

## SPEAKERS PANEL (PLANNING)

**Day:** Wednesday  
**Date:** 26 July 2023  
**Time:** 10.00 am  
**Place:** Guardsman Tony Downes House, Manchester Road,  
 Droylsden, M43 6SF

Item No.	AGENDA	Page No
1.	<b>APOLOGIES FOR ABSENCE</b> To receive any apologies for absence from Members of the Panel.	
2.	<b>DECLARATIONS OF INTEREST</b> To receive any declarations of interest from Members of the Panel.	
3.	<b>MINUTES</b> The Minutes of the meeting of the Speakers Panel (Planning) held on 28 June 2023, having been circulated, to be signed by the Chair as a correct record.	1 - 6
4.	<b>OBJECTIONS TO THE PROPOSED TAMESIDE METROPOLITAN BOROUGH (KINGS ROAD AND VERNON STREET, ASHTON UNDER LYNE) (PROHIBITION OF WAITING) ORDER 2023</b>	7 - 16
5.	<b>PLANNING APPLICATIONS</b> To consider the schedule of applications:	
a)	<b>22/00317/FUL - 1 SYDDALL STREET, HYDE, SK14 1LB</b>	17 - 54
b)	<b>23/00479/FUL - GLOSSOP WASTEWATER TREATMENT WORKS, MELANDRA ROAD, MOTTRAM-IN-LONGDENDALE</b>	55 - 82
6.	<b>APPEAL DECISION NOTICES</b>	
a)	<b>APP/G4240/W/22/3312499 - GODLEY HALL INN, GODLEY HILL, HYDE, SK14 3BL</b>	83 - 90
b)	<b>APP/G4240/Y/22/3310803 - 2 MOOR COTTAGES, SCHOOL LANE, STALYBRIDGE, SK15 3NT</b>	91 - 94
7.	<b>URGENT ITEMS</b> To consider any other items, which the Chair is of the opinion should be considered as a matter of urgency.	
8.	<b>DATE OF NEXT MEETING</b> To note the next meeting of the Speakers Panel (Planning) will take place on	

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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.

Item No.	AGENDA	Page No
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13 September 2023.

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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.

## **SPEAKERS PANEL (PLANNING)**

**28 June 2023**

**Commenced: 10:00am**

**Terminated: 11:05am**

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

**Apologies:** Councillors Mills, Pearce, Quinn and Ricci

### **8. DECLARATIONS OF INTEREST**

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

### **9. MINUTES**

The minutes of the proceedings of the meeting held on 31 May 2023, having been circulated, were approved and signed by the Chair as a correct record.

### **10. 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:-**

<b>Name and Application No:</b>	<b>22/01080/FUL Mr Bywater</b>
<b>Proposed Development:</b>	<b>Conversion of the existing property from 10 bedsits to 12no. 1 bedroom self-contained flats including associated works. 4 Richmond Street, Ashton-under-Lyne, OL6 7TX</b>
<b>Speaker(s)/Late Representations:</b>	<b>Peter Marland addressed the Panel on behalf of the applicant.</b>
<b>Decision:</b>	<b>Officer recommendation was to refuse for the reasons outlined within the submitted report.</b> <b>Members resolved to grant planning permission for the following reason:</b>  <b>1. The development is to provide for short-term accommodation provided by the applicant that is not intended to be permanent. On this basis, the shortfall in floor space in relation to the nationally prescribed space standards is acceptable, such that on balance the proposal complies with the development plan.</b>  <b>Planning permission would be granted subject to the following conditions:</b>

	<p><b>1. The development hereby permitted must begin before the expiration of 3 years from the date of this permission.</b></p> <p><b>Reason:</b> In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p> <p><b>2. The development hereby approved shall be carried out in full accordance with the following drawings:</b></p> <ul style="list-style-type: none"> <li><b>a. Drawing number 200 (Location Plan)</b></li> <li><b>b. Drawing number 202 (Site Plan as Proposed)</b></li> <li><b>c. Drawing number 204 rev 2 (Ground Floor GA Plans)</b></li> <li><b>d. Drawing number 206 (First Floor GA Plans)</b></li> <li><b>e. Drawing number 208 rev 1 (Elevations as Proposed)</b></li> </ul> <p><b>Reason:</b> For the avoidance of doubt.</p> <p><b>3. During construction / conversion no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.</b></p> <p><b>Reason:</b> To protect the amenities of occupants of nearby properties/dwelling houses in accordance with UDP policies 1.12 and H10.</p> <p><b>4. The new window proposed at first floor level serving flat 6 on the northern elevation of the development hereby approved, as identified on drawing numbers 206 (Proposed Floor Plan) and 208 rev 1 (Proposed Elevations) , shall be installed with obscure glass achieving at least Level 3 on the Pilkington Scale of Obscuration and be retained at all times thereafter. Any replacement glass shall be provided to the same specification.</b></p> <p><b>Reason:</b> In the interests of residential amenity having regard to UDP Policy H10.</p> <p><b>5. Notwithstanding the submitted details, none of the dwellings hereby approved shall be occupied until details of the means of storage and collection of refuse generated by the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans showing the location of the required number of bins to be stored within each plot and any communal bin storage areas and scaled plans of the means of enclosure of all bin stores, including materials and finish. The bin storage arrangements for each dwelling shall be implemented in accordance with the approved details prior to the occupation of that dwelling and shall be retained as such thereafter.</b></p> <p><b>Reason:</b> To safeguard the general amenity of the area in accordance with UDP policy 1.12/1.13/H10 and to ensure that the bin capacities are sufficient.</p>
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	<p>6. Prior to the first occupation of the approved apartments full details of proposals to provide a long-stay cycle parking facility/s for the accommodation (which shall be in the form of a covered and secure cycle store that will accommodate a minimum of one cycle for the/each apartment) have been submitted to and approved in writing by the Local Planning Authority. The approved apartments within the development shall not be occupied until the cycle parking facility/s for the accommodation has been provided in accordance with the approved details. The cycle parking facility/s shall then be retained and shall remain available for use at all times thereafter.</p> <p>Reason: To ensure that safe and practical cycle parking facilities are provided so as to ensure that the site is fully accessible by all modes of transport in accordance with UDP Policies T1: Highway Improvement and Traffic Management, T7 Cycling and T10 Parking.</p> <p>7. This permission shall ensure solely for the benefit of the applicant, Ashton Pioneer Homes, and not for the benefit of the land to which the application relates, and on Ashton Pioneer Homes ceasing to operate and manage the premises the use shall revert to its former use as a 10 bed House in Multiple Occupation. This permission shall not be implemented or carried on by any other person, company or organisation, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: The Council has had regard to the special circumstances of the applicant, however the use would be inappropriate to the area unless only carried on by the applicant in the manner specified in the application.</p> <p><b>Informative Notes</b></p> <p>1. The responsibility to properly address contaminated land issues, including safe development and secure occupancy, irrespective of any involvement by this Authority, lies with the owner/developer of the site. Should any evidence of contamination (including asbestos), unusual ground conditions, wastes, and / or organic materials (e.g. peat etc.) be encountered during the development of the site the applicant / developer should contact the Council's Environmental Protection Unit (Tel: 0161 342 3680 / 0161 342 2691) as soon as is practicable.</p>
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<b>Name and Application No:</b>	22/00262/FUL Mr D Wilcox
<b>Proposed Development:</b>	Construction of 3no. 3 bed dwellings and 6no. 2 bed dwellings including ancillary works/excavation. Land on Stamford Road, Mossley

<b>Speaker(s)/Late Representations:</b>	<p>Councillor Stephen Homer, Ward Member, addressed the Panel objecting to the application.</p> <p>Paul Judge addressed the Panel on behalf of the applicant.</p>
<b>Decision:</b>	That planning permission be refused for the reasons set out in the submitted report.

<b>Name and Application No:</b>	<p>22/00940/FUL</p> <p>Mr Frank Tinnirello</p>
<b>Proposed Development:</b>	<p>Two storey extension at rear.</p> <p>3 Downing Close, Ashton-under-Lyne, OL7 9LX</p>
<b>Speaker(s)/Late Representations:</b>	<p>Charlie Schofield addressed the Panel objecting to the application.</p> <p>Sohail Musa addressed the Panel on behalf of the applicant.</p>
<b>Decision:</b>	That planning permission be granted, subject to the conditions outlined in the submitted report.

<b>Name and Application No:</b>	<p>22/00818/FUL</p> <p>Wiggett Construction</p>
<b>Proposed Development:</b>	<p>New residential development 32no. units consisting of 18no. 3 bedroom houses and 14no. 4 bedroom houses with associated car parking and landscaping.</p> <p>Land at the end of Fern Lodge Drive, Ashton-under-Lyne</p>
<b>Decision:</b>	<p>The planning application outlined above was brought before Members of the Speakers Panel on 19 April 2023. Members resolved to support the officer recommendation to grant planning permission subject to a Unilateral Undertaking (UU) securing a financial contribution to local green space and biodiversity net gain.</p> <p>The Head of Planning explained that the applicant was in the process of purchasing the site from the Council. Contracts had been exchanged, but completion was subject to planning approval having been issued. As the current landowner was the Council, it could not enter into an agreement with itself. The update report sought authorisation to amend the previous recommendation to enable an alternative process to be followed under Section 111 of the Local Government Act 1972. It was highlighted that the it was not the purpose of the report to revisit the planning merits of the application as previously reported in April.</p> <p>Members were informed that a Section 111 agreement was a legally binding covenant that would require the applicant to complete a Unilateral Undertaking once it had required a legal interest in the land.</p>

	<p>In addition, it was advised that since the application was reported, the applicant had also sought to review conditions relevant to site contamination and mining legacy and landscaping.</p> <p>Subject to the completion of a Section 111 agreement under the Local Government Act 1972, binding the applicant into the unconditional completion of the Unilateral Undertaking on transfer of the land to Wiggett Construction, Members resolved to grant planning permission, subject to the conditions recommended in the report with the following amendments:</p> <p>Condition no. 4 reworded as follows:</p> <p>“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:</p> <ol style="list-style-type: none"> <li>1. A Preliminary Risk Assessment which has identified: All previous and current uses of the site and surrounding area. All potential contaminants associated with those uses. A conceptual site model identifying all potential sources, pathways, receptors and pollutant linkages.</li> <li>2. A site investigation strategy, based on the Preliminary Risk Assessment in (1) detailing all investigations including sampling, analysis and monitoring that will be undertaken at the site in order to enable the nature and extent of any contamination to be determined and a detailed assessment of the risks posed to be carried out. The strategy shall be approved in writing by the LPA prior to any investigation works commencing at the site.</li> <li>3. The findings of the site investigation and detailed risk assessments referred to in point (2) including all relevant soil / water analysis and ground gas / groundwater monitoring data.</li> <li>4. Based on the site investigation and detailed risk assessment referred to in point (3) an options appraisal, remediation strategy and verification plan 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. This will need to include any requirements for long term monitoring and maintenance.</li> </ol> <p>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 183 of the National Planning Policy Framework.”</p> <p>Condition no. 6 to be removed.</p> <p>Condition no.7 to be removed.</p> <p>Condition no.23 reworded as follows:</p>
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	<p>“In addition to the soft landscaping planting detailed on drawing 6849.03 rev A (landscaping plan), a scheme for the Biodiversity Enhancement and Mitigation Measures comprising of bird and bat boxes shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall first be agreed in writing with the Local Planning Authority) the approved measures shall be retained thereafter.</p> <p>Reason: In the interests of biodiversity to ensure sufficient protection is afforded to wildlife in accordance with policy N7: Protected Species.”</p>
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## 11. APPEAL DECISIONS

Application Reference/Address of Property	Description	Appeal/Cost Decision
APP/G4240/W/22/3313168 57 Yew Tree Lane, Dukinfield, SK16 5DB	Proposed erection of a new 1.8m timber fence (to match existing fences around the estate) along the new boundary line, requiring a change of use from agricultural use to residential use (current area of shrubbery to be removed and made into amenity space (garden)).	Appeal dismissed.
APP/G4240/D/23/3316529 14 Luxor Grove, Denton, M34 2NR	Proposed side extension to replace existing prefabricated garage with a proposed first floor bedroom.	Appeal dismissed.
APP/G4240/D/23/3317688 13 Buxton Lane, Droylsden, M43 6HL	Proposed gable extension and floor over existing garage; and single storey morning room extension.	Appeal dismissed.

## 12. URGENT ITEMS

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

## 13. DATE OF NEXT MEETING

### RESOLVED

That the next meeting of the Panel would take place on 26 July 2023.

CHAIR

<b>Report to:</b>	<b>Speakers Panel (Planning)</b>
<b>Date:</b>	26 July 2023
<b>Executive Member:</b>	Councillor Jan Jackson, Executive Member for Planning, Transport & Connectivity
<b>Reporting Officer:</b>	Emma Varnam, Assistant Director, Operations & Neighbourhoods.
<b>Subject:</b>	<b>OBJECTIONS TO THE PROPOSED TAMESIDE METROPOLITAN BOROUGH (KINGS ROAD AND VERNON STREET, ASHTON UNDER LYNE)(PROHIBITION OF WAITING) ORDER 2023</b>
<b>Report Summary:</b>	This report outlines the objections received in reference to the <b>(KINGS ROAD AND VERNON STREET, ASHTON UNDER LYNE)(PROHIBITION OF WAITING) ORDER 2023</b> being made indefinitely
<b>Recommendations:</b>	It is recommended that the panel reviews the objections and comments received during the consultation period for the <b>(KINGS ROAD AND VERNON STREET, ASHTON UNDER LYNE)(PROHIBITION OF WAITING) ORDER</b> and that the order, as amended be made permanent.
<b>Corporate Plan:</b>	Improvements to the highway network support the council in delivering all 8 priorities of the Corporate Plan.
<b>Policy Implications:</b>	None arising from the report.
<b>Financial Implications:</b> (Authorised by the statutory Section 151 Officer & Chief Finance Officer)	The cost for processing and implementing the Traffic Regulation Orders is £2,499. The costs will be met by the developer which has been recovered from the developer, Watson Construction Ltd.
<b>Legal Implications:</b> (Authorised by the Borough Solicitor)	Members should have regard to the Council's statutory duty under Section 122 of the Road Traffic Regulation Act 1984 which is set out in <b>Appendix 3</b> .
<b>Risk Management:</b>	If the order is not made vehicles will continue to obstruct the access to the new development to the rear of 23-37 Kings Road.

**Access to Information:** Not Confidential

**Background Information:**

<b>Appendix 1</b>	Plan of proposals
<b>Appendix 2</b>	Draft second public notice
<b>Appendix 3</b>	s.122 Road Traffic Regulation Act 1984

The background papers relating to this report can be inspected by contacting Lauren Redfern, Senior Engineer, Traffic Operations:



Telephone: 0161 342 3927



E-mail: [lauren.redfern@tameside.gov.uk](mailto:lauren.redfern@tameside.gov.uk)

## **1. INTRODUCTION**

- 1.1 On 16 December 2021 the Speakers Panel (Planning) Committee decided to approve a planning application to construct 24 apartments within a three storey block on the former site of the Conservative Social Club in Ashton-under-Lyne.
- 1.2 The entrance to the new development will use the existing junction, Vernon Street off Kings Road, Ashton under Lyne.
- 1.3 The new development will have parking for 19 vehicles and an uncontrolled crossing point at the end of Vernon Street.
- 1.4 Vehicles currently park along Vernon Street and at the junction of Kings Road. Parking in this manner will cause obstructive parking to the development and visibility issues at the junction.
- 1.5 The scheme proposing 'no waiting at any time' restrictions on the west side of King Street, 10 metres either side of Vernon Street and both sides of Vernon Street was advertised on 26 May 2023, seven objections were received.

## **2. REPRESENTATIONS OBJECTING TO THE PROPOSED SCHEME**

- 2.1 All seven objectors are concerned about the ability to park within the vicinity of their properties if the waiting restrictions are introduced.
- 2.2 None of the objectors have access to off street parking and parking is already at a premium in the area.

## **3. OFFICER RESPONSE**

- 3.1 Vernon Street has been a cul-de-sac for many years enabling local residents to park without causing an obstruction. Vernon Street is now the only access road to a private residential premises, this road will be frequently used by staff, residents and visitors to the facility and therefore can no longer accommodate parking in the manner it did previously
- 3.2 The waiting restrictions proposed on Kings Road reflect the guidance not to stop or park within 10 metres (32 feet) of a junction as recommended in the Highway Code 2022. It would not be deemed safe to reduce the proposed waiting restrictions along this length due to the increase in traffic flows expected on Vernon Street.
- 3.3 The implementation of the advertised waiting restrictions would remove seven parking spaces from Kings Road and Vernon Street. It is now proposed to reduce the waiting restrictions on the north east side of Vernon Street to 5 metres allowing up to three vehicles to park in this area.

## **4. FUNDING**

- 4.1 The cost for processing and implementing the Traffic Regulation Orders is a standard charge of £2,499.00 which has been recovered from the developer.

## **5. CONCLUSION - PROPOSALS / SCHEDULE OF WORKS**

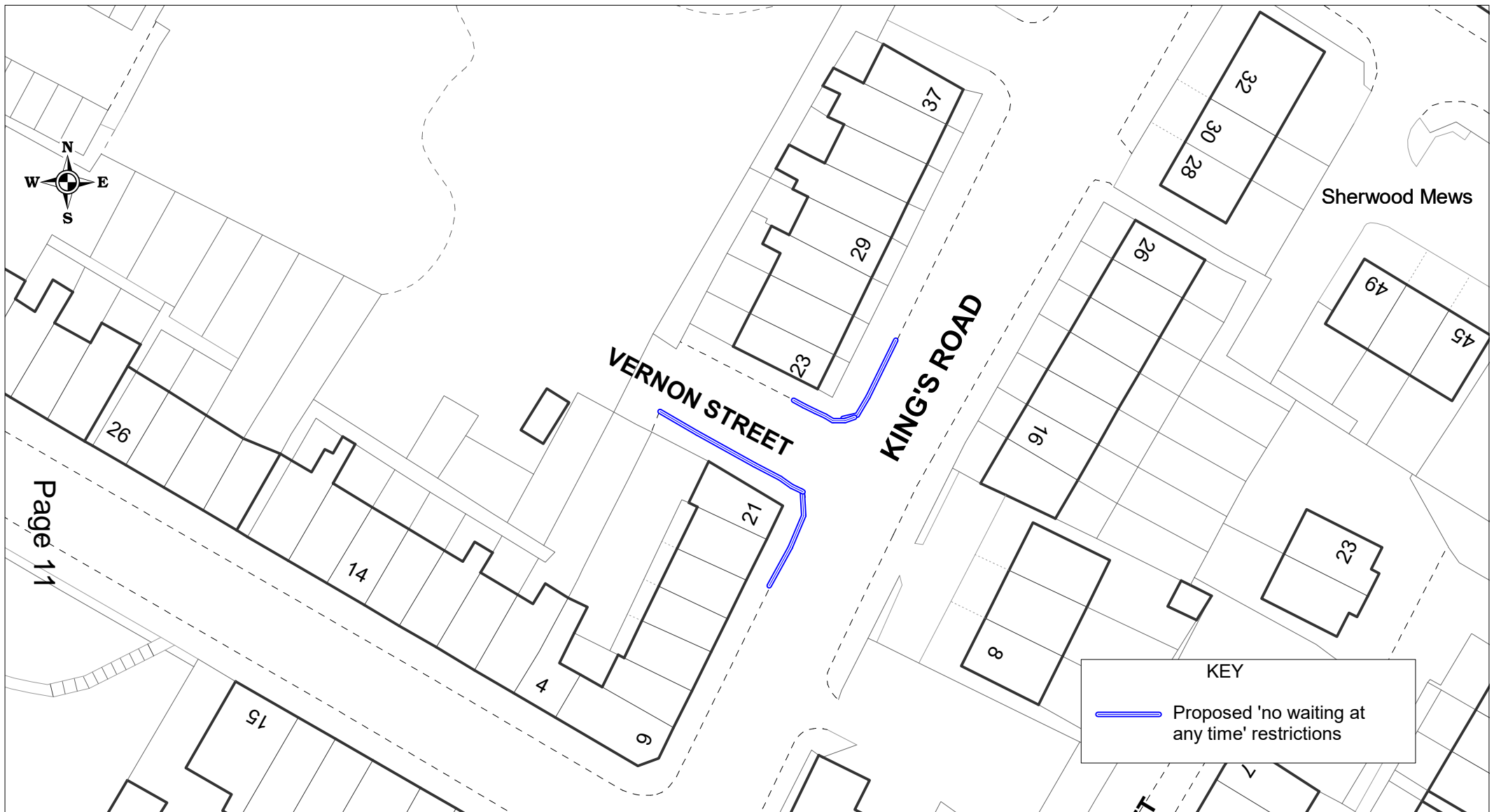
- 5.1 It is recommended the proposals are reduced to have the effect in the amended public notice attached at **Appendix 2** to this report.

5.2 The amended proposals are illustrated in the plan attached at **Appendix 1**.

## **6. RECOMMENDATIONS**

6.1 As set out at the front of the report.

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SCALE	1 : 520
DATE	26/06/2023
DRAWING No.	
DRAWN BY	

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## APPENDIX 2

### **TAMESIDE METROPOLITAN BOROUGH (KINGS ROAD AND VERNON STREET, ASHTON UNDER LYNE) (PROHIBITION OF WAITING) ORDER 2023**

On <Day> <Month> <Year> Tameside Metropolitan Borough Council made the above Order under the Road Traffic Regulation Act 1984. The effect of the order is to:  
Introduce No Waiting at Any Time restrictions on:

- |                              |   |
|------------------------------|---|
| Kings Road<br>west side      | - from a point 10 metres south of its junction with Vernon Street to a point 10 metres north of that junction |
| Vernon Street<br>north side  | - from its junction with Kings Road for a distance of 5 metres in a westerly direction.                       |
| Vernon Street<br>south sides | - from its junction with Kings Road for a distance of 23 metres in a westerly direction.                      |

A copy of the Order which comes into operation on <Day> <Month> <Year> may be inspected during normal office hours at Customer Services; Tameside One; Market Place, Ashton under Lyne OL6 6BH the documents can also be viewed online via <http://www.tameside.gov.uk/trafficregulationorders>. If any person wishes to question the validity of the order or any of their provisions on the grounds that it or they are not within the powers conferred by the Act, or that any requirement of the Act or of any instrument made under the Act has not been complied with, that person may, within 6 weeks from the date on which the order is made, apply to the High Court for that purpose.

E Varnam; Assistant Director of Operations and Neighbourhoods; Tameside One, Ashton-u-Lyne OL6 6BH

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### **Section 122 Road Traffic Regulation Act 1984.**

#### **Exercise of functions by strategic highways companies or local authorities.**

(1) It shall be the duty of every strategic highways company and local authority upon whom functions are conferred by or under this Act, so to exercise the functions conferred on them by this Act as (so far as practicable having regard to the matters specified in subsection (2) below) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway or, in Scotland the road.

(2) The matters referred to in subsection (1) above as being specified in this subsection are—

(a) the desirability of securing and maintaining reasonable access to premises;

(b) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run;

(bb) the strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy);

(c) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and

(d) any other matters appearing to the strategic highways company or... the local authority ... to be relevant.

(3) The duty imposed by subsection (1) above is subject to the provisions of Part II of the Road Traffic Act 1991.

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<b>Application Number:</b>	23/00317/FUL
<b>Proposal:</b>	Two-storey building, with internal roof space and dormers, to provide 19 apartments, including car parking and landscaping, and clearance of existing site.
<b>Site:</b>	1 Syddall Street, Hyde, SK14 1LB
<b>Applicant:</b>	Mr Nitin Sethi
<b>Recommendation:</b>	Grant planning permission, subject to conditions.
<b>Reason for Report:</b>	A Speakers Panel decision is required because the application constitutes a major development.
<b>Background Papers:</b>	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

## **1. SITE & SURROUNDINGS**

- 1.1 The application relates to a site containing a two-storey building, and a large cleared surfaced area. The building is situated at the corner of Syddall Street and Oldham Street, and previously operated as a children's play centre, but has been vacant since August 2022. Prior to use as a children's play centre, the building operated as a cash and carry facility.
- 1.2 It is understood that terraced housing previously stood on the remainder of the site, but was demolished in the past.
- 1.3 The site is situated outside of Hyde town centre, but within walking distance of it. The site is unallocated land within the Council's Unitary Development Plan.

## **2. PROPOSAL**

- 2.1 This application seeks planning permission for the demolition of the existing building, and the erection of a new two storey building, with roofspace, for 19no. apartments at all three levels. Dormer extensions are proposed to the rear, with rooflights to the front.
- 2.2 In terms of external appearance, the building is designed in a similar character to a row of terraced properties. It would have additional windows and doors to its front elevation than would typically be expected from a traditional terraced property, in order to allow access and outlook/light to the apartments. Some features are proposed to the front elevations, including the windows containing headers and cills, and a porch canopy atop the entrance doors.
- 2.3 The building would measure approximately 8.6m to the ridge, and 5.4m to the eaves. Externally, a courtyard for amenity purposes is proposed to the rear of the building, alongside a cycle and bin store. 4no. car parking spaces are proposed.
- 2.4 In terms of the proposed apartments, 17 would be two bedroomed, and two would be one bedroomed. Each would be self-contained. All would include outlooks to the front over either Syddall Street or Henry Street, or to the rear of the building over the proposed courtyard area.

