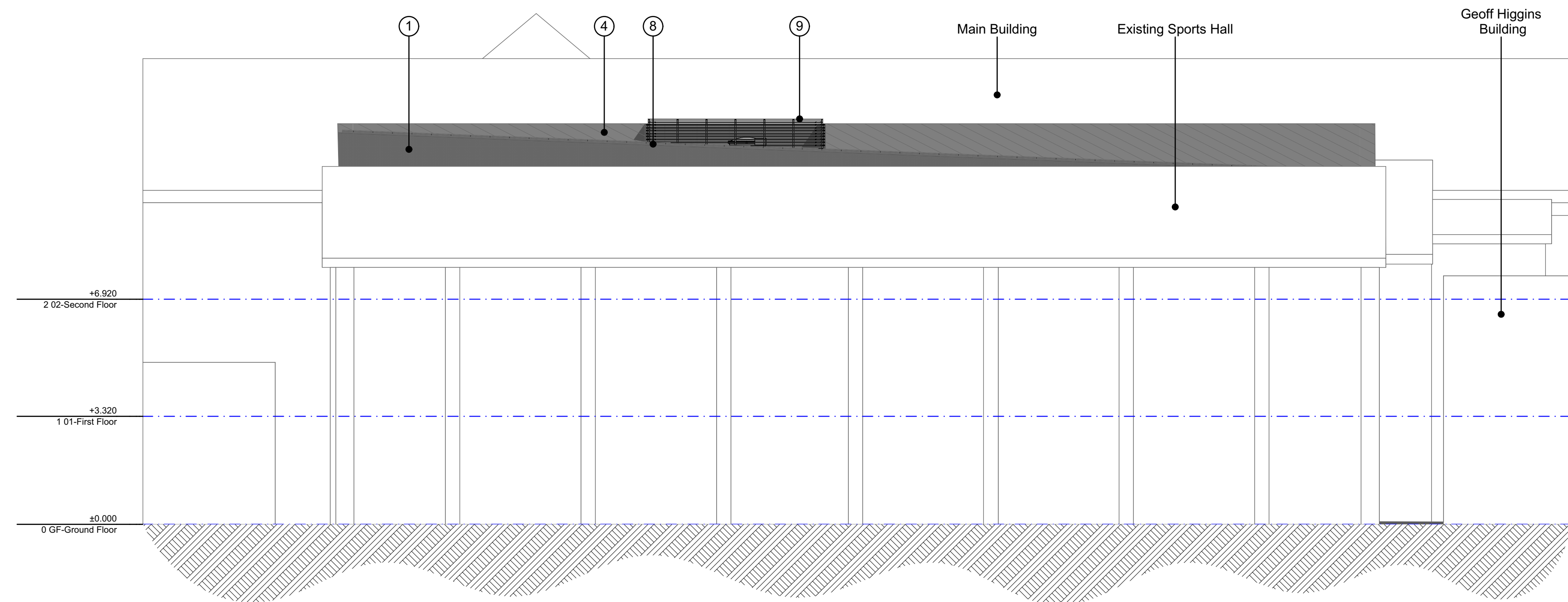
Revision	Revised By	Revised Date	Revised Description
1	Initial Issue		



