

SPEAKERS PANEL (PLANNING)

Day: Wednesday
Date: 21 December 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 16 November 2022, having been circulated, to be signed by the Chair as a correct record.	1 - 10
4.	PLANNING APPLICATIONS To consider the schedule of applications:	
a)	22/00678/FUL - LONGDENDALE PLAYING FIELDS, OFF MANLEY GROVE, MOTTRAM-IN-LONGDENDALE	11 - 56
5.	APPEAL DECISION NOTICES	
a)	APP/G4240/W/22/3299916 - AREA OF FOOTPATH OFF LOWER BENNETT STREET, HYDE, SK14 4PP	57 - 60
b)	APP/G4240/Z/22/3303866 - 1 HAMILTON STREET, STALYBRIDGE, SK15 1LL	61 - 64
c)	APP/G4240/W/22/3294392 - 19 STOCKPORT ROAD, ASHTON-UNDER-LYNE, OL7 0LA	65 - 68
d)	APP/G4240/D/22/3298607 - 86 KING EDWARD ROAD, HYDE, SK14 5JJ	69 - 72
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	

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.

on 18 January 2023.

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)

16 November 2022

Commenced: 10:00am

Terminated: 12:40pm

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

Apologies: Councillor Pearce

29. DECLARATIONS OF INTEREST

Member	Subject Matter	Type of Interest	Nature of Interest
Councillor Ricci	Agenda Item 7(i) Planning application: 22/00940/FUL – 3 Downing Close, Ashton- under-Lyne, OL7 9LX	Prejudicial	Applicant is known to the Member.
Councillor Dickinson	Agenda Item 7(j) Planning application: 21/01459/FUL – Amenity area adjacent to 25 Grosvenor Street, Stalybridge	Prejudicial	Pre-determined views against the proposals

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

30. MINUTES

The minutes of the proceedings of the meeting held on 19 October 2022, having been circulated, were approved and signed by the Chair as a correct record.

31. OBJECTIONS TO THE TAMESIDE METROPOLITAN BOROUGH COUNCIL (ALDWYN PARK ROAD AND SIDE STREETS, AUDENSHAW) (PROHIBITION OF WAITING) ORDER 2022

Consideration was given to a report of the Assistant Director, Operations and Neighbourhoods outlining the objections received to the proposed waiting restrictions on Aldwyn Park Road, Audenshaw and the associated side streets.

It was explained that the Council had received correspondence from both residents and Members expressing concern regarding the visibility at the junctions along Aldwyn Park Road in Audenshaw. Consequently, a scheme was advertised in July 2022 advertising proposed restrictions at the critical locations on Aldwyn Park Road and the side streets of Dorset Avenue, Madison Avenue, Ruskin Avenue, Shirley Avenue and Porlock Avenue.

The proposed waiting restrictions were outlined as follows:

Alydwyn Park Road, north side	-	from a point 20 metres west of its junction with Porlock Avenue to a point 13 metres east of that junction
Alydwyn Park Road, north side	-	from a point 10 metres west of its junction with Dorset Avenue to a point 10 metres east of that junction
Alydwyn Park Road, north side	-	from a point 10 metres west of its junction with Madison Avenue to a point 13 metres east of that junction
Alydwyn Park Road, north side	-	from a point 10 metres west of its junction with Shirley Avenue to a point 10 metres east of that junction
Alydwyn Park Road, both sides	-	from its junction with Lumb Lane for a distance of 10 metres in a westerly direction
Alydwyn Park Road, south side	-	from a point 10 metres east of its junction with Ruskin Avenue to a point 10 metres west of that junction
Dorset Avenue, both sides	-	from its junction with Aldwyn Park Road for a distance of 10 metres in a northerly direction
Madison Avenue, both sides	-	from its junction with Aldwyn Park Road for a distance of 10 metres in a northerly direction
Porlock Avenue, both sides	-	from its junction with Aldwyn Park Road for a distance of 10 metres in a northerly direction
Ruskin Avenue, both sides	-	from its junction with Aldwyn Park Road for a distance of 10 metres in a southerly direction
Shirley Avenue, both sides	-	from its junction with Aldwyn Park Road for a distance of 10 metres in a northerly direction

Members were informed that during the consultation period, seven objections and three letters of support were received from residents. The objections mainly highlighted a concern for a lack of parking spaces on the street and a fear of disputes being caused between the neighbours. In addition, one resident raised concern regarding parking their vehicle on another street due to robberies in the area.

Letters of support were received from residents living on Madison Avenue, Porlock Avenue and Ruskin Avenue.

Addressing the concerns raised, the Highways Manager accepted that parking within the area would be reduced, but it was not deemed that the proposals were unnecessarily restrictive. It was highlighted that the proposed waiting restrictions reflected the guidance not to stop or park within 10 metres (32 feet) of a junction as stipulated in the Highway Code 2022.

RESOLVED

That authority be given for the necessary action to be taken in accordance with the Road Traffic Regulation Act 1984 to make the following order: THE TAMESIDE METROPOLITAN BOROUGH COUNCIL (ALDWYN PARK ROAD AND SIDE STREETS, AUDENSHAW) (PROHIBITION OF WAITING) ORDER 2022 as outlined above and detailed within the submitted report.

32. TAMESIDE METROPOLITAN BOROUGH (ST ALBANS AVENUE, ASHTON-UNDER-LYNE) (PROHIBITON OF WAITING) ORDER 2022

Consideration was given to a report of the Assistant Director, Operations and Neighbourhoods outlining the objections received to the proposed waiting restrictions within the St Albans Avenue area, Ashton-under-Lyne.

The Highways Manager advised Members that Holden Clough Community Primary School was situated on St Albans Avenue, Ashton-under-Lyne to the north east of a densely populated residential housing estate. Over recent years the school had developed, expanding from a single form entry to a two-form entry. This had inevitably led to an increase in both pedestrian and vehicular traffic that had exacerbated traffic around the school.

It was explained that at the school's main entrance there were existing 'school keep clear' road markings that were to be retained. In February 2020, approval had also been given to implement 'no waiting at any time' restrictions on St Albans Avenue and around its junctions with Whalley Grove and Stainmore Avenue. These restrictions were introduced to address problem parking around the school's main entrance and were to be retained as part of the outlined proposals.

Since the latter restrictions were introduced, the Panel were informed that dangerous and obstructive parking was now occurring around the school's newly formed pedestrian entrance that was sited on the eastern boundary of the school. Predominantly at school opening and closing times, vehicles had been witnessed parking at or near the bend opposite the pedestrian entrance and double parking too close to the junctions of Exeter Drive and Westminster Close. Traffic flow had therefore been impeded and this had led to conflict between pedestrians and drivers.

In addition, St Albans Avenue was served by the 231 bus service that ran throughout the school peak period, calling at stops that were less than 200m from the school's pedestrian entrance. Members were informed that due to vehicles parking at or near the bend, buses travelling in opposite directions were frequently at an impasse, resulting in further congestion and delays to the bus service.

Numerous complaints were received from local residents, the school's headteacher, parents/carers of children attending the school, ward Members and the local Member of Parliament requesting a scheme to address the issues of road safety and congestion. A scheme was advertised in May 2022.

During the statutory consultation period no objections were received to the proposed 'No Stopping Monday-Friday 8am-5pm in school entrance area' on St Albans Avenue (west side) and four objections were received to the proposed 'No Waiting at Any Time' restrictions and one request was made for an amendment to the scheme.

Communication was also received from Transport for Greater Manchester's (TfGM) bus services directorate, which sought assurance that that existing bus stop clearway heading westbound, approximately outside No.71 St Albans Avenue was to be retained. It was confirmed to Members that the existing clearway was to be retained.

The Highways Manager outlined that the main issue of contention among the objectors related to the assertion that the congestion around St Albans Avenue and the adjacent side roads was only an issue at school opening and closing times and that the proposed order for 'No Waiting at Anytime' restrictions was excessive. The objectors argued that the restrictions only be in operation Monday-Friday, 8am-5pm.

Two objectors suggested that the proposed 'No Waiting at Any Time' restrictions on St David's Close "from its junction with St Albans Avenue for a distance of 15 metres" were unnecessary and excessive. One objector expressed concern that further waiting restrictions around the school would displace the problem, creating problems elsewhere on the housing estate. A further two objectors suggested that there could be a pick up/drop off facility within the school grounds to reduce congestion around the school.

Support for the proposals was received from the resident of No.77 St Albans Avenue, who also requested an extension of the waiting restrictions to cover the full extent of their property, in order to stop parking and facilitate access to their driveway.

Addressing the concerns raised, the Highways Manager acknowledged that the obstruction to through traffic occurred predominantly at school opening and closing times. However, any vehicle parking at any other time either too close to the bends or too close to the junction, on the lengths of road covered by the proposed 'No Waiting at Any Time' restrictions, would either obstruct the highway or block driveways. Therefore reducing the time span of the proposed restrictions would imply that it was acceptable to park here at other times throughout the day and therefore was not recommended.

In relation to the parking concerns raised, the Panel were advised that parking at a junction could cause a major hazard as it reduced visibility for both motorists and pedestrians who might be crossing the road. Rule 243 of the Highway Code stated that drivers must not park within 10 metres of a junction. Although 15 metres was optimum, in this instance Highways considered that the proposed restrictions could be reduced from 15 metres to 10 metres in length, on both sides of St David's Close.

To satisfy concerns around the blocking of private driveways, affected residents would be offered 'H-markings' to discourage drivers from parking over driveways.

Any amendments to parking changes within the school grounds was the responsibility of the school and outside the remit of the Council in terms of this scheme.

It was explained that the scheme had been designed to allow for some parking along the straight section of St Albans Avenue (west side) opposite the main entrance to the school. The waiting restrictions, as advertised, did cover the entrance to the driveway of No.77 to deter parking over the driveway itself. Whilst the Council appreciated that standing traffic was forced to wait/give way to oncoming traffic, this would hinder access/egress to the driveway of No.77 if entering from the bottom of the estate (although not if entering from the top), an extension of the waiting restrictions would only serve to move this problem further down the road and further reduce the available on street parking.

An extension of the waiting restrictions along the whole of the straight section of St Albans Avenue (west side) to join up with the existing waiting restrictions on the left hand bend was considered within the context of this scheme. However, the removal of parked cars could potentially lead to an increase in vehicle speeds along the straight section which would not improve road safety outside the school.

It was therefore recommended that original proposals be amended to the following:

No Waiting at Any Time restrictions on:	
St Albans Avenue (east side)	from a point 10 metres north-east of its junction with Westminster Avenue to a point 32 metres north-west of its junction with St David's Close.
Westminster Avenue (both sides)	from its junction with St Albans Avenue for a distance of 15 metres in a south-easterly direction.
Exeter Drive (both sides)	from its junction with St Albans Avenue for a distance of 15 metres in an easterly direction.
St David's Close (both sides)	From its junction with St Albans Avenue for a distance of 10 metres in a southerly direction.

RESOLVED

That authority be given for the necessary action to be taken in accordance with the Road Traffic Regulation Act 1984 to make the following order: THE TAMESIDE METROPOLITAN

BOROUGH (ST ALBANS AVENUE AREA, ASHTON-UNDER-LYNE) (PROHIBITION OF WAITING) ORDER 2022 as detailed above and at 7.2 in the submitted report.

33. OBJECTIONS TO THE PROPOSED TAMESIDE METROPOLITAN BOROUGH COUNCIL BUS STOP CLEARWAY (24 HOUR) CHEETHAM HILL ROAD, DUKINFIELD 2022

Consideration was given to a report of the Assistant Director, Operations and Neighbourhoods outlining objections received to the proposed bus stop clearway on Cheetham Hill Road, Dukinfield.

Members were informed that bus stop EH0328 was located on the west side of Cheetham Hill Road approximately outside property No. 310. The bus stop was served by services 221, 346, 389 and school service 127. There were up to five buses per hour for services 221, 346 and 389 and one morning 127 school service. In September 2021, the bus stop was upgraded to include a raised platform and a bus stop clearway. With the exception of buses, vehicles must not stop or park within a bus stop clearway. However, it was explained that following a complaint from a resident, it was transpired that residents had not been consulted prior to the clearway being installed and was subsequently removed.

Following the removal, it was advised that the Council wrote to TfGM to establish the necessity of a clearway at this location. TfGM responded that they would like to see the clearway reinstated to ensure the full benefit of the raised platform at the recently upgraded stop. The Highways Manager highlighted that if vehicles other than buses continued to park in the vicinity, passengers using the stop would have to alight and disembark from the bus whilst it was stopped in a live lane of traffic. This was an unsafe practice as passengers could not access the footway without going between parked vehicles and causing congestion on an already busy road. A statement from TfGM in support of the reinstatement of the bus stop clearway was read to Members.

It was highlighted that buses pulling up against the kerb had become more important given that increased provision of fully accessible buses, in accordance with the Public Service Vehicles Accessibility Regulations (PSVAR). The benefits of these low-floor and 'kneeling' buses were considerably reduced if the bus could not get to the kerb.

Following the statutory 28-day consultation period, correspondence was received from two objectors. Both objectors contended that bus stop EH0328 was located too close to the signal controlled junction at Yew Tree Lane and that when buses were stopped it caused the traffic to back up over the pedestrian crossing, especially when two buses were in situ at the same time. They advised that congestion was particularly problematic at school pick up/drop off times given the close proximity to the schools within the area. The objectors suggested that the bus stop could either be moved to a different location or removed completely.

The Highways Manager provided a summary of further objections:

- Concern that emergency service vehicles may be unable to get through if buses were stopped;
- That the bus stop clearway was too long and an eyesore;
- Issues relating to anti-social behaviour and littering at the bus stop;
- Residents unable to park on the road outside their property;
- Residents with disabilities needing to park outside their property;
- Resident unable to reverse onto their driveway off Cheetham Hill Road; and
- Concern that the introduction of the clearway would reduce the value of their property.

Responding to the objections from local residents, the Highways Manager confirmed that the bus stop was approximately 50 metres from its junction with Yew Tree Lane, which was well within the parameters of bus stop design guidance. The bus stop had been in its current position for 13 years and neither the Council nor TfGM were aware of any issues with the location of the stop or its proximity to the signalised junction. It was explained that if the stop was removed completely, this would result in the distance between the next and previous stop being over 450 metres which was

above TfGM's recommended guidance. TfGM did not move or remove bus stops unless on road safety grounds.

Concerning emergency service vehicles, Cheetham Hill Road was not dissimilar to a number of other roads within the borough and therefore it was assumed that in an emergency, motorists, including the bus driver would move to allow an emergency services vehicle through, provided that it was safe to do so. Regardless, the ability of the bus stop to pull up parallel to the kerb with a clearway would improve space on the road.

Any concerns related to anti-social behaviour at the bus stop should be reported to the police in the first instance and the school if they were pupils. It was likely that the bin was removed whilst the bus stop upgrade was undertaken and the Council's Operations and Greenspace team were arranging for the bin to be replaced.

The Highways Manager explained that whilst the Council was not unsympathetic to the resident's situation regarding on-street parking, there was no legal entitlement for residents to park on the public highway outside or near to their property. The proposed restrictions would help to enhance the flow of traffic and residents would be able to park on the road opposite their property at weekends and outside of the restricted hours Monday to Friday. In addition, the implementation of the bus stop clearway would not prevent the resident from completing the necessary manoeuvre to reverse onto their driveway.

Individuals with a blue badge could apply for an advisory disabled parking bay, and whilst this could not be placed directly outside the resident's property, it could be sited within close proximity where there were no parking restrictions.

Members were informed that there was no evidence that the implementation of a bus stop clearway would affect property prices within the vicinity of restrictions nor that car insurance premiums would be affected if the vehicle was still being parked on the public highway within the same postcode area and it was therefore:

RESOLVED

That authority be given to implement the 24 hour bus stop clearway on Cheetham Hill Road (west side), from a point 45 metres north of its junction with Yew Tree Lane for a distance of 23 metres in a northerly direction.

34. PLANNING APPLICATIONS

The Panel gave consideration to the schedule of applications submitted and it was:-

RESOLVED

That the applications for planning permission be determined as detailed below:-

Name and Application No:	20/01255/OUT Mr Mark Andrew & Mr Frank Williams
Proposed Development:	Outline planning application for the erection of 8 houses (landscaping reserved). Land at Woodend View, Mossley, OL5 0SN
Speaker(s)/Late Representations	Councillor T Sharif and Nick Gittings addressed the Panel objecting to the application. Frank Williams, the applicant, addressed the Panel in relation to the application.

Decision:	That planning permission be refused.
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Name and Application No:	21/01379/FUL Mr Andrew Rhodes
Proposed Development:	Proposed development of 6no. detached dwellings. Hanover Memorial Gardens, Hanover Street, Mossley
Speaker(s)/Late Representations	Cllr S Homer and Paul Waters addressed the Panel objecting to the application.
Decision:	That planning permission be refused.

Name and Application No:	22/00262/FUL Mr Wilcox
Proposed Development:	Construction of 9no. 3 bed dwellings including ancillary works/excavation. Land on Stamford Road, Mossley
Speaker(s)/Late Representations	The Head of Planning advised that the application had been withdrawn by the applicant and therefore no vote was taken by Members of the Panel.

Name and Application No:	20/00268/FUL Mr Patrick Hand
Proposed Development:	Proposed residential development of 2 bungalows and associated works. Land adjacent to 24 Stablefold, Mossley, OL5 0DJ
Speaker(s)/Late Representations	Councillor T Sharif and Steve Kiy addressed the Panel objecting to the application.
Decision:	That planning permission be refused.