## **3. PLANNING HISTORY**

- 3.1 18/00163/FUL - Proposed Change of Use from Class A1 Shop to Class D2 Children's Indoor Play Centre, with associated external alterations/installation of ramp (part-retrospective) – Approved August 2018

19/01040/FUL - To vary conditions 2 (specifying approved plans), 4 (bin storage facilities) and 6 (requiring parking provision) of planning permission ref. 18/00163/FUL: Change of Use from Class A1 Shop to Class D2 Children's Indoor Play Centre, with associated external alterations/installation of ramp (part-retrospective), to allow for amendments to the car parking arrangements – Approved February 2020

## **4. PLANNING POLICY**

### **National Planning Policy Framework**

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

### **Development Plan**

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

#### Tameside Unitary Development Plan (2004)

### **4.5 Part 1 Policies**

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

### **4.6 Part 2 Policies**

- C1: Townscape and Urban Form
- H1: Housing Land Provision
- H2: Unallocated Sites
- H4: Type, Size and Affordability of Dwellings

- H5: Open Space Provision
- H6: Education and Community Facilities
- H10: Detailed Design of Housing Developments
- N3: Nature Conservation Factors
- N7: Protected Species
- OL10: Landscape Quality and Character
- MW11: Contaminated Land
- MW12: Control of Pollution
- S4: Retail Dominance and Shopping Frontages
- S9: Detailed Design of Retail and Leisure Developments
- T1: Highway Improvement and Traffic Management
- T7: Cycling
- T8: Walking
- T10: Parking
- 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 have been 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 of the NPPF sets out what needs to be taken into account when considering the weight given to emerging plans. It 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 Places for Everyone has been published and submitted, where examination is on-going. The inspectors have recently issued examination document IN36, which is a 'part one' post hearing note. IN36 states that subject to a number of action points contained therein, the inspectors are satisfied at this stage of the examination that a schedule of proposed main modifications are necessary to make the plan sound and would be effective in that regard. In addition, the inspectors have indicated their position on the proposed allocations and Green Belt additions. Other than consideration of final issues on five specific allocations, or a significant change in national policy, no further action points are likely to be issued before the main modifications are consulted on.
- 4.10 The plan is a material consideration and to date, very limited weight has been given to the policies within it, primarily due to the number of outstanding objections received as a result of previous consultations. However, following the above, it is now reasonable to give a greater degree of weight to the plan, being reasonable within the context of national planning policy.
- 4.11 Places for Everyone cannot be given full weight in planning decisions, as it does not form part of the adopted plan for Tameside. But given the stage reached, it is reasonable to give elements of the plan substantial weight, subject to the inspector's caveat that this is without prejudice to their final conclusions following consideration of responses to consultation on the main modifications later in the examination.

- 4.12 To clarify, IN36 gives a clear steer as to the wording required to make the plan sound. Substantial weight should therefore be applied to the text of the plan as amended by the schedule of main modifications, and not the published version of Places for Everyone.

### **Other Considerations**

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

## **5. PUBLICITY CARRIED OUT**

- 5.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's adopted Statement of Community Involvement the application has been advertised as a major development by neighbour notification letter, display of a site notice; and advertisement in the local press.

## **6. SUMMARY OF THIRD PARTY RESPONSES**

- 6.1 In response to the publicity carried out, there were two letters of objection submitted. The concerns raised within the letters of objection are summarised below:
- The development proposes an insufficient amount of parking;
  - The development would cause overlooking of neighbouring properties;
  - The proposal would cause a loss of light to neighbouring properties
  - The development would result in disturbance during construction works;
  - The scheme represents an overdevelopment of the site.
- 6.2 One letter of support has been submitted. The main points raised within that letter is summarised below:
- The development would provide valuable affordable housing provision.

## **7. RESPONSES FROM CONSULTÉES**

- 7.1 Local Highway Authority (LHA) – No objections, subject to conditions requiring a condition survey of highways to be used for construction traffic; car parking and cycle parking to be implemented; a surface water drainage scheme; submission of a construction environmental management plan; submission of a travel plan; provision of visibility splays to be maintained; and provision of a lighting scheme.
- 7.2 Transport for Greater Manchester – No objections. Provides guidance regarding access to the site, visibility splays and travel plan contents.
- 7.3 United Utilities – Recommends a condition requiring a surface water drainage scheme to be submitted.

- 7.4 Lead Local Flood Authority – Recommends a condition requiring a surface water drainage scheme to be submitted.
- 7.5 Environmental Health – No objections, subject to conditions requiring restrictions on construction working hours and bin storage provisions.
- 7.6 Contaminated Land – No objections, subject to conditions which require submission of a site investigation strategy, followed by options appraisal and remediation strategy, and a verification plan alongside any long term monitoring and maintenance arrangements.
- 7.7 Coal Authority – No objections. Notes that the site lies within the defined Development High Risk Area, but considers that there is no undue risk from coal mining to future occupiers.
- 7.8 Waste Management – No objections.
- 7.9 Arborist – No objections, no significant trees are on the site.
- 7.10 Greater Manchester Ecology Unit – No objections.

## **8. ANALYSIS**

- 8.1 Section 5 of the NPPF requires local planning authorities to support the delivery of a wide choice of quality homes in sustainable locations. Policy H2 (Unallocated Sites) states that unless other considerations take precedence in a particular case, the Council will permit the redevelopment of previously developed land for residential use and the conversion of existing buildings to such use, where these are not specifically allocated for this purpose in the plan. Paragraph 60 of the NPPF identifies the Government objective to significantly boost the supply of homes, stating that it is important that a sufficient amount and variety of land can come forward where it is needed and that land with permission is developed without unnecessary delay. UDP policies 1.6, H1 and H2 promote the re-use of previously developed sites within accessible areas, and given the sites location within a built-up residential area, close to a town centre and with links to services, the proposals would meet these policy objectives.
- 8.2 There is no doubt that the site constitutes previously developed land (PDL) for the purposes of the planning assessment. The proposal presents an opportunity to address this by instating long-term stewardship of the site. The Council does not have a 5 year housing supply, where the NPPF is clear that contribution to housing supply is a material consideration in the assessment process. The opportunity to make a positive contribution to housing supply by the redevelopment of a brownfield site is considered to be highly sustainable and is afforded significant weight in the determination of the application. The site is situated outside of a town centre, but close to that of Hyde. As per the above policies, residential development would be in-keeping with this built-up urban area, located close to the town centre, bus services, shops and other services. This development thereby represents an appropriate re-use of previously developed land. In light of the above, the application is acceptable in principle.
- 8.3 The applicant has indicated that the development would include some element of supported living for future occupiers. The proposals demonstrate that each of the apartments would be self-contained, and self-sufficient per se, all including bedroom, bathroom, kitchen/dining and living space facilities. Whilst this layout would allow occupiers to live within their own homes, it would allow some element of care to be provided to some residents, when required and as their care needs may change. It has been assumed from the submitted information that care to be provided would range from occasional to more intensive. Use Class C3, under Article 2 of the Use Classes Order 1987 (as amended) involves use as a dwelling house (whether or not as a sole or main residence) either: by a single person or by people to be regarded as forming a single household; or by not more than six residents living together as a single

household where care is provided for residents; or by not more than six residents living together as a single household where no care is provided to residents. The submitted floor plans show that staff facilities, including a staff office, meeting room, training/activity room and toilets, would be provided. On the basis of this, the building would not be utilised as a residential care facility (under Use Class C2). The staff facilities make up a small proportion of the overall apartment development, and is proportionate and incidental to the apartments.

- 8.4 The site is located within a highly accessible area close to a town centre, connected to public transport, local services and employment uses within Hyde. In light of the above, the principle of residential development in this location is considered to be acceptable.

## **9. DESIGN & LAYOUT**

- 9.1 Policies within the UDP, NPPF and the adopted Residential Design Guide SPD are clear in their expectations of achieving high quality development that enhances a locality and contributes to place making objectives. The NPPF emphasises that development should be refused where it fails to take opportunities available to improve the character and quality of an area and the way that it functions (para. 134).
- 9.2 The current building, which occupies part of the site, is two storey and is part brick built, part rendered. The building previously housed a children's play centre, and prior to that a cash and carry premises. Demolition of the building is not considered as an issue visually, given its commercial and relatively utilitarian appearance.
- 9.3 The immediate surroundings, including along Syddall Street to the front of the site, and both Henry Street and Oldham Street which run to the east and west of the site, are characterised by reasonably high density housing in a terraced form. The proposed development seeks to similarly replicate this type of housing. Although apartments internally, the building would have the appearance of a two storey terraced block, fronting Syddall Street and situated at the back of pavement, similar to those existing dwellings opposite.
- 9.4 Although of a more modern appearance, and with a greater number of windows and less doors to their front elevation, the apartment building would be of a slightly lower height to the existing dwellings. The elevations would have a simple form, with a consistent roof and eaves line. To the front elevation, windows would include a header and cill feature which would add interest to the building. Entrance doors would include a small sloping canopy, which would break up the mass of the front elevation.
- 9.5 To the rear elevation, the building would feature dormers within the roof space. These would be of a flat-roofed design, but would be set below the ridge line, and therefore not unduly visible from public vantage points.
- 9.6 In light of the above, it is considered that the proposed development would be appropriate in appearance, similar to the terraced character of the immediate street and those surrounding the site. The removal of proposed front dormers has alleviated initial concerns raised with the applicant. The visual amenity of the development is thereby considered to be acceptable in this location.

## **10. RESIDENTIAL AMENITY**

- 10.1 Windows which would serve habitable rooms would be positioned within both the front and rear elevations of the building. Policy RD5 of the Residential Design SPD states that facing habitable room windows should be positioned at least 14m apart on street frontages, and at least 21m apart in other circumstances. For buildings of three or more storeys in height, this should be increased by an additional three metres for each additional storey.

- 10.2 The proposed building would measure two storeys in height, with additional space within the roof. This in turn would be served by dormers positioned to the rear elevation of the building. Neighbouring properties positioned to the south east of the site, fronting Church Street, are also two storey in height, but are situated at a higher land level than the host site. The distance between the rear elevation of the properties on Church Street and that of the proposed development would be 15.3m in most cases, but 12.7m in the case of one existing property which benefits from a two storey outrigger (the outriggers serving other properties do not appear to have rear facing windows within those spaces), and 10.9m in the case of one property which would face the side elevation of a section of the building. Although these distances are below that recommended within the SPD, on balance the immediate area is characterised by closely spaced terraced properties, with similar distances between nearby properties to those now proposed.
- 10.3 Neighbouring properties to the northern side of Syddall Street would face the front of the proposed apartments, with a distance of approximately 10.7m separating the two. Although this is below the 14m as recommended above for facing buildings on street frontages, again this is similar to the relationship on adjacent streets, with closely spaced terraced properties directly facing, situated at back of pavement. The proposed development would follow the established pattern and character of existing development within the area, and would achieve acceptable levels of privacy and amenity for both future and existing occupiers.
- 10.4 The proposed development would benefit from an outdoor amenity space within the rear yard area, to consist of pathways, grassed areas and landscaping. Although the rear upper floor windows of neighbouring properties along Church Street would overlook this area, the relationship would be similar to neighbouring properties, whereby external yard areas are overlooked by neighbouring properties. As a shared space, it would be valuable for future occupiers, and a condition is recommended which would require this to be completed prior to first occupation of any of the proposed units.
- 10.5 With regard to the amenity of future occupiers, it is noted that both the one and two bedroom apartments would exceed each of the required floor space internally, as outlined within the Government' Technical Housing Standards document (nationally described space standard), in order to achieve a reasonable standard of amenity. On this basis, the development is acceptable in this regard, providing adequate internal space for future occupiers.
- 10.6 The site lies within a primarily residential location, with some commercial units fronting Church Street and Oldham Street. The site is well suited to residential development due to these surroundings. The Council's Environmental Health Officers have raised no objections to the development, subject to a condition recommending the hours of construction of the development be limited to daytime only. Such a condition is necessary to protect the amenities of neighbouring properties.
- 10.7 In light of the above, the development is acceptable in this regard, ensuring a reasonable level of amenity for future occupiers, retaining a good standard of amenity for existing neighbouring residents, and not causing undue noise and disturbance to residential uses.

## **11. HIGHWAY SAFETY & ACCESSIBILITY**

- 11.1 The site is situated in a sustainable location, close to the town centre of Hyde and therefore within walking distance of shops, services and public transport provision operating close to the site. The Local Highways Authority (LHA) initially requested that an on-street car parking survey be carried out, which the applicant submitted and which demonstrated that there is sufficient capacity to accommodate additional parking for vehicles on the highway close to the application site. 4no. off-street spaces are proposed. The level of parking required on-street is unlikely to be above that which was required for the previous use of the site as a

children's play centre. The LHA also notes that cycle parking provision would be required within the development, and a travel plan is recommended to encourage future occupiers to use more sustainable transport modes than the private car.

- 11.2 The travel plan to be submitted would seek to raise awareness of opportunities for reducing travel by car and including a range of measures and initiatives promoting a choice of transport mode. The plan should also include a clear monitoring regime with agreed targets. Such a condition is therefore recommended.
- 11.3 The submitted plans demonstrate that cycle storage would be provided within the outdoor space to the rear. The LHA considers that at least 19no. spaces should be provided for use by cycles. These are important matters to promoting sustainable travel and can be addressed by way of a condition.
- 11.4 The LHA further recommend that adequate visibility splays be provided, at the junction between the development and Oldham Street. Similarly, they recommend that the existing structural condition of the highway be assessed prior to works commencing, in order that any damage undertaken during construction works could be rectified. They also recommend that a construction environmental management plan be provided, to ensure that the construction of the development would have no undue impacts upon highway safety. This is considered reasonable and relevant conditions are recommended.
- 11.5 In concluding highways matters, the proposed development would not result in an adverse impact on highway safety in terms of trip generation, and a travel plan would encourage use of sustainable transport methods for future users of the development, with cycle parking also provided. The site lies close to the town centre, within walking distance. Subject to the recommended conditions, the proposals would not result in a detrimental impact upon highway safety.

## **12. DRAINAGE AND FLOOD RISK**

- 12.1 The site lies within flood zone 1, at the least risk of flooding. The site is a previously developed site, previously operating as a children's play centre and previous to that as a retail cash and carry premises.
- 12.2 United Utilities has reviewed the submitted information, and they consider that further information should be submitted with regards to drainage, including surface water management. Similarly, although raising no objections to the scheme, the LLFA has concurred with United Utilities in the request for further information concerning drainage including surface water.
- 12.3 In light of the comments from both drainage bodies, it is appropriate to recommend a condition which requires a sustainable drainage scheme to be proposed and implemented. This would be submitted to the drainage bodies for their comment before implementation, and would ensure that the development is adequately drained and flood risk reduced.
- 12.4 Subject to imposition of the condition as set out above, the proposals would be adequately drained, subject to an acceptable scheme being agreed. The proposals would therefore not result in a detrimental impact upon flood risk or drainage capacity, in line with the provisions of national and local planning policy.

## **13. GROUND CONDITIONS**

- 13.1 The Coal Authority has noted that the site lies within the defined Development High Risk Area, and their records indicate that within the application site and surrounding there are coal

mining features and hazards which need to be considered in relation to the assessment of the application. The submitted information references probable shallow coalmine workings associated with a thick coal seam outcrop, and both voids and broken ground associated with these workings can pose a risk of ground instability and may result in emission of mine gases. The Coal Authority considers however, based on a review of appropriate coalmining and geological information, that the seam is not recorded to have been worked in the local area, and accordingly no specific remedial measures are considered necessary. Other contamination risks may be relevant, however these are considered further by the Council's Environmental Protection Unit (EPU) below.

- 13.2 The EPU have reviewed the submitted information. Potential sources of contamination and ground gas identified at the site includes infilled basements associated with the former terraced housing on the site, asbestos containing materials (ACM) from any construction and demolition materials present and made ground. The EPU recommend that site investigations be undertaken in order for the assumptions made in the submitted preliminary site conceptual model to be confirmed. The EPU note that historical mapping for the mid-late 1800's appears to identify a brickfield on site which extends further to the north towards Chapel Street, and dependent on the type of materials used to infill this feature, it may pose both a contamination and ground gas risk. In addition, the former use of the commercial/industrial building could have included the use of potentially contaminating materials and substances (including volatile contaminants) and potentially contaminating processes or activities. Both the brickfield and the former commercial/industrial building should therefore be identified as specific sources of contamination/ground gas with the preliminary conceptual site model and appropriately investigated. Therefore, a condition is recommended which requires a site investigation strategy to be undertaken, followed by an options appraisal and remediation strategy setting out details of any required remediation works, and measures to address any unacceptable risks posed by contamination. Finally, a verification plan would be required to be submitted in order to demonstrate that the works and measures set out in the remediation strategy have been implemented, alongside any requirements for long term monitoring and maintenance. It is also required that a verification/completion report be submitted, in order to demonstrate that all remedial works and measures have been undertaken.
- 13.3 The condition recommended by the EPU is 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. ECOLOGY**

- 14.1 Consultation has taken place with Greater Manchester Ecology Unit, who have confirmed that they have no objections to the proposed development. They note that the site is largely cleared, and consider that the development would not raise any ecological concerns or harm to protected species.
- 14.2 The application is therefore acceptable in this regard.

## **15. AFFORDABLE HOUSING AND OTHER CONTRIBUTIONS**

- 15.1 In relation to developer contributions, any requirements in this regard must satisfy the following tests (as stated in paragraph 57 of the NPPF):
- a) necessary to make the development acceptable in planning terms;
  - b) directly related to the development; and
  - c) fairly and reasonably related in scale and kind to the development.

- 15.2 The proposal is for a major development, as such there would normally be a requirement to meet affordable housing (15%), green space and education contributions as per the requirements of policies H4, H5 and H6 of the UDP.
- 15.3 Paragraph 65 of the NPPF identifies that all major residential developments (those of 10 units and above) should include the provision of affordable housing. This is below the threshold identified by policy H5 which set a threshold of 25 units. The Housing Needs Assessment identifies an expectation of provision of 15% of units on an affordable basis. The glossary of the NPPF provides a definition of affordable housing.
- 15.4 Policy H5 of the UDP identifies provision of open space and facilities, where there is a deficiency of children's play areas, informal local recreational open spaces or sports pitches in an area. Where it is not practical or desirable to accommodate some or all of the required open space and facilities as part of the development itself, the Council will seek an equivalent payment for the remainder or all of the provision.
- 15.5 With regard to open space facilities, there is an outdoor area proposed to the rear of the building, which would be landscaped and would be available to future occupants. This would ensure that an area of outdoor amenity space is available for occupants to enjoy outside of their individual apartments. It is considered that no further contribution to open space, off-site, is therefore warranted. Noting that the apartments would be one and two bedroomed, it is considered unlikely that the development is family accommodation. Contributions towards education facilities would therefore not be warranted.
- 15.6 Paragraph 64 of the NPPF states that to support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount. The National Planning Practice Guidance (NPPG) provides further guidance regarding this. It states that where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace.
- 15.7 The NPPG goes on to state that where there is an overall increase in floorspace in the proposed development, the local planning authority should calculate the amount of affordable housing contributions required from the development as set out in their Local Plan. A 'credit' should then be applied which is the equivalent of the gross floorspace of any relevant vacant buildings being brought back into use or demolished as part of the scheme and deducted from the overall affordable housing contribution calculation. This will apply in calculating either the number of affordable housing units to be provided within the development or where an equivalent financial contribution is being provided. The existing floorspace of a vacant building should be credited against the floorspace of the new development.
- 15.8 The NPPG states that vacant building credit applies where the building has not been abandoned. It may also be appropriate to consider whether the building has been made vacant for the sole purposes of re-development; and whether the building is covered by an extant or recently expired planning permission for the same or substantially the same development. The building was granted planning permission in 2019 for change of use from retail unit to children's play facility (ref: 18/00163/FUL, followed by 19/01040/FUL). The applicant has provided supporting information stating that the building has been vacant since August 2022, and due to market conditions, it has not been possible to re-let the building to an alternative tenant. It is not considered that the period of time elapsed since the building was in use leads it to being abandoned, and the proposed development would allow a comprehensive redevelopment of the site for viable purposes.

- 15.9 The submitted supporting information notes that the existing building (gross) internally consists of a ground floor (295sqm), with a partial mezzanine floor above. Combined, this floorspace totals 426sqm. The proposed development, providing 19no. apartments, measures an overall gross internal floorspace of 1156sqm. An on-site affordable housing contribution of 15% would be sought as the policy requires, explained above. This would ordinarily present a requirement of 2.85 affordable dwellings (to be rounded up to 3 dwellings). However, the credit proportion as a result of the floorspace of the existing building allows the affordable contribution to be reduced by 37% - from 2.85 to 1.80 affordable dwellings as a requirement. Rounded to the nearest whole number as per the requirements of the policy, this means that 2 dwellings are required to be provided for affordable housing purposes.
- 15.10 In light of the above, based on the case put forward by the applicant in demonstrating vacant building credit would apply in this case, a contribution towards 2 (rather than 3) affordable units is sought, for the provision to be made on-site. This is recommended to be controlled via condition and is compliant with national guidance regarding re-use of vacant buildings. The case for vacant building credit is accepted, resulting in a lower affordable housing contribution than would be sought if no credit were applied.
- 15.11 The application therefore accords with Policies H4, H5 and H6 of the UDP, and the NPPF.

## **16. OTHER MATTERS**

- 16.1 The submitted plans demonstrate that a bin store would be provided as part of the proposals. The Council's Waste Management officers note the intention of the applicant for the development to be served by a regular waste contract. The Council's Environmental Health officers have reviewed the submitted plans, and consider that the size of the bin store is sufficient for the proposed development, aside from the food waste facilities. A condition is therefore recommended requiring further details of the bin store to be provided pre-occupation of the development, in order that adequate waste storage provision is provided. Assuming the condition is attached should the application be approved, it is considered that the proposals would meet the requirements of the National Planning Policy for Waste (NPPW).

## **17. CONCLUSION**

- 17.1 The application proposes the demolition of a children's play centre, and new build apartments to be constructed on the site. The site is previously developed, brownfield land, and is not allocated for other purposes.
- 17.2 The site is situated within close proximity of Hyde town centre, and therefore within walking distance of shops, services and public transport links, which provide sustainable connections to surrounding areas. Re-use of a brownfield site such as this accords with local and national policy, introducing residential development to an area primarily characterised by existing housing.
- 17.3 The design and scale of the development is appropriate for this location. Although apartments, the building would appear similar in style and scale to the two storey terraced properties which neighbour the site. Previously proposed dormers to the front elevations have been removed, and are now only proposed to the rear, not widely visible from public vantage points and therefore considered acceptable.
- 17.4 The proposal is considered not to be detrimental to residential amenity, given the proposing distances between residential uses, similar to those within the vicinity of the site.

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

## RECOMMENDATION

Grant planning permission subject to the following conditions:

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

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

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

- Existing site location plan block plan (dwg no. 0100 3 01, rev. A);
- Flats proposed section (dwg no. 0100 3 15);
- Flats proposed site plan proposed block plan (dwg no. 0100 3 100, rev. E);
- Flats proposed elevations (dwg no. 0100 3 12, rev. B);
- Flats proposed plans (dwg no. 0100 3 11, rev. D);
- Flats proposed exterior views (dwg no. 0100 3 13, rev. B).

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

- 3) Notwithstanding any description of materials in the application form and shown within the Design & Access Statement no above ground works shall take place until samples and/or full specification of materials to be used externally on the building have been submitted to, and approved in writing by, the local planning authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

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

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

1. A site investigation strategy based on WML Consulting's Phase 1 Desk Study and Preliminary Geoenvironmental Assessment dated February 2023 (ref: 10489G-WML-XX-ZZ RP-G-0001) detailing all investigations including sampling, analysis and monitoring that will be undertaken at the site in order to enable the nature and extent of any contamination to be determined and a detailed assessment of the

risks posed to be carried out. The strategy shall be approved in writing by the LPA prior to any investigation works commencing at the site.

2. The findings of the site investigation and detailed risk assessment referred to in point (1) including all relevant soil/water analysis and ground gas/groundwater monitoring data.
3. Based on the site investigation and detailed risk assessment referred to in point (2) an options appraisal and remediation strategy setting out full details of the remediation works and measures required to address any unacceptable risks posed by contamination and how they are to be implemented.
4. A verification plan detailing the information that will be obtained in order to demonstrate the works and measures set out in the remediation strategy in point (3) have been fully implemented including any requirements for long term monitoring and maintenance.

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

- 5) Prior to the first occupation of the development hereby approved, and upon completion of any approved remediation scheme(s), a verification/completion report demonstrating all remedial works and measures detailed in the scheme(s) have been implemented shall be submitted to and approved in writing by the Local Planning Authority. The report shall also include full details of the arrangements for any long term monitoring and maintenance as identified in the approved verification plan. The long term monitoring and maintenance shall be undertaken as approved.

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

For the avoidance of doubt, the discharge of this planning condition will be given in writing by the Local Planning Authority on completion of the development and once all information specified within this condition and any other requested information has been provided to the satisfaction of the Local Planning Authority.

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

- 6) Prior to the commencement of the development hereby approved, a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes shall include:
  - (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
  - (ii) A restricted rate of discharge of surface water agreed with the Local Planning Authority (if it is agreed that infiltration is discounted by the investigations). In the event of surface water discharging to the public combined sewer, the rate of discharge shall be restricted to 5 l/s;

- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The schemes shall be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage.