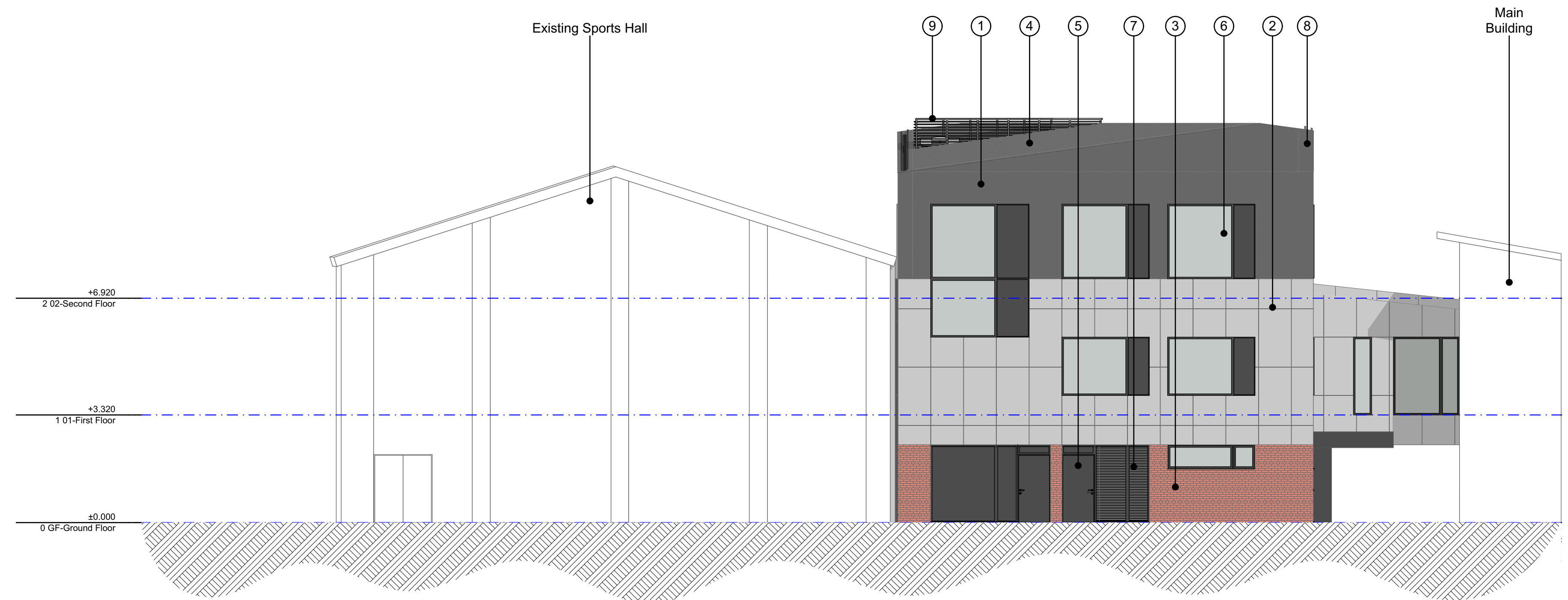
E-01 N-E Elevation 1:100



E-02 Elevation Site Option 3 1:100

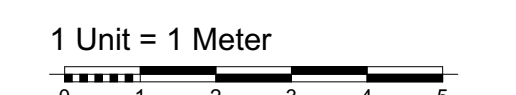


E-03 S-W Elevation 1:100



E-04 S-E Elevation 1:100

- MATERIALS KEY**
1. Robust Metal Cladding to LA approval
 2. Robust Metal Cladding to LA approval
 3. Robust Metal Cladding to LA approval
 4. Robust Metal Roof to LA approval
 5. Dark Grey Aluminium Door
 6. Dark Grey Aluminium Windows
 7. Dark Grey Aluminium Vent Doors
 8. Dark Grey Aluminium Rainwater Goods
 9. Steel Balustrade



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Client Details
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Ashton Sixth Form College, Ashton-under-Lyne,
OL6 9RL

New Link Extension to Existing Sports Hall

Proposed Elevations

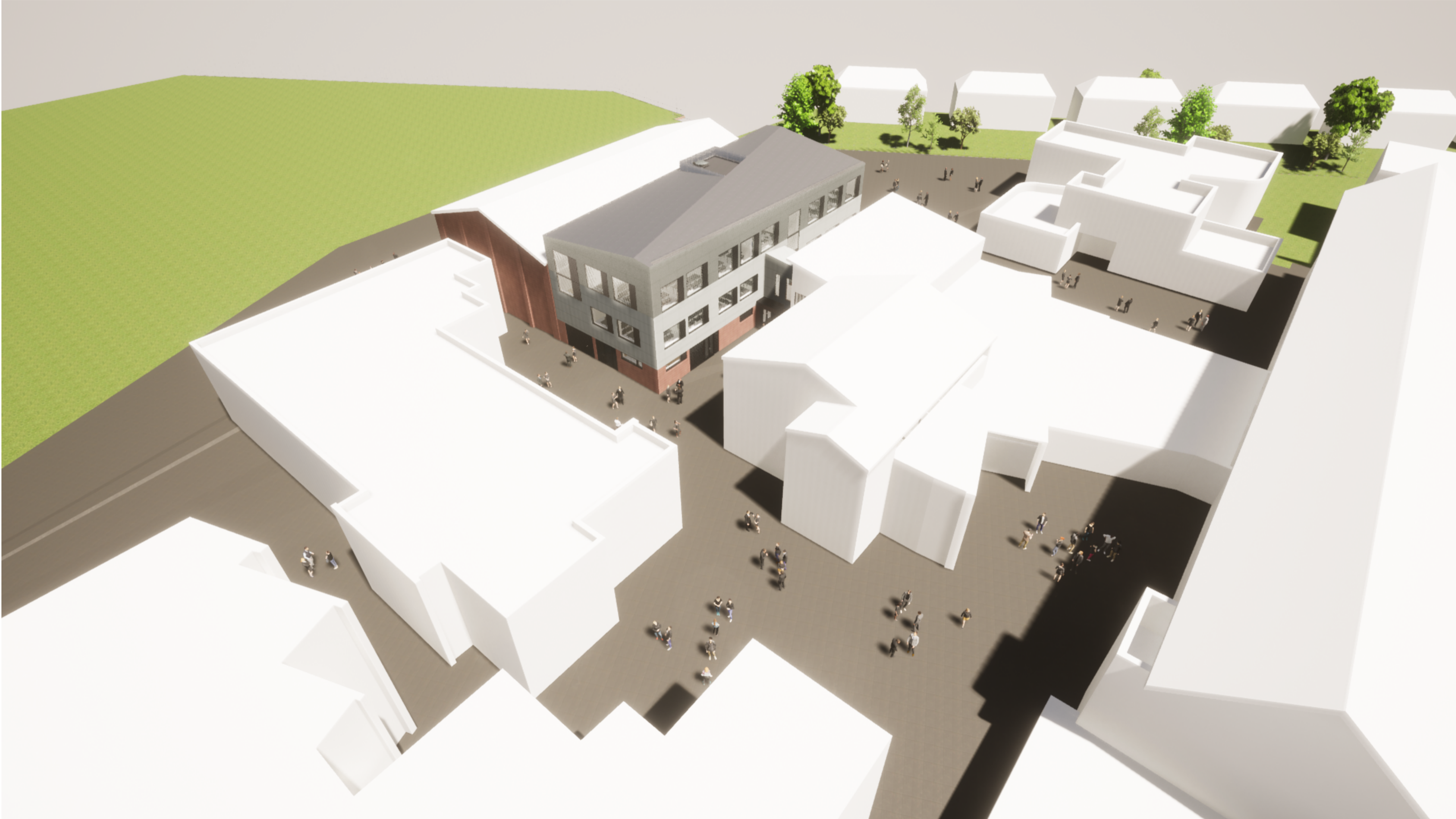
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10. Rendered Image: Aerial View From North-East