Name and Application No:	22/00280/FUL Real Estate Aventor Ltd
Proposed Development:	Change of use of building to 20no. apartments, including roof extension to first floor section, and insertion of new windows and replacement of doors with windows. James Howe Mill, Turner Lane, Ashton-under-Lyne, OL6 8LS
Speaker(s)/Late Representations:	The case officer advised Members that a further seven representations had been received since publication of the agenda. All of these additional representations objected to the proposals.

	<p>It was also confirmed that the parking area, shaded in blue in the submitted report, had shared access and was not in the control of the applicant.</p> <p>Darren Arrowsmith addressed the Panel objecting to the application.</p> <p>Sheila Wright, on behalf of the applicant, addressed the Panel in relation to the application.</p>
Decision:	That planning permission be refused.

Name and Application No:	<p>22/00565/FUL</p> <p>Mr and Mrs Ward</p>
Proposed Development:	<p>Demolition of existing stables/structures and erection of 1 residential dwelling.</p> <p>Whitehall Cottage, Luzley Road, Ashton-under-Lyne, OL6 9AJ</p>
Speaker(s)/Late Representations:	<p>The Head of Planning advised that since publication of the agenda, correspondence had been received from an individual questioning the accuracy of the dimensions provided.</p> <p>The officer confirmed that Planning was satisfied with the accuracy of the dimensions following consultation with the applicant and design agency.</p> <p>Colin Heywood addressed the Panel objecting to the application.</p> <p>Endaf Roberts, on behalf of the applicant, addressed the Panel in relation to the application.</p>
Decision:	That planning permission be granted, subject to the conditions as detailed within the submitted report.

Name and Application No:	<p>22/00723/FUL</p> <p>Mr Francis Cheetham-Roberts</p>
Proposed Development:	<p>Change of use of land to accommodate 4 yurts to be used for rental glamping holiday purposes, refurbishment of derelict building to washing facility, use of existing car park and toilet facility and associated works.</p> <p>Top Shippon, Home Farm, Hill End Lane, Mottram, SK14 6JP</p>
Speaker(s)/Late Representations:	Francis Cheetham-Roberts, the applicant, addressed the Panel in relation to the application.
Decision:	That planning permission be granted, subject to the conditions as detailed within the submitted report.

Name and Application No:	<p>22/00836/FUL</p> <p>Mr & Mrs Dawson</p>
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Proposed Development:	First floor side extension. 28 Angel Close, Dukinfield, SK16 4XA
Speaker(s)/Late Representations	Stephen Pond addressed the Panel objecting to the application. Veronica Dawson, the applicant, addressed the Panel in relation to the application.
Decision:	That planning permission be granted, subject to the conditions as detailed within the submitted report.

Name and Application No:	22/00940/FUL Mr Frank Tinnirello
Proposed Development:	Two-storey extension at rear. 3 Downing Close, Ashton-under-Lyne, OL7 9LX
Speaker(s)/Late Representations	The Head of Planning summarised written objections to the application from Councillor Choksi, including issues relating to a previous planning control matter. Charlie Schofield addressed the Panel objecting to the application. Sohail Musa, on behalf of the applicant, addressed the Panel in relation to the application.
Decision:	Members resolved to defer the application to allow further investigation work to be carried out in relation to the proposed use of the dwelling and proposed extension.

Name and Application No:	21/01459/FUL Evans UK Property Ltd
Proposed Development:	Erection of four storey building for use as a residential institution (Use Class C2), with access and associated infrastructure. Amenity area adjacent to 25 Grosvenor Street, Stalybridge
Speaker(s)/Late Representations	Councillor Dickinson addressed the Panel objecting to the application. Matthew Dixon, on behalf of the applicant, addressed the Panel in relation to the application.
Decision:	Following deferment at the meeting of Speakers Panel (Planning) on 14 September 2022, Members resolved to grant planning permission, subject to the conditions as detailed within the submitted report.

35. APPEAL DECISIONS

Application Reference/Address of Property	Description	Appeal/Cost Decision
APP/G4240/W/22/3298511 Land at end of Foundry Street, Foundry Street, Dukinfield, SK16 5PH	Proposed installation of a 17.5m monopole supporting 6 no antenna, 1 no dish, together with the installation of 2 no equipment cabinets and ancillary development thereto.	Appeal allowed.
APP/G4240/W/22/3298608 1 Bowland Road, Denton, M34 2GD	Proposed erection of a detached dwelling.	Appeal dismissed.

36. URGENT ITEMS

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

37. DATE OF NEXT MEETING

RESOLVED

That the next meeting of the Panel would take place on 21 December 2022.

CHAIR

Application Number:	22/00678/FUL
Proposal:	New school for pupils with special educational needs or disabilities (SEND); consisting of single storey building, alongside grass playing pitch, artificial surface playing pitch; with car parking, access and associated infrastructure.
Site:	Longdendale Playing Fields, off Manley Grove, Mottram-in-Longdendale
Applicant:	Anwyl Homes Lancashire and Robertson Construction North West Limited
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 subject of this planning application relates to a 4.94 hectare rectangular parcel of land, which is situated to the north of Manley Grove and John Kennedy Way, and to the south of Hyde Road, in Mottram-in-Longdendale. Residential properties are situated to the south and east. An Active Tameside indoor sports facility borders immediately to the east, alongside a children's playground which is beyond the south east of the site at the edge of Manley Grove. Hurstclough Brook also runs beyond the western and south western edges of the site.
- 1.2 The site is allocated as Protected Green Space within the adopted Unitary Development Plan (UDP). The site is currently utilised as open, green space by members of the public. It has not been used as a playing field for a period of at least five years, but was previously.
- 1.3 The main residential properties to be affected by the development are those to the south, along Manley Grove, John Kennedy Road, and Arundale Close. Also within close proximity to the site are properties along Arundale Grove to the south west, and John Kennedy Garden to the east.

2. PROPOSAL

- 2.1 This full application seeks planning permission for a new school, for pupils with special educational needs or disabilities, with a single storey building. Alongside this, a grass playing pitch, and an artificial grass playing pitch would be created, with car parking, access and infrastructure.
- 2.2 The building would be single storey, with a flat roof design throughout. The main section of the building would measure 5.3 metres (m) in height. An entrance area to the school would measure an increased height of 6.2m, and a servicing area on the roof of the building would be covered by a parapet wall, which would have a total further increased height of 7.2m.
- 2.3 The school building would be u-shaped in design, and within the internal walls of the building the outdoor play spaces and garden spaces would be situated. The external materials of the

building would consist of smooth grey brick, and timber cladding to some areas. Some of the elevations would include recessed areas. Detailing would be carried through surrounding some of the windows.

- 2.4 In terms of the layout of the site, vehicular access would be taken off Manley Grove to the south eastern corner of the site. A small car park area would be situated adjacent to this entrance, and the proposed artificial grass sports pitch to the west of this area. The natural turf pitch would be situated to the north east of the site, and the car park area to the north west, to the front of the school building. Landscaping would be situated particularly to the edges of the site, to the southern elevation close to residential properties.
- 2.5 The school would replace the current Hawthorns School which is located in Audenshaw. That site would close upon opening of this new facility. The applicant has stated that the existing school has dated facilities, and some of its buildings are temporary. The capacity of the existing school is not sufficient to accommodate the number of pupils with special educational needs or disabilities. The current school, although meeting the needs of 133 pupils, should have a capacity of only 75 pupils. The proposed school would have capacity for an increased number, of 220 pupils.
- 2.6 As mentioned, two playing pitches are proposed as part of the development. One is a full sized grass pitch, to be situated to the north east of the site. This pitch is proposed to be drained and suitable for community use, with the applicant stating it meets relevant Football Foundation requirements.
- 2.7 The other pitch would be a 3G artificial surface 11v11 junior football pitch, which would be positioned to the south east of the site. This would include lighting, to allow use after hours of darkness. An acoustic fencing or barrier treatment is also proposed to this pitch, to reduce the impact of noise and disturbance upon nearby neighbouring properties from its use.
- 2.8 Both pitches would be managed by the proposed school. It is proposed that during school hours, they would be used exclusively by the school. However, outside of school hours during evenings and weekends, they would be made available for community use by members of the public and sports teams, in accordance with a community use agreement to be progressed.
- 2.9 Changing places at the adjacent existing leisure centre would likely be utilised by users of the community pitches. The pitch would also likely be utilised as the home ground for Hollingworth Juniors Football Club.
- 2.10 Fencing is proposed throughout the site. The fencing to the southern boundary of the site, adjacent to residential properties, would measure 2.4m in height. Higher fencing is proposed surrounding the artificial grass pitch, and acoustic fencing/screening is proposed to the southern elevation of this pitch. The specifications of this are to be controlled through a planning condition, discussed in further detail within the report.

3. PLANNING HISTORY

- 3.1 None of relevance.

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**

- 1.1: Capturing Quality Jobs for Tameside People;
- 1.3: Creating a Cleaner and Greener Environment;
- 1.5: Following the Principles of Sustainable Development;
- 1.8: Retaining and Improving Opportunities for Sport, Recreation and Leisure;
- 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
- 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
- OL4: Protected Green Space
- OL6: Outdoor Sport, Recreation and Play Space Developments
- OL10: Landscape Quality and Character
- T1: Highway Improvement and Traffic Management
- T7: Cycling
- T8: Walking
- T10: Parking
- T11: Travel Plans
- T14: Transport Assessments
- 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 letters, display of site notice; and advertisement in the local press.

6. SUMMARY OF THIRD PARTY RESPONSES

- 6.1 In response to the neighbour notification letters, there were seven letters of objection submitted. The concerns raised within the letters of objection are summarised below:
- The proposed development would lead to a loss of green space, which would be detrimental to local residents;
 - The development will be detrimental to use of green spaces for informal purposes;
 - The site is proposed to be allocated as Green Belt, so development should not be permitted;
 - The proposed development would lead to congestion and highway safety concerns on surrounding highways;
 - The entrance to the school is not suitable, on Manley Grove, which would lead to highway safety concerns;
 - Lighting levels within the site would lead to residential amenity concerns;

- The application does not state whether facilities would be available for use by members of the community;
- The application was not widely publicised, and was originally advertised during school holidays, not allowing wider public comments;
- There should be improvements to surrounding recreational facilities and
- The community facilities lack changing and toilet facilities.

6.2 There were four letters of support submitted.

7. RESPONSES FROM CONSULTEES

- 7.1 Local Highway Authority – No objections, subject to conditions requiring car parking and servicing to be implemented; a construction environment management plan; a scheme for surveying the existing highway prior to works commencing; a surface water drainage scheme; a scheme for highway construction – on and off site works, and junction improvement works and visibility splays to Manley Grove; secured cycle parking to be provided; a lighting strategy scheme; a scheme for traffic calming and pedestrian crossing facilities on Hyde Road; and submission of a Green Travel Plan.
- 7.2 Transport for Greater Manchester (TfGM) – No objections, subject to pedestrian crossing facilities being provided on Hyde Road.
- 7.3 Greater Manchester Police Designing Out Crime Officer – Recommends that security measures be incorporated into the development.
- 7.4 Lead Local Flood Authority – No objections, subject to a condition requiring a surface water drainage scheme.
- 7.5 United Utilities – No objections, subject to a condition requiring drainage to be undertaken in accordance with submitted details.
- 7.6 Greater Manchester Ecology Unit – No objections, subject to conditions requiring details of the measures for protecting great crested newts on the site; restricting works during the bird nesting season; provide reasonable avoidance measures for small mammals and amphibians; method statement for biosecurity measures or avoidance measures for Himalayan Balsam; measures to prevent negative impacts upon the Hurstclough Brook; and submission of a biodiversity net gain management plan.
- 7.7 Environmental Health – No objections, subject to conditions restricting construction working hours; hours of use of artificial pitch; hours of use for floodlighting of pitch; details of plant and machinery and acoustic properties; details of acoustic fence or screen adjacent to artificial pitch.
- 7.8 Contaminated Land – No objections, subject to conditions requiring a remediation strategy to be undertaken, with options appraisal; and that recommended remedial measures be implemented prior to use, followed by a verification plan.
- 7.9 Coal Authority – No objections. Notes that the site does not lie within the Development High Risk Area, and therefore no further information is required.
- 7.10 Arborist – Notes that most of the trees and wooded areas are to be retained, as new development is constrained primarily to grassland areas. New planting proposed is sufficient and appropriate.
- 7.11 Waste Management – The Council's Waste service does not provide commercial collections.

- 7.12 National Highways – No objections following the submission of additional information.
- 7.13 Sport England – No objections, subject to conditions requiring that full details of the artificial grass pitch be submitted; the natural turf pitch shall be laid out in accordance with the submitted details and Sport England criteria; a community use agreement for the pitches be developed; and a lighting scheme be submitted.

8. ANALYSIS

8.1 Paragraph 95 of the NPPF states that it is important that a sufficient choice of school places are available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- a) Give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and
- b) Work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.

8.2 Policy OL4 of the UDP states that the Council will not permit built development on any land shown as Protected Green Space on the Proposals Map. This policy will also apply to areas of land in similar use but which are too small to be shown as Protected Green Spaces on the Proposals Map. Exceptions to this policy will only be made where one of the following criteria is satisfied:

- a) The proposed development is ancillary to the principal use of a playing field or green space for recreation or amenity and does not adversely affect this use, or
- b) Redevelopment of part of a playing field or green space provides the only means of upgrading the site to the required standard, and the remaining playing field or green space will continue to meet the needs of the surrounding area for sport, recreation or amenity, or
- c) A playing field or green space which will be lost as a result of the proposed development would be replaced by a playing field or green space of an equivalent or better quality and quantity, in a suitable location and subject to equivalent or better management arrangements, prior to commencement of development, or
- d) It can be demonstrated, by means of a suitable supply and demand study taking account of possible future as well as current requirements, that the retention of a site or facilities for sport or recreational use is not necessary and the site has no special significance to the interests of sport and recreation.

These exceptions will 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.

Measures will be taken, where possible and appropriate, to enhance the accessibility, appearance and habitats of areas of Protected Green Space and to extend or link them into further areas of open space.

8.3 Paragraph 99 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

- b) The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - c) The development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.
- 8.4 The Council's draft Playing Pitch and Outdoor Sport Strategy Assessment Report (dated March 2022) identifies the site as Longdendale Playing Fields, and it is stated that the site is not in current use as playing fields but rather as open space. The applicant has stated that the playing field has not been used as such for a period of at least five years, and Sport England (through consultation) has not disagreed with this statement.
- 8.5 The proposed new school development would result in the loss of the existing playing field, however new provision would be in the form of an 11v11 youth football pitch. In addition, the proposals also include construction of an artificial Grass Sport Pitch (AGP) with sports lighting. The emerging Playing Pitch and Outdoor Sport Strategy Assessment Report, as mentioned above, states that the pitch was previously marked out c2009, according to aerial images, with goalposts previously in place c2005.
- 8.6 Sport England have reviewed the application against their own policies and paragraph 99 of the Framework which broadly set out that objections to loss of a playing field would occur, unless the benefits of the proposed development outweigh the loss.
- 8.7 In terms of the proposed AGP, Sport England have assessed whether this element of the proposal meets an identified local or strategic need. They have indicated that this provision should include a commitment to an associated community use, to ensure long term access for community sport. Furthermore, if a new 3G pitch is developed, this should be to recommended FA pitch dimensions, and be certified on the 3G pitch register. The supporting information meets these recommendations.
- 8.8 The supporting information confirms that both the AGP and the natural turf pitch will be available for community use outside of school hours, supported by changing facilities at the adjacent Longdendale Recreation Centre. Sport England note the response provided by the Council's Environmental Health officers proposing restricted hours of the all-weather pitch (discussed in further detail within the residential amenity section below), and they consider that these hours are appropriate to realise maximum community benefit for the facility.
- 8.9 Sport England also note that the AGP is designed to meet Football Foundation guidance, and the Foundation have confirmed that the development would be eligible for grant funding which would secure an appropriate specification. The AGP would deliver enhancements to school sports facilities as well as community use facilities.
- 8.10 The proposed natural turf pitch is supported by funding secured through an existing section 106 obligation, attached to a planning permission at a housing development approved nearby, at the former Organ Inn pub and associated playing field. Mitigation for loss of that facility was agreed to be provided at this site, in the form of a marked out playing pitch. This would continue to be supported through this application, and is secured in this form by Sport England.
- 8.11 Sport England note that the proposed development does not typically meet their policy, as no new replacement playing field is offered as mitigation for the loss, nor is there an identified access of playing field. However, whilst there is no identified need for specifically additional 3G facilities in this area within the draft Playing Pitch and Outdoor Sport Strategy Assessment Report, the Football Foundation has identified a growing requirement, and the Assessment Report does advocate further investigation into the capacity of existing facilities. In addition, it identifies the case for a rugby compliant facility, and potentially this facility could address the issue of a lack of rugby league and union training in some regard. Therefore, whilst Sport England note that the proposed development is not in full accordance with their policy, it has

the potential to deliver outcomes in the emerging Playing Pitch and Outdoor Sport Strategy Assessment Report, on a site which is a playing field but is not currently utilised for formal sport and has not been used as such for a number of years. The proposal would deliver both a natural turf pitch and an artificial grass pitch, and with appropriate controls would secure facilities for use by the community. Considering the above, Sport England does not raise an objection to the proposed development as, whilst the proposal does not meet their policy, the development in this particular case has the ability to secure identified sports development outcomes which outweigh the loss of the playing field area.