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

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

- 7) Prior to the first occupation of the apartments hereby approved, details of secured cycle storage to be installed to serve the apartments shall be submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans showing the location of storage and details of the means of enclosure. The secured cycle storage shall be installed in accordance with the approved details prior to the first occupation of the apartments 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.

- 8) Prior to the first occupation of the development hereby approved, full details of the refuse and recycling storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be implemented in conjunction with the approved method statement prior to the first use or occupation of the development and shall be retained as such thereafter.

Reason: In the interests of encouraging recycling and visual amenity in accordance with Policies C1 and H10 of the adopted Tameside Unitary Development Plan and the National Planning Policy for Waste.

- 9) During demolition/construction no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays, and 08:00 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.

- 10) Prior to the first occupation of the development hereby approved, a travel plan shall be submitted to and approved in writing by the Local Planning Authority. The travel plan shall be reviewed and updated on an annual basis in accordance with details that shall be outlined in the submitted plan; and all updates 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, procedures for any remedial action that may be required and a timetable for implementing each element of the plan. The 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.

- 11) No development shall commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of:-
- Arrangements for temporary construction access;
  - Contractor and construction worker car parking;
  - Turning facilities during the remediation and construction phases; and
  - Details of on-site storage facilities.

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

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

- 12) Prior to the first occupation of the apartments hereby approved, the car parking indicated on the approved plans shall be implemented and thereafter kept unobstructed for their intended use thereafter. Driveways shall be constructed on a level which prevents displacement of materials or surface water onto the highway and shall be retained as such thereafter.

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

- 13) No development shall commence until a condition survey (including structural integrity) of the highways to be used by construction traffic has been 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 submitted to and approved in writing by the Local Planning Authority which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme, including timescales, 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 National Planning Policy Framework.

- 14) A clear view shall be maintained at the junction of the site access and Oldham Street, measuring an area 2.4m along the centre of the access road and 43m along the edge of the highway on Oldham Street. The area shall be kept clear of anything higher than 0.6m along the edge of the adjoining carriageway and access, on land within the control of the site and shall be maintained 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.

- 15) No development shall commence until a lighting scheme to provide lighting on the driveways and car parking and servicing areas off the adopted highway has been submitted to and approved in writing by the Local Planning Authority. The approved lighting scheme shall be completed prior to first occupation 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.

- 16) No development, other than site clearance, demolition and site compound set up, shall commence until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:
- i. The numbers, type, tenure and location within the block of the affordable housing provision to be made which shall consist of not less than 2no. of the housing units;
  - ii. The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
  - iii. The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord involved;
  - iv. The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and,
  - v. The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

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



Distance (m)	Speed (m/s)
0 - 2	10
2 - 4	0
4 - 6	10
6 - 8	0
8 - 10	10
10 - 20	0
20 - 30	10
30 - 40	0
40 - 50	10


[illegible]Client \_\_\_\_\_

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Project \_\_\_\_\_

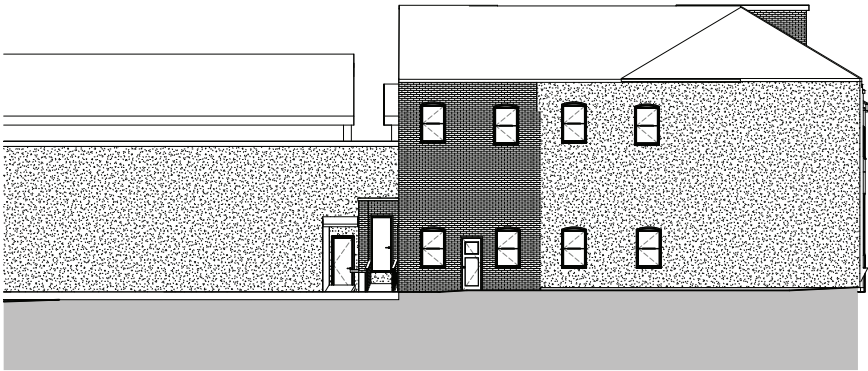
Drawing

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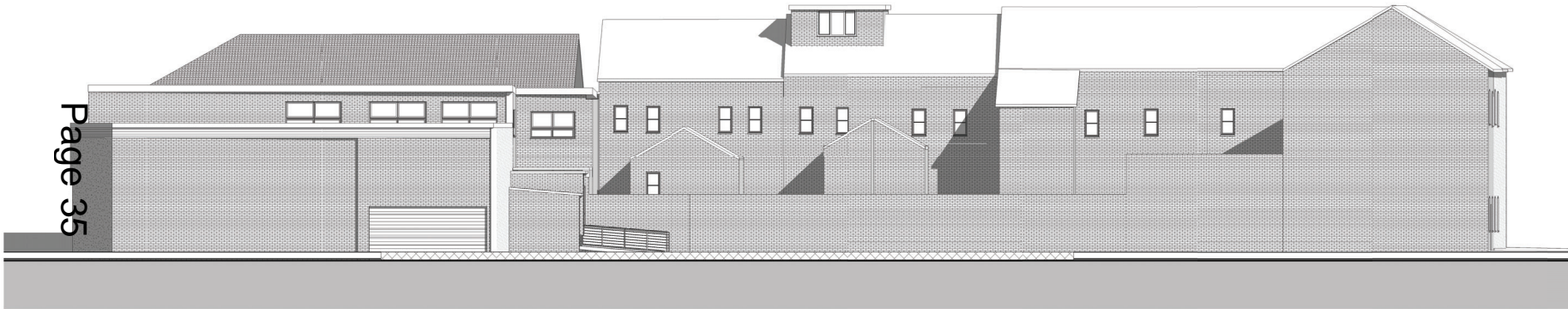
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Existing Side Elevation  
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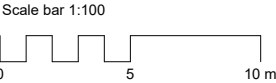


Existing Side Elevation 1  
1 : 100



Existing Rear Elevation  
1 : 100

Page 35



# PLANNING

Rev	Description	Issued	Drawn	CHK

Client  
**Ascot International**  
**1 Syddall Street**  
**Hyde**  
**SK14 1LB**

Drawing  
**EXISTING**  
**Elevations**

Scale	Date	AP	US
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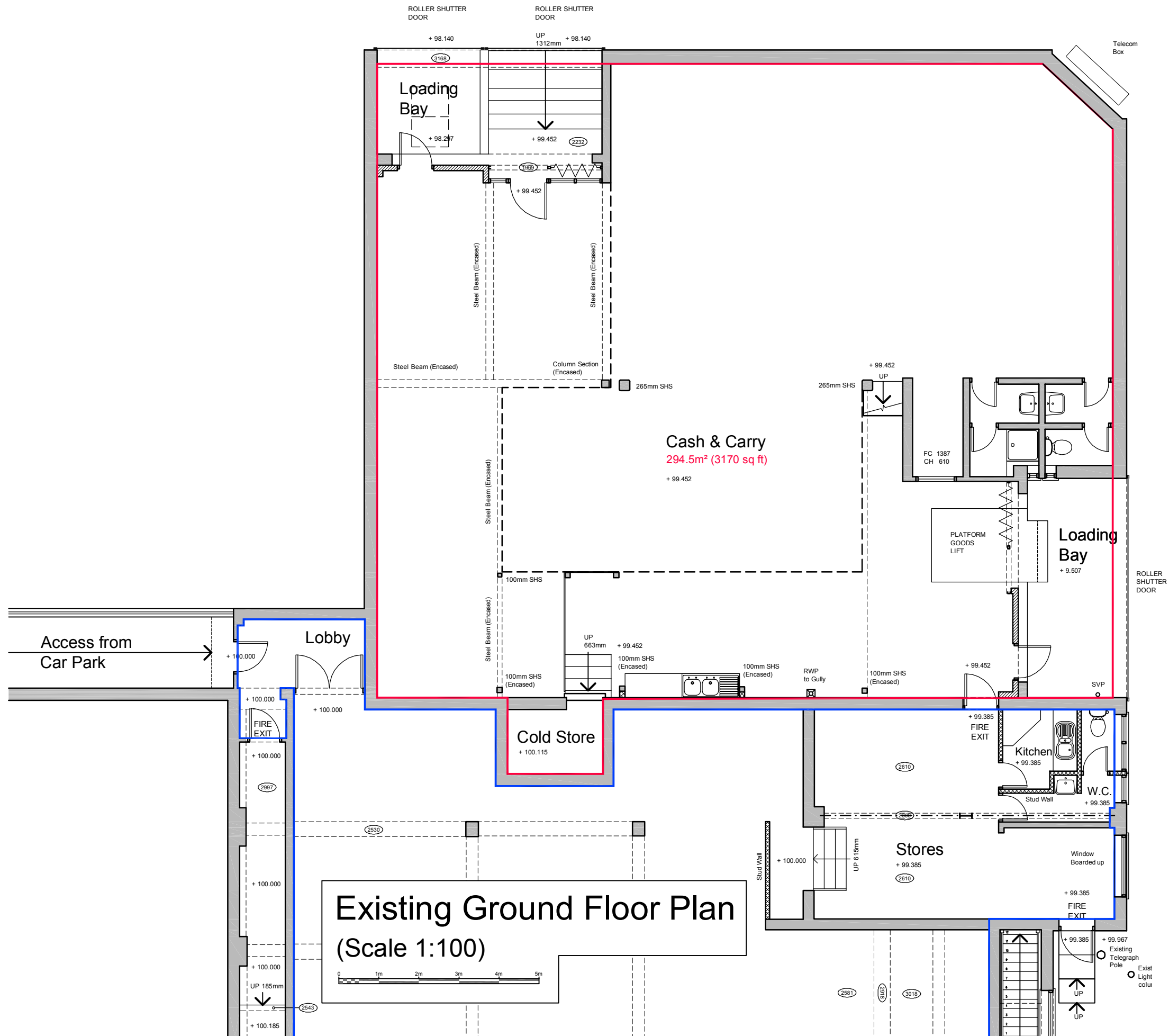


LifeTimeHigh Ltd  
Kemp House  
152-160 City Road  
LONDON  
EC1V 2NX

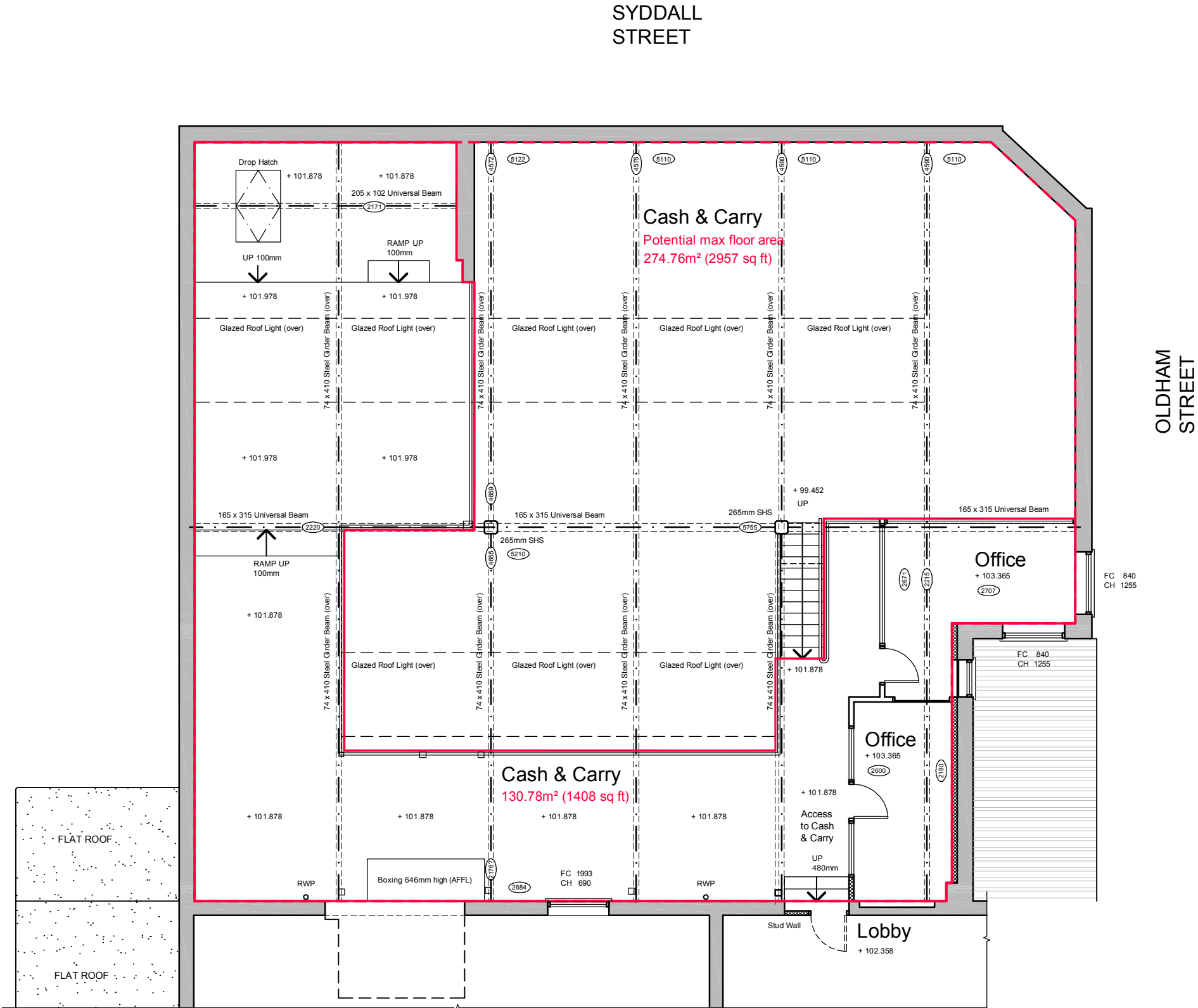
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SYDDALL  
STREET



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Existing Mezzanine Floor Plan  
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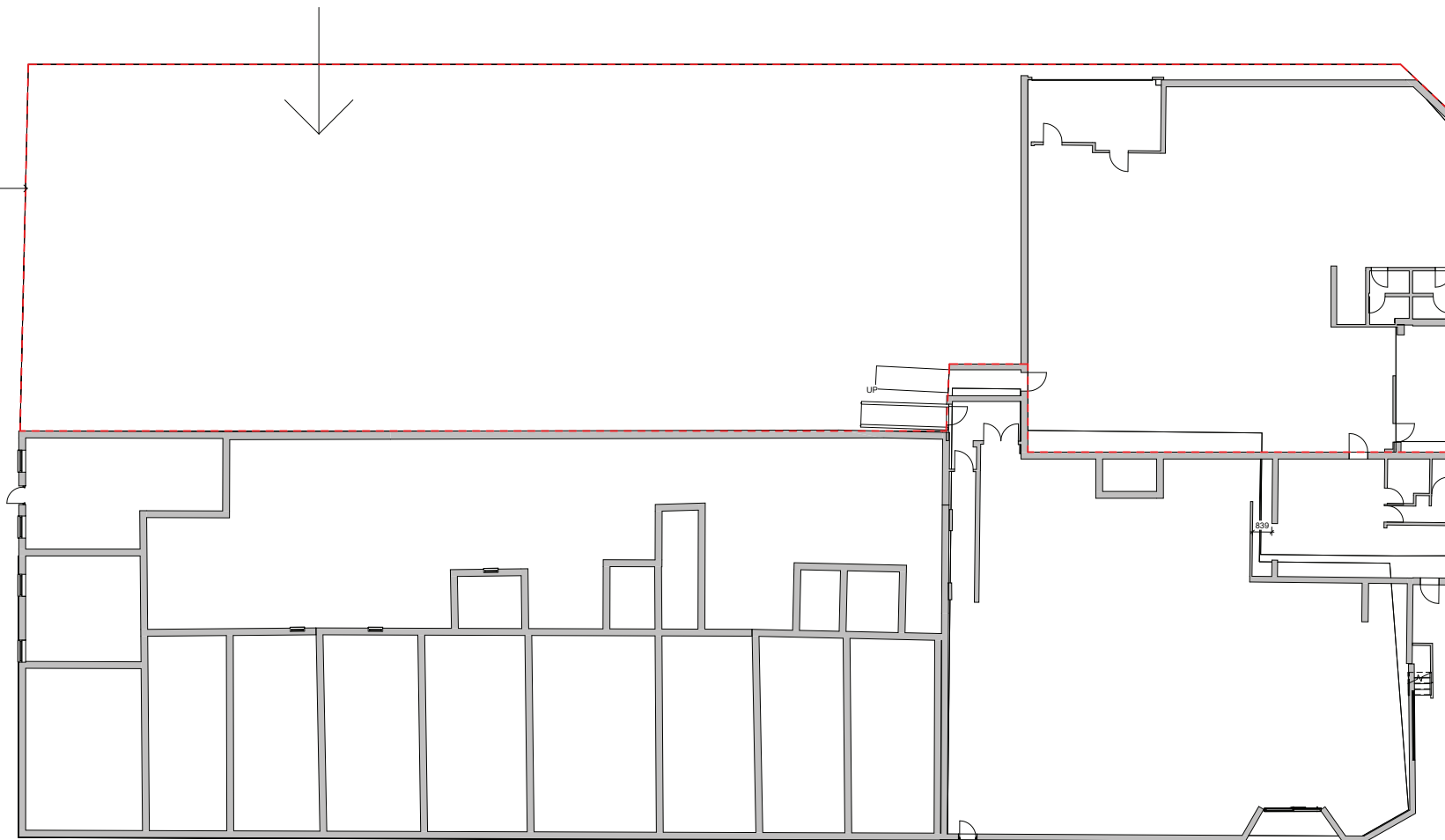


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### Existing Entrance

## Fencing

Page 41



### Existing Site Plan

Site Boundary: - - - - -

## PLANNING

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Project  
1 Syddall Street  
Hyde  
SK14 1LB

## EXISTING Site Plan

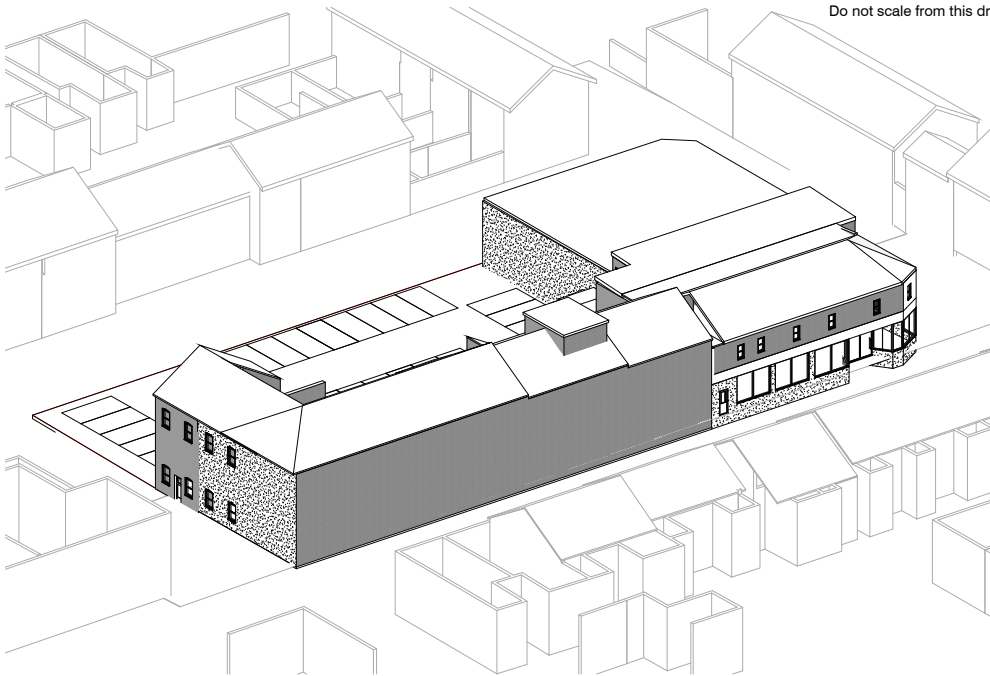
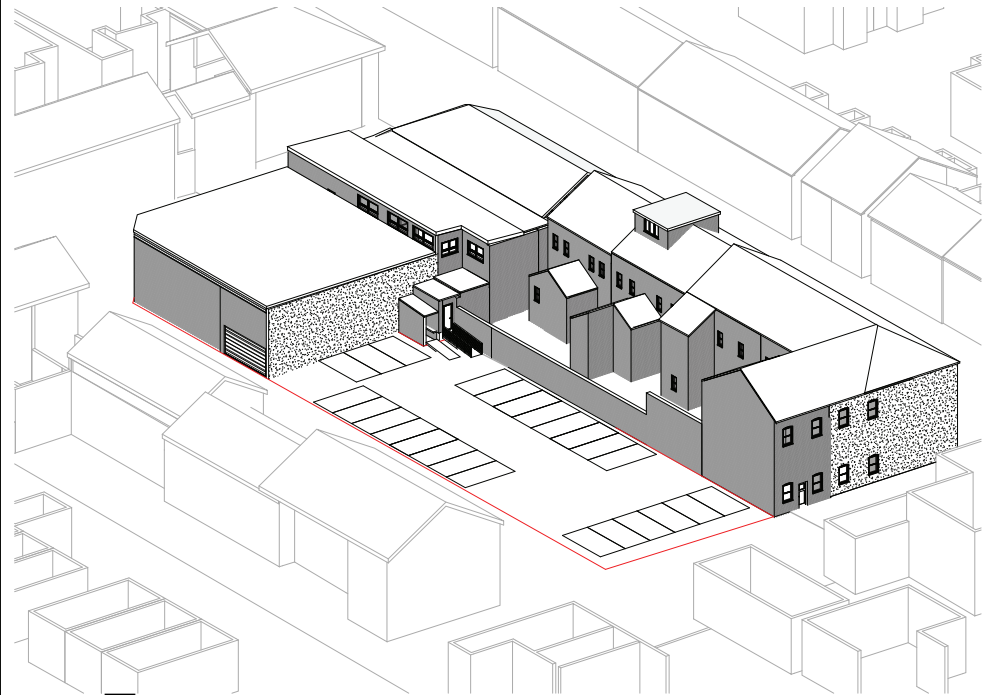
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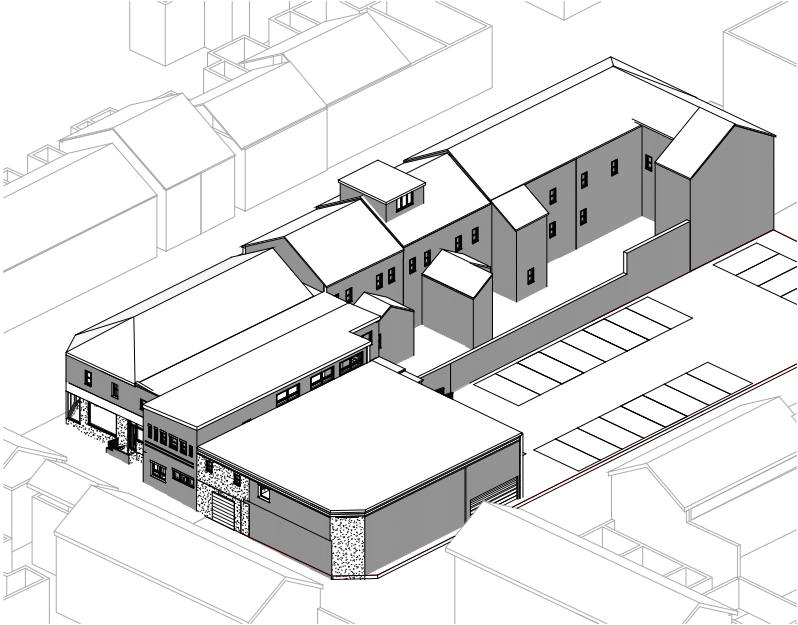
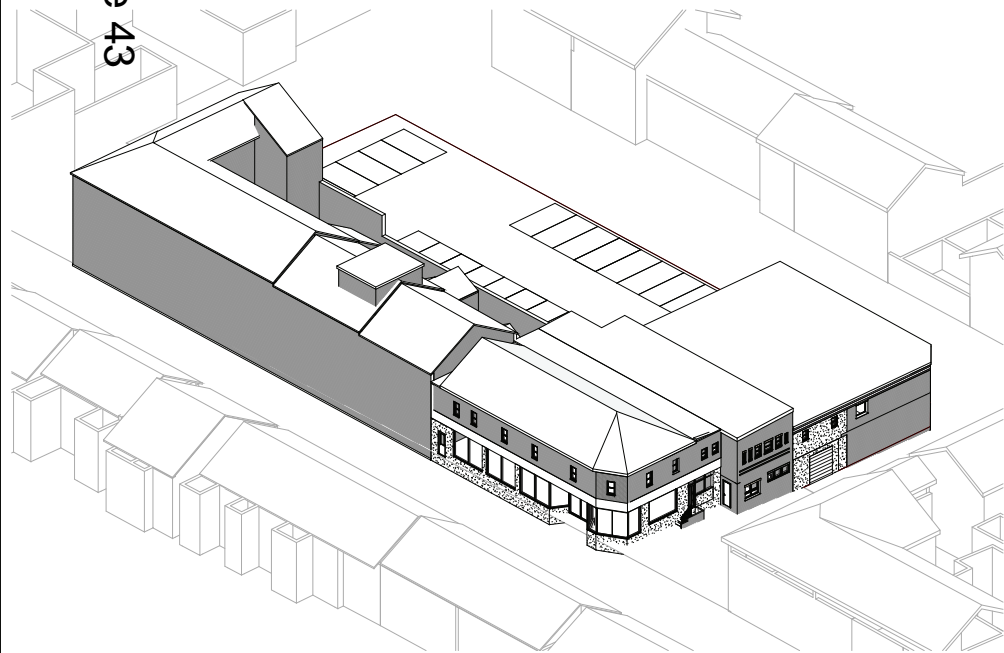
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Existing Exterior View 1