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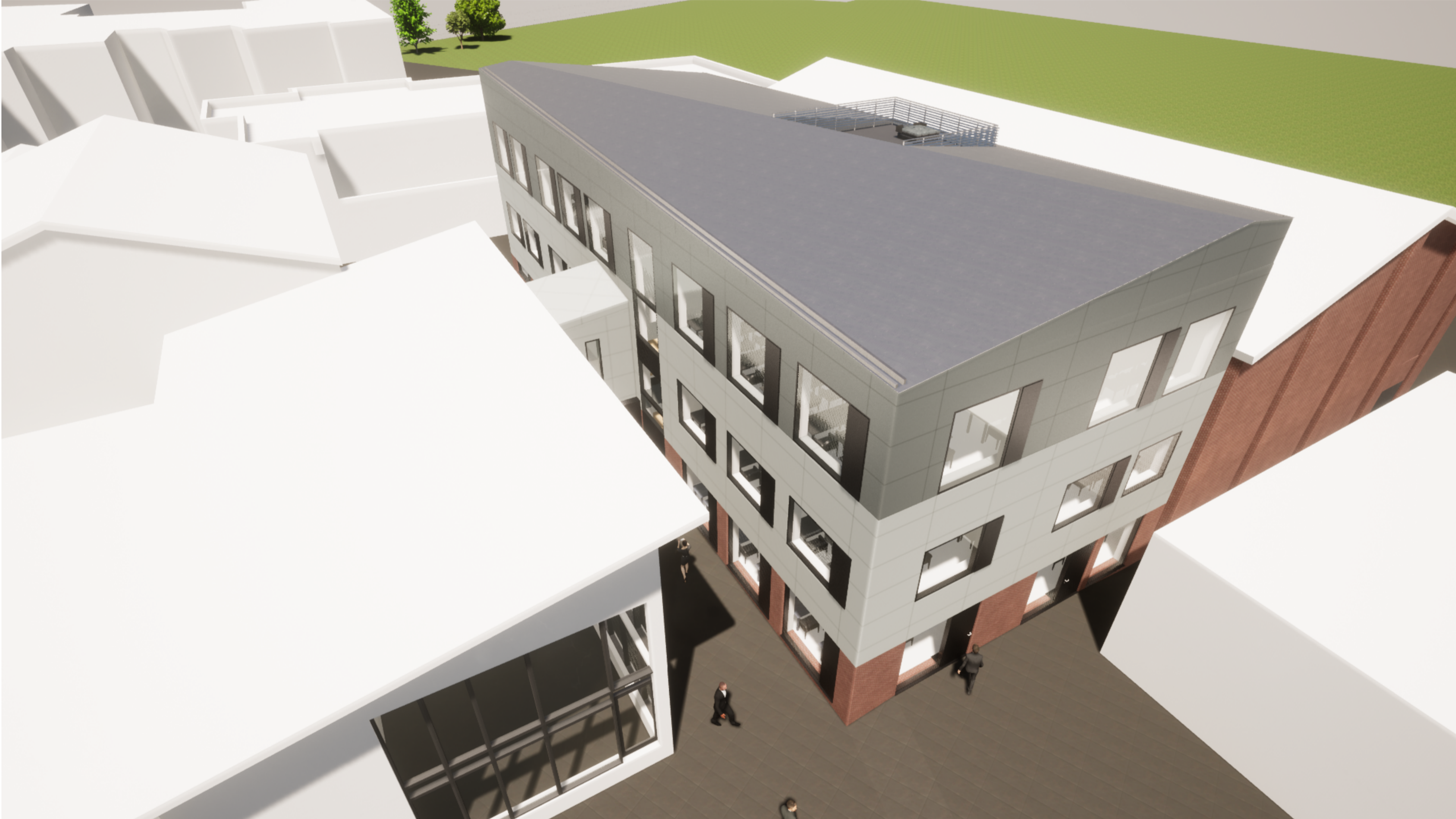
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06. Rendered Image: Aerial View From North-West