- 8.12 Sport England accepts the hours of use set out by the Environmental Health Officer, but any further reduction in use of the facilities would result in an objection because this would represent insufficient provision for use of the facilities by the community. They also recommend conditions including a requirement for a community use agreement to be submitted for review. This would ensure adequate use by the community. Sport England also recommend conditions requiring details and specification of the artificial grass pitch to be submitted, and stipulate that the natural turf pitch be laid out in accordance with Sport England guidance ('Natural Turf for Sport'), which would ensure that it meets standard requirements. They also recommend that a scheme for the lighting of the facilities be submitted to ensure this adequately serves the development. Each of these conditions are considered necessary, and are recommended to be imposed if permission is granted.
- 8.13 Although Sport England have confirmed that their policies would not be ordinarily complied with (albeit they do not raise an objection to the development), because no new replacement playing field is proposed to mitigate for the loss of existing facilities, it is considered that the proposed facilities represent a significant upgrade to the current situation. As noted earlier, the Council's draft Playing Pitch and Outdoor Sport Strategy Assessment Report identifies that the site forms an area of open space, rather than a playing pitch which has not been in use for a number of years. The proposed development would however deliver enhanced facilities, more akin to playing pitch facilities which would be available for use by the community (subject to recommended conditions), and which would deliver further community benefits than the open space as it stands at present.
- 8.14 The proposed development is thereby considered to deliver significant improvements over the current facilities, and accords with UDP Policy OL4 (criterion c), with replacement of the green space with a playing field of a better quality, in a suitable location subject to better management arrangements. The development similarly also accords with NPPF Paragraph 99 (criterion b) for the same reasons.
- 8.15 In addition to the above, the school development would expand SEN places within the borough, for which there is an identified need, and thus accords with paragraph 95 of the NPPF, which requires a sufficient choice of school places to be available. The Council's Education Service has confirmed their support for the relocation of Hawthorns Community School to this site, allowing the school to expand in order to cater for the growth in children with Education Health and Care Plans (EHCPs). The Council's Education Service has advised that the SEND Sufficiency Strategy 2021-2031 and SEND Forward Plan 2019-2022 have identified the need to increase provision across the borough. An options appraisal has previously been carried out to explore an expansion of the current Hawthorns site, however it was established that a new site would be the most feasible option. As set out within the submitted information, the school would provide places for up to 220 children with special educational needs or disabilities.
- 8.16 In light of the above, the proposed development is acceptable in principle, according with the policies as set out at the start of this section.
- 8.17 It should be noted that part of the site has been identified through Places for Everyone, the draft Greater Manchester Joint Development Plan Document, as a proposed addition to the Green Belt. This would link to existing Green Belt to the north and south of the site (Policy

GBA40 – Hyde Road, Mottram). Places for Everyone was published in August 2021, submitted to the Secretary of State in February 2022, and at the time of writing is currently undergoing Examination in Public. Given the current status of the plan, only very limited weight is afforded to it at present. This does not outweigh the wider policy implications of the scheme as described above.

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. Policy C1 of the UDP promotes that new development responds positively to and with understanding of its local context. 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 The immediate surrounding area is characterised primarily by two storey terraced residential properties, of a brick (buff or red) or render finish. The site also lies adjacent to the existing leisure centre building, which is two storey in height and is finished with render and cladding.
- 9.3 Submitted elevation drawings demonstrate that the school building will be single storey, with a flat roof design. A small section would be of a higher level, appearing two storey in appearance, again with a flat roof. The primarily single storey appearance of the building would not seek to compete with the two storey residential properties it would be situated near, and would appear as an appropriate scale within this site which is currently largely open.
- 9.4 The school has been designed, as per the detail within the submitted Design & Access Statement, to sit within a semi-exposed location, with a dense wooded area containing Hurstclough Brook sitting to the west of the site. The building would be u-shaped in design, in order to contain the outdoor play spaces and garden areas. Due to the orientation of the building, this would ensure those areas are sheltered somewhat, but nonetheless would receive daylight throughout the year. The outward facing facades would then benefit most from extended views across green space. The design of the building in this manner would also partially screen the outdoor play and garden areas from noise and pollution associated with the existing A57 Hyde Road, and would provide a safer area for outdoor play and use, away from the car park and access areas.
- 9.5 The submitted Design & Access Statement discusses how a number of options regarding use of materials was considered prior to the application being submitted. Considering the building is functional, but modern in appearance, a simple material palette is preferred. The primary materials to be used therefore are a grey brick, and a timber cladding. The grey brick would be the primary material, and has a smooth finish. Some of the building's elevations would include recessed areas to reduce their massing, especially given the elevations are a considerable length. Detailing would also be carried through surrounding some of the windows. The timber cladding would complement the grey brickwork, softening the elevations of the building especially around the entrance area. The timber cladding would primarily be used in this area, but would also add interest and slightly reduce the mass of the remaining elevations, with its use breaking up some of the window areas. A condition is recommended to ensure full details of the materials are submitted for consideration prior to their installation.
- 9.6 In terms of the general layout of the site, vehicular access would be taken off Manley Grove to the south-eastern corner of the site. A small car park area would be situated adjacent to this entrance, and the proposed artificial grass sports pitch to the west. The natural turf pitch would be sited to the north east of the site, and the car park area to the north west, at the front of the school building. The layout of the site would be complementary to the surrounding

uses, with significant amounts of activity positioned away from residential properties. This is discussed in further detail below.

- 9.7 The submitted information demonstrates a suitable site layout, and an acceptable design and layout for the building and facilities to be provided on the site. Landscaping to the edges of the site, particularly to the southern boundary close to residential properties, would partially screen and soften the edges of the development. A material palette of smooth grey brick and timber cladding would provide a degree of interest to the overall appearance of the building, and the mix would soften the development. The development is therefore visually acceptable, according with UDP Policy C1 and the NPPF.

10. RESIDENTIAL AMENITY

- 10.1 The NPPF seeks to ensure a good standard of amenity for all existing and future occupants of land and buildings.
- 10.2 The main residential properties to be affected by the development are those to the south, along Manley Grove, John Kennedy Road, and Arundale Close. Also within close proximity to the site are properties along Arundale Grove to the south west, and John Kennedy Garden to the east.
- 10.3 The site layout has been designed in a manner so as to reduce the impact where possible on occupiers of nearby residential properties. The main car parking area, main entrance to the school and the natural turf pitch would be situated to the north west and north eastern areas of the site, away from the southern boundary. Similarly, aside from the access entrance point, the vehicular access would then run centrally through the site, east to west.
- 10.4 As set out earlier, the school would provide places for up to 220 children with special educational needs or disabilities. In terms of amenity of neighbouring residents, the operations of the school would differ to that of a mainstream educational establishment. It is unlikely that the school would be served by school buses, with many of the pupils attending likely to utilise private car transport or taxi services. It is also the case that pupils may have staggered start and finish times, or different timings to that of a typical school day. This would result in less disturbance to neighbours from comings and goings which would be associated with a mainstream school.
- 10.5 The southern boundary adjacent to the school building would be landscaped, and the building would be positioned in a u-shape as mentioned earlier. The building, at its nearest (southern) point, would be approximately 12.5m from the boundary with neighbouring properties along Arundale Close. Those properties which would directly face the southern elevation of the school building would be situated some 26m from the building. Properties which lie closer to the building would face into the courtyard area, which would be utilised for outdoor play and as a garden area. This relationship is acceptable in terms of a distance to maintain appropriate amenity and privacy for the nearby residents. The activity taking place within the outdoor courtyard area, in terms of play provision and use of the garden, would not unduly affect residential properties due to the separation distances involved. Importantly also, use of this area would likely take place during school time hours, with some possible use before school and after school during the summer months. Use of this area would thereby not unduly impact upon residential properties during evening and night time hours.
- 10.6 The rear of nos. 24-42 John Kennedy Road would directly face the proposed artificial grass sports pitch, which is to be situated to the south of the site, and the proposed car park to serve that part of the development, which is to be situated directly to the east. A number of other properties which do not face the site but whose gable elevations face the site (situated between no. 42 John Kennedy Road and Arundale Close) would also be sited close to the artificial grass sports pitch. The pitch, like the school building, would be screened somewhat

from the adjacent residential properties by landscaping to be introduced along the southern border of the site. At its closest point, the pitch would be situated approximately 13.5m from the boundary with the neighbouring properties, but it would be at least 25m from the wall of the nearest property. The car park would be situated just over 17m from the boundary of the nearest residential property, taking into account the access driveway which runs to the rear of some properties fronting John Kennedy Road.

- 10.7 The application is supported by a noise impact assessment, which broadly concludes that use of the artificial grass sports pitch does not unduly affect residents bordering the site to the south. However, the Council's Environmental Health Officers have reviewed this assessment, and do consider that, particularly during evening hours or at weekends, use of this pitch could impact upon the amenities of those properties, particularly use of their private garden areas, due to the proximities involved. Although the site is currently utilised as open space and has previously been utilised for sports provision, the artificial pitch is to be situated relatively close to those properties compared to the large area of open space as existing. The playing of sports, including talking, shouting, and the beating of balls and sports equipment against fencing within the pitch, would result in noise which is audible to nearby residents. Therefore, Environmental Health officers recommend that an acoustic fence/barrier, to be installed along the southern boundary of the pitch, should be submitted to the Council for approval prior to first use of the pitch.
- 10.8 Furthermore, although the acoustic barrier would go some way to reducing noise and disturbance to neighbouring properties, noise travels more easily during evening and night time hours, when traffic and associated noise is at a lower level. Furthermore, residents would reasonably and usually expect a degree of peace and quiet during such hours when residing at home. It is therefore recommended that the artificial grass sports pitch shall only be used between the hours of 08:00 and 21:00 Monday to Friday, 09:00 and 20:00 hours on Saturdays, and 10:00 and 18:00 hours on Sundays and Bank Holidays. Furthermore, any lighting proposed to serve both the artificial pitch and the adjacent car park to the east, shall not be lit outside of the above hours, with a grace period of 15 minutes allowed for users to depart. The Council's Environmental Health officers consider that these measures combined would ensure the amenity of neighbouring properties are not unduly affected by the proposed development.
- 10.9 As mentioned previously, the natural turf pitch would be situated to the north east of the site, and would be positioned at least 53m from the boundary with the nearest neighbouring residential property. It is not considered necessary to restrict use of this pitch, given the associated separation distances involved, and also noting that the area is currently used for open space and was previously used for the playing of sports. Users who utilised the car park to the south eastern corner of the site, adjacent to residential properties, would be restricted by the condition controlling hours of use of the lighting of that area, where the use of the natural turf pitch is unlikely to unduly affect residential amenity.
- 10.10 It is also recommended that details of any fixed plant and machinery to be installed at the site be first submitted to the Council for review, to ensure it would not unduly affect the amenities of residential properties neighbouring the site. A relevant condition is recommended.
- 10.11 Following the above assessment, the proposed development would not result in an adverse impact on the residential amenity of surrounding neighbouring properties, subject to the recommended conditions adequately controlling noise and disturbance from the proposed development.

11. HIGHWAY SAFETY & ACCESSIBILITY

- 11.1 It was initially proposed that the main vehicular access to the school would take place off the A57 Hyde Road, which is classified as a trunk road and forms part of the Strategic Road Network (SRN). National Highways objected to this approach, due to existing capacity issues on Hyde Road, and increased vehicular movements in this location. Main access is therefore proposed to be taken off Manley Grove, to the south of the site.
- 11.2 A Development Consent Order has been granted recently for the A57 link roads scheme, which includes the proposed Mottram Moor Link Road, which, when constructed, will bypass the existing A57 Hyde Road. Hyde Road will likely be de-trunked once the link road opens, expected to be in 2025, and should alleviate capacity on the existing Hyde Road. It may in future, be possible, should the school wish to investigate alternative access arrangements, to obtain access from Hyde Road once it is de-trunked, although planning permission would be required for such a scheme. The application has therefore been assessed on the basis that sole vehicular access would be taken off Manley Grove.
- 11.3 The Local Highway Authority (LHA) has noted that adequate visibility splays are available on Manley Grove, allowing for safe access to and from the school site.
- 11.4 Internally within the school site, access will take place via a one-way loop around the proposed car park. Based on evidence from the existing school site, it is expected that pupils will predominantly arrive to the school site via minibus or taxi, however a parent drop-off space is also to be provided. All drop-off/pick-up of pupils will likely take place within the school site, minimising disruption on adjacent highways and to nearby residents from vehicles waiting, and in particular avoiding queueing vehicles on adjacent streets Manley Grove and John Kennedy Road. The LHA are satisfied that there is sufficient internal space to allow for the dropping off and picking up of pupils throughout the school day, and the school will likely be provided with automatic gates to allow vehicles to safely enter and exit the site. Swept path movement diagrams have been provided within the submitted information, demonstrating that a minibus and refuse vehicles could adequately and safely navigate the site.
- 11.5 In terms of capacity of surrounding highways, the submitted Transport Assessment (TA) provides figures to compare the PM peak period and the afternoon (school peak period) for the junction of the A57/John Kennedy Road. The TA indicates that the school, peak period in the afternoon is approximately two thirds of the evening peak flows. It is also noted that once the Mottram Moor Link Road is operational (currently expected in 2025), this would likely result in a significant reduction in existing vehicle trips that utilise John Kennedy Road. Given the submitted modelling information contained within the TA, the LHA are satisfied that the additional traffic generated by the proposed development is acceptable being , significantly below the maximum capacity figures on the surrounding highway junctions, and can be accommodated on the local highway network with limited impact.
- 11.6 In addition to the impact of the development upon local roads, National Highways initially objected to the development, due to limited information provided which demonstrated future impact upon capacity of roads under their control, namely the SRN. The applicant subsequently provided additional information, and following review of this alongside undertaking their own assessment on the likely traffic generation and distribution, National Highways have concluded that the development would not have a severe detrimental impact upon the SRN, and have removed their objection.
- 11.7 As noted earlier, if an alternative access point to the development is investigated in future, as may be the case once the existing A57 Hyde Road is de-trunked following expected opening of the Mottram Moor Link Road, this would require a separate planning application. National Highways have noted that it would be unlikely they would permit a new access onto this section of the existing A57, and an informative to this effect is recommended to ensure the applicant is aware. This situation may change once Hyde Road is de-trunked, and such a proposal may be investigated further at that point.

- 11.8 In terms of parking provision, the development proposes 106 main car parking spaces adjacent to the school building. This includes provision for disabled parking, visitor and drop-off spaces. Furthermore, a smaller car park of 40 spaces is proposed to the south east of the site, adjacent to the artificial pitch. The submitted TA predicts that a 'worse case' scenario for car parking capacity would exist during the afternoon peak pick-up time (at approximately 15:00 hours), when there may be a lack of car parking availability. However, the LHA note that vehicles would enter and exit the site via the one way system to be introduced, which would allow vehicles to queue internally within the site whilst waiting to pick-up pupils. Furthermore, the LHA also acknowledge that some users of the development would not travel by private car, considering bus services are available within close proximity to the site, and cycle parking provision would be provided (for which a condition is recommended). It is also recommended by condition that a green travel plan be submitted by the applicant, which would encourage use of sustainable transport methods other than the private car, and such a condition is thereby recommended.
- 11.9 The LHA recommend that traffic calming measures and pedestrian crossing facilities be provided, close to the site on Hyde Road, in order to provide adequate safety for users and visitors to the site. The LHA notes that the A57 Hyde Road would remain a busy thoroughfare, even once it is de-trunked (following the opening of the Mottram Moor Link Road). It is considered likely that traffic to and from the school may increasingly utilise Hyde Road once it is de-trunked, due to lower traffic levels (as inter-city traffic travelling between Manchester and Sheffield, and traffic between Manchester and Glossop, will likely utilise the new Mottram Moor Link Road). It is considered therefore that a crossing facility, and necessary traffic calming measures, should be provided on Hyde Road, in accordance with a timetable to be agreed, considering a plan to de-trunk Hyde Road will only occur until works commence on the Mottram Moor Link Road (expected in early 2023). A relevant condition is thereby recommended.
- 11.10 In addition to the traffic calming measures and pedestrian crossing facilities on Hyde Road, the LHA recommend that junction works be undertaken to Manley Grove, in order to widen this highway to allow for safer access, including street lighting and drainage works. As well as works to Manley Grove, it is recommended that the internal access works, within the school site, should be undertaken to a recommended specification, and include lighting. The LHA furthermore recommends that the applicant provide further details in respect of construction works, including access, parking and storage arrangements, in order to minimise disruption and impact upon the highway network. The LHA also recommend that the condition of existing highways adjacent to the site are investigated, in order to ensure construction traffic does not cause any undue damage to their surface or kerbings, etc. Three conditions in these regards are thereby recommended.
- 11.11 In concluding highways matters, the proposed development would not result in an adverse impact on highway safety, and adequate parking and internal space would be provided for the pick-up and drop-off of pupils. A green travel plan and facilities for cyclists would encourage use of sustainable transport methods for future users of the development, subject to recommended conditions. Works to adjacent highways, to ensure adequate highway safety for future users, are recommended, alongside traffic calming and pedestrian crossing facilities to Hyde Road once it is de-trunked following the opening of the new Mottram Moor Link Road. These matters are recommended to be secured via condition. The proposals would not result in a detrimental impact on highway safety and are acceptable in this regard.

12. DRAINAGE AND FLOOD RISK

- 12.1 The applicant has submitted a Flood Risk Assessment and Drainage Strategy. The site is located wholly within Flood Zone 1 (at a lower risk of flooding).