Existing Exterior View 2



Existing Exterior View 3

Existing Exterior View 4

# PLANNING

Rev	Description	Issued	Drawn	CHK

Client  
**Ascot International**

Project  
**1 Syddall Street  
Hyde  
SK14 1LB**

Drawing  
**Existing Exterior Views with context**

Scale	Date	AP	US
@A1	Feb '23		



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### Front Elevation

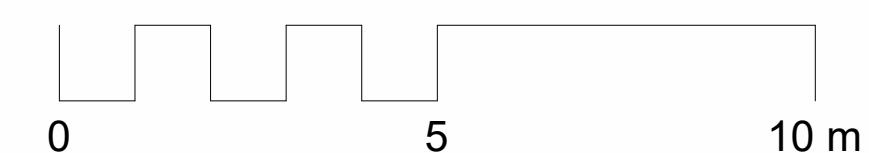
1 : 100



## Rear Elevation

1 : 100

Scale bar 1:100



# PLANNING

B	Bin Storage Updated	26.05.2023		
A	Issued	30.03.23	AP	
Rev	Description	Issued	Dwn	Chk

Client

Ascot International

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Project

Proposed Flats  
1 Syddall Street Hyde SK14  
1LB

Drawing

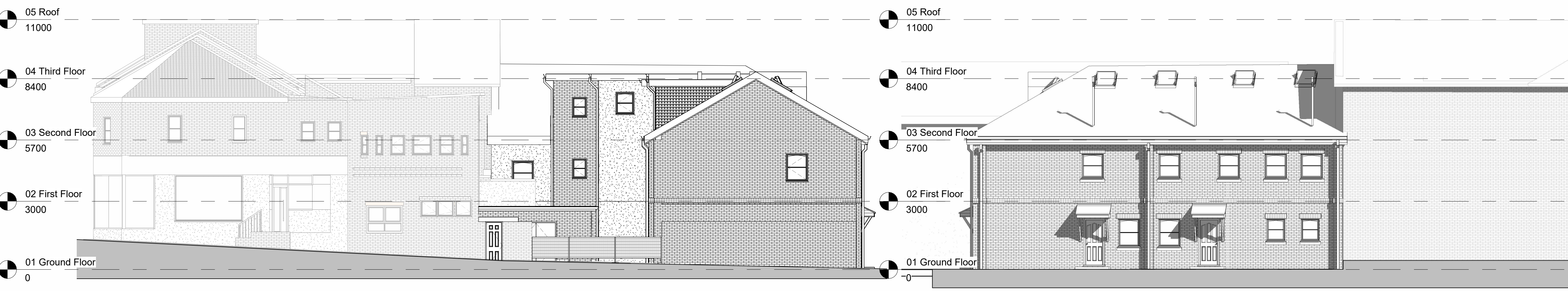
## FLATS

### Proposed Elevations

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1 : 100@A1	Feb '23	AP	US



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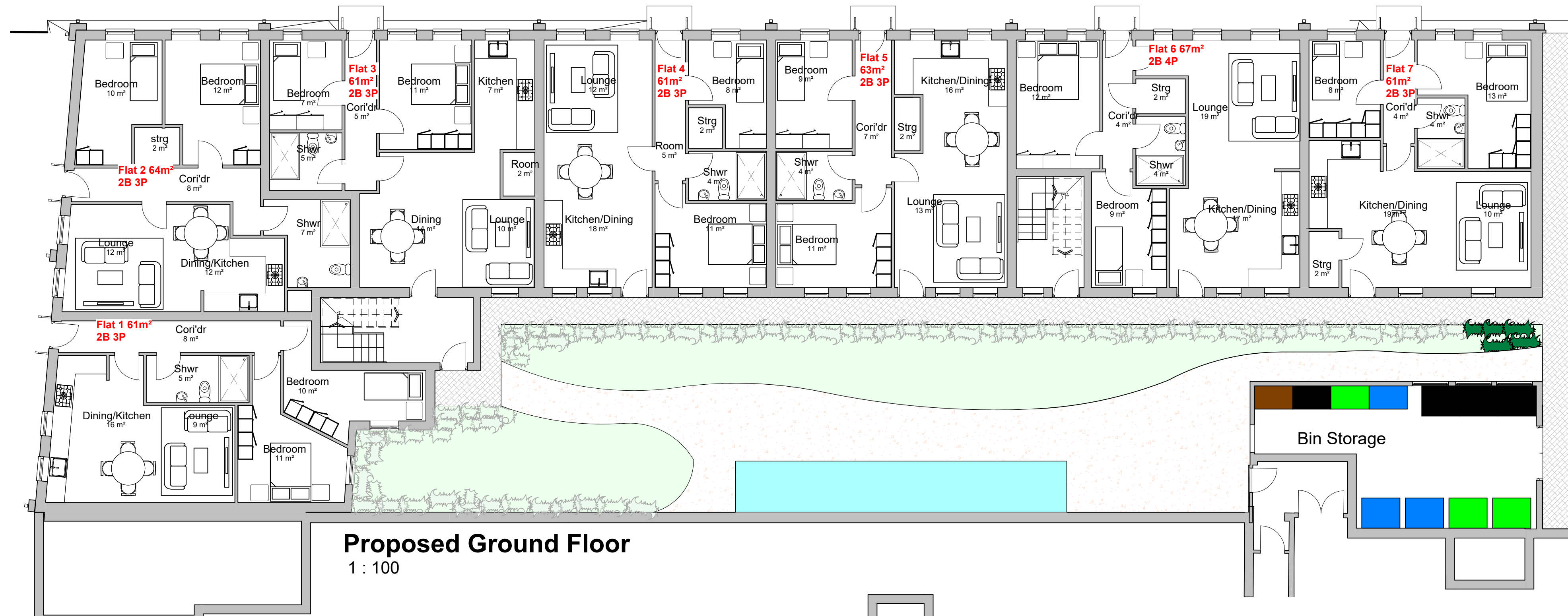
### Side Elevation 1

1 : 100

### Side Elevation 2

1 : 100

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GIA: potentials

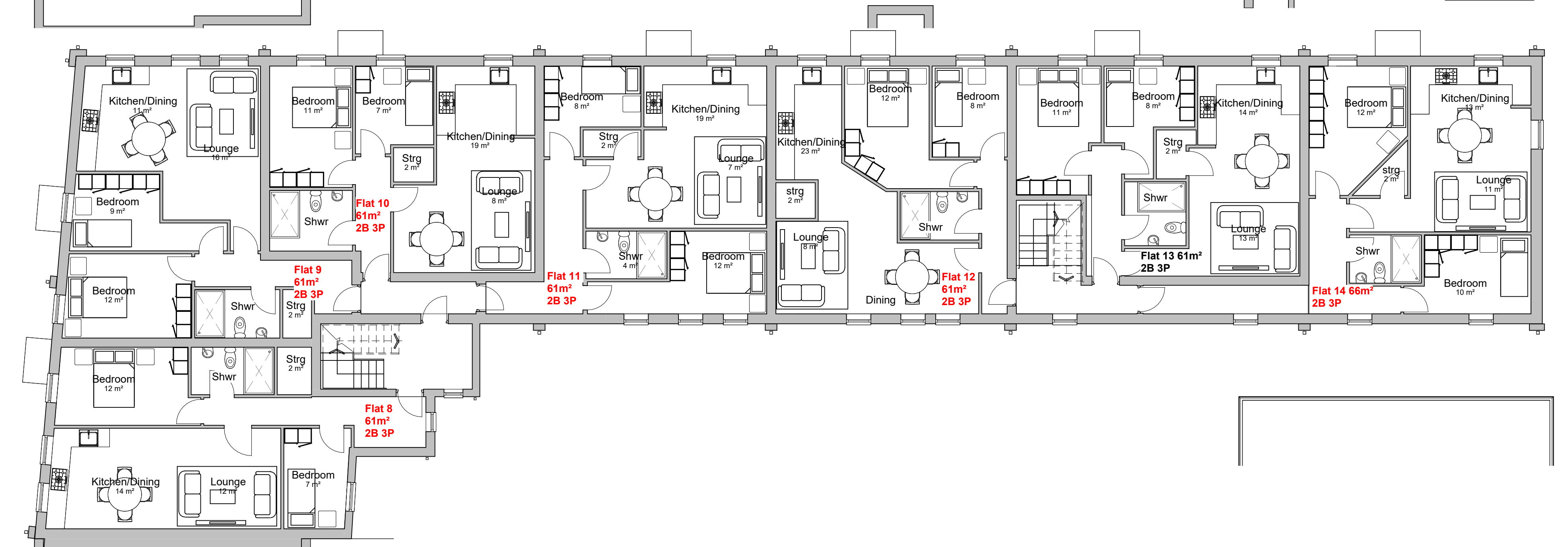
Flat 1 = 61m<sup>2</sup> 2B 3P  
Flat 2 = 64m<sup>2</sup> 2B 3P  
Flat 3 = 61m<sup>2</sup> 2B 3P  
Flat 4 = 61m<sup>2</sup> 2B 3P  
Flat 5 = 63m<sup>2</sup> 2B 3P  
Flat 6 = 67m<sup>2</sup> 2B 3P  
Flat 7 = 61m<sup>2</sup> 2B 3P

Circulation total: 18m<sup>2</sup>  
Stairwell = 16m<sup>2</sup>

**FLATS ONLY SCHEME**

**Total Potential : 19**

**1B 1P = 1**  
**1B 2P = 1**  
**2B 3P = 17**

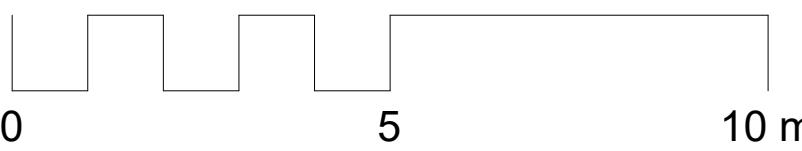


GIA:

Flat 8 = 61m<sup>2</sup> 2B 3P  
Flat 9 = 63m<sup>2</sup> 2B 3P  
Flat 10 = 61m<sup>2</sup> 2B 3P  
Flat 11 = 61m<sup>2</sup> 2B 3P  
Flat 12 = 61m<sup>2</sup> 2B 3P  
Flat 13 = 61m<sup>2</sup> 2B 3P  
Flat 14 = 66m<sup>2</sup> 2B 3P

Circulation total: 25m<sup>2</sup>  
Stairwell = 16m<sup>2</sup>

Scale bar 1:100



**PLANNING**

Rev	Description	Issued	Dwn	Chk
D	Bin Storage Updated	26.05.2023		
C	Plans Amended, dimensions added	23.05.18	AP	
B	Front Dormers omitted	23.05.15	AP	
A	Layout amended	22.03.23	AP	

Client  
Ascot International

Project  
Proposed Flats  
1 Syddall Street Hyde SK14  
1LB

Drawing  
FLATS  
Proposed Plans

Scale	Date	AP	US
1 : 100@A1	Feb '23	AP	US



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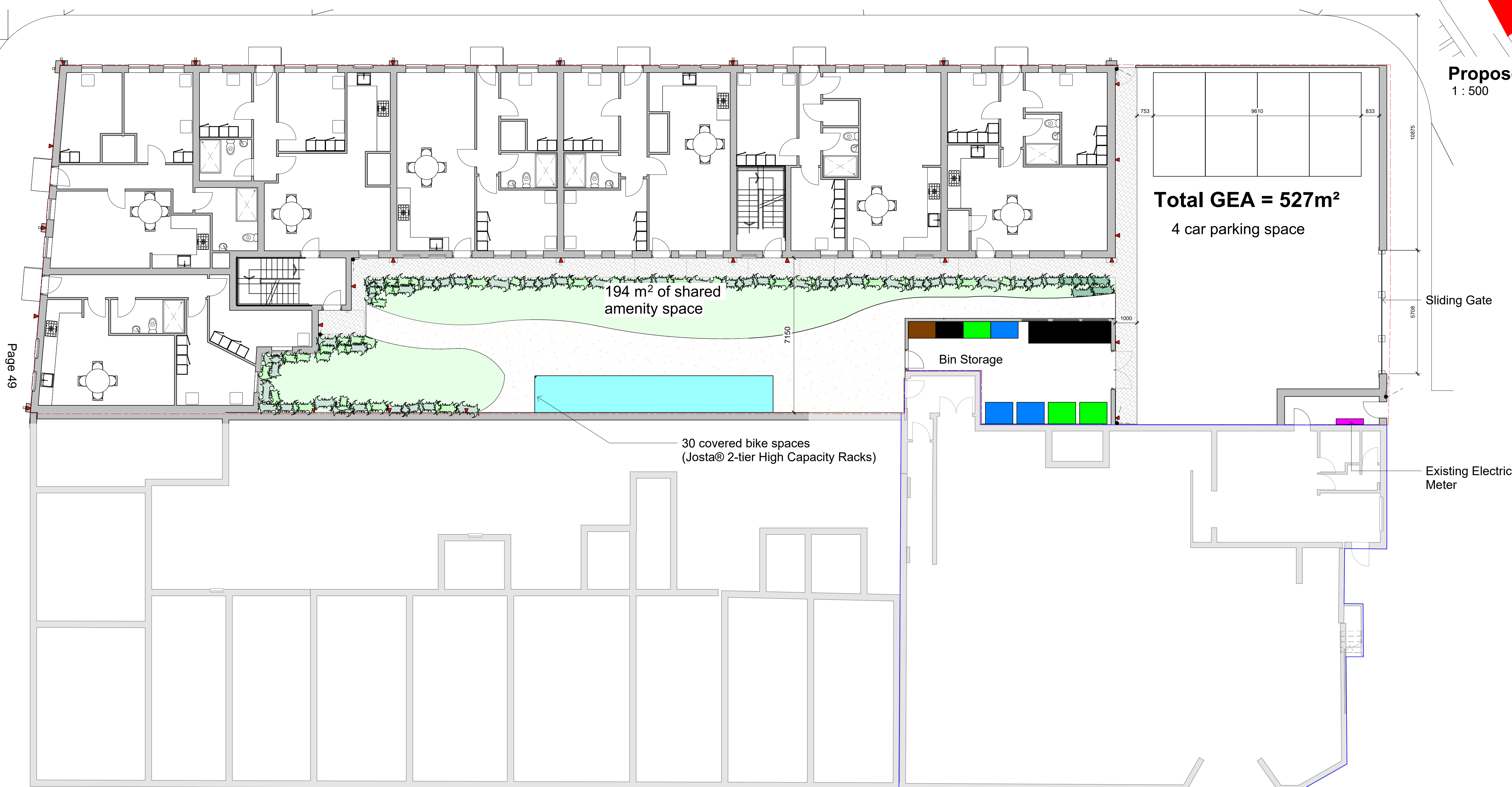


Scale bar 1:500

0 10 20 30 40 50 m

Scale bar 1:100

0 5 10 m



**FLATS ONLY SCHEME**  
**Total Potential : 19**  
**1B 1P = 1**  
**1B 2P = 1**  
**2B 3P = 17**

# PLANNING

E	Bin Storage Updated		26.05.2023		
D	Bins Updated		23.05.16		
C	Issued		30.03.23	AP	
B	Revised Parking		23.03.25	AP	
A	Revised Parking		23.03.20	AP	U
Rev	Description		Issued		Dam

Client

Client  
Ascot International

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Prolec

Project  
Proposed Flats  
1 Syddall Street Hyde SK14  
1LB

**Drawing**

FLATS  
Proposed Site Plan  
Proposed Block Plan

Scale	Date		
As	Feb '23	AP	US



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Client

Ascot International

Project

Proposed Flats  
1 Syddall Street Hyde SK14  
1LB

**Drawing**

## FLATS

### Proposed Section

Scale	Date		
As	March'23	AP	US

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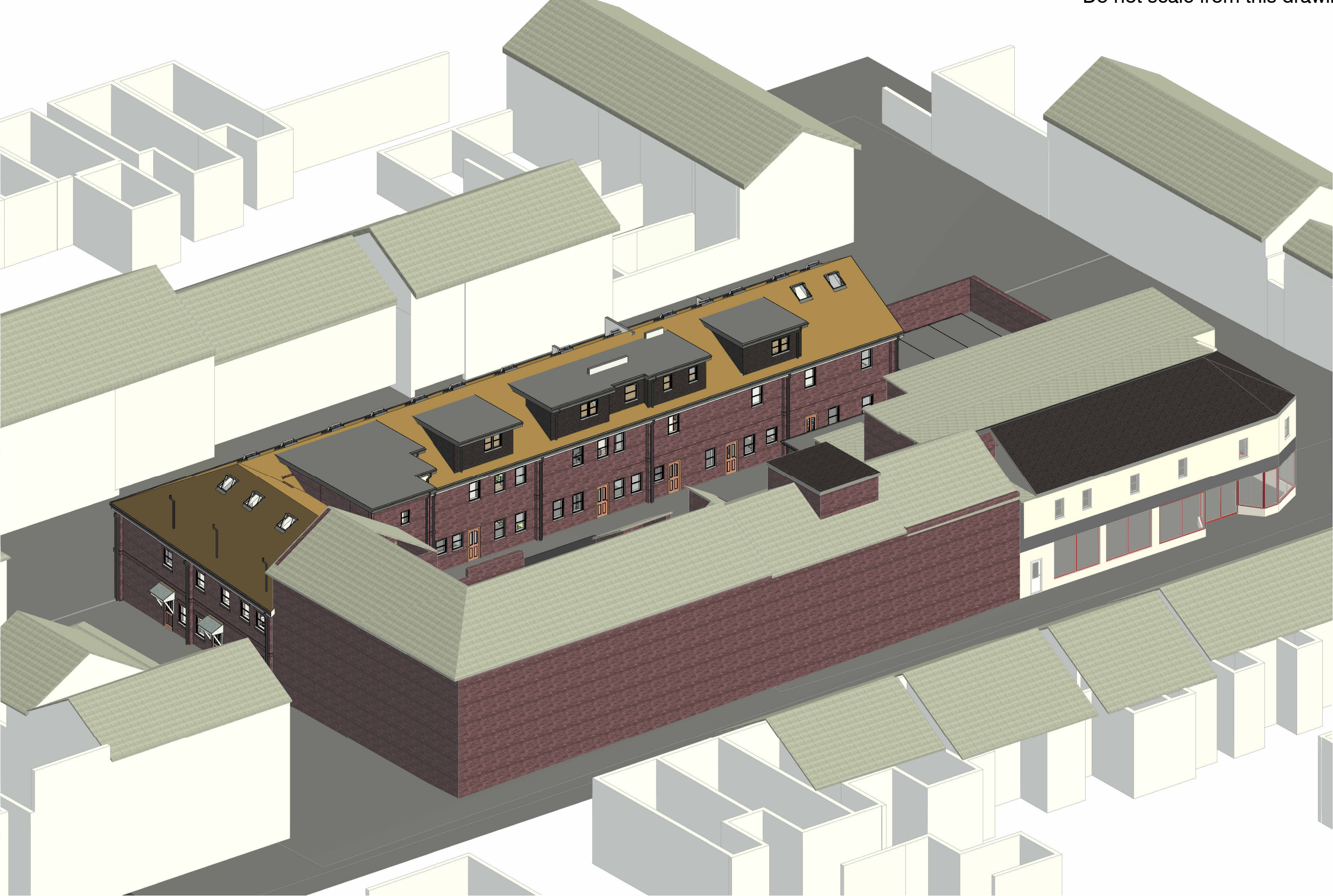
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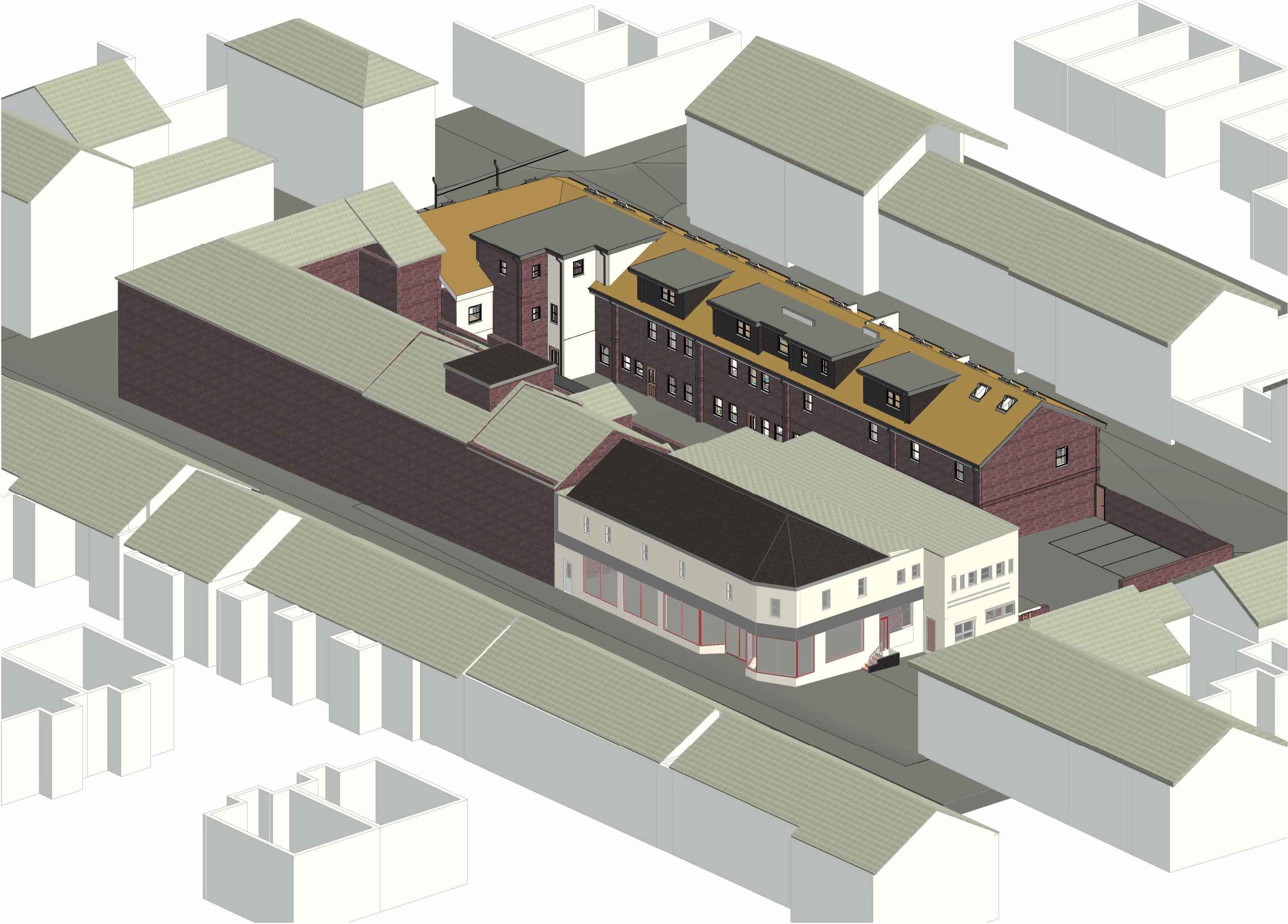
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Flats Proposal Exterior View 1



Flats Proposal Exterior View 2



Flats Proposal Exterior View 3



Flats Proposal Exterior View 4

PLANNING

B	Bin Storage Updated	26.05.2023	
A	Front Dormers omitted	23.05.15	AP
Rev	Description	Issued	Dwn Chk

Client  
Ascot International

Project  
Proposed Flats  
1 Syddall Street Hyde SK14 1LB

Drawing  
FLATS  
Proposed Exterior Views

Scale	Date	AP	US
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<b>Application Number:</b>	23/00479/FUL
<b>Proposal:</b>	Installation of seven No. kiosks and landscape bund required in connection with wider permitted development works.
<b>Site:</b>	Glossop Wastewater Treatment Works, Melandra Road, Mottram-in-Longendale
<b>Applicant:</b>	United Utilities
<b>Recommendation:</b>	Grant planning permission, subject to conditions.
<b>Reason for Report:</b>	A Speakers Panel decision is required because the application has been advertised as departure from the development plan.
<b>Background Papers:</b>	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

## 1. SITE & SURROUNDINGS

- 1.1 The application relates to development at Glossop Waste Water Treatment Works (WWTW), this is an established facility located just within the Tameside administrative boundary. The facility is accessed from within the neighbouring borough, High Peak via Melandra Road. It is located in a rural setting adjacent to the River Etherow and is also located within the Green Belt.
- 1.2 The site is an operational WWTW, it comprises of a number of buildings, effluent tanks and processing ponds. The largest of the on site buildings stands at approximately 3 storeys in height, buildings are constructed from stone whereas operations structures are concrete. Access is restricted by a gated entrance from Melandra Road, there is a secure palisade fence to the boundary, levels within the site are relatively flat, but these rise considerably outside of the boundary to the north/ northwest where land is in agricultural use. The River Etherow bounds the site to the east and south. Large areas of woodland are found along boundaries, their collective presence greatly screens public views. Within the site, buildings are separated by open grassed areas, there is also an internal access road that serves all onsite building and structures.