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Damton Rd, Ashton-under-Lyne

**Ashton Sixth Form College,
Ashton-under-Lyne, OL6 9RL**

**New Link Extension to Existing
Sports Hall**

Render

scale(s)	@A1
date	drawn by
07/06/2022	AR
checked by	TJ

Job Number: 021-011

Document Number:

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Revision No.	Transmittal Set Name	Date
P01	Initial Issue	Work in Progress



01. Rendered Image: View From North-West

Supplementary Notes

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Client Details
Ashton Sixth Form College
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Ashton Sixth Form College,
Ashton-under-Lyne, OL6 9RL
New Link Extension to Existing Sports Hall

Render
scale(s) @A1
date 07/06/2022 drawn by AR checked by TJ

Job Number: 021-011
Document Number:
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04. Rendered Image: View From North-East Towards the Main Entrance

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Planning

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Application Number 22/00642/FUL

Erection of sports & wellbeing extension & remodelling of existing sports hall

Photo 1: Aerial view of site



Photo 2: Current 6th Form Campus



Photo 3: Views within the site



Photo 4: Location of the building





Appeal Decision

Site visit made on 11 July 2022

by L Wilson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 August 2022

Appeal Ref: APP/G4240/W/22/3294983

Land adjacent 1 Mount Pleasant, Barmhouse Lane, Hyde SK14 3BX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Andrew Heyes against the decision of Tameside Metropolitan Borough Council.
 - The application Ref 21/01432/OUT, dated 16 December 2021, was refused by notice dated 11 February 2022.
 - The development proposed is outline planning application for erection of up to 2 dwellings.
-

Decision

1. The appeal is allowed and outline planning permission is granted for the erection of up to two dwellings at Land adjacent 1 Mount Pleasant, Barmhouse Lane, Hyde SK14 3BX in accordance with the terms of the application Ref 21/01432/OUT, dated 16 December 2021, subject to the schedule of conditions set out at the end of this decision.

Application for Costs

2. An application for costs was made by the appellant against the Council. This application is attached as a separate Decision.

Preliminary Matters

3. This is an outline application with all matters reserved. Details of access, appearance, landscaping, layout, and scale would need to be the subject of a reserved matters application. I have determined the appeal on this basis and thus have treated the submitted plans as being for indicative purposes only.

Main Issues

4. The main issues are:
 - The effect of the proposed development on the protected green space, and linked to that, the effect of the proposed development on the character and appearance of the surrounding area; and
 - Whether or not it has been demonstrated that the proposal would have an acceptable effect upon highway safety, having regard to pedestrian safety.

Reasons

Protected green space

5. The appeal site is allocated as protected green space. Therefore, Policy OL4 of The Tameside Unitary Development Plan (2004) (UDP) is relevant. The policy sets out that the Council will not permit built development on protected green space and sets out a list of exceptions. The appellant considers that this policy is not consistent with the National Planning Policy Framework (the Framework) and sets out reasons why development of the site is justified.
6. It has not been clearly demonstrated that the proposed development would comply with any of the listed exceptions. Nonetheless, the supporting text states that circumstances may sometimes exist in which development of part or all of an area of protected green space could be justified and the criteria listed in the policy are meant to provide a basis for possible exceptions to be considered.
7. The appeal site consists of an open piece of land which forms part of the curtilage of 1 Mount Pleasant. The site is enclosed and is privately owned. It is adjacent to a short terrace situated on Barmhouse Lane, gardens of properties situated on Rowanswood Drive as well as the grounds and structures associated with Newton Cricket Club. Rowanswood Drive consists of a relatively dense housing estate. Barmhouse Lane has a noticeably different character as it is considerably less developed.
8. I observed on my site visit that views into the site are visible from Barmhouse Lane and at the time of my visit the site was overgrown. The site provides a visual gap between the built development associated with Rowanswood Drive and the terrace. Given the site's proximity to Rowanswood Drive, it does not have a rural character. The site contains an outbuilding which is not a dominant building due to its siting towards the rear of the site and height. There are a number of trees, vegetation and buildings adjacent to the site's boundaries which reduces the sense of openness of this part of Barmhouse Lane and have an enclosing effect. For these reasons, whilst the appeal site is largely undeveloped, it does not provide a valued sense of openness in the street scene, and it does not make a significant contribution to the local character.
9. The submitted illustrative site plan is for indicative purposes only as all matters are reserved. Matters such as height, siting, design and scale would be addressed at reserved matters stage. The introduction of two dwellings would undoubtedly erode the openness of the site. That is not to say that the proposal would cause demonstrable harm to the character and appearance of the area, just that the character of the area would change.
10. The introduction of up to two dwellings, and associated residential paraphernalia, in this location would not appear out of character with the surrounding area given the adjoining residential development. The scheme would be seen in context with the surrounding dwellings. The limited built development opposite the appeal site, the cricket club and beyond towards the reservoir would help to maintain the openness of the area. I am satisfied that the scheme would not detract from or compromise the rhythm and pattern of existing development in the locality.