- 12.2 The Flood Risk Assessment confirms that soakaway testing has been undertaken, concluding that infiltration is not possible. The overall strategy therefore is for the proposed development to discharge to the existing watercourse (Hurstclough Brook) via a detention basin. The Brook is classed as a major river, and therefore a new outfall may require permission from the Environment Agency, which is separate to the planning process.
- 12.3 The proposed rate of discharge would be restricted to 28 litres per second, which is a greenfield run-off rate. The Lead Local Flood Authority (LLFA) have reviewed the submitted information and strategy and have raised no objections to this approach. They note that other surface water drainage components, such as filter strips and swales are proposed through the scheme. They also note that foul water has been provided through a pump system in order to connect to an existing sewer. The proposed surface water and foul water systems are considered to be acceptable to the LLFA, subject to detailed design. In light of this, a condition requiring a full sustainable drainage scheme to be submitted prior to commencement of development is recommended, in order to ensure this is satisfactory to the LLFA.
- 12.4 United Utilities have also reviewed the submitted information. They consider that the drainage strategy is acceptable for their purposes and recommend a condition requiring that development be undertaken in accordance with the submitted details., It is recommended that such a condition be imposed on any planning approval. United Utilities furthermore note that a water main is situated in close proximity to the site, and they would not permit building over a main. An informative could therefore be recommended advising the applicant of this restriction, in order that they are aware prior to construction taking place.
- 12.5 Subject to imposition of a condition requiring a sustainable drainage scheme to be submitted prior to works commencing, 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.
- 12.6 Following the above assessment, it is considered that the proposals would not result in a detrimental impact on flood risk or drainage capacity, and thus complies with the development plan in this regard.

13. GROUND CONDITIONS

- 13.1 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.
- 13.2 The applicant has submitted a phase I and phase II site appraisal contamination reports. These have been reviewed by the Environmental Protection Unit (EPU) who note that no soil contamination was encountered at the site. However, they note that as ground gas risks have not been fully assessed and confirmed, either additional ground gas monitoring or gas protection measures are required. The EPU also note that not all exploratory locations included soil sampling, and therefore during the earthworks it is recommended that soil sampling is undertaken to confirm the suitability of the soils to be reused at the site. In addition, soil sampling and analysis will also be required to demonstrate that any soils imported to the site are suitable for use. In relation to ground gas, further information is required.
- 13.3 In light of the above, the EPU require a remediation strategy, including 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. Furthermore, they require a verification plan, detailing the information that will

be obtained in order to demonstrate the works and measures set out in the remediation strategy have been fully implemented, including any requirements for long term monitoring and maintenance.

- 13.4 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.

14. LANDSCAPING & ECOLOGY

- 14.1 The site is unlikely to support Great Crested Newts, given the barriers present, however Greater Manchester Ecology Unit (GMEU) has noted and welcomed that the developer has entered into a licensing programme (district licensing) in case newts are present. Further information on this was provided, and GMEU advise that newts are not considered a constraint on this site, and no further survey information is therefore required. However, in case the developer decides not to enter into the district licensing programme, a condition is recommended which would require the developer to submit alternative newt mitigation measures, in order to ensure the species are adequately protected during construction.
- 14.2 The development will result in the loss of trees and shrubbery on site, which are potential bird nesting habitats. GMEU recommend that a condition be imposed which would prevent works to trees and shrubs, during the bird nesting season, unless a nesting survey has been carried out, in order to provide birds with adequate protection.
- 14.3 The site provides potential cover for species such as hedgehog and other amphibians, such as the common toad (both UK Biodiversity Priority Species), and the submitted ecology report recommends reasonable avoidance measures be employed during site clearance. GMEU consider this to be necessary, and a condition is thereby recommended.
- 14.4 In terms of potential invasive species, the submitted ecology report identifies that Himalayan Balsam is situated along the adjacent Hurstclough Brook, however it is 50m from the development and therefore avoidable. However, surface water drainage will be directed into the Brook, and therefore a condition is required which would provide a method statement for controlling the invasive species. Furthermore, GMEU consider that given surface water would be directed via a sustainable drainage system into the Brook, there are risks during and post construction associated with the ecological potential of the watercourse, primarily from sediment, pollutants and increased run-off. A method statement is therefore recommended to prevent these negative impacts upon the Brook, and a condition is recommended to this effect.
- 14.5 GMEU initially noted that a landscape proposal had been provided, alongside a biodiversity net gain assessment, which indicates a significant net gain. Although GMEU were generally in agreement that adequate habitat mitigation and compensation appears likely, there were some issues and clarifications sought, and in response the applicant provided further information. GMEU did note some further concerns with this additional information, particularly surrounding the reliance on urban trees (due to technical issues with the calculator); that the planting proposals include species that are not locally native; and that no plans regarding the off-site proposals were provided, though it was accepted that these were provided elsewhere through the ecological survey. Noting that biodiversity net gain is not yet a mandatory requirement of the scheme, GMEU note that the proposals are adequate to fully mitigate on site, and the developer has utilised the net gain calculator as per expected guidelines, and therefore on-site mitigation is achievable. GMEU recommend that a full, 30 year management plan is submitted prior to works commencing, which demonstrates how the proposal outlined in the submitted ecology survey and metric will be achieved. This

should also include mitigation for nesting birds, amphibians and other wildlife not covered by the metric. A relevant condition is thereby recommended.

- 14.6 The Council's Arborist has noted that the majority of the significant trees and wooded areas on the site are to be retained, as the proposed built development is constrained primarily to existing grassed areas. The Arborist has reviewed the submitted landscaping information, and considers that the proposed tree planting is sufficient and appropriate to the development.
- 14.7 Should the various conditions outlined above be attached to a planning approval, the development would ensure an adequate level of landscaping and no undue impacts upon ecology, with enhancements delivered through the scheme. The application is thereby considered acceptable in these regards.

15. OTHER MATTERS

- 15.1 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 raised no objections to the scheme, noting that the building is well located and presents no significant issues from a crime prevention perspective. In order to further improve the overall security of the building and wider site, it is recommended that the development achieve Secured by Design accreditation, and 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. The applicant is advised of this via an informative.
- 15.2 The application has been accompanied by a site waste management plan. The Council's Waste Management officers however note that given the development would be for a commercial (school) use, it would not fall under the remit of the Council's usual domestic waste services. It is likely therefore that a private waste contractor would be employed by the applicant to establish future waste provision and collection. Assuming a private waste contractor is employed, 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).

16. CONCLUSION

- 16.1 The application proposes a new school for pupils with special educational needs or disabilities. There is an identified need within the borough, and this development would allow more pupils to be provided with a place, and some pupils to go to school closer to where they live. The need for additional school places is supported through the NPPF.
- 16.2 The site is allocated as Protected Green Space, and has not been used as a playing field or as playing pitches for a number of years. The proposed development would deliver replacement of the green space with a natural turf pitch and an artificial turf pitch, which are considered as better quality than the green space to be lost. Sport England have raised no objections to the proposed development, subject to a number of conditions requiring the playing pitches to be made available for general use by the community, as well as to be utilised by the school, during certain hours and subject to particular specifications and standards. Each of those conditions are recommended to ensure the development delivers playing pitch enhancements for the local community. The principle of the development is therefore acceptable.
- 16.3 The development would be laid out to an appropriate scale, and the design of the building would be modern with appropriate materials. It would not be unduly imposing, being of a single storey nature.

- 16.4 The impact of the development upon residential amenity has been carefully considered, with those residential properties lying close to the site in particular. Conditions are recommended which require an acoustic fence or barrier to protect nearby residents from noise associated with the artificial playing pitch, and to restrict use of the same pitch and adjacent car park area to certain hours, with lighting also controlled within those areas. Environmental Health officers have raised no objections subject to the conditions set out.
- 16.5 In terms of highway safety, the proposed development would not have an adverse impact upon trip generation, and adequate parking and internal space for pick-up and drop-off of pupils would be provided. A green travel plan and facilities for cyclists would encourage use of sustainable transport methods for future users of the development, subject to recommended conditions. Works to adjacent highways, to ensure adequate highway safety for future users, are recommended, alongside traffic calming and pedestrian crossing facilities to Hyde Road once it is de-trunked following the opening of the new Mottram Moor Link Road.
- 16.6 There are no objections to the proposals from the statutory consultees in relation to the proposals, which for the above reasons is considered to be acceptable in planning terms.
- 16.7 The proposal therefore complies with relevant development plan policies as well as those contained within the NPPF and is considered a sustainable development, when taking into account other material planning considerations.

RECOMMENDATION

Grant planning permission subject to the following conditions:

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

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

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

- Site location plan (dwg no. HAW-DEP-ZZ-00-DR-00-0003, rev. P01);
- Bin store (dwg no. HAW-DEP-ZZ-00-DR-00-0006-P01);
- Proposed access strategy (dwg no. HAW-DEP-ZZ-00-DR-00-0004-P01);
- Site sections 01, 02 & 03 (dwg no. HAW-DEP-ZZ-00-DR-00-0008, rev. P01);
- Illustrative landscape layout (dwg no. HAW-DEP-ZZ-00-DR-00-0009, rev. P01);
- Landscape layout (dwg no. HAW-DEP-ZZ-00-DR-00-0001-P09);
- Proposed planting plan (dwg no. HAW-DEP-ZZ-00-DR-00-0005-P05);
- Proposed ground floor plan (dwg no. HAW-JMA-SX-00-DR-A-PL0001, rev. P01);
- Proposed ground floor plan – 1 of 4 (dwg no. HAW-JMA-SX-00-DR-A-PL0002, rev. P01);
- Proposed ground floor plan – 2 of 4 (dwg no. HAW-JMA-SX-00-DR-A-PL0003, rev. P01);
- Proposed ground floor – 3 of 4 (dwg no. HAW-JMA-SX-00-DR-A-PL0004, rev. P01);
- Proposed ground floor – 4 of 4 (dwg no. HAW-JMA-SX-00-DR-A-PL0005, rev. P01);
- Proposed roof plan (dwg no. HAW-JMA-SX-01-DR-A-PL0001, rev. P01);
- Proposed building elevations (dwg no. HAW-JMA-SXZZ-DRA-PL2001, rev. P02).

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

- 3) With exception of site clearance, no above ground development shall take place until full details of the proposed external materials have been submitted to and approved in writing by

the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the locality and river valley, in accordance with policies OL10: Landscape Quality, OL15: Openness and Appearance of River Valleys and Character and C1: Townscape and Urban Form.

- 4) Prior to the first use of the development hereby approved, details of all the means of enclosure on the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of enclosure shall be provided in accordance with the approved details before the development permitted is brought into use and shall be retained thereafter.

Reason: In the interests of the visual amenities of the locality and river valley, in accordance with policies OL10: Landscape Quality, OL15: Openness and Appearance of River Valleys and Character and C1: Townscape and Urban Form.

- 5) Prior to the commencement of the development on the construction of the artificial grass pitch hereby approved, details of the design, specification and layout of the pitch shall be submitted to and approved in writing by the Local Planning Authority. The pitch shall be constructed in accordance with the approved details and shall be made available for use prior to first use of the school hereby approved.

Reason: In the interests of ensuring the community facilities are constructed to an appropriate standard, in accordance with Policy OL4 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

- 6) Prior to the first use of the school hereby approved, the natural turf pitch shall be constructed and laid out in accordance with the approved plans, and with the standards and methodologies set out in the guidance note 'Natural Turf for Sport' (published by Sport England, 2011).

Reason: In the interests of ensuring the community facilities are constructed to an appropriate standard, in accordance with Policy OL4 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

- 7) Prior to the first use of the development hereby approved, a community use agreement (prepared in consultation with Sport England) shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the agreement shall apply to the proposed facilities to be used by the community, including but not limited to the natural turf pitch, artificial grass pitch, and car parking areas; and shall include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review. The development shall thereafter be utilised in accordance with the approved agreement.

Reason: In the interests of ensuring the community facilities are available to members of the community, in accordance with Policy OL4 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

- 8) Prior to the first installation of any lighting on the site, a scheme setting out the type, design, lux levels and measures to control glare and overspill light from sports lighting, including hours of use, and measures to ensure sports lights are switched off when not in use, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall accord with the guidance note 'Outdoor Sports Lighting' (published by Sport England, 2012). For the avoidance of doubt, lighting serving the artificial grass pitch shall not be switched on outside the hours of 07:45 to 21:15 hours Monday to Friday, 08:45 to 20:15 hours on

Saturdays, and 08:45 to 18:15 hours on Sundays and Bank Holidays. Any lighting on the site shall thereafter be installed and operated in accordance with the approved scheme.

Reason: To ensure adequate lighting for the community facilities and in the interest of residential amenity in accordance with Policies H10 and OL4 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

- 9) No development, other than site clearance and site compound set up, shall commence until a remediation strategy, detailing the works and measures required to address any unacceptable risks posed by contamination at the site to human health, buildings and the environment has been submitted to and approved in writing by the Local Planning Authority (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. Based on the site investigation and detailed risk assessment referred to in the submitted GRM Phase II Site Appraisal (reference: GRM/P9819/PIISAR.1Rev B), 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.
 2. 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 (1) 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.

- 10) 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). The report shall also include full details of the arrangements for any long term monitoring and maintenance as identified in the approved verification plan and 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 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.

- 11) With exception of site clearance, 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; and
- 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.

- 12) Prior to bringing the development into use the car parking, servicing and turning facilities indicated on the approved plans shall be provided to the full satisfaction of the Local Planning Authority and thereafter kept unobstructed and shall be retained as such thereafter. Vehicles must be able to enter and leave the site in forward gear at all times.

Reason: In the interests of highway safety in accordance with policy T1 Highway Improvement.

- 13) Prior to their first installation, any fixed plant and machinery shall be acoustically treated/designed in accordance with a scheme which shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, this shall demonstrate compliance with the recommended noise limits stipulated within the submitted Environmental Noise Survey Report (undertaken by Hoare Lee Acoustics, ref: REP-1013553-5A-LR-20220624-Acoustic planning report-Rev00). Any plant and machinery shall be implemented in accordance with the approved scheme and 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.

- 14) The artificial grass pitch hereby approved shall not be operated outside the hours of 08:00 and 21:00 hours Mondays to Fridays, 09:00 and 20:00 hours Saturdays, and 09:00 and 18:00 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.

- 15) Prior to the commencement of the development hereby approved, including any earthworks, plans and details demonstrating the location and elevations of the acoustic screening to be installed along the southern boundary of the artificial grass pitch, including the manufacturer specification of such screening, shall be submitted to and approved in writing by the Local Planning Authority. The acoustic screening shall be installed in accordance with the approved details prior to the first use of the artificial grass pitch, and shall be retained as such thereafter. Written proof shall be provided to the Local Planning Authority that the acoustic screening has been installed in accordance with the approved details.

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.

- 16) 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.

- 17) There shall be no tree felling, vegetation clearance works, or other works that may affect nesting birds on the development or off-site habitat creation areas, between March and August inclusive, unless the absence of nesting birds has been confirmed by further surveys or inspections submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of protected species conservation in accordance with Policy N7 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

- 18) Prior to the commencement of the development hereby approved, including any earthworks, a method statement detailing biosecurity or avoidance measures for the invasive species Himalayan Balsam shall be submitted to and approved in writing by the Local Planning Authority. The approved method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of biodiversity to secure nature improvement in accordance with Policy N3 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

- 19) Prior to the commencement of the development hereby approved, including any earthworks, a method statement to avoid harm to the Hurstclough Brook shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the method statement shall include risk minimisation both during construction and post construction, and shall include measures to deal with negative effects on the ecological potential of the watercourse, particularly from sediment, pollutants and increased run-off. The approved method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of biodiversity to secure nature improvement in accordance with Policy N3 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

- 20) Prior to the commencement of the development hereby approved, including any earthworks, a method statement outlining reasonable avoidance measures for small mammals and amphibians shall be submitted to and approved in writing by the Local Planning Authority. The approved method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of protected species conservation in accordance with Policy N7 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

- 21) Prior to the commencement of the development hereby approved, including any earthworks, a method statement confirming that District Level Licensing is to be entered into in order to avoid harm to Great Crested Newts, or an alternative scheme to avoid harm to Great Crested Newts including any necessary mitigation, shall be submitted to and approved in writing by the Local Planning Authority. The approved method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of protected species conservation in accordance with Policy N7 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

22) Prior to the commencement of the development hereby approved, including any earthworks, a biodiversity net gain management plan shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall detail how the proposals within the submitted letter titled 'Longdendale Playing Fields, Mottram in Longdendale (22/00678/FUL): Additional Ecology Information' (undertaken by Dunelm Ecology, dated 21 October 2022) and the 'Biodiversity Metric 3.1 Project Name The Hawthorns' (dated 17.10.2022) shall be implemented. The management plan shall include:

- Detailed habitat creation proposals, for each habitat proposed on and off the site;
- Detailed habitat management and enhancement proposals for retained and improved habitats;
- Maintenance measures during the establishment periods;
- Maintenance measures beyond establishment until target condition acquired;
- Management and maintenance beyond target condition up to a maximum of 30 years;
- Monitoring and review procedures with the Local Planning Authority and Greater Manchester Ecology Unit;
- Potential contingencies should a proposed habitat and/or target condition be concluded to be unachievable; and
- Details of the organisations responsible for implementing, managing and monitoring the works.

The management plan shall also include mitigation and enhancement measures for nesting birds, amphibians and other wildlife.

The development shall thereafter be undertaken and maintained in accordance with the approved management plan.

Reason: In the interest of biodiversity enhancement in accordance with Policy N3 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

23) The development hereby approved shall be carried out in accordance with the submitted Illustrative landscape layout (dwg no. HAW-DEP-ZZ-00-DR-00-0009, rev. P01), Landscape layout (dwg no. HAW-DEP-ZZ-00-DR-00-0001-P09) and Proposed planting plan (dwg no. HAW-DEP-ZZ-00-DR-00-0005-P05).