## 2. PROPOSAL

- 2.1 This planning application seeks permission for the installation of equipment within the grounds of the existing WWTW. The proposed works form part of a larger development project where much of the works falls within the scope of permitted development. The works will provide new assets within the facility as well as upgrading and refurbishing of existing treatment infrastructure connected with the treatment of sewage.
- 2.2 The supporting statement states; *'As a sewerage undertaker, United Utilities is obligated to provide the appropriate facilities for the treatment and storage of wastewater to the required standard by the Water Resources Act 1991 and the Urban Wastewater Treatment Regulations 1994. The proposed works involve the installation of wastewater equipment necessary to deliver the EA Water Industry National Environmental Programme (WINEP) and to meet phosphorus, ammonia and Biological Oxygen Demand (BOD) final effluent consent standards to achieve Water Framework Directive (WFD) 'good' status. The proposed scheme is also required to accommodate future population growth at Glossop WWTW based on the 2035 design horizon'*.

- 2.3 The application seeks permission for the erection of seven kiosks in addition to a landscaping bund. The location of the kiosks are shown against works falling within the scope of permitted development in the accompanying plans. The kiosks would be located throughout the site alongside established site infrastructure. The kiosks are flat roofed structures, they would be constructed from glass reinforced plastic (GRP) and be olive green in colour. The application describes the structures as follows:
- TSR Motor Control Centre (MCC) Kiosk, 5.36m (L) x 3.64m (W) x 4.30m (H)
  - Tertiary Treatment MCC Kiosk, 10.16m (L) x 3.64m (W) x 4.30m (H)
  - Secondary Ferric Dosing Kiosk, 11.10m (L) x 4.05m (W) x 3.851m (H)
  - Sodium Hydroxide Dosing Kiosk, 11.10m (L) x 4.05m (W) x 3.851m (H)
  - DNO Kiosk, 5.00m (L) x 2.50m (W) x 3.30m (H)
  - LV Distribution MCC Kiosk, 10.16m (L) x 3.64m (W) x 3.30m (H)
  - Primary Ferric Dosing Kiosk, 11.10m (L) x 4.05m (W) x 3.851m (H)
  - Landscaping bund, 63m (L) x 23m (W) x 1.5m (H) with 1:3 sloping sides resulting in total volume of 1500m<sup>3</sup>
- 2.4 A landscape bund will be formed from re-used spoil on the southern part of the site. The estimated volume will be approximately 1,500 cubic metres. The maximum dimensions of the bund will be 23m width, 63m length and 1.5m height. The slope gradient will be 1 in 3.
- 2.5 Glossop WWTW, and therefore the land subject to these works, is owned by United Utilities and constitutes operational land. Under Section 263 of the Town and Country Planning Act 1990 operational land means, in relation to statutory undertakers, land which is used for the purpose of carrying out their undertaking, and land in which an interest is held for that purpose. As such, the majority of works required to deliver the improvements to the WWTW are classed as permitted development under Schedule 2 Part 13 Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO). This part of the GPDO enables development to be carried out by or on behalf of sewerage undertakers within their operational land without the need for a planning application to be submitted. Amongst other provisions, this includes below ground development, the erection of kiosks under 29 cubic metres and structures under 15m in height.
- 2.6 The applicant has stated that the following works will be undertaken as permitted development as part of the comprehensive refurbishment of the site:
- Dirty Backwash Tank, 7.00mDIA x 7.50m (H)
  - Dirty Backwash PS Slab, 6.1m (L) x 5.0m (W) x 0.45m (D)
  - Clean Backwash Tank, 5.70mDIA x 7.50m (H)
  - Washwater Kiosk, 3.50m (L) x 2.10m (W) x 3.0m (H)
  - TSR Slab, 19.95m (L) x 14.00m (W) x 0.5m (D)
  - TSR Filters, 3.00mDIA x 4.50m (H)
  - TSR Feed PS, 6.30mDIA x 6.00m (D)
  - TSR Feed PS Valve Slab, 7.35m (L) x 6.30m (W) x 0.45m (D)
  - Blind Trench, 11.10m (L) x 1.40m (W) x 1.585m (D)
  - Water Booster Set, 3.50m (L) x 1.80m (W) x 2.438m (H)
  - Surface Water PS, 3.30mDIA x 4.60m (D)
  - Surface Water PS Valve Slab, 4.80m (L) x 3.30m (W) x 0.45m (D)
  - MH1 Final Effluent, 2.60m (L) x 2.60m (W) x 2.55m (D)
  - Interception Chamber, 2.10mDIA x 3.20m (D)
  - Dilution Kiosk, 3.0m (L) x 1.0m (W), 2.473m (H)
  - Safety shower, 1.615m (L) x 1.45m (W) x 3.94m (H)
  - Potable Water Valve Chamber, 2.0mDIA x 1.7m (D)
  - Metering Kiosk, 2.50m (L) x 1.20m (W) x 3.50m (H)
  - Surface Water PS Valve Slab, 4.80m (L) x 3.30m (W) x 0.45m (D)

- Surface Water PS, 3.30mDIA x 4.60m (D)
- Blind Trench, 11.10m (L) x 1.40m (W) x 1.585m (D)
- Service Water Booster Set Kiosk, 2.0m (L) x 1.0m (W) x 2.33m (H)
- Safety shower, 1.615m (L) x 1.45m (W) x 3.94m (H)
- Potable Water Valve Chamber, 2.0mDIA x 1.7m (D)

2.7 Within the supporting statement, the applicant has presented a case that the proposals falls within the exception test of paragraph 149 (g) of the National Planning Policy Framework, in that it is limited infilling of a previously developed site that would not have a greater impact on the openness of the Green Belt. In addition, they also note that engineering works are not inappropriate in the Green Belt as referenced within paragraph 150. Notwithstanding this, they have also stated that there are 'very special circumstances' which warrant approval of the development proposals.

2.8 The application has been supported with the following information:

- Full plans package
- Preliminary Ecological Appraisal
- Great Crested Newt Survey
- Badger Survey
- Arboricultural Impact Assessments and full trees surveys
- Flood Risk Assessment
- Landscape and Biodiversity Proposals Plan
- Planning Statement

### 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**

- 1.3: Creating a Cleaner and Greener Environment;
- 1.10: Protecting and Enhancing the Natural Environment;
- 1.13 Meeting obligations on Minerals, Waste and Energy.

### **4.6 Part 2 Policies**

- OL1: Protection of the green Belt
- OL2: Existing buildings in the Green Belt
- OL10: Landscape Quality and Character
- C1: Townscape and Urban Form
- T1: Highway Improvement and Traffic Management
- N4: Trees and Woodland
- N5: Trees within Development Sites
- N7: Protected Species
- MW12: Control of Pollution
- MW15: Protection of Water Resources
- U1: Utilities Infrastructure

### **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 have been 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 sets out what needs to be taken into account when considering the weight given to emerging plans. It 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 Places for Everyone has been published and submitted, where examination is on-going. The inspectors have recently issued examination document IN36, which is a 'part one' post hearing note. IN36 states that subject to a number of action points contained therein, the inspectors are satisfied at this stage of the examination that a schedule of proposed main modifications are necessary to make the plan sound and would be effective in that regard. In addition, the inspectors have indicated their position on the proposed allocations and Green Belt additions. Other than consideration of final issues on five specific allocations, or a significant change in national policy, no further action points are likely to be issued before the main modifications are consulted on.
- 4.10 The plan is a material consideration and to date, very limited weight has been given to the policies within it, primarily due to the number of outstanding objections received as a result of previous consultations. However, following the above, it is now reasonable to give a greater degree of weight to the plan, being reasonable within the context of national planning policy.

4.11 Places for Everyone cannot be given full weight in planning decisions, as it does not form part of the adopted plan for Tameside. But given the stage reached, it is reasonable to give elements of the plan substantial weight, subject to the inspector's caveat that this is without prejudice to their final conclusions following consideration of responses to consultation on the main modifications later in the examination.

4.12 To clarify, IN36 gives a clear steer as to the wording required to make the plan sound. Substantial weight should therefore be applied to the text of the plan as amended by the schedule of main modifications, and not the published version of Places for Everyone.

#### **Other Considerations**

4.13 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a persons rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.

4.14 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 departure from the development Plan by display of a site notice; and advertisement in the local press

### **6. SUMMARY OF THIRD PARTY RESPONSES**

6.1 In response to the publicity carried out, no public comments have been received.

### **7. RESPONSES FROM CONSULTEES**

7.1 Canal & River Trust – No objections confirm that they do not wish to comment.

7.2 Coal Authority – No objections, confirm that the site is not within a high-risk coal mining referral areas.

7.3 Contaminated Land – Based on the information currently known about the site, no objection to the development proposals. Note that the applicant proposed more detailed ground investigation prior to commencement of development. Recommend that condition is applied to secure this.

7.4 Environmental Health – No objections raised, recommend that construction-working hours are conditioned.

7.5 Environment Agency – No objections, request a condition that should any contamination be found on site then a this is reported and a suitable remediation strategy undertaken. Also advise that they do not anticipate a requirement for compensatory surface water storage to be necessary as the proposed development is in flood zone 2.

- 7.6 Greater Manchester Ecology Unit (GMEU) – No objections, not that there an area of scrub would be lost within the southern area of the site, the proposals include replacement tree and scrub planting which should be adequate compensation for the losses if managed appropriately in the long term. Also agree with the recommendations within the protected species reports. Recommend a condition requiring the submission landscape ecological management plan (LEMP) and construction environment management plans (CEMP)
- 7.7 High Peak Borough Council – No comments received.
- 7.8 Local Highway Authority (LHA) – No objections, the proposal would not have an impact upon the highway network.
- 7.9 Lead Local Flood Authority – Recommend that a drainage condition is applied for the treatment of surface water.
- 7.10 Tree Officer – Proposed development is acceptable from an arboricultural perspective, the proposed landscaping will have a positive impact on the amenity of the site.
- 7.11 United Utilities – No comments received.

## **8. ANALYSIS**

- 8.1 Section 38 of the Planning and Compulsory Purchase Act 2004 states that applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2 Paragraph 219 of the NPPF confirms that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. At the heart of the NPPF is the presumption in favour of sustainable development.
- 8.3 The NPPF states that a presumption in favour of sustainable development should be at the heart of every application decision. For decisions on planning applications this means:
- approving development proposals that accord with the development plan without delay; and
  - where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless:-
    - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
    - specific policies in the Framework indicate development should be restricted.

## **9. PRINCIPLE OF DEVELOPMENT**

- 9.1 WWTW are an essential part of the water management infrastructure, the safe treatment of waste water being a significant environmental benefit. The proposed development is required in order that the WWTW can meet more stringent environmental controls, modern water quality targets and provide for the water treatment needs of a larger population in the future. The need for the proposed development is clear and, as such, accords with UDP policy U1.
- 9.2 The application site is located within Green Belt land within the administrative boundary of Tameside. The water treatment works is an established development having occupied the site for many years, waste water is treated within the site before it outfalls into the River

Etherow. The application involves development within the established curtilage of the site, structures would be constructed amongst existing infrastructure.

- 9.3 Paragraph 147 of the NPPF concerns new development in the Green Belt, and is clear that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances.
- 9.4 When considering any planning application, the NPPF advises, in paragraph 144, that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 9.5 Policy OL2 (Existing Buildings in the Green Belt) is therefore the presiding policy, which in general permits developments subject to acceptable design being secured and the impact upon openness and the purpose of Green Belt not being conflicted.
- 9.6 Paragraphs 149-150 of the NPPF list exceptions to inappropriate development in the Green Belt provided they preserve the openness and do not conflict with the purposes of including land within it.
- 9.7 The applicant presents a case that the development falls within the exception of paragraph 149 (g) limited infilling or complete redevelopment of a previously developed site in addition to paragraph 150 (engineering operation). They state that the installations requiring planning permission are small in scale within the context of the existing WWTW site and are unlikely to be visible from visual receptors beyond the site. The proposed development, including the proposed kiosks and 1.5m high landscape bund, is unlikely to result in a noticeable change to these views or the perceived openness across the WWTW site to that which is presently experienced.
- 9.8 As an operational WWTW, the site is dominated by the existing infrastructure, which includes various settling tanks, substations, filter beds, storage buildings, and road infrastructure. In the context of the current site, the 7 kiosks which require planning permission would not be readily discernible against a backdrop of existing equipment. The proposed bund would be located close to the southern boundary but could not be viewed easily from outside the site. The requirement to connect to the existing water treatment infrastructure dictates the location, realistically there is no alternative site outside of the Green Belt where the infrastructure could be accommodated. It is recognised that the proposed works are essential to achieve compliance with modern water quality standards and the demands and future needs of a growing local population. Whilst the application is a departure from the adopted development plan, the impact upon openness of the Green Belt would not be greater than that of the established characteristics of the existing development, as per paragraph 149(g) of the NPPF. Any associated impact would be minor and very localised, this would be outweighed by the overall benefits associated with proposals.

## **10. DESIGN, LAYOUT AND LANDSCAPING**

- 10.1 Policy OL10 (Landscape Quality and Character) seeks to conserve and enhance the landscape quality, it requires that any development within the countryside or river valleys are designed to be sympathetic with their surroundings with high standards of siting, design, materials and landscaping. Policy OL15 (openness and Appearance of River Valleys) seeks to protect the appearance of the Etherow Valley, it also advocates screening unsightly development.
- 10.2 The WWTW is located within the base of the Etherow Valley, which is part of the Greater Manchester Green Belt, which separates the settlements of Broadbottom/Mottram (to the

west) and Gamesley/Glossop (to the east). The valley is steeply sloping and largely undeveloped, exceptions being occasional properties along Melandra Road to the northeast of the site, and within the hamlet of 'The Hague' to the northwest. Land use is a mix of agricultural uses, horse paddocks and woodland the latter of which largely surrounds the site.

- 10.3 The site currently has a limited and enclosed visual envelope primarily as a result of the tree cover around and within the existing WWTW and that along the river. The planning statement has included a detailed analysis of the baseline landscape characteristics and the visual impact attributed to the development from surrounding receptors, which include several designated public right of way (PRoW). The conclusion of the assessment is supported in that the site is largely screened albeit for limited long views taken from elevated positions within the valley.
- 10.4 The proposed kiosks requiring planning permission are part of a wider package of works, which largely fall within the scope of permitted development. The seven kiosks will be located across the northern and southern areas of the site, this would be either side of the main filter beds. The kiosks would be constructed on existing areas of amenity grass. Any soil that is removed to facilitate their installation would be kept on site to form the landscape bund. The kiosks are rectangular in shape, the largest being typical in appearance to that of a steel shipping container, they would all be painted dark green in colour. To mitigate the impact of the works the new tree and shrub planting within the site, a 1.5m bund would also be created within the southern area, this would be planted to screen views and also provide complementary tree cover to that which existing along the corridor of the Etherow.
- 10.5 The existing WWTW has been a feature at the site since the mid-20th century. It is considered that the proposed works are sympathetic, are no larger than necessary and would not materially harm the local landscape. Appropriate use of landscaping and colour finish serves to minimise the visual impact and protect and enhance the landscape character of the valley, from which there would remain limited views. The proposals would serve to conserve and preserve its landscape in accordance with policies OL10 and OL15 as well as the provisions of the NPPF.

## **11. HIGHWAYS**

- 11.1 No alterations are required to the site's access arrangements throughout the construction and operational period. The existing entrance is located off Melandra Road which runs north and exists at Brookfield with the High Peak administrative boundary. The site is currently served with large areas for vehicle parking and manoeuvring, an internal estate road also provide access around all of the onsite treatment infrastructure.
- 11.2 The application identifies that the construction period would generate an average of 30 two way trips (60 movements (to and from site) every day. Construction traffic is largely attributed to the permitted development element of the development. The kiosks themselves would be delivered pre-assembled to the site via HGV. Once completed, traffic levels would return to existing, there is no anticipated significant uplift in employment at the site.
- 11.3 The LHA has reviewed the proposals and are satisfied with the access proposals, the development is not deemed to be detrimental to highway safety. The proposals would be in accordance with policy T1 and paragraph 111 of the NPPF.

## **12. RESIDENTIAL AMENITY**

- 12.1 The closest residential properties are located at an elevated level on Hague Road, approximately 160m west from the entrance of the WWTW. Other residential properties are also located 190m away on Melandra Road and on the other side of the River Etherow.

- 12.2 The supporting statement anticipates that the main civil works will take approximately 24 months to complete, this would include 6 months of testing and commissioning. The kiosks would be installed between December 2023 and April 2024. It is anticipated that construction activities would take place between 08:00 to 18:00hrs Monday to Friday and on occasional days 08:00 to 13:00hrs on Saturday. There would be no working on Sundays or bank holidays, where this would be in line with recommendations from Environmental Health. A construction environmental management plan would be adhered to at all times to ensure best practice measures are followed and appropriate controls are in force to mitigate construction impacts.
- 12.3 The self-contained nature of the site coupled with the control of working practices would ensure disturbance is kept to a minimum. Subject to these controls, it is not considered that the works would give rise to conditions, which would result in disturbance to existing residents within the vicinity.

### **13. NOISE, DUST & ODOUR**

- 13.1 Paragraph 185 of the NPPF states that planning decisions should ensure that new development is appropriate for its location, taking into account the likely effects of pollution and the cumulative effects of pollution on health, living conditions and the natural environment should be taken into account. UDP policy MW12: Control of Pollution seeks to ensure that sources of potential pollution are appropriately controlled, it advises on the use of conditions to safeguard the interests of amenity and environmental quality.
- 13.2 The proposed development is necessary to upgrade the existing WWTW to meet modern water quality standards and to meet the needs of a growing local population. There is not a history of any environmental issues associated with site, particularly with reference to complaints on matters such as odour and noise. Recent visits undertaken by officers confirm that the existing WWTW is well managed, where the site's enclosed nature dictates that processes are well screened from public view and there is very little to distinguish the activities which are taking place.
- 13.3 The planned investment in the site will improve efficiencies with the water treatment process, it is not envisaged that there would be any increase in noise or odour issues at the site. The treatment of the raw material has benefits for the local population, the environment and wildlife, which is material to the planning assessment. The kiosks themselves which require planning permission would be manufactured off site, they are largely electrical housing installations and by this nature do not directly perform any function which could give rise to undue disturbance. Observations of the current operations confirm that there are no nuisance factors, the main issues relevant to noise are likely to be attributed to the construction process. The nearest sensitive receptors are houses approximately 160m away and their amenity would be appropriately protected. A condition is recommended to submit a construction environmental management plan would ensure that best practices are observed to keep noise and disturbance to a minimum.

### **14. TREES AND ECOLOGY**

- 14.1 The majority of the site's trees are located along the periphery with the River Etherow, and are sited within linear groups. The trees comprise broadleaved and coniferous specimens of varying maturity, collectively they form a valued addition to the landscape.
- 14.2 All peripheral trees would be retained, the development would result in the loss of some trees within surveyed group 11, this tree group is located within the south-western area of the site and are not publically visible from outside of the site boundary. The 1.5m bund will be planted

with native tree species, which will provide both visual ecological benefits. Subject to conditions relevant to landscaping and tree protection measures there are no issues from an arboricultural perspective and the development adheres to the provisions of UDP policies N4 and N5.

## **15. DRAINAGE**

- 15.1 Processed water from the WWTW discharges into the River Etherow. The River Etherow is a main river and is one of the principal tributaries of the River Goyt, which is assessed to have a 'poor' overall status under the Water Framework Directive (WFD). The applicant states that the purpose of the works is to improve the condition of the watercourse with regard to sewage discharge, this is identified as a significant environmental benefit. A detailed flood risk assessment (FRA) accompanies the application.
- 15.2 Section 14 of the NPPF is concerned with effective drainage, flood risk management and maintenance of water quality. The site is within flood zone 2, having a medium probability of flooding. The development must be assigned a Flood Risk Vulnerability Classification in accordance with the NPPF. A WWTW is classed as essential infrastructure, where works connected with such development are deemed to be acceptable within this flood zone.
- 15.3 The FRA has identified the following mitigation for the development to flood risk:
- Raising electrics and critical infrastructure 300 mm above the 1% fluvial flood level;
  - A flood response plan including subscription to flood alerts; and
  - A surface water drainage system that would account for additional runoff from the proposed work within the WwTW for 1% Annual Exceedance Probability event including climate change of increased rainfall of 25% as well as a sensitivity test of the upper end of the 2050 epoch (40%).

The mitigation would be a proportionate response. It is proposed that all surface water would be captured and attenuated within the WWTW, the site would therefore be effectively drained in accordance with Section 14 of the NPPF.

## **16. GROUND CONDITIONS**

- 16.1 A review of historical maps confirms that the site was undeveloped agricultural land until the 1940s. Prior to this, there had been a sewage works located to the north of the site. Further development of the sewage works occurred in the 1950s/1960s and numerous sludge beds, settling tanks, electrical substations, tanks and filter beds are located in the proposed development area during this period. This layout does not appear to alter significantly to the present day although, some features are no longer present.
- 16.2 Consultation with the Environmental Protection Unit (EPU) confirms there could be onsite sources of contamination associated with previous processes in addition to potential ground gas. The applicant is aware, and their planning statement confirms that further ground investigation is required which would subsequently inform a remediation strategy. EPU confirm they are supportive of this approach, no objections are raised subject to the recommended conditions.
- 16.3 A coal mining assessment has accompanied the application and raised no issues of concern. Consultation with the Coal Authority confirms that the site is not within a high risk referral area and consequently no objections are raised. There are no land stability concerns raised with the development proposals.

## 17. CONCLUSION

- 17.1 The proposed development comprises upgrade works and the installation of new equipment at the existing WWTW and an extension to the existing works in order that modern water quality standards can be met to accommodate the needs of a growing local population.
- 17.2 The site is within Green Belt. The WWTW is an established feature within the landscape and provides essential social, economic and environmental infrastructure. The kiosks and associated landscaping bund would form modest addition in the context of the existing infrastructure, the impact upon openness would be minimal, it would also be outweighed by the benefits of the proposal associated with better treatment of sewage. Consequently the proposals comply sufficiently with paragraph 149(g) of the NPPF.

## RECOMMENDATION

Grant planning permission subject to the following conditions:

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

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

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

Site Location Plan 80061943-01-C2V-GLOSS-97-DR-I-00001

Site Layout Plan - Sheet 1 80061943-01-C2V-GLOSS-97-DR-I-00002

Site Layout Plan - Sheet 2 80061943-01-C2V-GLOSS-97-DR-I-00003

Primary and Secondary Ferric Dosing Kiosks Plan and Elevations Ref 80061943-01-C2V-GLOSS-97-DR-I-00004

LV Distribution MCC Kiosk Plan and Elevations Ref 80061943-01-C2V-GLOSS-97-DR-I-00005

Tertiary Treatment MCC Kiosk Plan and Elevations Ref 80061943-01-C2V-GLOSS-97-DR-I-00006

TSR MCC Kiosk Plan and Elevations Ref 80061943-01-C2V-GLOSS-97-DR-I-00007

DNO Kiosk Plan and Elevations Ref 80061943-01-C2V-GLOSS-97-DR-I-00008

Sodium Hydroxide Dosing Kiosk Plan and Elevations Ref 80061943-01-C2V-GLOSS-97-DR-I-00009

Preliminary Ecological Appraisal (PEA) Lite Report Ref 80061943-01-C2V-GLOSS-99-RP-I-00001

GCN eDNA Survey Summary Report Ref 80061943-01-C2V-GLOSS-99-RP-I-00002

Badger Survey Summary Report CONFIDENTIAL ref 80061943-01-C2V-GLOSS-99-RP-I-00003

Tree Removal, Retention and Protection Plan Ref 80061943-01-C2V-GLOSS-97-DR-L-00002

Landscape and Biodiversity Proposals Plan Ref 80061943-01-C2V-GLOSS-97-DR-L-00003

Tree Constraints Report Ref 80061943-01-C2V-GLOSS-99-RP-I-00005

Arboricultural Impact Assessment and Method Statement Ref 80061943-01-C2V-GLOSS-99-RP-I-00006

Flood Risk Assessment Ref 80061943-01-C2V-GLOSS-99-RP-I-00007

Initial Conceptual Site Model Ref 80061943-01-C2V-GLOSS-99-RP-G-00005

Initial Conceptual Site Model (CSM) Appendix C – Groundsure Reports Ref 80061943-01-C2V-GLOSS-99-RP-G-00006

Initial Conceptual Site Model (CSM) Appendix D – Coal Mining Report Ref 80061943-01-C2V-GLOSS-99-RP-G-00007

Initial Conceptual Site Model (CSM) Appendix E – Mining Review Ref 80061943-01-C2V-GLOSS-99-RP-G-00008

Initial Conceptual Site Model (CSM) Appendix F – Historical Ground Investigation Reports Ref 80061943-01-C2V-GLOSS-99-RP-G-00009

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

- 3) 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.

- 4) A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following:
  - a) Description and evaluation of features to be managed.
  - b) Ecological trends and constraints on site that might influence management.
  - c) Aims and objectives of management.
  - d) Appropriate management options for achieving aims and objectives.
  - e) Prescriptions for management actions.
  - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
  - g) Details of the body or organization responsible for implementation of the plan.
  - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism{s} by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

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

- 5) No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
  - a) Risk assessment of potentially damaging construction activities.
  - b) Identification of "biodiversity protection zones".
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
  - d) The location and timing of sensitive works to avoid harm to biodiversity features.
  - e) The times during construction when specialist ecologists need to be present on site to oversee works.
  - f) Responsible persons and lines of communication.

- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

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

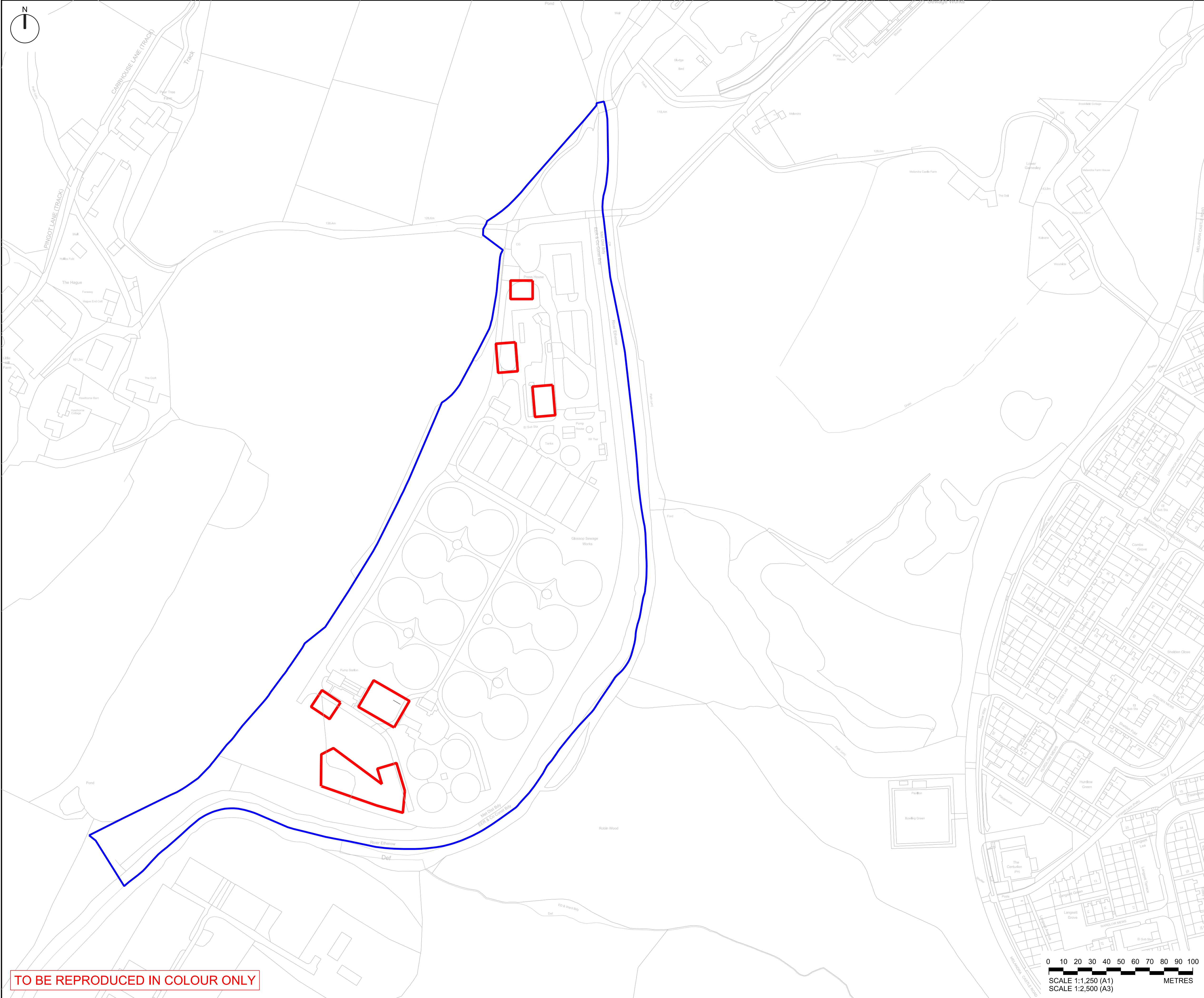
- 6) No development, other than site clearance and site compound set up, shall commence until a remediation strategy, detailing the works and measures required to address any unacceptable risks posed by contamination at the site to human health, buildings and the environment has been submitted to, and approved in writing by, the Local Planning Authority (LPA). The scheme shall be implemented and verified as approved and shall include all of the following components unless the LPA dispenses with any such requirement specifically in writing:
  - 1. A Preliminary Risk Assessment which has identified: - All previous and current uses of the site and surrounding area. - All potential contaminants associated with those uses. - A conceptual site model identifying all potential sources, pathways, receptors and pollutant linkages.
  - 2. A site investigation strategy, based on the Preliminary Risk Assessment in (1) detailing all investigations including sampling, analysis and monitoring that will be undertaken at the site in order to enable the nature and extent of any contamination to be determined and a detailed assessment of the risks posed to be carried out. The strategy shall be approved in writing by the LPA prior to any investigation works commencing at the site.
  - 3. The findings of the site investigation and detailed risk assessments referred to in point (2) including all relevant soil / water analysis and ground gas / groundwater monitoring data.
  - 4. Based on the site investigation and detailed risk assessment referred to in point (3) an options appraisal and remediation strategy setting out full details of the remediation works and measures required to address any unacceptable risks posed by contamination and how they are to be implemented.
  - 5. A verification plan detailing the information that will be obtained in order to demonstrate the works and measures set out in the remediation strategy in (4) will be 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 183 of the National Planning Policy Framework.

- 7) Upon completion of any approved remediation scheme(s), and prior to use, a verification / completion report demonstrating all remedial works and measures detailed in the scheme(s) have been fully implemented shall be submitted to, and approved in writing by, the LPA. The report shall also include full details of the arrangements for any long term monitoring and maintenance as identified in the approved verification plan. The long term monitoring and maintenance shall be undertaken as approved. If, during development, contamination not previously identified is encountered, then the Local Planning Authority (LPA) shall be informed and no further development (unless otherwise agreed in writing with the LPA, shall be undertaken at the site until a remediation strategy detailing how this contamination will be appropriately addressed and the remedial works verified has been submitted to, and approved in writing by the LPA. The remediation strategy shall be fully implemented and verified as approved. The discharge of this planning condition will be given in writing by the LPA on

completion of the development and once all information specified within this condition and any other requested information has been provided to the satisfaction of the LPA and use of the development shall not commence until this time unless otherwise agreed in writing by the LPA.

Reason: To ensure any unacceptable risks posed by contamination are appropriately addressed and the site is suitable for its proposed use in accordance with paragraph 183 of the National Planning Policy Framework.



TO BE REPRODUCED IN COLOUR ONLY

### NOTES

1. ALL DIMENSIONS IN MILLIMETRES AND ALL LEVELS IN METRES AOD UNLESS NOTED OTHERWISE.

### LEGEND

PROPOSED DEVELOPMENT REQUIRING PLANNING PERMISSION - 3080 m<sup>2</sup> / 0.308 ha

LAND WITHIN UNITED UTILITIES OWNERSHIP

### REFERENCE DRAWINGS

- 80061943-01-C2V-GLOSS-97-DR-I-00002 - PLANNING APPLICATION SITE LAYOUT PLAN SHEET 1 OF 2
- 80061943-01-C2V-GLOSS-97-DR-I-00003 - PLANNING APPLICATION SITE LAYOUT PLAN SHEET 2 OF 2
- 80061943-01-C2V-GLOSS-97-DR-I-00004 - PLANNING APPLICATION FERRIC DOSING KIOSK 1 AND 2 PLAN & ELEVATIONS
- 80061943-01-C2V-GLOSS-97-DR-I-00005 - PLANNING APPLICATION LV DISTRIBUTION MCC PLAN & ELEVATIONS
- 80061943-01-C2V-GLOSS-97-DR-I-00006 - PLANNING APPLICATION TERTIARY TREATMENT MCC KIOSK PLAN & ELEVATIONS
- 80061943-01-C2V-GLOSS-97-DR-I-00007 - PLANNING APPLICATION TSR MCC KIOSK PLAN & ELEVATIONS
- 80061943-01-C2V-GLOSS-97-DR-I-00008 - PLANNING APPLICATION DNO KIOSK PLAN & ELEVATIONS
- 80061943-01-C2V-GLOSS-97-DR-I-00009 - SODIUM HYDROXIDE DOSING KIOSK PLAN & ELEVATIONS
- 80061943-01-C2V-GLOSS-97-DR-C-00001 - CIVIL GAS PROTECTION MEASURES KEY PLAN
- 80061943-01-C2V-GLOSS-99-DR-C-00002 - CIVIL GAS PROTECTION MEASURES MISCELLANEOUS DETAILS
- 80061943-01-C2V-GLOSS-99-DR-C-00003 - KIOSK GAS PROTECTION MEASURES MISCELLANEOUS DETAILS
- 80061943-01-C2V-GLOSS-97-DR-L-00003 - LANDSCAPE AND BIODIVERSITY PROPOSALS PLAN

### CURRENT ISSUE INFORMATION

P04	SP	IS	MH	Issued for Planning Application	04/04/23
VERSION	AUTH	CHKD	REVD	REASON FOR ISSUE	DATE
S2		Issued for Information			
SUITABILITY CODE		SUITABILITY DESCRIPTION			

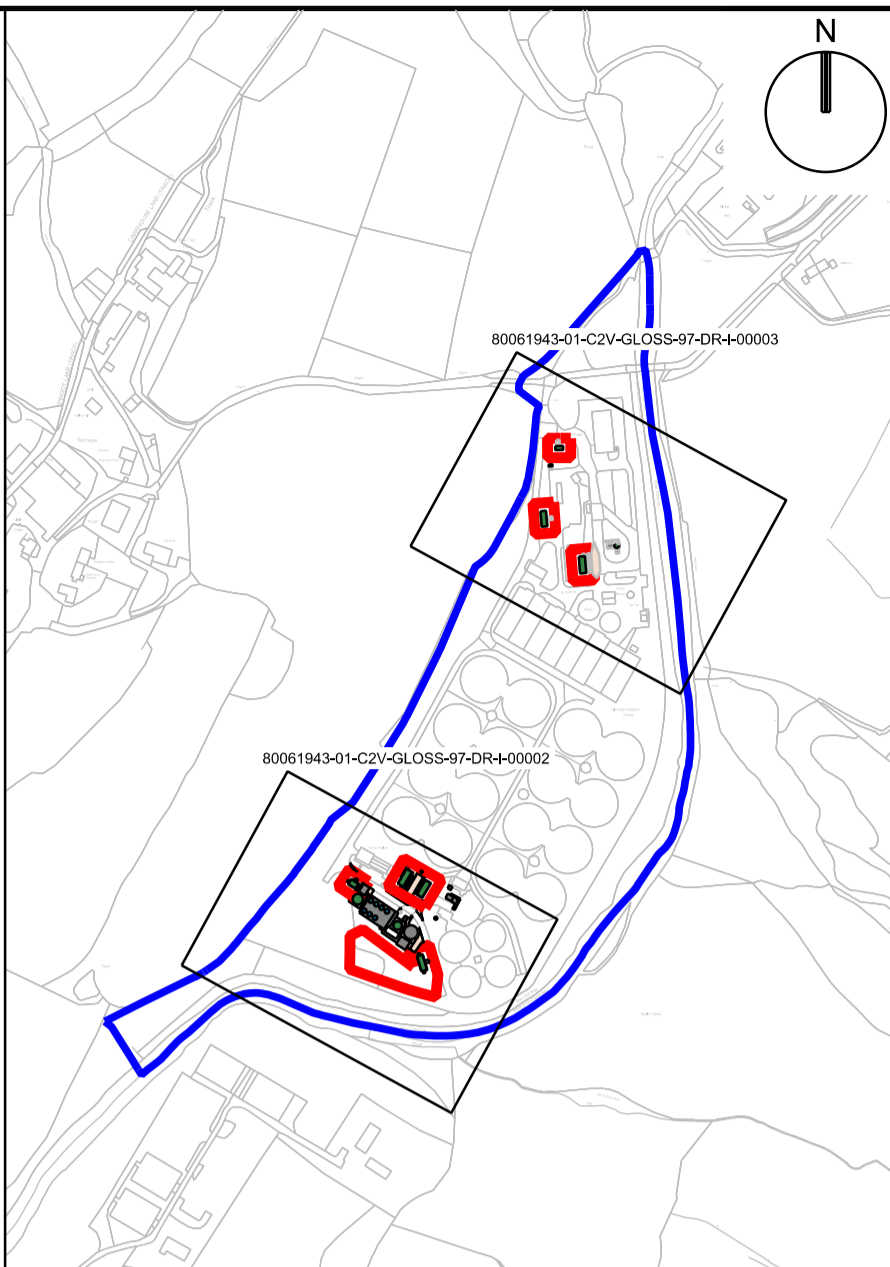
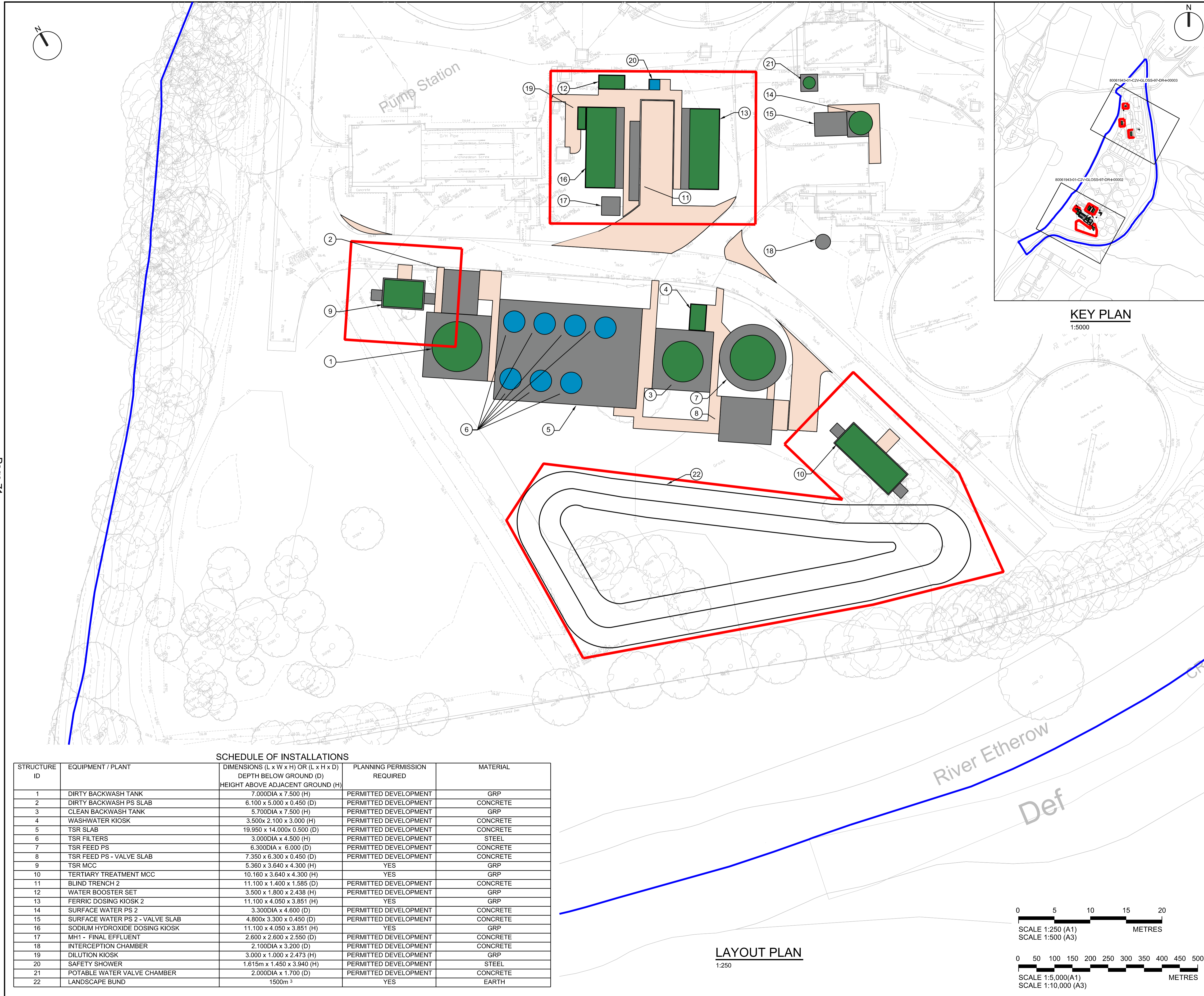
Water for the North West

GLOSSOP WwTW - Q and X REQUIREMENTS - AMP7

PLANNING APPLICATION SITE LOCATION PLAN

SCALE 1:1250	SHEET SIZE A1
DRAWING NUMBER 80061943-01-C2V-GLOSS-97-DR-I-00001	REVISION P04

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- NOTES
1. ALL DIMENSIONS IN MILLIMETERS AND ALL LEVELS IN METERS AOD UNLESS NOTED OTHERWISE.
  2. PIPEWORK NOT SHOWN.

- LEGEND
- PROPOSED DEVELOPMENT REQUIRING PLANNING PERMISSION - 3080 m<sup>2</sup> / 0.308 ha
  - LAND WITHIN UNITED UTILITIES OWNERSHIP
  - NEW STRUCTURE - CONCRETE
  - NEW STRUCTURE - GRP
  - NEW STRUCTURE - STEEL
  - NEW HARDSTANDING AND INTERNAL ACCESS ROAD

- REFERENCE DRAWINGS
1. 80061943-01-C2V-GLOSS-97-DR-I-00001 - SITE LOCATION PLAN
  2. 80061943-01-C2V-GLOSS-97-DR-I-00003 - PLANNING APPLICATION SITE LAYOUT PLAN SHEET 2 OF 2
  3. 80061943-01-C2V-GLOSS-97-DR-I-00004 - PLANNING APPLICATION FERRIC DOSING KIOSK 1 AND 2 PLAN & ELEVATIONS
  4. 80061943-01-C2V-GLOSS-97-DR-I-00005 - PLANNING APPLICATION LV DISTRIBUTION MCC PLAN & ELEVATIONS
  5. 80061943-01-C2V-GLOSS-97-DR-I-00006 - PLANNING APPLICATION TERTIARY TREATMENT MCC KIOSK PLAN & ELEVATIONS
  6. 80061943-01-C2V-GLOSS-97-DR-I-00007 - PLANNING APPLICATION TSR MCC KIOSK PLAN & ELEVATIONS
  7. 80061943-01-C2V-GLOSS-97-DR-I-00008 - PLANNING APPLICATION DNO KIOSK PLAN & ELEVATIONS
  8. 80061943-01-C2V-GLOSS-97-DR-I-00009 - SODIUM HYDROXIDE DOSING KIOSK PLAN & ELEVATIONS
  9. 80061943-01-C2V-GLOSS-97-DR-C-00001 - CIVIL GAS PROTECTION MEASURES KEY PLAN
  10. 80061943-01-C2V-GLOSS-99-DR-C-00002 - CIVIL GAS PROTECTION MEASURES MISCELLANEOUS DETAILS
  11. 80061943-01-C2V-GLOSS-99-DR-C-00003 - KIOSK GAS PROTECTION MEASURES MISCELLANEOUS DETAILS
  12. 80061943-01-C2V-GLOSS-97-DR-L-00003 - LANDSCAPE AND BIODIVERSITY PROPOSALS PLAN

CURRENT ISSUE INFORMATION

P04	SP	IS	MH	Issued for Planning Application	04/04/23
VERSION	AUTH	CHKD	REVD	REASON FOR ISSUE	DATE
S2				Issued for Information	
SUITABILITY CODE	SUITABILITY DESCRIPTION				



GLOSSOP WwTW - Q and X REQUIREMENTS - AMP7  
PLANNING APPLICATION SITE LAYOUT PLAN  
SHEET 1 OF 2

SCALE AS SHOWN	SHEET SIZE A1
DRAWING NUMBER 80061943-01-C2V-GLOSS-97-DR-I-00002	REVISION P04

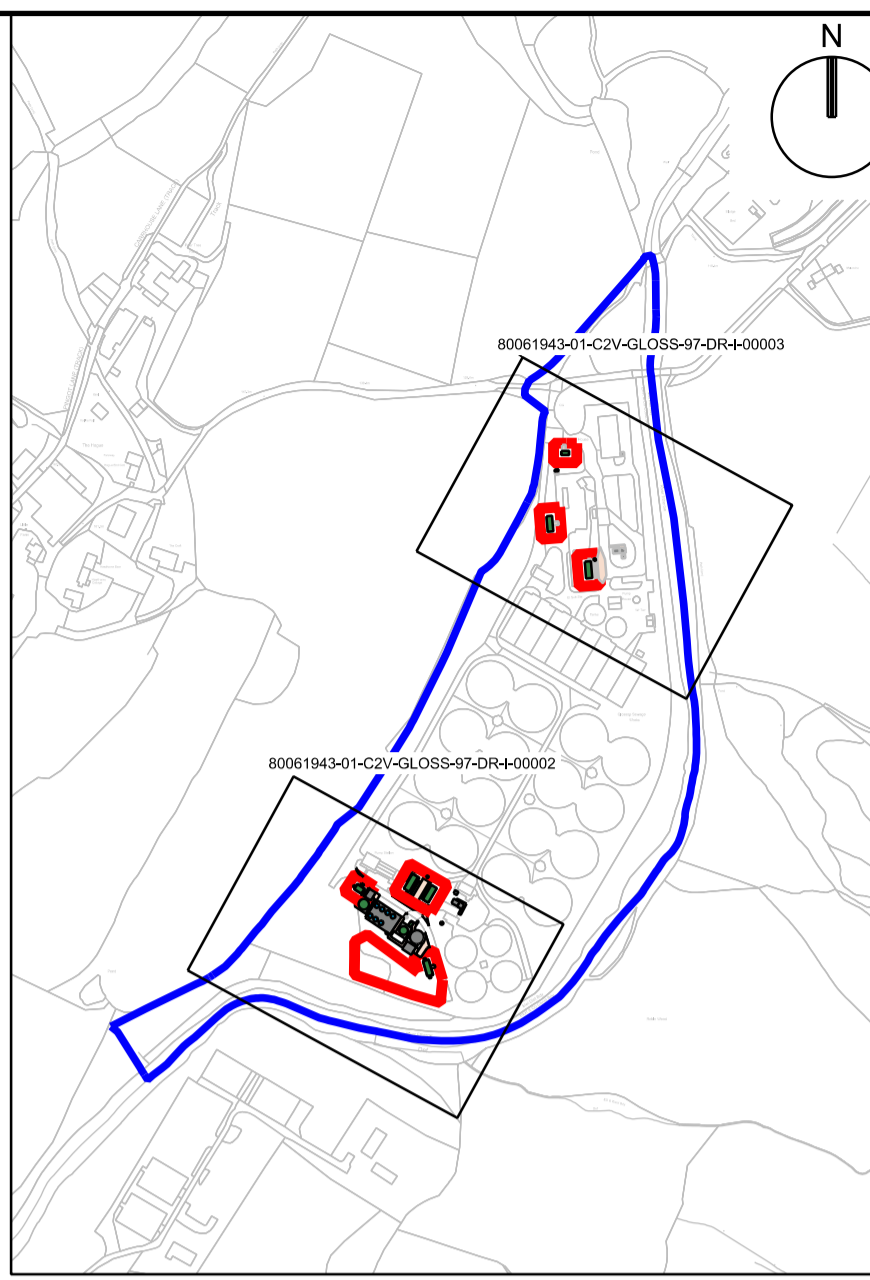
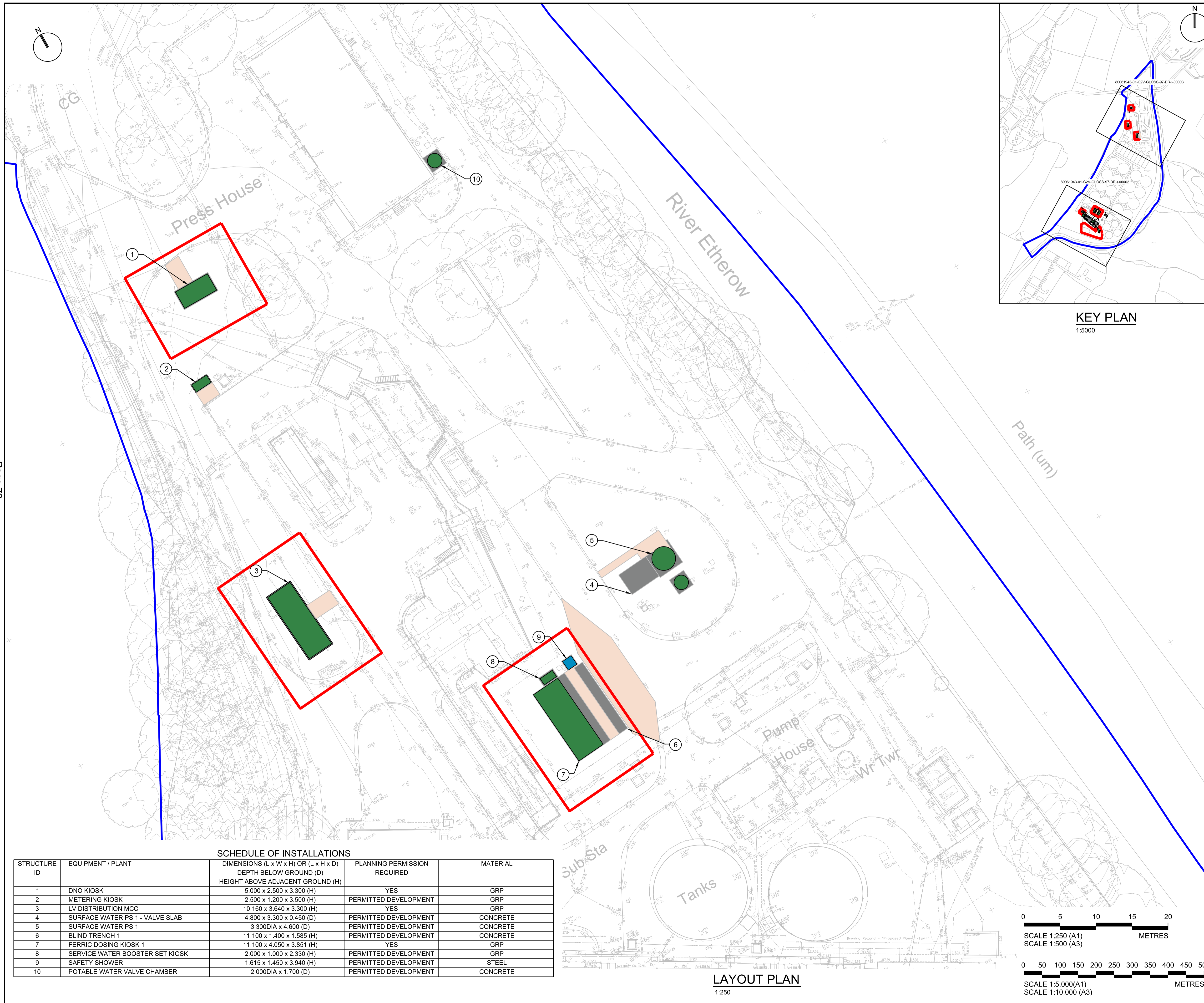
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1	DIRTY BACKWASH TANK	7.000DIA x 7.500 (H)	PERMITTED DEVELOPMENT	GRP
2	DIRTY BACKWASH PS SLAB	6.100 x 5.000 x 0.450 (D)	PERMITTED DEVELOPMENT	CONCRETE
3	CLEAN BACKWASH TANK	5.700DIA x 7.500 (H)	PERMITTED DEVELOPMENT	GRP
4	WASHWATER KIOSK	3.500x 2.100 x 3.000 (H)	PERMITTED DEVELOPMENT	CONCRETE
5	TSR SLAB	19.950 x 14.000x 0.500 (D)	PERMITTED DEVELOPMENT	CONCRETE
6	TSR FILTERS	3.000DIA x 4.500 (H)	PERMITTED DEVELOPMENT	STEEL
7	TSR FEED PS	6.300DIA x 6.000 (D)	PERMITTED DEVELOPMENT	CONCRETE
8	TSR FEED PS - VALVE SLAB	7.350 x 6.300 x 0.450 (D)	PERMITTED DEVELOPMENT	CONCRETE
9	TSR MCC	5.360 x 3.640 x 4.300 (H)	YES	GRP
10	TERTIARY TREATMENT MCC	10.160 x 3.640 x 4.300 (H)	YES	GRP
11	BLIND TRENCH 2	11.100 x 1.400 x 1.585 (D)	PERMITTED DEVELOPMENT	CONCRETE
12	WATER BOOSTER SET	3.500 x 1.800 x 2.438 (H)	PERMITTED DEVELOPMENT	GRP
13	FERRIC DOSING KIOSK 2	11.100 x 4.050 x 3.851 (H)	YES	GRP
14	SURFACE WATER PS 2	3.300DIA x 4.600 (D)	PERMITTED DEVELOPMENT	CONCRETE
15	SURFACE WATER PS 2 - VALVE SLAB	4.800x 3.300 x 0.450 (D)	PERMITTED DEVELOPMENT	CONCRETE
16	SODIUM HYDROXIDE DOSING KIOSK	11.100 x 4.050 x 3.851 (H)	YES	GRP
17	MH1 - FINAL EFFLUENT	2.600 x 2.600 x 2.550 (D)	PERMITTED DEVELOPMENT	CONCRETE
18	INTERCEPTION CHAMBER	2.100DIA x 3.200 (D)	PERMITTED DEVELOPMENT	CONCRETE
19	DILUTION KIOSK	3.000 x 1.000 x 2.473 (H)	PERMITTED DEVELOPMENT	GRP
20	SAFETY SHOWER	1.615m x 1.450 x 3.940 (H)	PERMITTED DEVELOPMENT	STEEL
21	POTABLE WATER VALVE CHAMBER	2.000DIA x 1.700 (D)	PERMITTED DEVELOPMENT	CONCRETE
22	LANDSCAPE BUND	1500m <sup>3</sup>	YES	EARTH