11. The plot is of a sufficient size to accommodate the proposal and development of the site could be accommodated without compromising the established pattern of development. The introduction of dwellings, which are of an appropriate form, scale and appearance, in this location could integrate sympathetically with the existing street scene and could be designed to not be overly prominent or dominant.
12. As set out above, the development would lead to the loss of protected green space and would strictly be contrary to the requirements of Policy OL4 of the UDP. The UDP was adopted prior to the Framework. Although the wording of the policy differs to that contained within chapter 8 of the Framework, and the supporting text refers to PPG17, I consider the overall aims of the policy is broadly consistent with the Framework.
13. The submitted information does not clearly demonstrate that the appeal site's designation complies with the circumstances that qualifies a piece of land for local green space designation protection set out in paragraph 102 of the Framework. Nonetheless, even if the proposed development did conflict with section 8 of the Framework, the adverse impacts would not be significant. This is because the scheme would result in limited loss of openness and the appeal site does not provide a green space of special importance. Similarly, its contribution to the character and environmental quality of the area is limited.
14. For these reasons, I find that the proposed development would not cause harm to the character and appearance of the surrounding area. The proposal would therefore comply with Policies H9, H10 and C1 of the UDP. These seek, amongst other matters, to ensure proposals complement or enhance the character and appearance of the surrounding area. It would also not conflict with the Tameside Residential Design Supplementary Planning Document (2010) which seeks to ensure development proposal's respond appropriately to its surroundings and character of the area. It would also comply with the Framework which states developments should be sympathetic to local character.

Highway safety

15. The indicative plan shows that the two dwellings would have dedicated parking spaces. The Council state that the access road leading to the development on Barmhouse Lane is an unadopted highway from a point approximately 10m with its junction with Rowanswood Drive. I observed on my site visit that the lane is relatively narrow with limited footways and is not lit.
16. Barmhouse Lane is classed as a bridleway and currently serves three existing dwellings, the cricket club and reservoir. The cricket clubhouse is also used for private bookings which generates traffic. The information before me emphasises that the lane is well used by pedestrians and cyclists due to the footpaths at the end of the lane associated with the reservoir. Local residents have also highlighted that the lane is well used by horses, the cricket club generates traffic and parking is an issue.
17. A highways report has been submitted with the appeal to demonstrate that the proposal would be acceptable. There is no robust evidence before me to disagree with the findings of this report or to demonstrate that the scheme would have an unacceptable impact on highway safety.

18. The distance between the appeal site and the adopted highway is limited. Given the nature of the lane and distance between the appeal site and adopted highway, it is unlikely that vehicles would travel quickly. Having regard to the information presented and the scale of the scheme, the proposed development would not significantly increase vehicle movements along the lane. Consequently, I am satisfied that the proposed development could operate in a manner that would not have an unacceptable impact on highway safety, having regard to pedestrian safety and users of the lane.
19. For these reasons, the proposed development would not conflict with Policies T1 and T8 of the UDP. These seek, amongst other matters, to ensure development schemes are designed with the aims of improving safety for all users. It would also not conflict with paragraph 111 of the Framework which states 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.

Other Matters

20. The main parties agree that the Council is unable to demonstrate a five year supply of deliverable housing sites. The scheme is only for up to two dwellings. Nonetheless, small sized sites can collectively make an important contribution to meeting the housing requirement of an area and ultimately the proposal would make a contribution towards the provision of housing. It would also result in social and economic benefits. Given the Council's housing land supply position, which is set out in the Council's costs rebuttal, I give these considerations limited weight.
21. The appellant has drawn my attention to a range of other matters including the site should be treated as previously developed land, planning policy supports windfall development and the planning history of the site. This includes an appeal decision¹ which relates to a Lawful Development Certificate for an office and garage.
22. There are clear differences between the nature of the office and garage building and a development for up to two dwellings. It is likely that the proposed development would result in more built development than the proposal relating to the lawful development certificate. There is also limited evidence to demonstrate that the fallback position has a greater than theoretical possibility that it would be implemented in the event this appeal was dismissed. Nonetheless, it demonstrates that it would be possible for the appellant to erect a building on the protected green space site. I give the fallback position limited weight.