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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

24) Prior to the commencement of the development hereby approved, a condition survey (including structural integrity) of the highways to be utilised by construction traffic shall be submitted to and approved in writing by 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 submitted to and approved in writing by the Local Planning Authority, which shall identify any defects attributable to the traffic ensuing from the development. Any necessary remedial works resulting from damage caused by the undertaking of the

development shall be completed at the developer's expense in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

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

25) No development shall commence in respect of each phase of the development hereby approved until a method statement detailing how that phase of the development shall be constructed (including demolition, site clearance, levelling and earth moving operations) has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include:

- A detailed construction phase layout plan for the relevant phase/element of the works;
- A development/construction timetable;
- Details of access arrangements, haul roads, loading/unloading areas and turning/manoeuvring facilities to be provided;
- Details of vehicle movements, vehicle routing and traffic management arrangements;
- Details of temporary road and footpath closures/diversions;
- Details of parking requirements and provision for contractors/site staff;
- Details of site cabins, welfare facilities and temporary buildings;
- Details of the construction site boundary treatment, including hoardings, temporary fencing and gates;
- Details of where materials will be loaded, unloaded and stored;
- Details of measures to be implemented to prevent mud and other debris being deposited on the public highway (including details of wheel wash facilities and road sweeping measures); and
- Details for the prevention of surface water runoff from the development during the construction phase onto existing highway/footpaths within the vicinity of the development.

Each phase of the development shall proceed in accordance with the approved method statement for that phase of the development.

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.

26) Prior to the commencement of the development hereby approved, a scheme relevant to highway construction, consisting of on-site and off-site works, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- Phasing plan of highway works;
- Stage 1 Safety Audit – 'Completion of Preliminary Design' and subsequent Stages 2-4 based on the Design Manual for Roads and Bridges document GG 119 – Road Safety Audit;
- Surface and drainage details of all carriageways and footways;
- 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;
- 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;
- Details of carriageway markings and signage;
- Details of vehicular visibility splays to be provided from the development onto John Kennedy Road, including layout and specification details of the access;
- Details of an external lighting strategy (including both on the public highway and to serve private accesses, car parks and footways). The details shall include a scale plan indicating the proposed stages of the roll out of the lighting to be installed, a LUX contour plan indicating the levels of light spillage and scaled elevations of lighting columns/supporting

structures. The strategy shall include details of how the lighting will be funded for both electricity supply and future maintenance.

The approved scheme and highway works shall be implemented in accordance with the approved details prior to the first use 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.

- 27) Prior to the first use 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 use 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.

- 28) Prior to the first use 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 be reviewed and updated on an annual basis in accordance with details outlined within the Plan; and it shall be produced in accordance with current national and local best practice guidance, and shall include details on the method of operation, appointment of a Travel Plan Coordinator/s, targets, infrastructure to be provided, measures that will be implemented, monitoring and review mechanisms and procedures for any remedial action that may be taken. 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.

- 29) Prior to the first use of the development hereby approved, a scheme relevant to highway construction, consisting of off-site works for enhanced traffic calming features and additional/improved pedestrian and cycle crossing facilities, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- General arrangements, based on topographical surveys, demonstrating the existing and proposed roads, all pedestrian and cycle facilities, verges and visibility splays, together with existing and proposed levels;
- Details of how the scheme interfaces with the existing highway alignment, details of the carriageway markings and lane destinations, typical highway cross-sections, showing a specification for each type of carriageway, footway, footpath and cycle track;
- Full details of the surface water drainage proposals;
- Full signing and lighting details;
- Street lighting details;
- Details of traffic signals and traffic signal information;
- Details of structures;
- Details of street furniture;
- Landscaping details (including details of vegetation/tree removal and replacement);
- Details of Traffic Regulation Orders;

- Confirmation of full compliance with current Departmental Standards (DMRB) and Policies (or approved relaxations/departures from standards); and
- An independent Stage 2 Road Safety Audit (taking account of any Stage 1 Road Safety Audit recommendations) carried out in accordance with current Departmental Standards (DMRB) and Advice Notes.

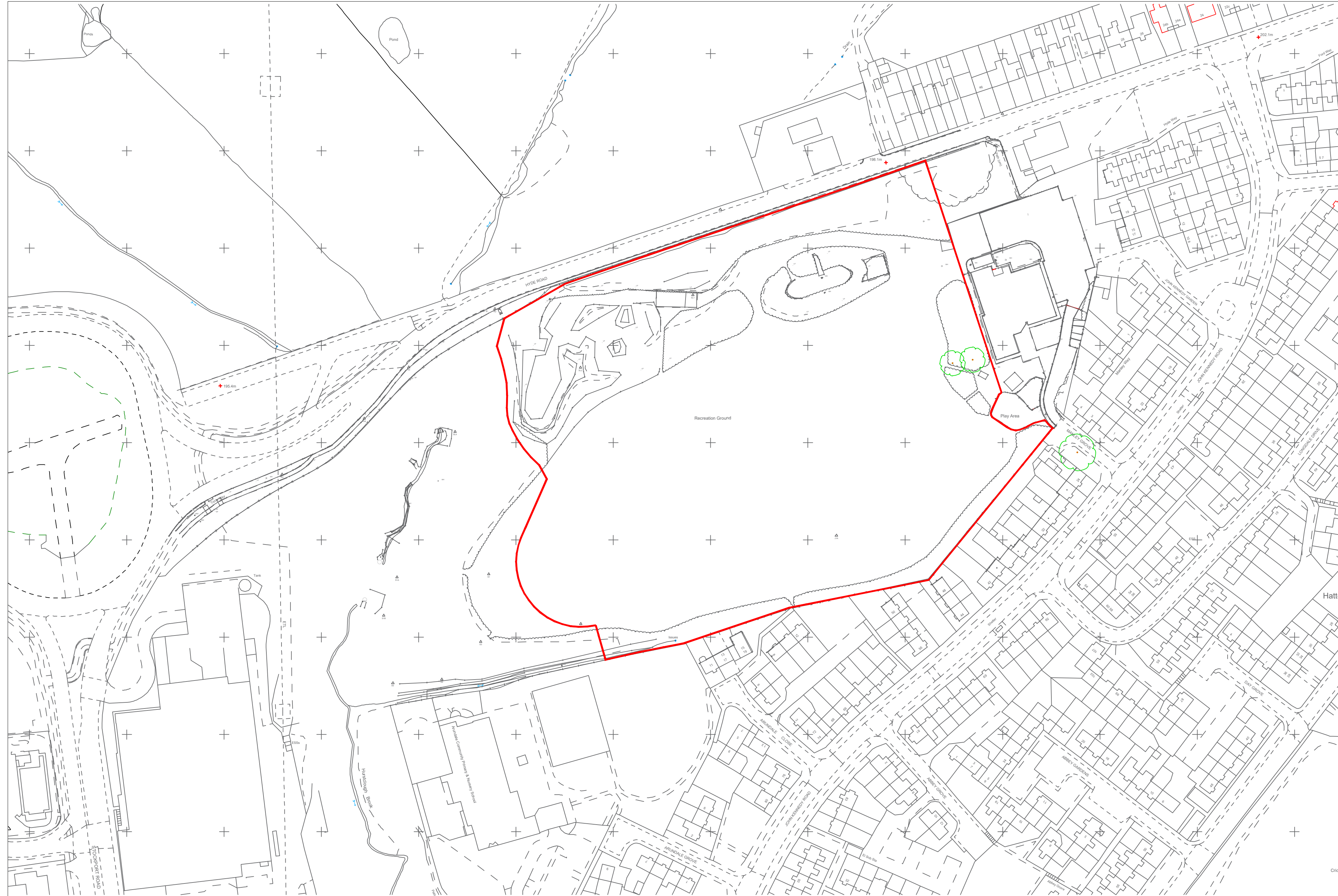
The approved scheme and highway works shall be implemented in accordance with the approved details and an agreed timetable, and shall be retained as such thereafter.

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.

30) The drainage for the development hereby approved shall be undertaken in accordance with the principles outlined within the submitted Foul & Surface Water Drainage Design drawing 221-020-HAW-AJP-XX-00-DR-C-0001, rev. P03 (dated 16.06.2022, prepared by AJP Consulting Engineers). No surface water shall drain directly or indirectly into the public sewer. The drainage scheme for the development shall be completed prior to the first use of the development, 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.

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Client	Robertsons		
	Job	Hawthorn SEND	
Drawing	Site Location Plan		
	BS Ref	DIP Ref	Rev
	4853		P01
HAW-DEP-ZZ-00-DR-00-0003			
Date	17/03/22	Scale	1:1250 @ A0
	3D CoOrd	2D CoOrd	Approved
AH		CP	
Project Status	Planning	Tender	Construction
	Design	Contract	As Built



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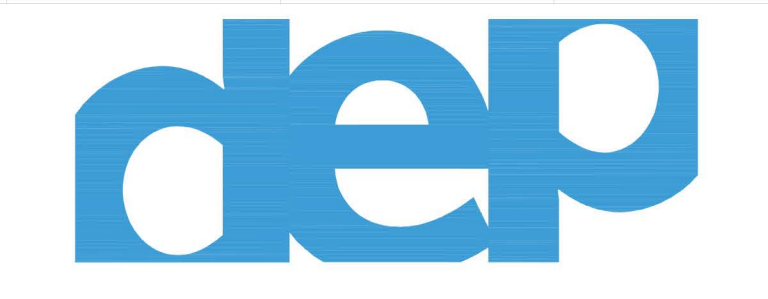
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- ### KEY
- Tarmac Surface to Vehicular Areas (refer to Engineer's Specification)
 - Tarmac Surface to Pedestrian Areas (refer to Engineer's Specification)
 - Concrete Flag Paving to Pedestrian Entrance Area
 - Soft play surfacing
 - Standard concrete Kerb - half batter. 255x125x915mm 125mm upstand
 - Precast Concrete Edging - 50x150x915mm - flush.
 - Flexible Timber Edging - 19x150mm - flush. Stakes 50x50x600mm at 1.5m centres. All timber pressure treated sawn softwood.
 - 2.4m Height Secure Steel Weldmesh Fencing to replace boundary fencing
 - 2.4m Height Secure Steel Weldmesh Fencing
 - 1.5m Height Bow Top fencing
 - 1.2m Height Bow Top fencing - to existing Play area
 - 2.4m Height Prison Mesh fencing
 - Fencing to Synthetic Pitch - 4.5m/ 2m/ 1.2m
 - 2.0m Closeboard Timber Fence to AHU compound/ Bin Store
 - Stainless Steel Oxford Cycle Hoops
 - Electric Vehicle Charging Point
 - Existing Trees/Vegetation to be retained Refer to Tree Survey
 - Proposed Trees
 - Existing trees to be removed
 - Proposed Planting
 - Proposed Hedge Planting
 - Proposed Grass Areas
 - Proposed Meadow grass
 - Proposed Native Woodland mix
 - Existing grassland to be retained
 - +81.58 Proposed Indicative Levels

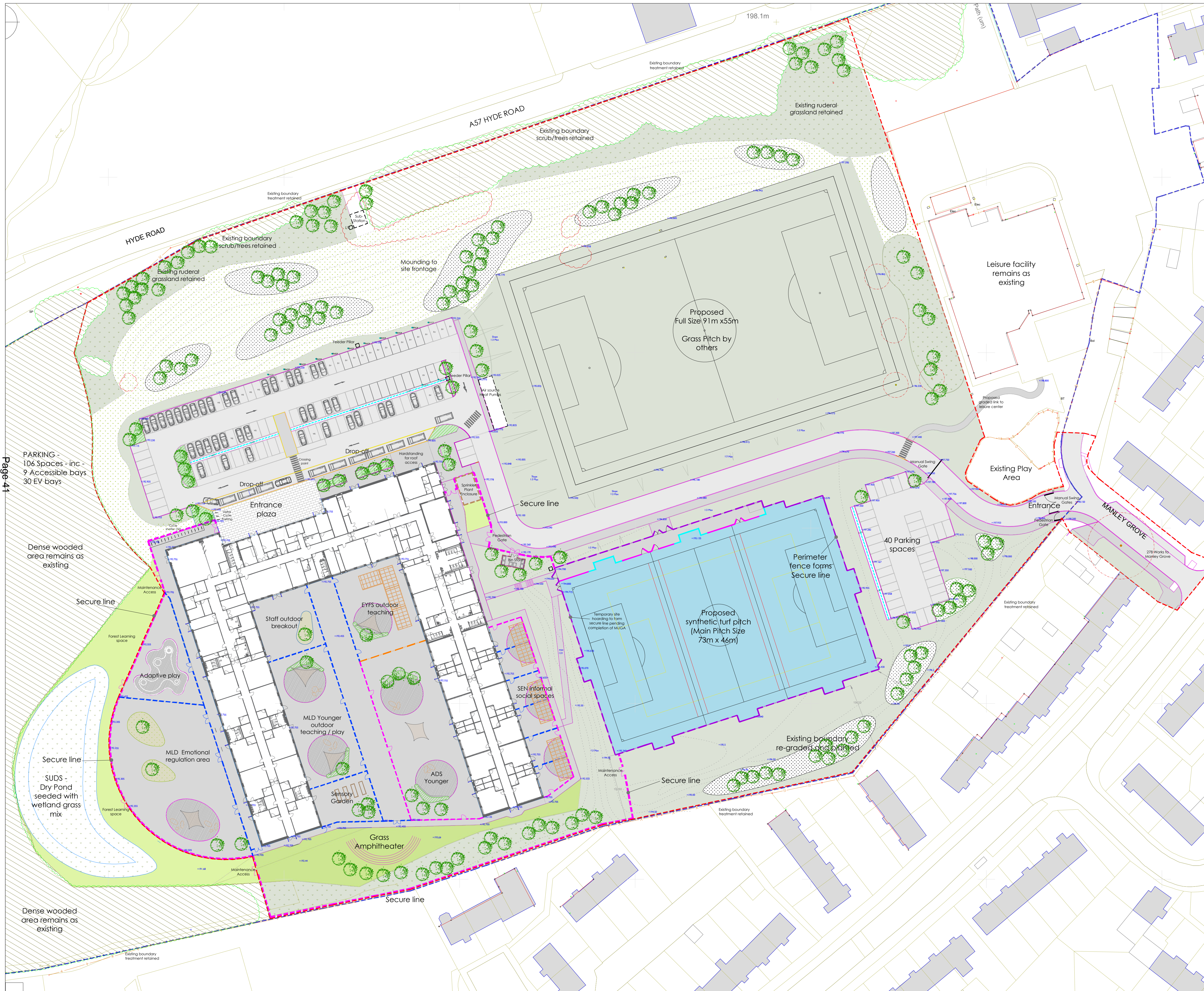
Client:	Robertsons		
Job:	Hawthorn SEND		
Drawing:	Illustrative Landscape Layout		
BS Ref. / DEP Ref.:	4853	Rev:	P01
HAW-DEP-ZZ-00-DR-00-0009			
Date:	07/06/22	Scale:	1:500 @ A1
3D CoOrd:	2D CoOrd: AH	Approved:	CP
Project Status:	Planning	Tender	Construction
	Design	Contract	As Built



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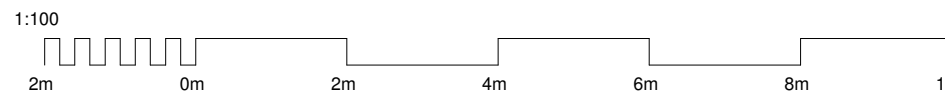
Page 41

KEY	
	Tarmac Surface to Vehicular Areas (refer to Engineer's Specification)
	Tarmac Surface to Pedestrian Areas (refer to Engineer's Specification)
	Concrete Flag Paving to Pedestrian Entrance Area
	Soft play surfacing
	Standard concrete Kerb - half batter. 255x125x915mm 125mm upstand
	Precast Concrete Edging - 50x150x915mm - flush.
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	1.2m Height Bow Top Fencing - to existing Play area
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	Proposed Meadow grass
	Proposed Native Woodland mix
	Existing grassland to be retained
	+81.58 Proposed Indicative Levels

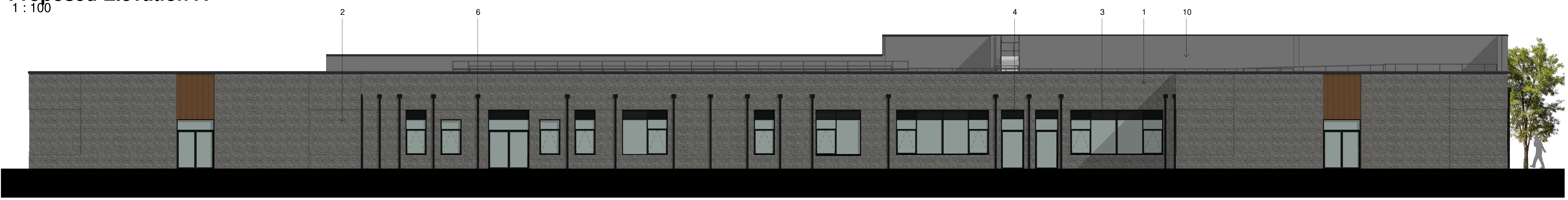
Client	Robertsons		
Job	Hawthorn SEND		
Drawing	Landscape Layout		
BSRef	4853	Rev	P09
Project Ref	HAW-DEP-ZZ-00-DR-00-0001-P09		
Date	22/06/22	Scale	1:500 @ A1
2D Coord	CP	Approved	CP
Planning	Tender	Construction	
Design	Contract	As Built	
<p>DEP LANDSCAPE ARCHITECTURE LTD 2 COMMERCIAL STREET, CASTLEFIELD MANCHESTER, M15 4RQ T: 0161 241 9878 E: info@dep.co.uk W: www.dep.co.uk</p>			
<p><small>All levels and dimensions to be checked on site by contractor prior to commencement. Any variations to be reported to the client. This drawing is to be read in conjunction with all others relating to the project and all information derived accordingly; any anomalies to be reported to the client. Do not scale from this drawing. Use figured dimensions only. Work shown on the drawings to be carried out in accordance with current British Standards and Codes of Practice.</small></p>			
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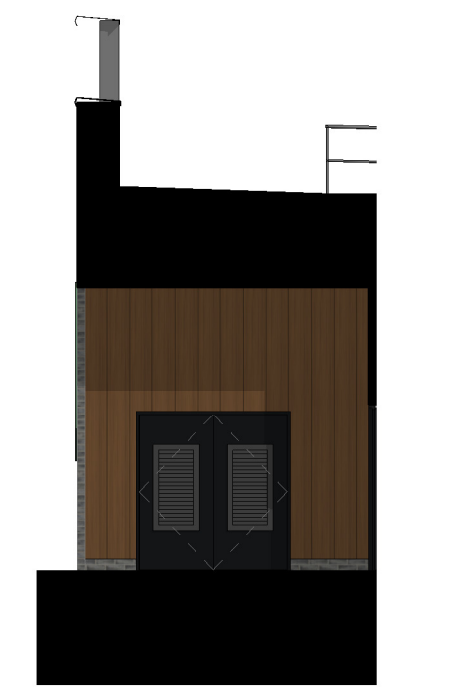
Proposed Elevation A
1 : 100