LAYOUT PLAN  
1:250

0 5 10 15 20  
SCALE 1:250 (A1)  
SCALE 1:500 (A3)  
METRES

0 50 100 150 200 250 300 350 400 450 500  
SCALE 1:5,000(A1)  
SCALE 1:10,000 (A3)  
METRES

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KEY PLAN  
1:5000

- NOTES
1. ALL DIMENSIONS IN MILLIMETERS AND ALL LEVELS IN METERS AOD UNLESS NOTED OTHERWISE.
  2. PIPEWORK NOT SHOWN.

- LEGEND
- PROPOSED DEVELOPMENT REQUIRING PLANNING PERMISSION - 3080 m<sup>2</sup> / 0.308 ha
  - LAND WITHIN UNITED UTILITIES OWNERSHIP
  - NEW STRUCTURE - CONCRETE
  - NEW STRUCTURE - GRP
  - NEW STRUCTURE - STEEL
  - NEW HARDSTANDING AND INTERNAL ACCESS ROAD

- REFERENCE DRAWINGS
1. 80061943-01-C2V-GLOSS-97-DR-I-00001 - SITE LOCATION PLAN
  2. 80061943-01-C2V-GLOSS-97-DR-I-00002 - PLANNING APPLICATION SITE LAYOUT PLAN SHEET 1 OF 22
  3. 80061943-01-C2V-GLOSS-97-DR-I-00004 - PLANNING APPLICATION FERRIC DOSING KIOSK 1 AND 2 PLAN & ELEVATIONS
  4. 80061943-01-C2V-GLOSS-97-DR-I-00005 - PLANNING APPLICATION LV DISTRIBUTION MCC PLAN & ELEVATIONS
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  6. 80061943-01-C2V-GLOSS-97-DR-I-00007 - PLANNING APPLICATION TSR MCC KIOSK PLAN & ELEVATIONS
  7. 80061943-01-C2V-GLOSS-97-DR-I-00008 - PLANNING APPLICATION DNO KIOSK PLAN & ELEVATIONS
  8. 80061943-01-C2V-GLOSS-97-DR-I-00009 - SODIUM HYDROXIDE DOSING KIOSK PLAN & ELEVATIONS
  9. 80061943-01-C2V-GLOSS-97-DR-C-00001 - CIVIL GAS PROTECTION MEASURES KEY PLAN
  10. 80061943-01-C2V-GLOSS-99-DR-C-00002 - CIVIL GAS PROTECTION MEASURES MISCELLANEOUS DETAILS
  11. 80061943-01-C2V-GLOSS-99-DR-C-00003 - KIOSK GAS PROTECTION MEASURES MISCELLANEOUS DETAILS
  12. 80061943-01-C2V-GLOSS-97-DR-L-00003 - LANDSCAPE AND BIODIVERSITY PROPOSALS PLAN

CURRENT ISSUE INFORMATION

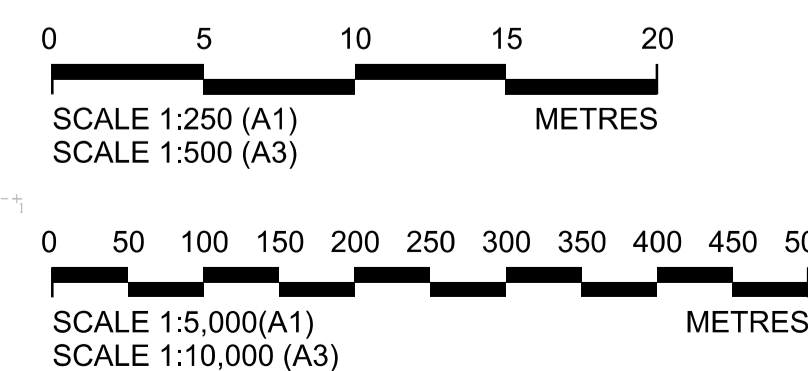
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SUITABILITY CODE		SUITABILITY DESCRIPTION			



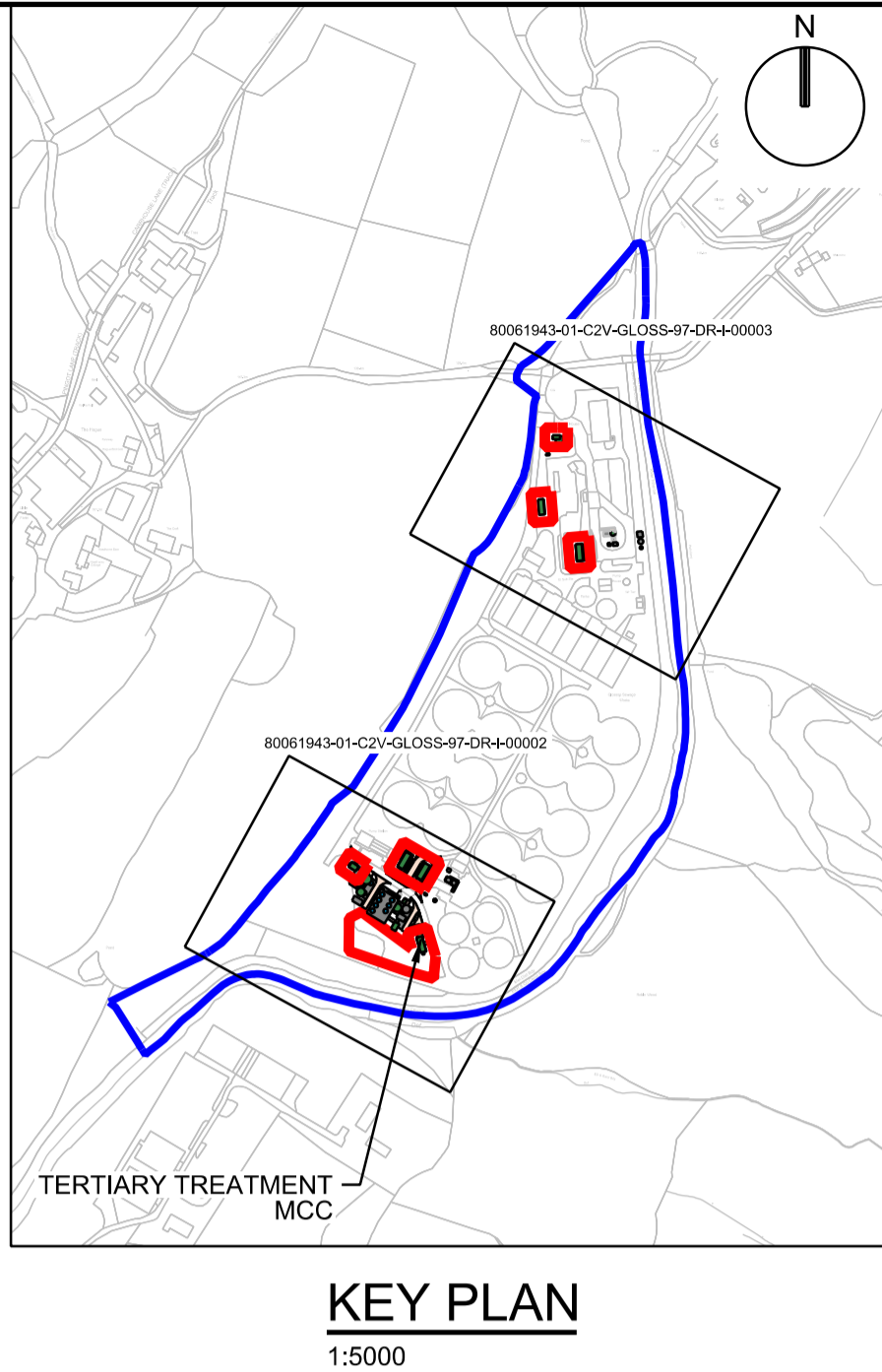
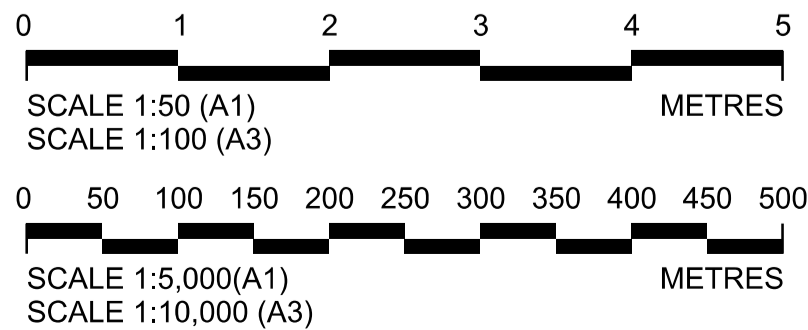
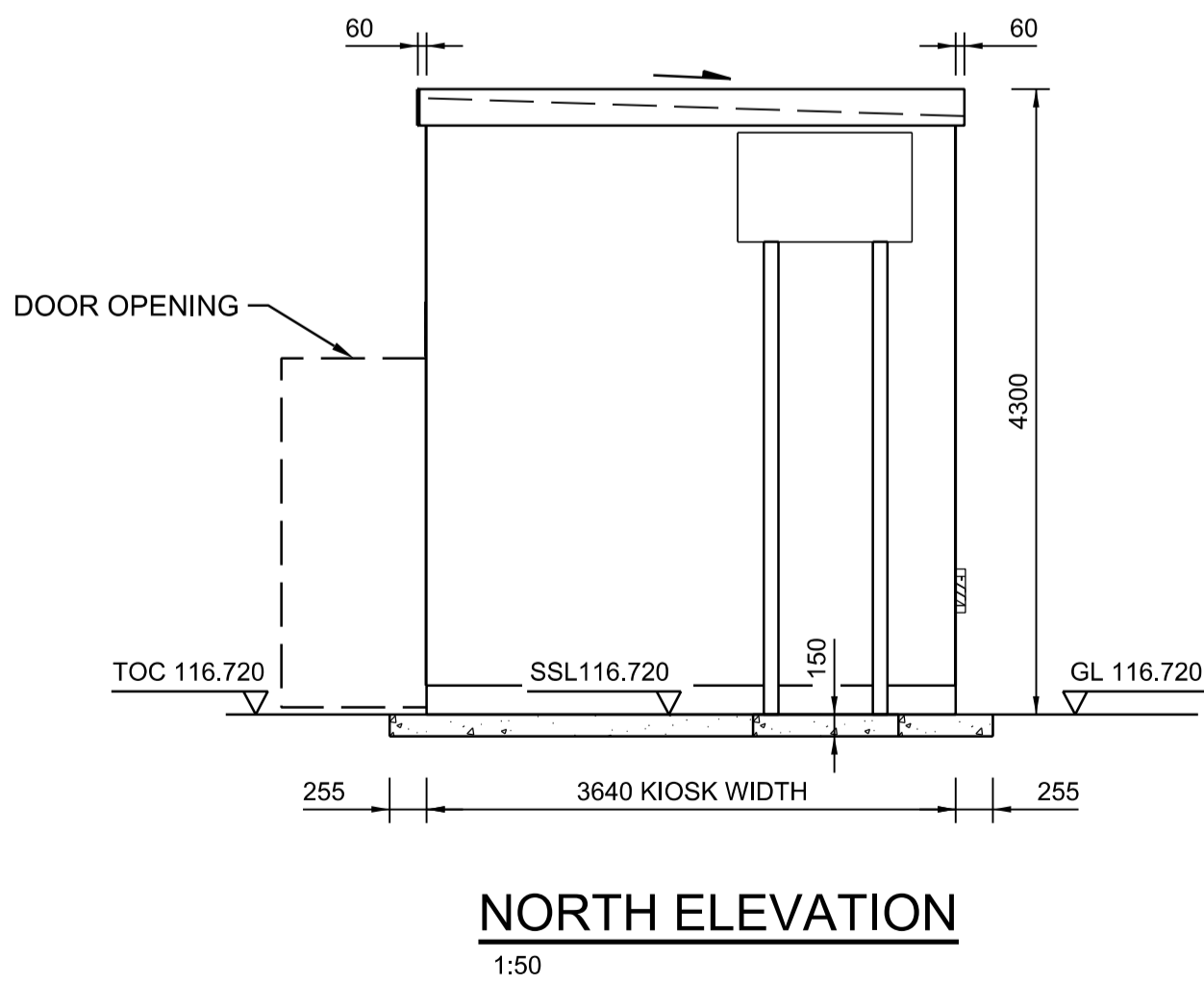
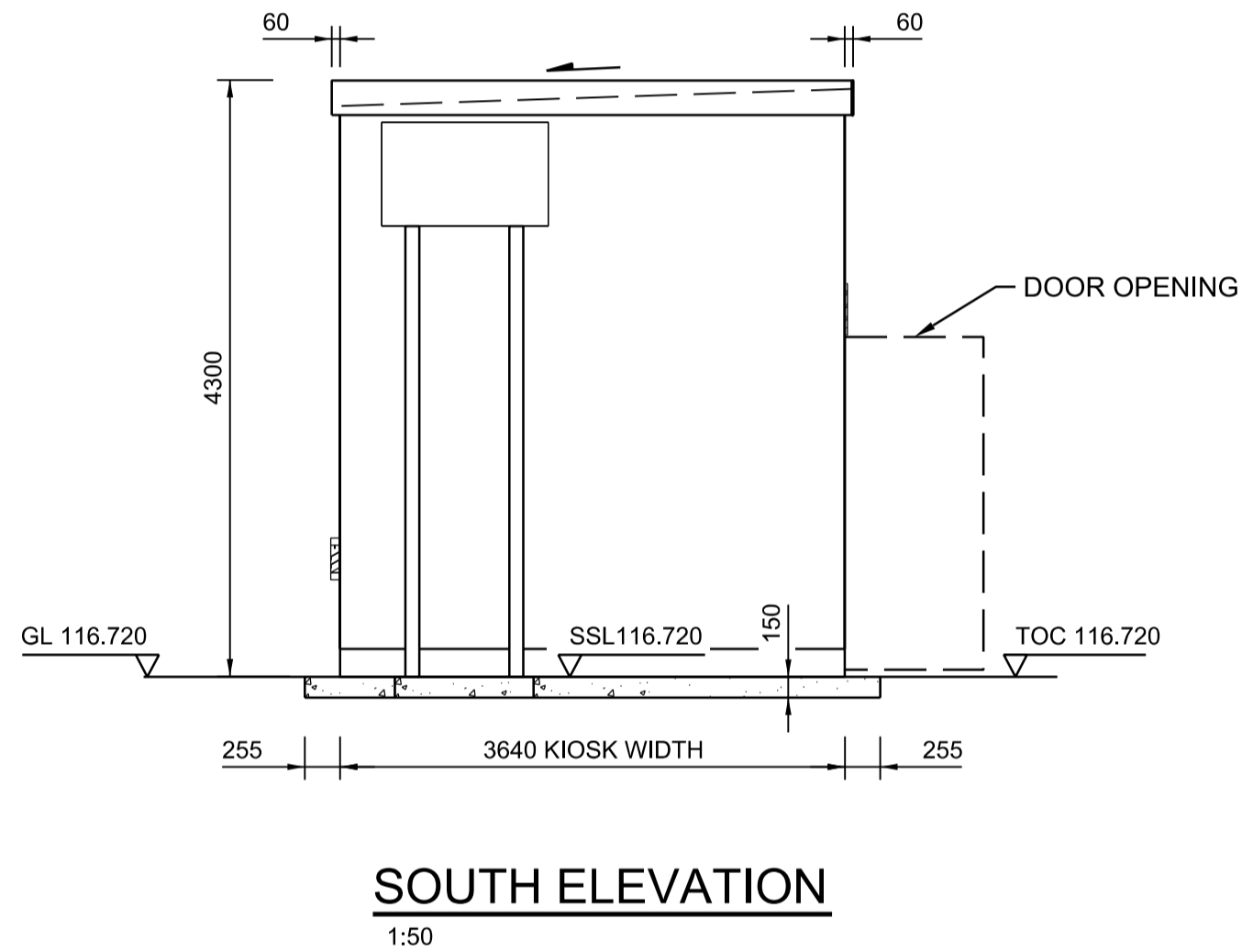
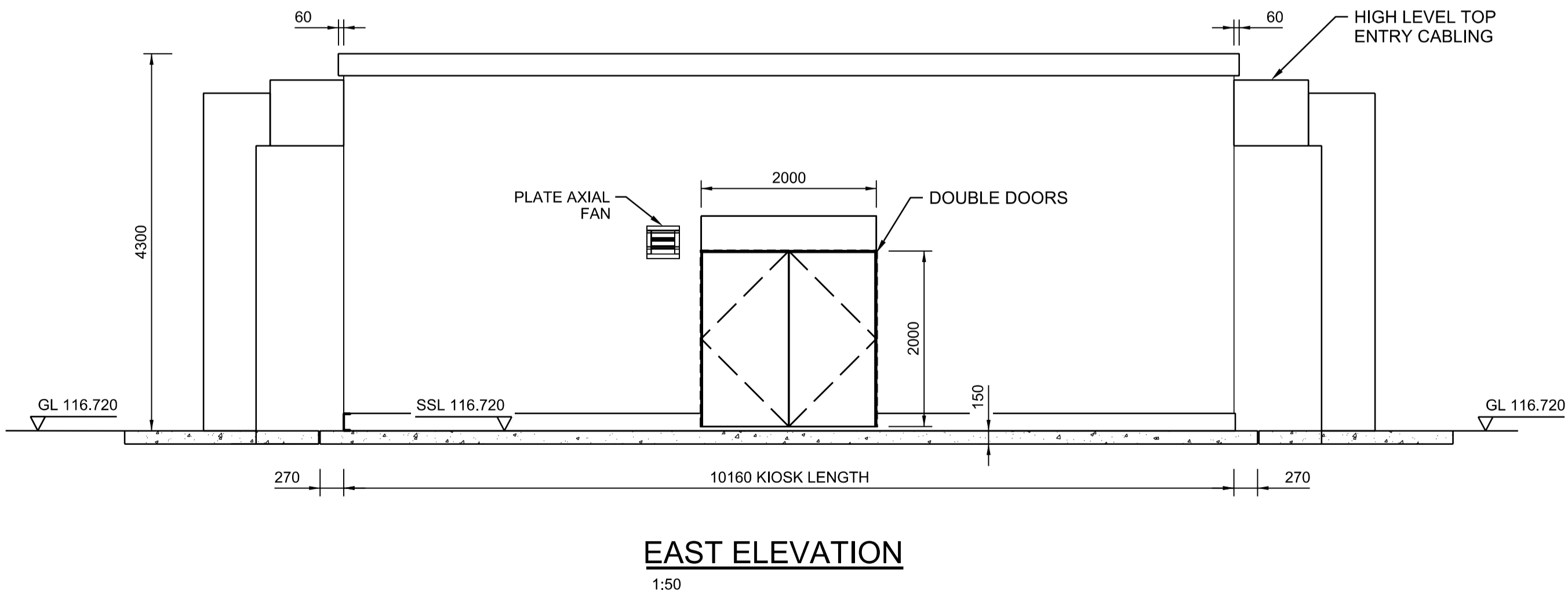
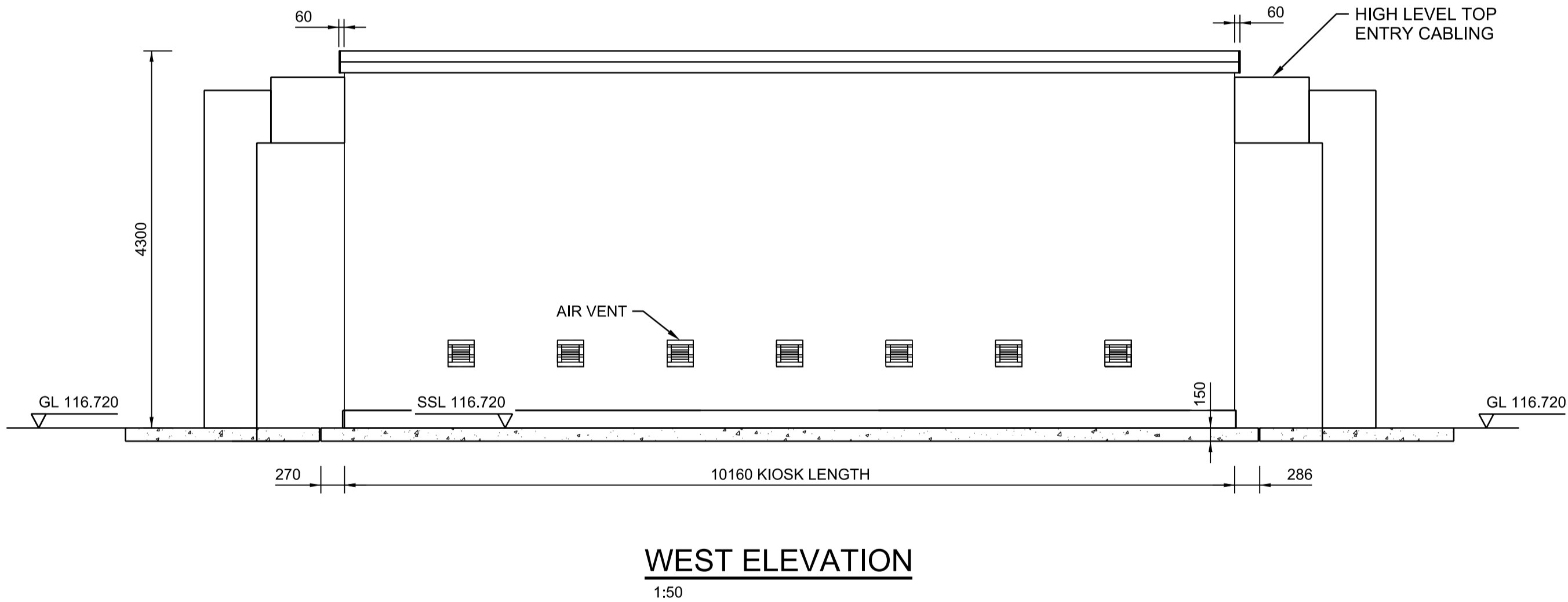
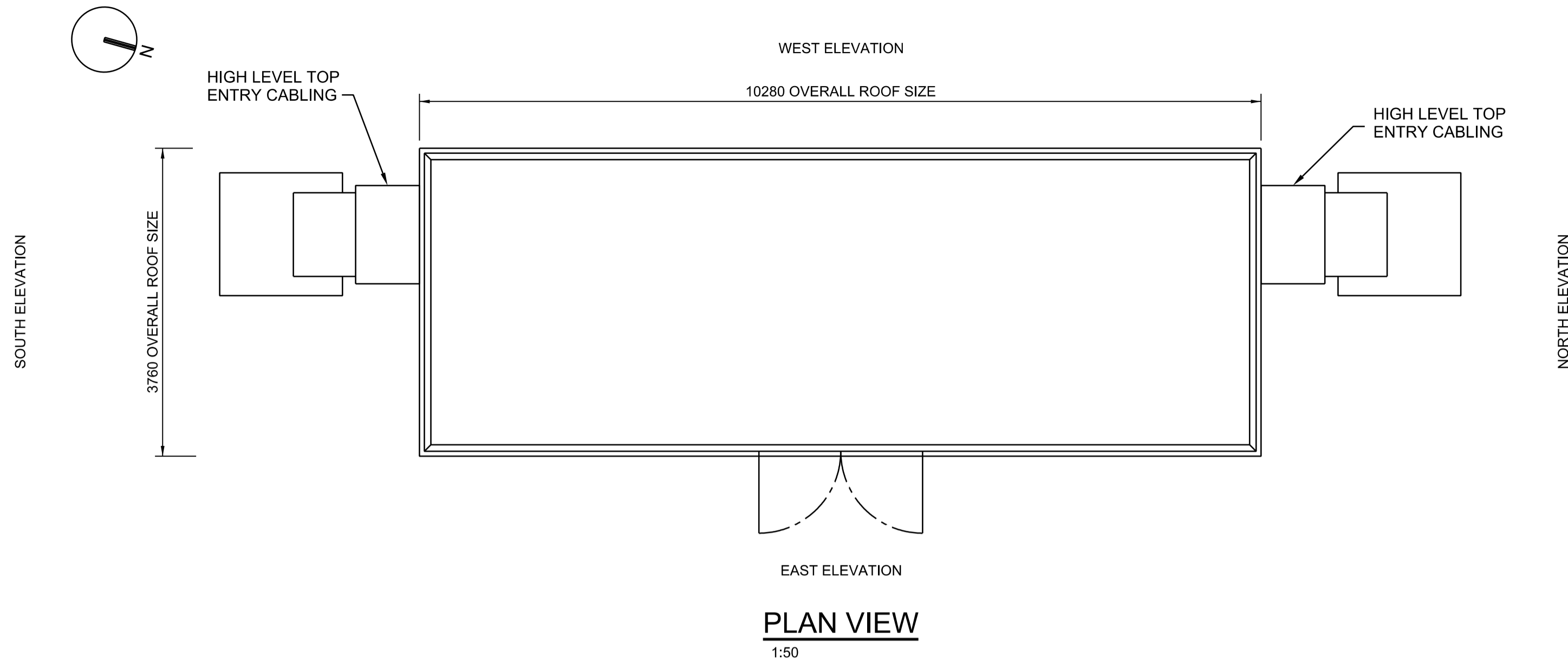
GLOSSOP WwTW - Q and X REQUIREMENTS - AMP7  
PLANNING APPLICATION SITE LAYOUT PLAN  
SHEET 2 OF 2