Planning Balance

23. As set out above, the development would lead to the loss of protected green space and would be contrary to the requirements of Policy OL4 of the UDP. However, it would not cause harm to the character and appearance of the surrounding area and would not have an unacceptable impact on highway safety.
24. Paragraph 11 of the Framework, in the context of the presumption in favour of sustainable development, indicates that planning permission should be granted

¹ APP/G4240/X/21/3267937

unless (d)(i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. Policies in the Framework which protect designated local green spaces are included in paragraph 11(d)(i)².

25. Even if the scheme did conflict with section 8 of the Framework, policies in the Framework do not provide a clear reason for refusing the development proposed. This is because of the reasons outlined above, including that the adverse impacts would not be significant, the appeal site is privately owned, fenced off, does not provide a green space of special importance and its contribution to the character and environmental quality of the area is limited.
26. Given the absence of a 5 year supply of housing land, the relevant policies of the development plan, should not be considered up to date, having regard to paragraph 11(d) of the Framework and paragraph 11(d)(ii) is engaged. The development would lead to the loss of protected green space and would be contrary to Policy OL4 of the UDP, albeit the adverse impacts would not be significant. I give weight to the benefits of the scheme, including contribution towards the provision of housing as well as social and economic benefits and also the fallback position. On balance, having taken all matters into consideration, the adverse impacts of granting planning permission in this instance would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. The proposal therefore benefits from the presumption in favour of sustainable development.
27. Whilst I find conflicts in relation to Policy OL4 of the UDP, the harm arising in those regards would be outweighed by other material considerations. Accordingly, the material considerations in this instance would be of sufficient weight to indicate that the decision should be made other than in accordance with the development plan.

Conditions

28. The Council did not suggest any planning conditions. I have assessed the appellant's suggested conditions in light of guidance found in the Planning Practice Guidance and where necessary the wording has been amended for clarity and precision. The main parties were given the opportunity to comment on these conditions.
29. The conditions relating to the detailing of the reserved matters and to accord with the approved plans are necessary for clarity. To ensure satisfactory drainage, a condition is required to control foul and surface water drainage of the site. This is a pre-commencement condition which the appellant has agreed to. A condition relating to construction, demolition and delivery hours is necessary in the interests of protecting the living conditions of neighbouring occupiers.
30. The appellant suggested conditions relating to materials of external surfaces and boundary treatments. I do not consider such conditions are necessary at this stage as they relate to matters which are reserved for subsequent consideration.

² See footnote 7 of the Framework

Conclusion

31. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other material considerations, the appeal is allowed subject to the attached conditions.

L M Wilson

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) Details of the access, appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plan: TP2.1 (Location Plan).
- 5) No development shall take place until a scheme for the provision of surface and foul water drainage has been submitted to and approved in writing by the local planning authority. The approved scheme shall be fully implemented before the development is occupied and shall be retained thereafter.
- 6) Demolition and construction works, and deliveries taken at or despatched from the site, shall take place only between 8am and 6pm on Mondays to Fridays, 8am and 1pm on Saturdays and shall not take place at any time on Sundays or on Bank or Public Holidays.

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Costs Decision

Site visit made on 11 July 2022

by L Wilson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 August 2022

Costs application in relation to Appeal Ref: APP/G4240/W/22/3294983 Land Adjacent 1 Mount Pleasant, Barmhouse Lane, Hyde SK14 3BX

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Mr Andrew Heyes for a full award of costs against Tameside Metropolitan Borough Council.
 - The appeal was against the refusal of outline planning permission for the erection of up to 2 dwellings.
-

Decision

1. The application for an award of costs is refused.

Reasons

2. The application for an award of costs will be familiar to both parties. Consequently, I shall not repeat the submission in full within this decision. Government guidance on the award of costs is set out in the Planning Practice Guidance (PPG). Paragraph 030 of that guidance notes that a party may have costs awarded against them in relation to appeal proceedings if they have behaved unreasonably and that behaviour has led another party to incur unnecessary expense. Those two matters are pre-requisites for an award; if there has been no unreasonable behaviour or no wasted expense an award will not be justified.
3. The applicant seeks an award of costs on the basis of six grounds. These matters relate to planning policy assessment, failure to engage, previously developed land, housing land supply, paragraph 11d) and visual importance of the site. They consider that the Council has failed to engage and grapple with the case presented or make a proper assessment of the planning policy context of the proposed development. The applicant states that the costs sought are the totality of their professionally incurred appeal costs because the appeal would not have been necessary if the Council had exercised its duty properly when determining the application.
4. The Council state that the application was considered and assessed against the development plan and other relevant national and local planning guidance and other material considerations were weighed in the planning balance. Furthermore, the views of consultees and those expressed from within the local community were taken into account. They contend that each of the reasons for refusal are substantiated by evidence to support the assessment that the development of the site could not be supported. The Council does not accept that they have behaved unreasonably and believes it has properly exercised its