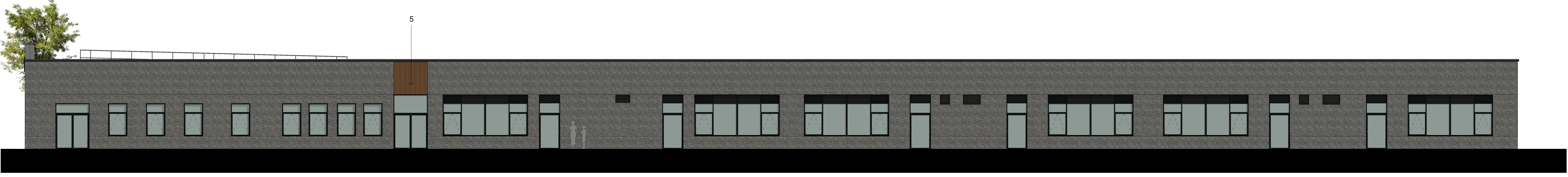
Proposed Elevation B
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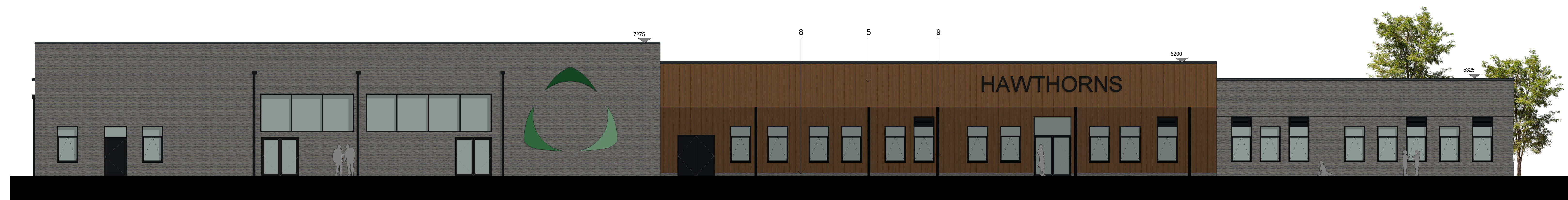
Elevation H
1 : 100



Elevation G
1 : 100



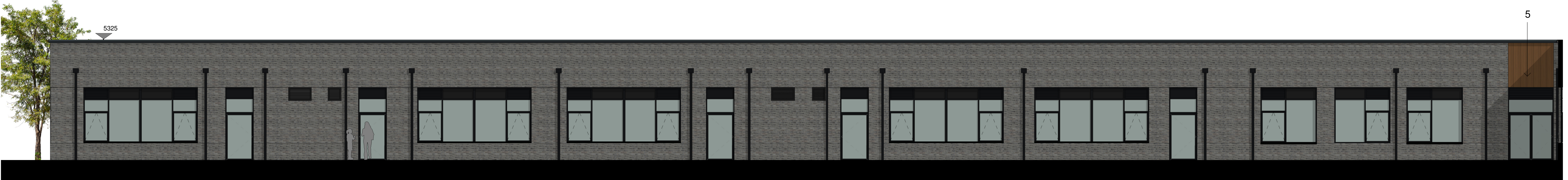
Proposed Elevation C
1 : 100



Proposed Elevation D
1 : 100

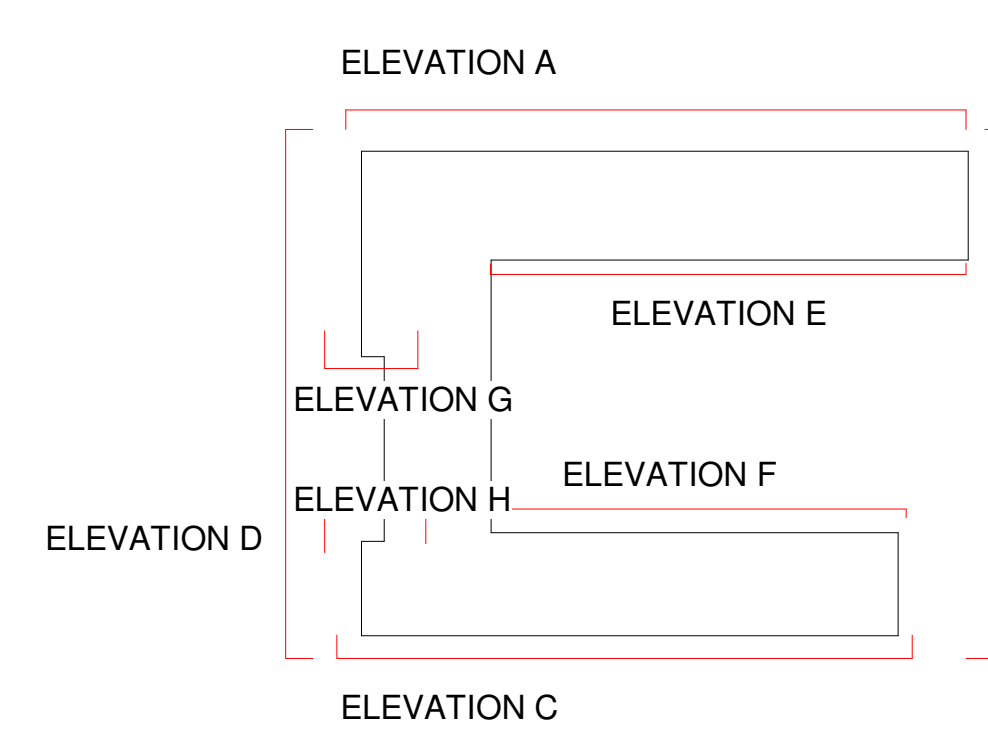


Proposed Elevation E
1 : 100



Proposed Elevation F
1 : 100

1. GREY BRICK - STRECHER BOND-STERLING GREY
2. RECESSED GREY BRICK - STERLING GREY
3. ALUMINIUM WINDOW
4. ALUMINIUM DOOR
5. ROCKPANEL CLADDING-TIMBER EFFECT-CARAMEL OAK - 300mm panel width
6. ANTI-CLIMB DOWNPIPE
7. LOUVERED DOOR
8. BRICK PLINTH - STERLING GREY
9. EXPOSED GALVANIZED COLUMNS
10. KINGSPAN INSULATED ARCHITECTURAL WALL PANEL- PURE GREY RAL 000 55 00



Project	Originator	Version	Level	Type	Plan	Class	Number	Status	Revision	AM	Project Number
HAWJMSXZZDRA	PL2001										S2P02 6903

Per	Description	Date	Drawn By	Check By
P02	Issued for planning - Columns indicated on main elevation	05-07-2022	PW	JK
R01	Issued for planning	17-06-2022	PW	JK

Project	Client	Location
Hawthorns SEND	Robertson	3A 54 Princess Street Manchester M1 6HS

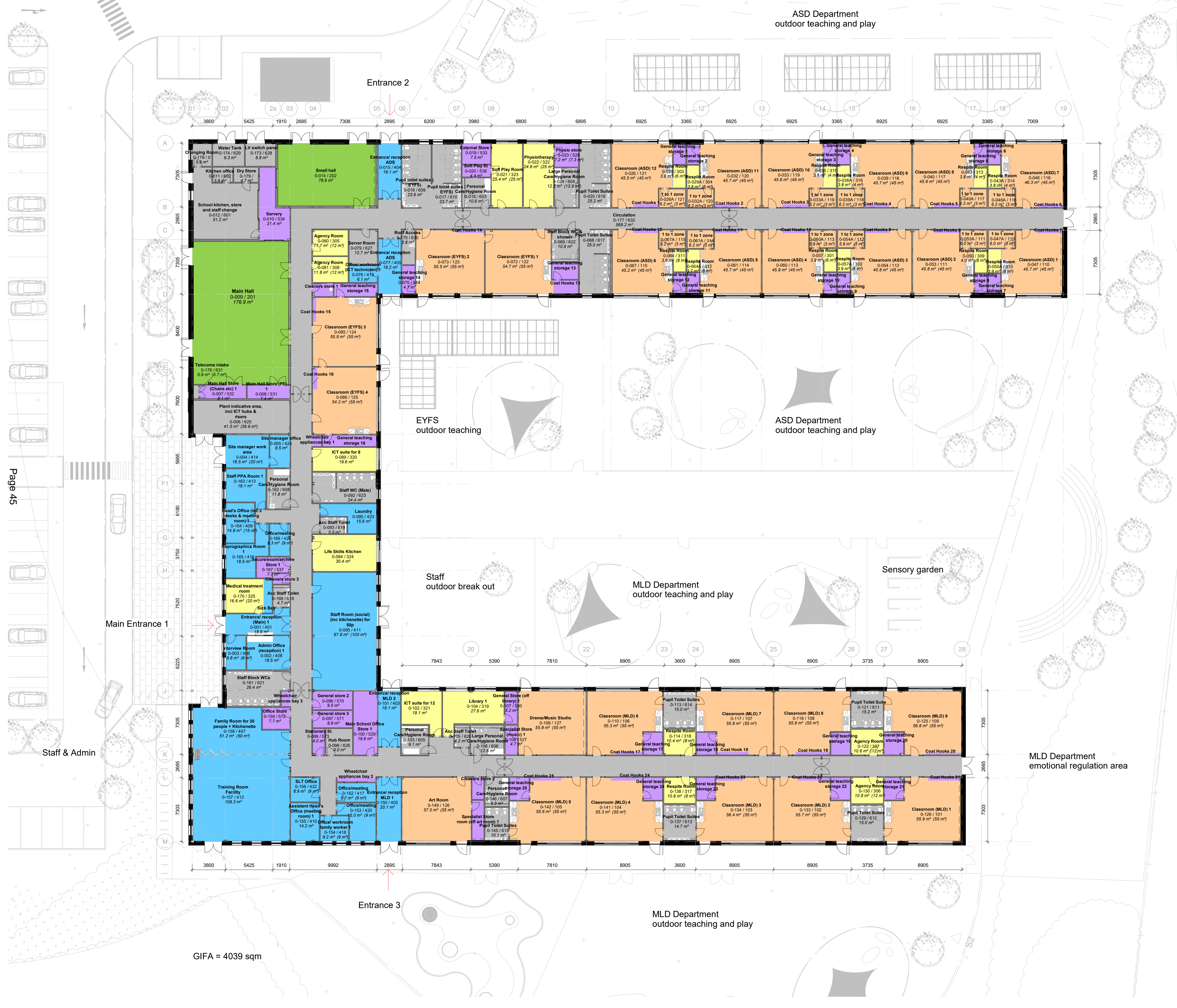
Project	Client	Location
Proposed Building Elevations	Robertson	3A 54 Princess Street Manchester M1 6HS

Project	Client	Location
For Planning	As indicated@ A0	man@jmarchitects.net www.jmarchitects.net

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ASD Department
outdoor teaching and play

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Staff & Admin

GIFA = 4039 sqm

P01	Issued for planning	17-06-2022	PW	JK
Rev	Description	Date	Drn By	Chk By
Project		3A 54 Princess Street Manchester M1 6HS		
Title		T : 0161 200 6300 F : 0161 200 6301		
Client		man@jmachitects.net www.jmachitects.net		
Purpose		Scale: 1 : 200 @ A1		
For Planning		Drawing Number		
Project - Originator - Volume - Level - Type - Class/Number		Status	Revision	JMA Project Number
HAW-JMA-SX-00-DR-A-PL0001		S2 P01	6903	

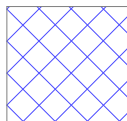

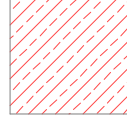


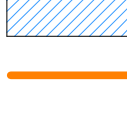


jmachitects

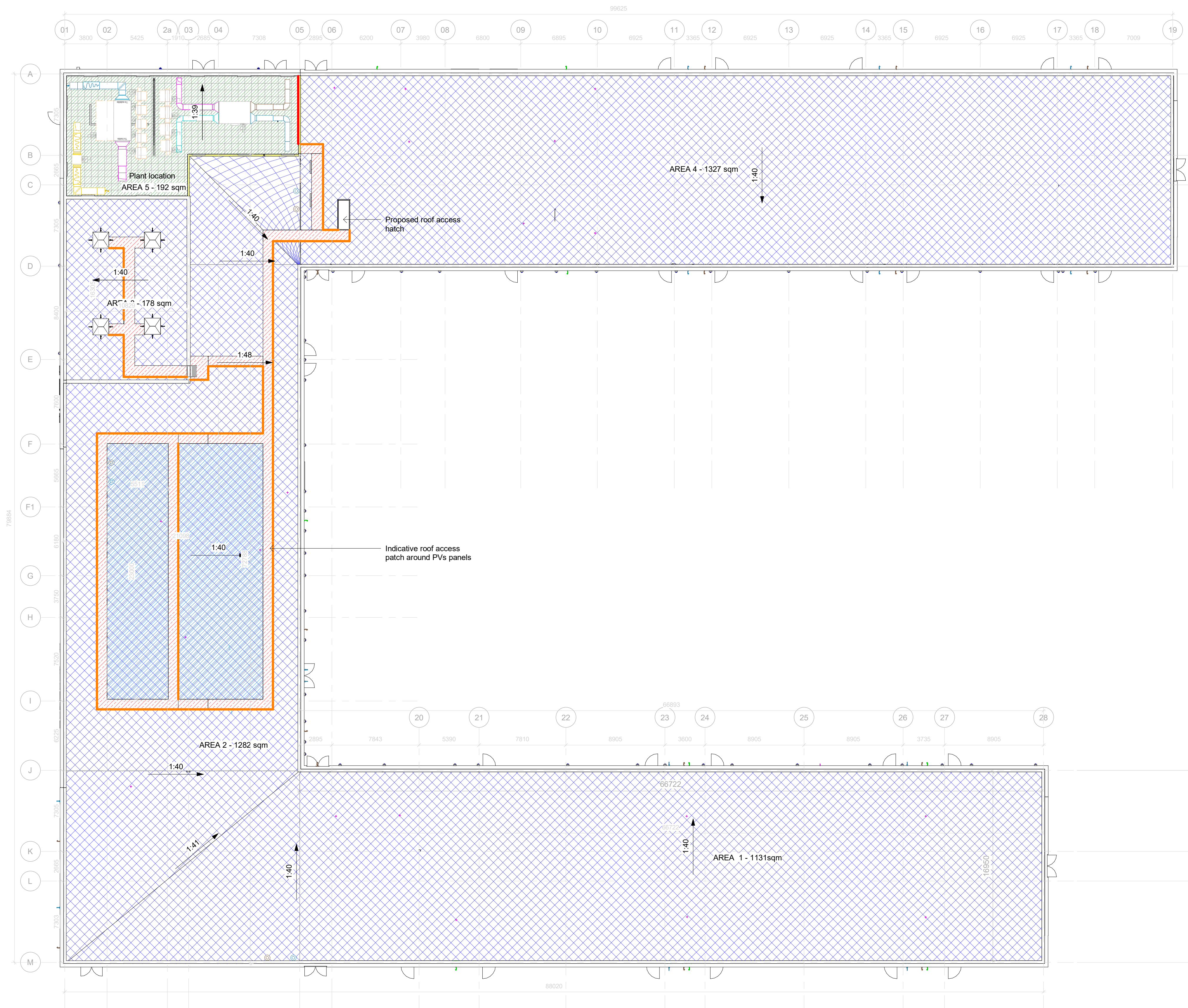
Project: Hawthorns SEND
Title: Proposed Ground Floor Plan
Client: Robertson
Purpose: For Planning
Scale: 1 : 200 @ A1
Drawing Number: HAW-JMA-SX-00-DR-A-PL0001

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NOTE:
 Roof to achieve 0.13 U-value

-  Euroclad Elite System 3
-  Bauder Inverted Roof and 600x600 paving slab
-  Maintenance path
-  EWT_07A Roof Upstand
-  Gutter line, Size TBC
-  PV Zone (approx.200sqm) TBC
-  Guardrail for use with the Ascent walkway grillage system
-  BILCO Roof Edge Protection system - free standing