- development management responsibilities and duties to determine the planning application in a reasonable manner.
5. The Council's rebuttal provides additional information than that set out in the officer's report. Nonetheless, I consider this is to help the Council support their stance in relation to the costs application. The Council's officer's report sets out the reasons they consider the proposed development would not comply with local and national planning policy, including policy OL4.
 6. Although I acknowledge that there was extremely limited engagement, I am not satisfied that greater engagement from the Council, and publishing consultation responses or documentation relating to housing land supply, would have resulted in a different outcome given the Council's fundamental concerns. Similarly, given the Council's position, I do not consider that suitable planning conditions would have addressed their objections.
 7. The Council's submission sets out why they consider the site does not meet the definition of previously developed land and their five year housing land supply position. In addition, the Council considered paragraph 11d) in the officer's report. Their case also sets out the reasons they consider the site is an important visual green space and the relevance of permitted development rights and certificate of lawfulness.
 8. In summary, the Council's officer's report and reasons for refusal were clear and sufficient evidence was submitted to support the Council's stance. The application required an exercise of planning judgement and adequate evidence was submitted to show that the Council did not apply its judgement in an unreasonable manner. The reasons for refusal were not unreasonable. Consequently, I do not consider that the Council has prevented development that should clearly have been permitted, having regard to its accordance with the development plan, national policy and other material considerations.
 9. For the reasons set out above I conclude that, the applicant has not shown that the Council has behaved unreasonably and that no wasted or unnecessary expense has been incurred by the applicant in the appeal process. I conclude therefore, that the application for an award of costs should be refused.

L M Wilson

INSPECTOR

Appeal Decision

Site visit made on 15 August 2022

by **S Ashworth BA (Hons) BPI MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 August 2022

Appeal Ref: APP/G4240/D/22/3300629

Hodge Manor, Hodge Lane, Broadbottom, Tameside SK14 6BW

- 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 Richard Gibson against the decision of Tameside Metropolitan Borough Council.
 - The application Ref 21/01131/FUL, dated 20 September 2021, was refused by notice dated 18 March 2022.
 - The development proposed is erection of 1.5 metre high timber boundary fence structure including proposed coverage with green landscape treatment planting.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 1. Whether the proposal would be inappropriate development in the Green Belt having regard to the revised Framework and any relevant development plan policies.
 2. The effect of the proposal on the openness of the Green Belt.
 3. The effect of the proposal on the character and appearance of the area.
 4. Whether the proposal would preserve the setting of the grade II listed building 1-19 Hodge Lane.
 5. Whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether inappropriate development

3. Hodge Manor is a detached house set in extensive wooded grounds in a secluded location to the south of Broadbottom. Those grounds are bordered on one side by Hodge Lane, a narrow, unmade single track which serves a limited number of detached residential properties and Nos 1-19 Hodge Lane, a listed building.
4. The existing timber boundary fence at the site, which does not have planning permission, is some 1.8m high and 150m in length. Permission is sought for a

- 1.5m high fence of the same length in the same position which would be stained green. The appeal documents indicate that landscape planting in the form of Ivy, Russian Vine and Cotoneaster would be undertaken adjacent to the fence on both sides.
5. As the National Planning Policy Framework (the Framework) makes clear, the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of the Green Belts are their openness and permanence. The construction of new buildings is considered to be inappropriate development in the Green Belt with defined exceptions set out in paragraphs 149 and 150 of the Framework. The adopted Tameside Unitary Development Plan 2004 (UDP), reflects the Framework in that it seeks to protect the Green Belt from inappropriate development.
 6. The definition of a building¹ includes 'any structure' which would thereby include the construction of a fence. I therefore regard the development as comprising a building within the Green Belt to which none of the exceptions within paragraphs 149 and 150 of the Framework apply. It is therefore inappropriate development.
 7. Inappropriate development within the Green Belts is harmful by definition and, the Framework states, should not be approved except in very special circumstances. I will turn to this matter later.

Effect on the Openness of the Green Belt

8. The site occupies a position on the wooded side of a river valley. Accordingly long-range views are limited. However, openness in Green Belt terms can be taken to mean the absence of development.
9. During my site visit, I noted the lane was well used by walkers and also by vehicles. The existing fence is highly conspicuous. Whilst the proposed fence would be some 30cm lower and would become partly obscured, in time, by planting, it would also be clearly visible to those using the lane. Moreover, given its solid nature, it would have an enclosing effect. Accordingly, the fence has both a visual and spatial dimension. As such, as a result of its height and length, the proposed fence would cause harm to openness. In the context of the Green Belt considered as a whole, that harm would be limited.