P01	Issued for planning	20-06-2022	PW	JK
Rev	Description	Date	Drn By	Chk By

jmarchitects

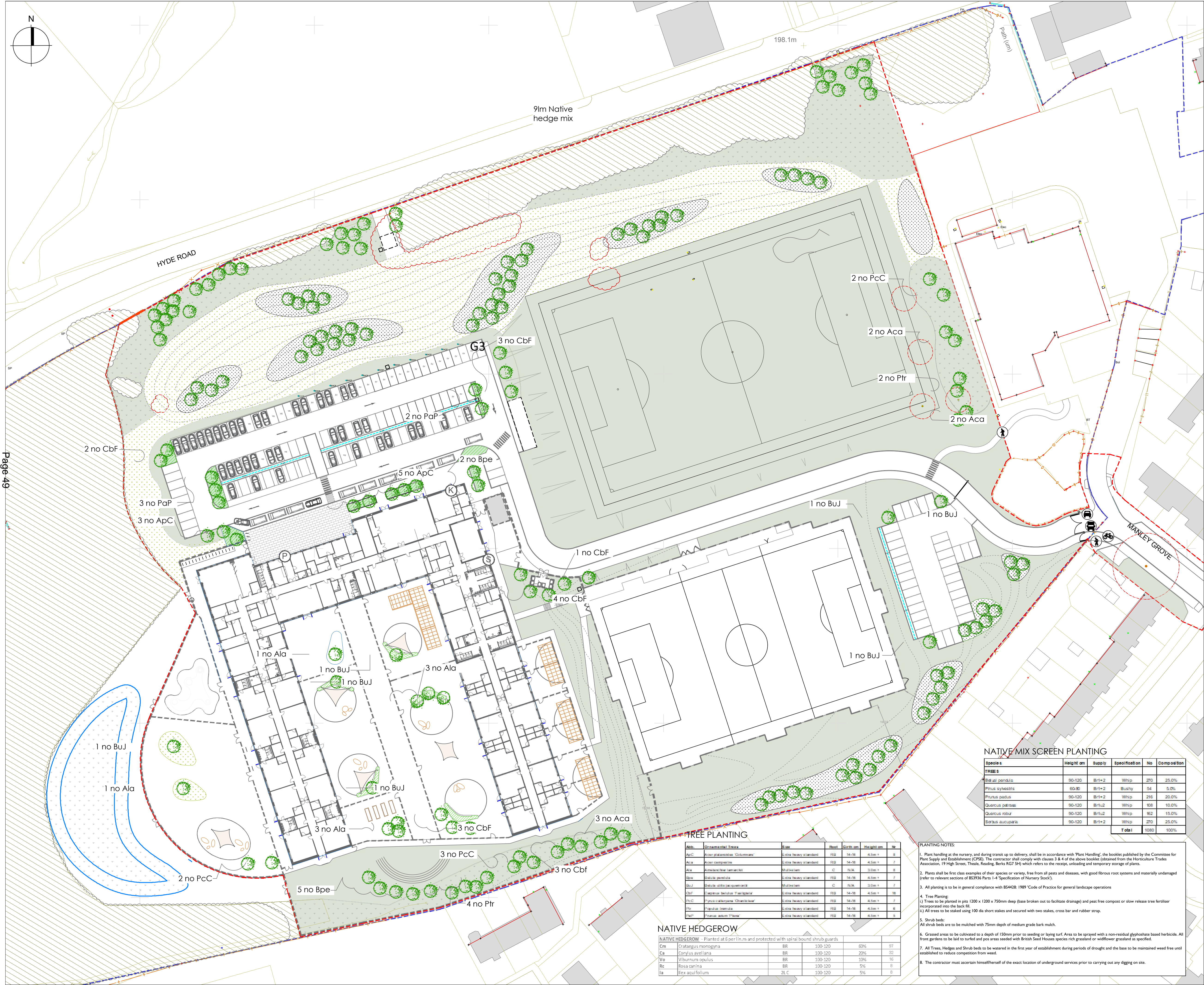
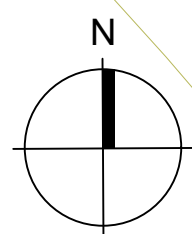
Project: Hawthorns SEND
 Title: Proposed Roof Plan
 Client: Robertson
 Purpose: For Planning
 Drawing Number: HAW-JMA-SX-01-DR-A-PL0001

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 man@jmarchitects.net
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Scale: As indicated @ A1

Project - Originator - Volume - Level - Type - Role - Class&Number	Status	Revision	JMA Project Number
HAW-JMA-SX-01-DR-A-PL0001	S2	P01	6903

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KEY

- Existing Trees/Vegetation to be retained Refer to Tree Survey
- Proposed Trees
- Existing trees to be removed
- Proposed Planting
- Proposed Hedge Planting
- Proposed Grass Areas
- Proposed Meadow grass
- Proposed Native Woodland mix
- Existing grassland to be retained

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NATIVE MIX SCREEN PLANTING

Species	Height (m)	Supply	Specification	No	Composition
TREES					
Betula pendula	90-120	Brt+2	Whip	270	25.0%
Pinus sylvestris	60-80	Brt+2	Bushy	54	5.0%
Pinus radiata	90-120	Brt+2	Whip	216	20.0%
Quercus robur	90-120	Brt+2	Whip	108	10.0%
Quercus petraea	90-120	Brt+2	Whip	102	10.0%
Quercus agrifolia	90-120	Brt+2	Whip	270	25.0%
Total				1080	100%

TREE PLANTING

Abb.	Ornamental Trees	Size	Root	Grds	Height (m)	No
ApC	Acacia gummata 'Columbus'	5-6m heavy standard	HS	14-16	4.5m +	18
Aca	Acacia saligna	5-6m heavy standard	HS	14-16	4.5m +	18
Ala	Alnus incana	5-6m heavy standard	C	14-16	3.5m +	18
Ala	Alnus glutinosa	5-6m heavy standard	C	14-16	3.5m +	18
BuJ	Betula utilis 'Erdington'	5-6m heavy standard	HS	14-16	3.5m +	18
CbF	Cornus florida	5-6m heavy standard	HS	14-16	4.5m +	18
PcC	Prunella laetiflora	5-6m heavy standard	HS	14-16	4.5m +	18
Ptr	Prunella vulgaris	5-6m heavy standard	HS	14-16	4.5m +	18
Bpe	Betula pendula	5-6m heavy standard	HS	14-16	4.5m +	18
Bpa	Betula pubescens	5-6m heavy standard	HS	14-16	4.5m +	18

NATIVE HEDGEROW

Abb.	Species	Size	Root	Grds	Height (m)	No
Cm	Crataegus monogyna	BR	100-120	50%	97	
Ca	Corylus avellana	BR	100-120	20%	32	
Vo	Viburnum opulus	BR	100-120	10%	16	
Rc	Rosa canina	BR	100-120	5%	8	
Ia	Ilex aquifolium	2L C	100-120	5%	8	

PLANTING NOTES:

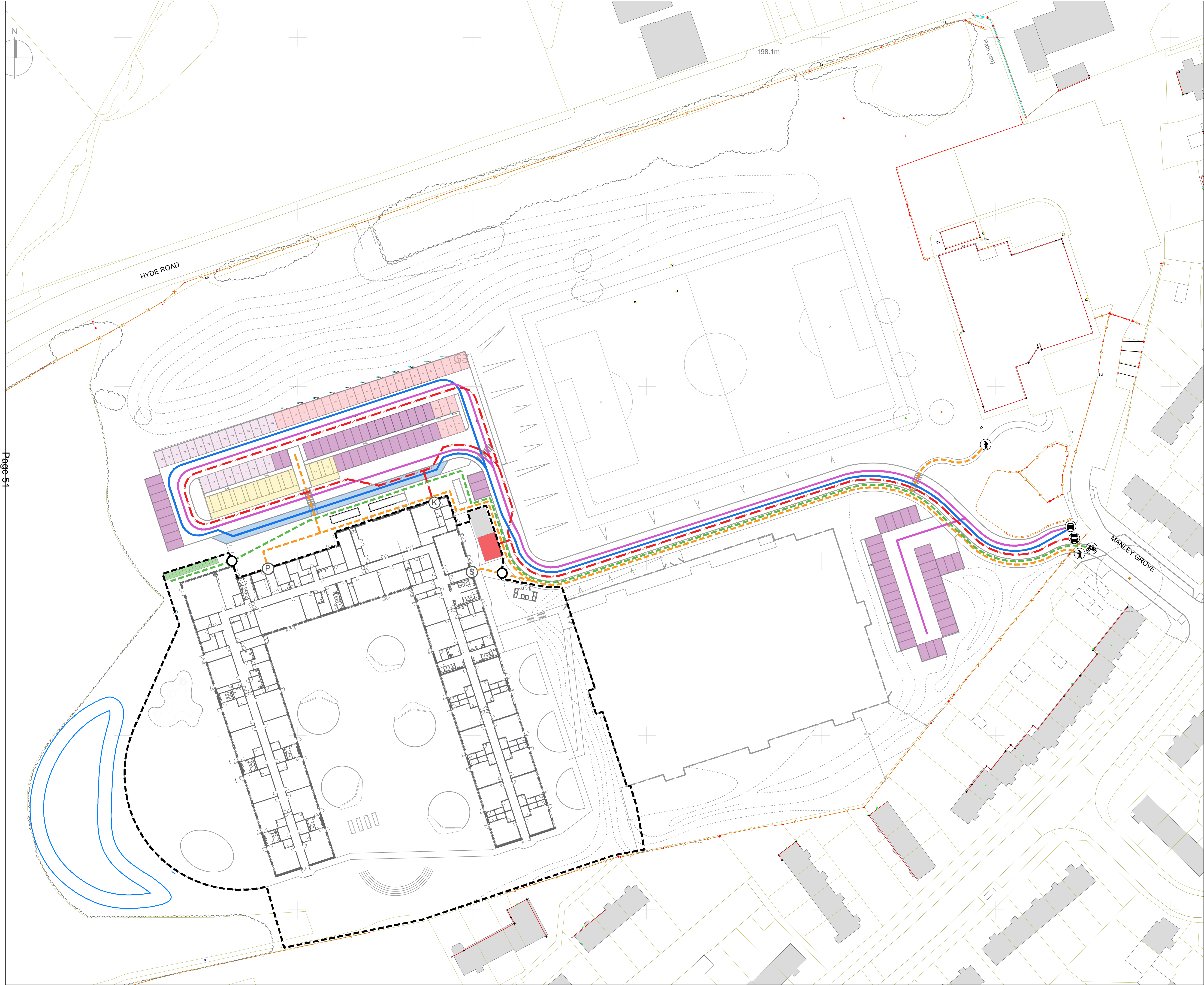
- Plant handling at the nursery, and during transit up to delivery, shall be in accordance with 'Plant Handling', the booklet published by the Committee for Plant Supply and Establishment (CPSE). The contractor shall comply with clauses 3 & 4 of the above booklet (obtained from the Horticulture Trades Association, 19 High Street, Theale, Reading, Berks RG7 5H) which refers to the receipt, unloading and temporary storage of plants.
- Plants shall be first class examples of their species or variety, free from all pests and diseases, with good fibrous root systems and materially undamaged (refer to relevant sections of BS5936 Parts 1-4 'Specification of Nursery Stock').
- All planting is to be in general compliance with BS4428: 1989 'Code of Practice for general landscape operations'
- Tree Planting:**
 - Trees to be planted in pits 1200 x 1200 x 750mm deep (base broken out to facilitate drainage) and pit free compost or slow release tree fertiliser incorporated into the back fill.
 - All trees to be staked using 100 da short stakes and secured with two stakes, cross bar and rubber strap.
- Shrub beds:**
 - All shrub beds are to be mulched with 75mm depth of medium grade bark mulch.
- Grassed areas to be cultivated to a depth of 150mm prior to seeding or laying turf. Area to be sprayed with a non-residual glyphosate based herbicide. All from gardens to be laid to turf and poa areas seeded with British Seed Houses species rich grassland or wildflower grassland as specified.
- All Trees, Hedges and Shrub beds to be watered in the first year of establishment during periods of drought and the base to be maintained weed free until established to reduce competition from weed.
- The contractor must ascertain himself/herself of the exact location of underground services prior to carrying out any digging or site.

Client	Robertsons		
Job	Hawthorn SEND		
Drawing	Proposed Planting Plan		
ISSUE	4853	Rev	P01
Project Status	HAW-DEP-ZZ-00-DR-00-0005-P01		
Date	17/03/22	Scale	1:500 @ A0
2D Coord	AH	Approved	CP
Planning	Tender	Construction	
Design	Contract	As Built	

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- ACCESS**
- Pupil pedestrian route
 - Cycle route
 - Pupil drop-off route
 - Staff / Visitor vehicular route
 - Services and deliveries route
 - Staff parking
 - Visitor parking
 - Drop off area
 - Accessible parking
 - Electric vehicle parking
 - Cycle parking
 - Bin Store
 - Pedestrian access point
 - Cycle access point
 - Vehicular access point
 - Large vehicle / Fire tender access point
 - Main building access
 - Staff/visitor building access
 - Kitchen access
 - Pedestrian / Cycle access through secure boundary

Client	Robertsons	
Job	Hawthorn SEND	
Drawing	Proposed Access Strategy	
BSRef	4853	Rev P01
Date	17/03/22	
Scale	1:500 @ A0	
2D CoOrd	CP	Approved CP
Project Status	Planning	Tender
Design	Contract	Construction
As Built		



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Application Number 22/00678/FUL

New school for pupils with special educational needs or disabilities (SEND); consisting of single storey building, alongside grass playing pitch, artificial surface playing pitch; with car parking, access and associated infrastructure.

Photo 1: Aerial View of Site



Photo 2: Junction to Manley Grove from John Kennedy Road



Photo 3: View southwards across the site towards John Kennedy Road



Photo 4: View eastward across the site towards Active Tameside



Photo 5: View north westward across the site towards Hyde Road (A57)



Photo 6: View westward across the site towards Tesco supermarket



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Appeal Decision

Site visit made on 18 October 2022

by Mark Caine BSc (Hons) MTPL MRTPI LSRA

an Inspector appointed by the Secretary of State

Decision date: 11 November 2022

Appeal Ref: APP/G4240/W/22/3299916

Lower Bennett Street Street Works, Tameside SK14 4PP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 16, Class A of the Town & Country Planning (General Permitted Development) (England) Order 2015 as amended (the GPDO).
 - The appeal is made by CK Hutchison Networks (UK) Ltd against the decision of Tameside Metropolitan Borough Council.
 - The application Ref 21/01425/NCD, dated 16 December 2021, was refused by notice dated 17 February 2022.
 - The development proposed is a new 18m high Phase 8 3HG street pole and associated 3no. equipment cabinets.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The provisions of the GPDO require the local planning authority to assess the proposed development solely on the basis of its siting and appearance, taking into account any representations received. My determination of this appeal has been made on the same basis.
3. The Council has referred to development plan policies in its decision notice. However, the principle of development is established by the GPDO and the provisions of Schedule 2, Part 16, Class A of the GPDO do not require regard to be had to the development plan. As such I have had regard to the policies of the development plan and The National Planning Policy Framework (the Framework) only in so far as they are a material consideration relevant to matters of siting and appearance.

Main Issue

4. The main issue is the effect of the siting and appearance of the proposal on the character and appearance of the area.

Reasons

5. The appeal site comprises an area of pavement on the southern side of Lower Bennett Street (LBS), close to the junction with Dukinfield Road. Whilst the locality is predominantly residential in character, the appeal site is located adjacent to 2 landscaped areas of open space. The topography of the area is also such that LBS rises up from the junction with Dukinfield Road to the appeal site and beyond. The site thereby appears raised when viewed from Dukinfield Road and the west. Although there are some streetlights, signs and

trees nearby, the lack of built form on this part of LBS results in the appeal site sitting in a relatively open, prominent and exposed position.

6. The proposed site plan shows the monopole, which would be approximately 18 metres high, and equipment cabinets to be positioned at the back edge of a wider section of the LBS footway. Nonetheless, the proposed monopole would be appreciably taller and bulkier than the nearby streetlights and other vertical structures along LBS and Dukinfield Road. Whilst the trees would offer some screening and soften the appearance of the monopole, this element of the proposal would also project above them and be clearly visible, particularly at times when the trees would not be in leaf. This dominance would be further emphasised by the topography of the area.
7. As Dukinfield Road is long and straight, the proposal would be readily apparent from long distances in the approach from either direction of this highway. From other locations, including along LBS and Dunkirk Lane, it would appear bulky and prominent, particularly when seen against the skyline. It would also introduce an element of perceived visual clutter at low level through the siting and amount of the ancillary equipment cabinets.
8. The open and exposed nature of this location, along with its raised position would therefore have a consequential effect of emphasising the proposed development. Irrespective of any potential changes in its colour, the proposal would thereby result in the introduction of a dominant and visually obtrusive feature in the street scene.
9. The appellant contends that the associated equipment cabinets are within the size limits to be classified as permitted development. However, I am not convinced that there is a greater than theoretical possibility that the installation of the cabinets on their own may occur. In any case, the proposal before me relates to the whole installation, and I have therefore considered the effect of all of the proposed equipment in relation to the main issue of this appeal.
10. In light of the above, I find that the siting and appearance of the proposed development would result in unacceptable harm to the character and appearance of the area. As such, it would conflict with Policies U2 and C1 of the Tameside Unitary Development Plan 2004. These seek to ensure that, amongst other matters, the siting and external appearance of the apparatus has been designed to minimise its visual impact, and conserves and enhances the built environment.

Other Matters

11. It has been put forward that the width of this part of the pavement would prevent any obstruction to the flow of pedestrians in the surrounding area. I have also been informed that the site has been selected in a location as feasibly distant as possible from houses and lines of sight from windows to minimise any encroachment on residential amenity. In addition, I have been made aware that the appeal site is not on Article 2 (3) land or any other environmentally sensitive designation, and that there were no objections from local residents or consultees to the proposal, including from the Council's Highways Section. However, these matters did not appear to be contentious in the appeal and the absence of harm in these respects, would be neutral factors, that do not weigh in favour of the proposal.