Effect of the Character and Appearance of the Area

10. As set out above, the area around the site is wooded and rural. The lane, being narrow, unlit and without footpaths, reflects and contributes to that rural character. Property boundaries around Hodge Lane tend to be marked by dry stone walls which are a typical feature of the rural scene and thereby contribute positively to the character and appearance of the area. In contrast to that, the fence has a suburban character which lacks the robust quality and appearance of the stone walling. Accordingly, given its long length and its position immediately at the lane's edge, it is a dominant and incongruous feature along the lane.
11. I acknowledge that a lower fence would have less of an impact on its surroundings than that which currently exists. I acknowledge that the planting

¹ Section 336 of the Town and Country Planning Act 1990

and staining the fence in a dark green colour would also help soften its appearance. However, I am unconvinced that, even with these measures, the fence would resemble a traditional rural feature but rather would still resemble a suburban structure.

12. I noted the presence of palisade fencing in close proximity to the site and agree that this is an urban feature which, whilst it offers some visual permeability, and thereby retains a degree of openness, is at odds with the rural character of the area. Nevertheless, this is not the predominant boundary treatment in the area and is not therefore the best example of development to follow. Accordingly, it does not justify the proposal before me. Similarly, whilst a length of timber fencing can be glimpsed within a neighbouring domestic garden it does not reflect the general character of boundary treatment along the lane.
13. For these reasons the proposal would be contrary to Policies H10 and C1 of the UDP which require, amongst other things, that development compliments or enhances the character and appearance of an area and that fencing is suitable, enhances the appearance of a development and minimises the visual impact on its surroundings.

The setting of the grade II listed buildings 1-19 Hodge Lane

14. Nos 1-19 Hodge Lane is a terrace of cottages dating from the late 18th century. The building, constructed in stone, is three storeys high with simple mullion windows and architectural detailing. I understand from the list description that the building originally had a full-length workshop on the upper floor. The significance, or special interest, of the building lies in its architectural and historic interest.
15. The Framework describes the setting of a heritage asset as the surroundings in which a heritage asset is experienced. In this case the location of the terrace in an elevated position back from Hodge Lane, allows the special interest of the building to be appreciated. In that way its immediate surroundings contribute positively to its significance as a heritage asset.
16. The fence lies around 100m from the listed building but, because of its position around a bend in the lane, it is not readily visible from it. There is no significant visual association between the terrace and the fence. Therefore, whilst the fence is highly visible in the wider context, the immediate setting of the listed building is not unduly affected by it. On that basis the setting of the listed building, and thereby its significance, would be preserved. Accordingly, the proposal would meet the requirements of s66 (1) of the Planning (Listed Buildings and Conservation Areas Act) 1990 which requires that in considering whether to grant planning permission for development which affects a listed building, or its setting, special regard should be had to the desirability of preserving the building or its setting. For the same reasons the proposal would accord with Policy C6 of the UDP which also seeks to preserve the setting of listed buildings.

Other considerations

17. The appellant has set out that as a result of recent events and personal family circumstances, the fence is required to provide security at the property.

From the information before me I accept that there are substantial grounds for the occupants of the property to feel that steps of the kind taken by this development are necessary in the interests of their security. Given that the fence will provide a degree of security and privacy to the appellant's family this is a benefit of the scheme which attracts moderate weight.

18. A Lawful Development Certificate² has established that a 1m high fence could be erected in a similar location without the need for planning permission. At 0.5m lower than that now proposed, such a fence would have less of an impact on openness and on the character and appearance of the area than that before me. I understand from what I have read that were such a fence constructed, it would be untreated and not softened by planting although it seems to me that such measures are open to the appellant. Nevertheless, I am unconvinced that in visual terms such a proposition would be significantly more harmful than the proposal before me.
19. Moreover, it is not clear how a 1m high fence would provide the level of security and privacy the appellant is seeking. As such I am unconvinced that there is more than a theoretical possibility that such development might take place. Accordingly, the fallback position attracts only limited weight in my considerations.

Very Special Circumstances and Conclusion

20. I have found that the proposal would constitute inappropriate development in the Green Belt. Furthermore, the proposal would have a limited but nevertheless harmful effect on the openness of the Green Belt. The Framework is clear that substantial weight is given to any harm to the Green Belt. In addition to that the proposal would cause harm to the character and appearance of the area. This carries additional moderate weight.
21. On the other side of the balance, the considerations advanced in support of the proposal individually and cumulatively carry only moderate weight.
22. On that basis the very special circumstances needed to justify the proposal have not been demonstrated. As such the proposal is contrary to the requirements of the Framework and to Policy OL1 of the Trafford Core Strategy 2012 which seeks to preserve the Green Belt in accordance with national policy. In addition, the proposal is contrary to Policies H10 and C1 as set out above. There are no other considerations before me which would indicate that permission should be granted.
23. For these reasons and taking all other matters raised into account, including representations of both objection and support for the scheme by third parties, the appeal is dismissed.

S Ashworth

INSPECTOR

² Application ref: 20/00703/CPUD