Benefits and Planning Balance

12. I am mindful of the economic and social benefits of providing and enhancing electronic communication infrastructure and 'levelling up' digital connectivity. The Framework advises that advanced, high-quality and reliable communication infrastructure is essential for economic growth and social well-being, and that the expansion of electronic communication networks, including next generation mobile technology (such as 5G), should be supported.
13. The Council has not disputed the appellant's technical justification for the need to improve network coverage in the area. Nor has it questioned the constrained size of the search area or the list of alternative sites that were considered as part of the site selection process, and the reasons why they were not pursued. I see no reason to take a different stance and consider these factors to all weigh in favour of the proposal.
14. However, I must balance this against the requirement for equipment to be sympathetically designed and camouflaged where appropriate, as well as the overarching imperative in the Framework for development to achieve well-designed places for the long term.
15. Having regard to all relevant considerations, including national planning policy and the potential availability of alternative sites, I do not consider that the benefits of the installation in terms of the enhancement of the telecommunications network, including its contribution to economic growth and the operational and locational needs of the operators outweigh the significant harm arising to the character and appearance of the area.
16. For the reasons given above the appeal is therefore dismissed.

Mark Caine

INSPECTOR

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Appeal Decision

Site visit made on 26 October 2022

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th November 2022

Appeal Ref: APP/G4240/Z/22/3303866

1 Hamilton Street, Stalybridge, SK15 1LL

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Wildstone Estates Limited against the decision of Tameside Metropolitan Borough Council.
 - The application Ref 22/00377/ADV, dated 6 April 2022, was refused by notice dated 1 June 2022.
 - The development proposed is the upgrade of existing 48 sheet advert to support digital poster.
-

Decision

1. The appeal is dismissed.

Preliminary matter

2. The Regulations require that decisions are made only in the interests of amenity and public safety, taking account of any material factors. The National Planning Policy Framework (the Framework) and the Planning Practice Guidance (the PPG) reiterate this approach. Therefore, while I have referred to some of the policies that the Council considers to be relevant to this appeal, these have not been decisive in my determination of this appeal.

Reasons

3. The main issue in this appeal is, therefore, the effect of the proposed advertisement on amenity. The Advertisement Regulations state that factors relevant to amenity include the general characteristics of the locality. The National Planning Policy Framework (the Framework) says that the quality and character of places can suffer when advertisements are poorly sited.
4. The application states that the proposed advertisement would be digital and would have a maximum luminance that does not exceed 100cd/m² at night-time in accordance with the guidelines set by the Institution of Lighting Professionals (ILP) Technical Note 5. The maximum brightness would always be within the guidance as set by ILP Technical Note 5 and would be controlled by light sensors to vary the brightness of the screens according to the brightness of the day. During the daytime, the maximum brightness may increase to make the screen visible during bright sunlight. This would ensure that the level of luminance of the advertisements is sensitive to change in daylight from sunrise to sunset and from summer to winter. Only static images (no moving images or flashing lights) would be displayed but the advertisements would be

- capable of changing instantly to display new adverts no more than once every 10 seconds, with no sequencing fading, swiping or merging or images.
5. It would replace an existing 48 sheet (6m by 4m) hoarding, which the appellant says has been in place for at least 13 years, sited on the upper part of the gable end of a two storey, former social club building which faces onto Stamford Street, a busy and well-lit main road of mixed uses. There are a number of commercial uses along this stretch of the road, including a filling station with a shop and café opposite the site which have a number of illuminated signs. Separated from the site by a path along the side of the appeal building is the garden of a detached bungalow at 1 Cumberland Street.
 6. The Council has not objected to the effect on the visual amenity of the wider area and given the commercial nature and number of other illuminated signs, I would agree with that view. However, it has objected to the impact on the visual amenity of the residents of the adjacent bungalow. The appellant says that the nearest window in the bungalow would be some 17m from the proposed advertisement. Whilst the bungalow is sited at an offset angle to the gable end of the appeal site, there are three windows in both the elevation onto Stamford Road and in the elevation facing the garden which would have clear views towards the proposal although I have noted that those appear to be smaller, secondary windows. A larger window in the Stamford Road elevation would have an oblique view of the proposal. More importantly, the advertisement would be seen very clearly from the sitting out area adjacent to the side elevation of the property and from its garden which is separated from the appeal building by only a narrow path and has only a fence and no planting along that boundary.
 7. Even if the existing advertisement benefits from deemed consent as the appellant contends (and I have noted that no enforcement or discontinuance action has been taken), the proposal would introduce changing digital images and illumination at a high level in very close proximity to the garden and some of the windows. Although the appellant has suggested a number of conditions that include the display to be switched off between 2300 hours and 0600 hours and to reduce the level of illumination to 100cd/m² during the evening, those conditions would not overcome the significant visual intrusion that would occur during the daytime and would be harmful to the visual amenity of the bungalow's residents.
 8. The proposal would therefore be contrary to the Framework and to development plan policies 1.3 and C1 of the Tameside Unitary Development Plan (2004) which together seek to ensure high quality design that is sensitive to the relationship between buildings and their settings.

Other matters

9. The appellant has said that there would be benefits in terms of sustainable energy, reduced emissions and waste and an increase to business rates but these matters do not outweigh the harm I have identified. Moreover, the Regulations require that I exercise my powers only with regard to amenity and public safety, albeit that benefits may be put forward as other relevant factors.

Conclusion

10. For the reasons given above and having regard to all other matters raised, I conclude that the proposal would cause significant harm in terms of amenity and the appeal should be dismissed.

Sarah Colbourne

Inspector

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Appeal Decision

Site visit made on 14 September 2022

by **C Rafferty LLB (Hons), Solicitor**

an Inspector appointed by the Secretary of State

Decision date: 17 October 2022

Appeal Ref: APP/G4240/W/22/3294392

19 Stockport Road, Ashton-under-Lyne, OL7 0LA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr M Game (Major Group Developments Ltd) against the decision of Tameside Metropolitan Borough Council.
 - The application Ref 21/00520/FUL, dated 14 April 2021, was refused by notice dated 24 December 2021.
 - The development proposed is the change of use of dwelling (Use Class C3) to 8 person House in Multiple Occupation (Sui Generis use) and construction of rear dormer.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. I have taken the description of development from the decision notice and appeal form which refers to an 8 person HMO, rather than a 9 person HMO. This accords with the amount of bedrooms provided in the submitted plans and referred to in the submissions. Furthermore, this description includes reference to the rear dormer such that overall it provides a more accurate description of the proposal.
3. The appellant submitted a light assessment, citing the BRE Report 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice' 2011. This report has recently been revised and parties have been given the opportunity to provide comments on these revisions.

Main Issues

4. The main issues are: whether the proposal would preserve or enhance the character or appearance of the Ashton Town Centre Conservation Area; the effect of the proposal on the living conditions of future occupiers, with regards to light, ventilation and provision of outdoor amenity space; and the effect of the proposal on the living conditions of occupiers of neighbouring dwellings, with regards to privacy and traffic.

Reasons

Ashton Town Centre Conservation Area

5. The appeal site comprises a terraced house located in the Ashton Town Centre Conservation Area (CA). Although the appellant states that this may not be the case if the CA boundaries were to be reviewed, there is nothing before me to suggest that this is likely to occur. This section of the CA is mixed in character, defined by a range of uses and the surrounding highway network.

The site sits in a terrace of Victorian houses, the traditional character of which remains evident due to the limited front alterations and uninterrupted roofscapes. As a result of the varied nature of the immediate surrounds, the site makes an overall neutral contribution to the significance of the CA.

6. A rear dormer has been installed at the site, constructed from materials to match the existing building. Although not visible from Stockport Road, rear views are experienced from June Street. Despite the varied rear elevation of the terrace, and the range of surrounding residential development, the dormer appears as a standalone feature of this type among the group of properties to which it primarily relates and against which it is experienced.
7. In this immediate context the dormer therefore reads as an incongruous addition. Although set back from the eaves and set in from both sides, it remains a sizeable feature, readily visible from June Street and reading as an imposing addition out of keeping with the traditional nature of the dwelling. Within the unbroken roofscape of the terrace, it reads as bulky and discordant.
8. For these reasons, the dormer is a visually intrusive addition. It causes visual harm to the site and the immediate surrounding character and appearance. As such, even acknowledging the neutral contribution the site makes to the CA, the dormer neither preserves nor enhances the character or appearance of the CA. Its effect is localised in an area where a variety of property styles exist, such that it would cause 'less than substantial' harm. Nevertheless, the National Planning Policy Framework (the Framework) makes it clear that great weight should be given to the conservation of heritage assets.
9. Paragraph 202 of the Framework specifies that where a development 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. No such public benefits have been put forward by the appellant which would outweigh the harm identified.
10. For the reasons given the proposal would fail to preserve or enhance the character or appearance of the CA. As such, it would fail to accord with Policies 1.3, C1, C2 and C4 of the Tameside Unitary Development Plan 2004 (the UDP), which seek to ensure good design that respects the nature of the surrounding fabric and preserves and enhances conservation areas.

Living Conditions – Future Occupiers

11. It is proposed that an open plan living room and kitchen would be provided in the basement of the property. There would be glazed patio doors to the rear and a high level window to the front, both of which would be served by a lightwell. Although the appellant has submitted an assessment concluding that adequate daylight would be achieved, this has been prepared under outdated BRE guidance such that limited weight can be attached to this.
12. While there is dispute between the main parties as to whether the kitchen would be a habitable room, it remains that the open plan basement would be the only shared communal space in the property. As such, it is likely to be well used and relied upon by future occupiers in their day to day lives.
13. The subterranean nature of the space and the limited area of glazing relative to the overall size of the room would restrict the level of natural light that could be achieved, even acknowledging the proposed lightwells. It would also

result in limited ventilation, with the patio doors unlikely to be used for such purposes during periods of bad weather. This would contribute to a dark, gloomy and stuffy living environment in the only shared space of the house, increasing the reliance on artificial lighting and mechanical ventilation, and negatively impacting on future residents' enjoyment of the room.

14. Private amenity space would be restricted to the small rear yard, areas of which would be used for the proposed cycle and refuse storage. RD11 of the Tameside Residential Design Supplementary Planning Document 2010 (the SPD) advises that all houses should have private amenity space of a size and function suitable for its intended occupants, with RD12 further advising that the size and shape should be appropriate to create functional spaces.
15. Although there is no minimum space requirement for private amenity space in local policy, the size of the area proposed for this use would limit its useful function for an 8 person HMO. The constrained dimensions would be unlikely to comfortably support the range of uses expected of this space for 8 people, to include sitting out and drying washing.
16. I acknowledge that the rear yard is the original outdoor space of the property and is of a common size and shape in such dwellings. Nevertheless, given the proposed installation of a bike and bin store, the resulting amount of external amenity space would be substandard and unsuitable to accommodate the additional level of occupation resulting from the proposal.
17. For the reasons given the proposal would cause harm to the living conditions of future occupiers with regards to light, ventilation and provision of outdoor amenity space. As such, it would fail to accord with the provisions of RD11 and RD12 of the SPD and with Policy H10(a) of the UDP, which seeks to ensure that the layout and design of housing development meets the needs of potential occupiers.

Living Conditions – Neighbouring Occupiers

18. As part of the proposal the first floor rooms at the rear of the property would change from a bathroom and WC to a bedroom and ensuite. Situated in the outrigger, the windows of these rooms provide views towards the rear of the dwellings on June Street, which sit at an angle to the appeal property.
19. The distance between these rear habitable room windows at the site and the nearest habitable room windows on June Street would not accord with the minimum privacy distance between habitable rooms as suggested in the SPD. However, this represents guidance rather than policy, and the resultant relationship between these habitable room windows would not be unusual in a built-up and tight knit residential area such as this.
20. I acknowledge that there would be a likely increased usage of the first floor rear rooms at the site following conversion to a habitable ensuite bedroom. Nevertheless, there remains an acceptable level of intervening distance which, together with the angle of the properties, would ensure any views towards the June Street dwellings from these windows would be neither direct nor clear.
21. While the dormer creates a further habitable bedroom window looking towards June Street, it is set significantly further back than the rear outrigger windows. Combined with the height and angle of the dormer windows relative to those opposite, this setback would ensure no direct views into habitable rooms of the

June Street dwellings. Overall, the proposal would not create a level of actual or perceived overlooking such that the occupiers of the June Street properties would not have their enjoyment of habitable rooms unduly impacted by the proposal.

22. While the site is located on the edge of the town centre I noted that it has good access to a range of services situated further along Stockport Road. Despite the Council's assertions that the nearest bus stop is some distance away I observed there to be one within walking distance of the site providing links to the centre. I do not therefore consider that future occupiers would be reliant on a private car for day to day requirements. Accordingly, even acknowledging the increase in occupation of the property, any increase in vehicular movements in the area as a result is likely to be limited.
23. No off-street parking is proposed and on street parking is not available to the front of the site. I further noted that June Street to the rear of the property was, at that time of my visit, heavily parked. Nevertheless, I observed there to be ample unrestricted parking within the surrounding residential streets near to, and within easy walking distance of, the appeal site to accommodate the further parking likely to result from the proposal due to both future occupiers and visitors.
24. The likely modest increase in vehicular movements and good availability of on-street parking, combined with the limited speeds in the immediate vicinity of the site, would ensure that the proposal would not generate a level of traffic that would be to the detriment of neighbouring occupiers. It would not unduly impact traffic flow in the area or create a significant increase in risk of conflicts or parking stress that could in turn impact on the amenity of surrounding residents.
25. For the reasons given the proposal would not cause harm to the living conditions of neighbouring occupiers with regards to privacy or traffic. As such, it would comply with Policy H10(d) of the UDP, which seeks to ensure that housing development causes no unacceptable impact on the amenity of neighbouring properties, including privacy and traffic.

Planning Balance and Conclusion

26. I have concluded that the proposal would not have significant adverse effects on the living conditions of surrounding residents with regards to privacy or traffic. However, this does not outweigh the other significant harm identified with regards to the failure of the proposal to preserve or enhance the character or appearance of the CA and the effect of the proposal on the living condition of future occupiers, with regards to light, ventilation and provision of outdoor amenity space.
27. For the reasons given, the proposal would not accord with the development plan when taken as a whole. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

C Rafferty

INSPECTOR



Appeal Decision

Site visit made on 7 July 2022

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 29 November 2022.

Appeal Ref: APP/G4240/D/22/3298607

86 King Edward Road, Gee Cross, Hyde, Cheshire SK14 5JJ

- 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 Robert Ashton against the decision of Tameside Metropolitan Borough Council.
 - The application Ref 22/00242/FUL dated 8 March 2022, was refused by notice dated 5 May 2022.
 - The application is for demolition of existing detached garage and construction of single storey side/rear extension.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development used above has been taken from the Council's Decision Notice. Although it differs from both those descriptions used both on the Application form and within Part E of the Appeal form it most accurately reflects the proposals before me and this description has been deemed acceptable through the filling of Part E stating no changes to the description were made.

Main Issues

3. The main issue is the impact of the proposal upon the living conditions of neighbours.

Reasons

4. The appeal property is a red brick detached house within this early suburban area of semi detached, detached and terrace houses. The property has a bay window to the front under a lean too porch that extends the full width of the property. To the rear is a detached pebble dashed garage of single storey that leads to a very long rear garden that is generally bounded by a high screen fence to its boundaries.
5. To the north eastern boundary of the property is a small cul de sac of generally more modern houses whose rear gardens adjoin the appeal site. Most notable of these is number 1 Armitage Close which fronts onto Kind Edward Road but has a much smaller garden to that of the appeal site. This property appears to

- have been extended with a double garage and other potential extensions that post date the property's original construction.
6. The proposal before me seeks permission to extend from the rear of the appeal property with a single storey pitched roof extension along with a modest side extension so as to create more ground floor living space with bi-folding type doors extending towards the garden beyond. The proposed extension would extend around 6.3m and amalgamate the existing garage. The rear of the existing garage would be around the limit of the extension.
 7. The overall height of the extension would be around 3.6m to the highest point of the pitched roof and 2.6m to its eaves. Although the property would extend to its south western elevation also, the north eastern limit of the extension would respect the end of the existing house and as such would be set in by up to around one metre from the property boundary.
 8. The main issue with regards this appeal is the potential impact of the extension upon the rear garden area of number 1 Armitage Close. As mentioned above this property has a much smaller garden than that of the appeal property but it is comparable to other properties nearby. The Council's primary concern appears to be the impact upon the living conditions of residents in number 1 due to the size and extent of the proposed rear element of the proposal.
 9. I saw on my site visit that the boundary between the appeal site and that of number 1 Armitage Close is demarked by a high screen fence that I consider would be something like a typical 2m high fence. Further to this I also saw that the boundary contained shrubbery and that there was a noticeable change in level between the two houses, whereby the appeal property was seemingly constructed on slightly higher ground than that of its neighbour.
 10. In assessing this appeal, I consider that the set in from the side, common boundary, would somewhat relieve the potential for over dominance and further relieve any possibility of noticeable overshadowing of the neighbouring garden. However, due to the length of protrusion of the rear extension, which does extend for some distance from the rear of the existing property, and, due to the change in level and orientation between the two houses, I consider that there does exist the potential for the proposal before me to adversely affect the living conditions of residents at number 1 Armitage Close.
 11. This is not due simply to one factor, but the cumulation of the large protrusion of the rear elevation, the overall height of the property and the change in level all of which lead me to the conclusion that the proposed extension would cause an amount of overshadowing and potential overdominance which would adversely affect the use and enjoyment of the neighbours garden.
 12. Overall therefore I consider that the scheme would be contrary to Policy H10 of the Tameside Unitary Development Plan that seeks to protect the living conditions of neighbours and as such this application cannot be supported through this appeal.

Conclusion

13. For the reasons above, taking into account all other matters raised, I dismiss the appeal.

A Graham

INSPECTOR

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