SCHEDULE OF INSTALLATIONS				
STRUCTURE ID	EQUIPMENT / PLANT	DIMENSIONS (L x W x H) OR (L x H x D) DEPTH BELOW GROUND (D) HEIGHT ABOVE ADJACENT GROUND (H)	PLANNING PERMISSION REQUIRED	MATERIAL
1	DNO KIOSK	5.000 x 2.500 x 3.300 (H)	YES	GRP
2	METERING KIOSK	2.500 x 1.200 x 3.500 (H)	PERMITTED DEVELOPMENT	GRP
3	LV DISTRIBUTION MCC	10.160 x 3.640 x 3.300 (H)	YES	GRP
4	SURFACE WATER PS 1 - VALVE SLAB	4.800 x 3.300 x 0.450 (D)	PERMITTED DEVELOPMENT	CONCRETE
5	SURFACE WATER PS 1	3.300DIA x 4.600 (D)	PERMITTED DEVELOPMENT	CONCRETE
6	BLIND TRENCH 1	11.100 x 1.400 x 1.585 (H)	PERMITTED DEVELOPMENT	CONCRETE
7	FERRIC DOSING KIOSK 1	11.100 x 4.050 x 3.851 (H)	YES	GRP
8	SERVICE WATER BOOSTER SET KIOSK	2.000 x 1.000 x 2.330 (H)	PERMITTED DEVELOPMENT	GRP
9	SAFETY SHOWER	1.615 x 1.450 x 3.940 (H)	PERMITTED DEVELOPMENT	STEEL
10	POTABLE WATER VALVE CHAMBER	2.000DIA x 1.700 (D)	PERMITTED DEVELOPMENT	CONCRETE

LAYOUT PLAN  
1:250



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- NOTES**
1. ALL DIMENSIONS IN MILLIMETRES AND ALL LEVELS IN METRES AOD UNLESS NOTED OTHERWISE.
  2. KIOSK MATERIAL TYPE, GRP, COLOURED A DARK RECESSIVE GREEN (14c39).
  3. ALL VENT AND FAN DETAILS ARE INDICATIVE. ALL VENTS TO BE FITTED WITH INSECT PROOF SCREENS.
  4. DOUBLE DOORS TO BE FULL HEIGHT WITH HASP AND STAPLE PAD LOCKING FACILITY AND STAINLESS STEEL SECURITY SHROUD COVER.

- LEGEND**
- |     |   |
|-----|---|
| GL  | GROUND LEVEL  |
| SSL | STRUCTURAL SLAB LEVEL   |
| TOC | TOP OF CONCRETE   |
|     | PROPOSED DEVELOPMENT REQUIRING PLANNING PERMISSION - 3080 m <sup>2</sup> / 0.308 ha |
|     | LAND WITHIN UNITED UTILITIES OWNERSHIP  |
|     | CONCRETE  |

- REFERENCE DRAWINGS**
1. 80061943-01-C2V-GLOSS-97-DR-I-00001 - PLANNING APPLICATION SITE LAYOUT PLAN
  2. 80061943-01-C2V-GLOSS-97-DR-I-00002 - PLANNING APPLICATION SITE LAYOUT PLAN SHEET 1 OF 2
  3. 80061943-01-C2V-GLOSS-97-DR-I-00003 - PLANNING APPLICATION SITE LAYOUT PLAN SHEET 2 OF 2
  4. 80061943-01-C2V-GLOSS-97-DR-I-00004 - PLANNING APPLICATION, FERRIC DOSING KIOSK 1 AND 2 PLAN & ELEVATIONS
  5. 80061943-01-C2V-GLOSS-97-DR-I-00005 - PLANNING APPLICATION LV DISTRIBUTION MCC PLAN & ELEVATIONS
  6. 80061943-01-C2V-GLOSS-97-DR-I-00007 - PLANNING APPLICATION TSR MCC KIOSK PLAN & ELEVATIONS
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  9. 80061943-01-C2V-GLOSS-97-DR-C-00001 - CIVIL GAS PROTECTION MEASURES KEY PLAN
  10. 80061943-01-C2V-GLOSS-99-DR-C-00002 - CIVIL GAS PROTECTION MEASURES MISCELLANEOUS DETAILS
  11. 80061943-01-C2V-GLOSS-99-DR-C-00003 - KIOSK GAS PROTECTION MEASURES MISCELLANEOUS DETAILS
  12. 80061943-01-C2V-GLOSS-97-DR-L-00003 - LANDSCAPE AND BIODIVERSITY PROPOSALS PLAN

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S2				Issued for Information	
SUITABILITY CODE	SUITABILITY DESCRIPTION				



GLOSSOP WwTW - Q and X REQUIREMENTS - AMP7

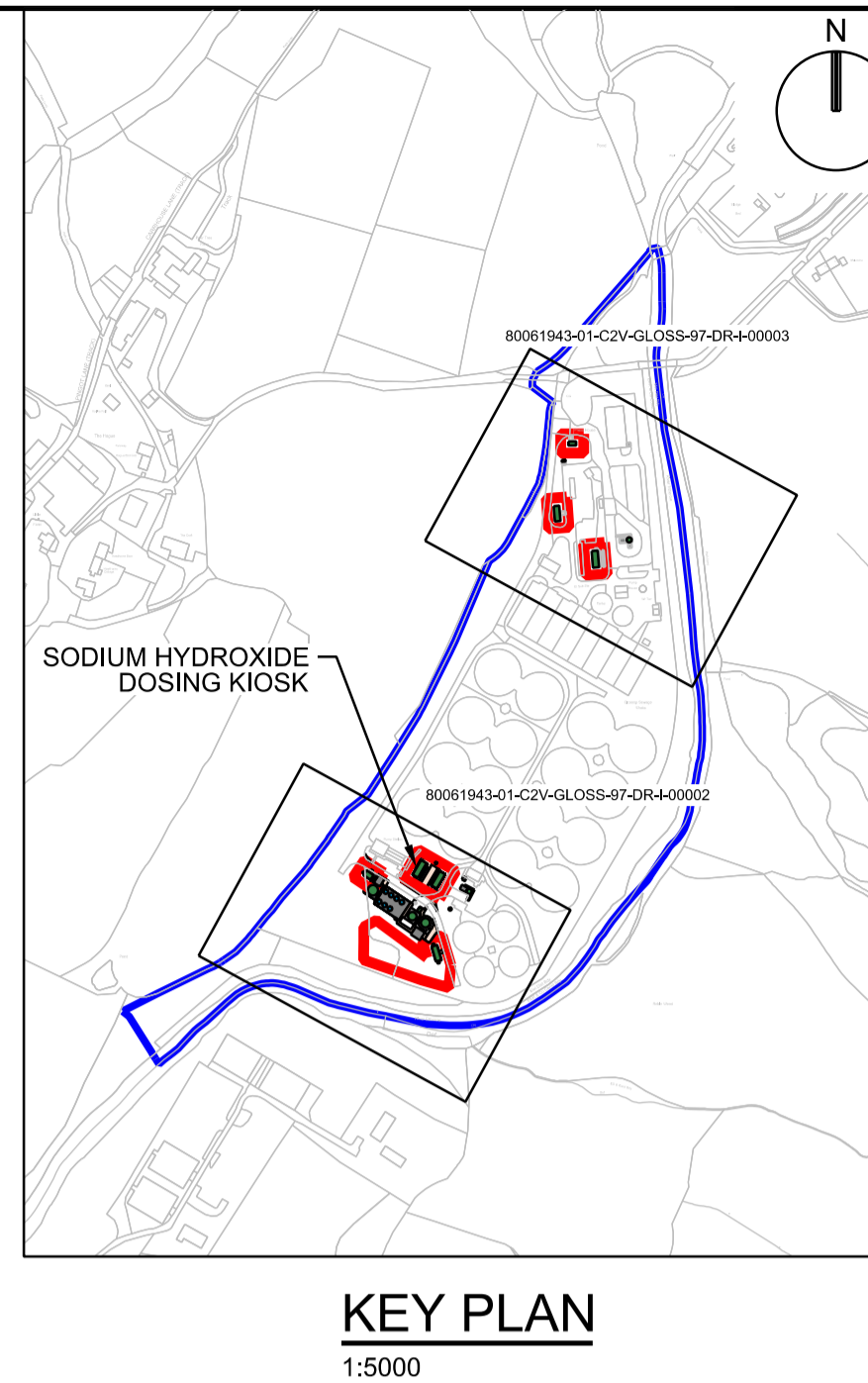
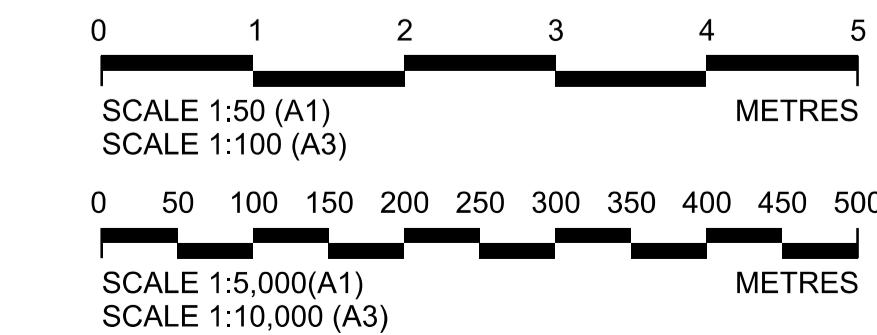
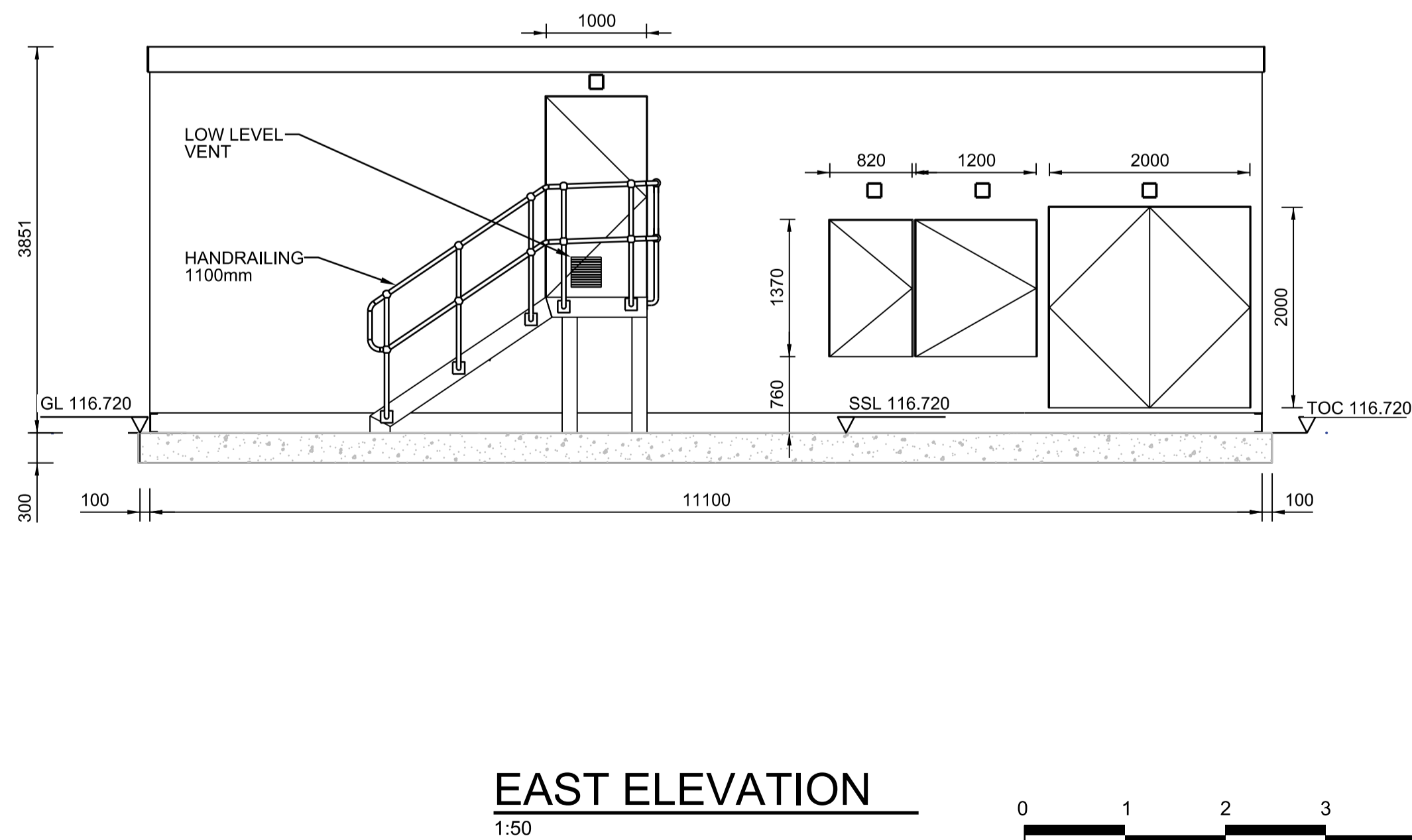
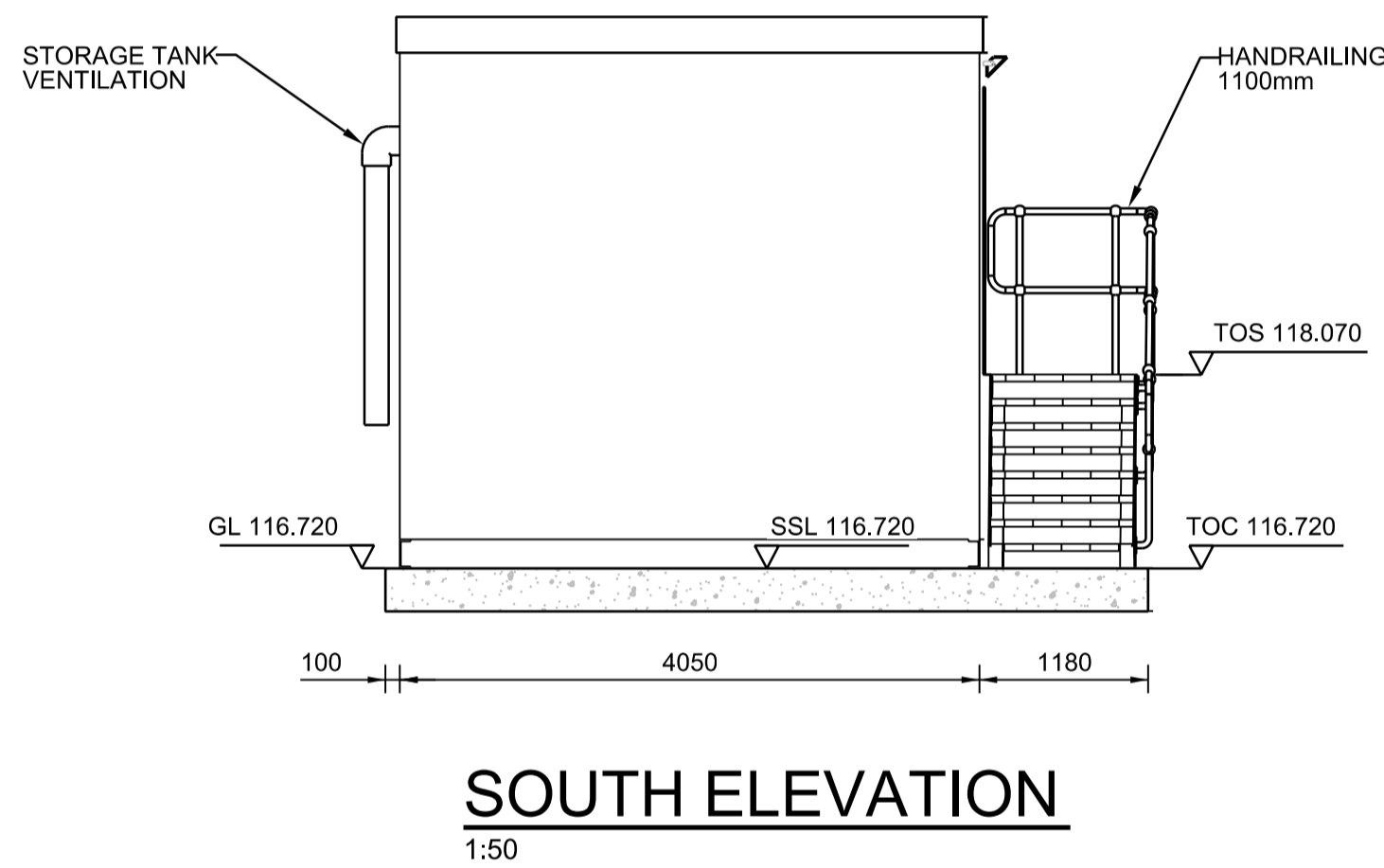
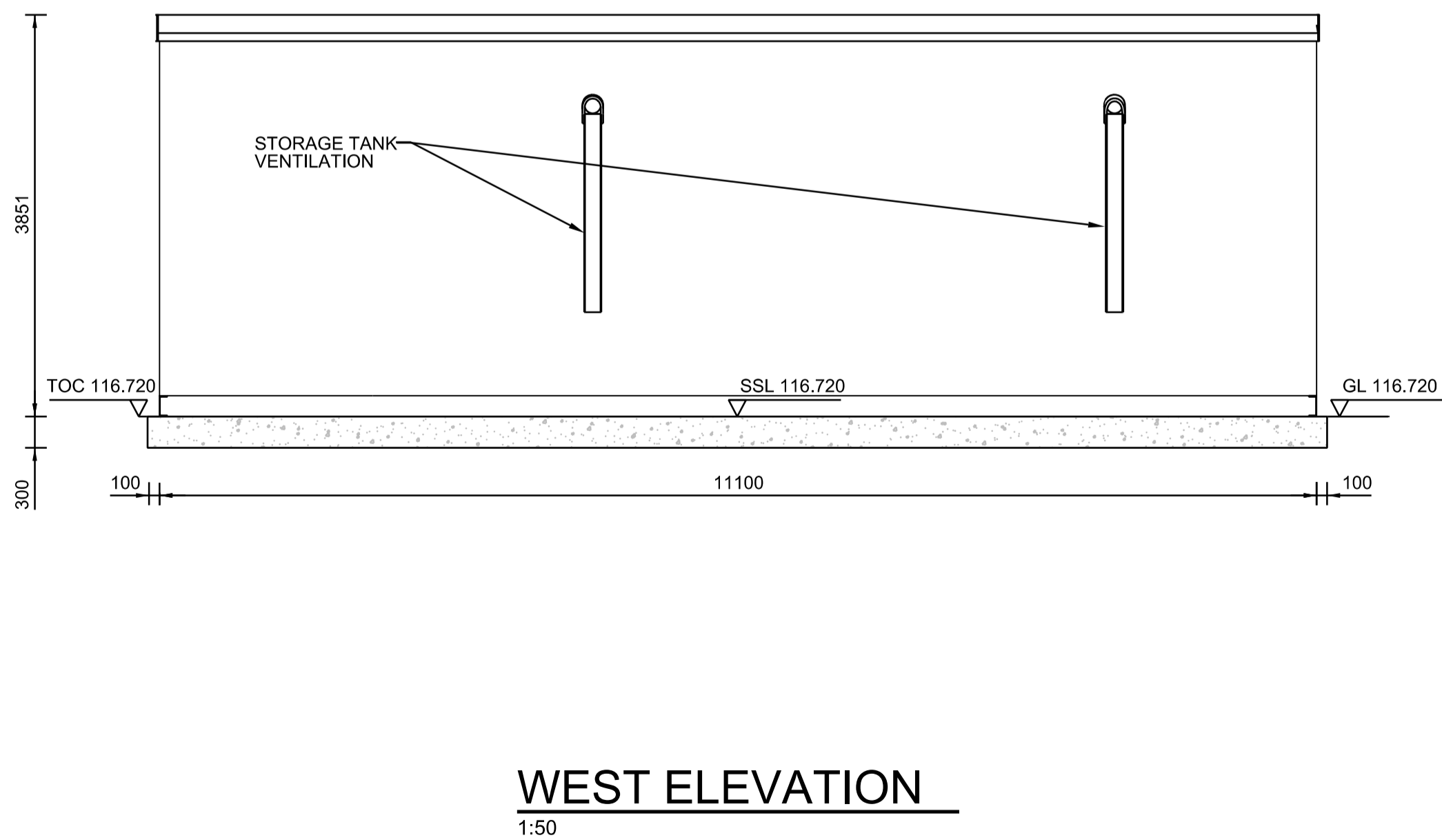
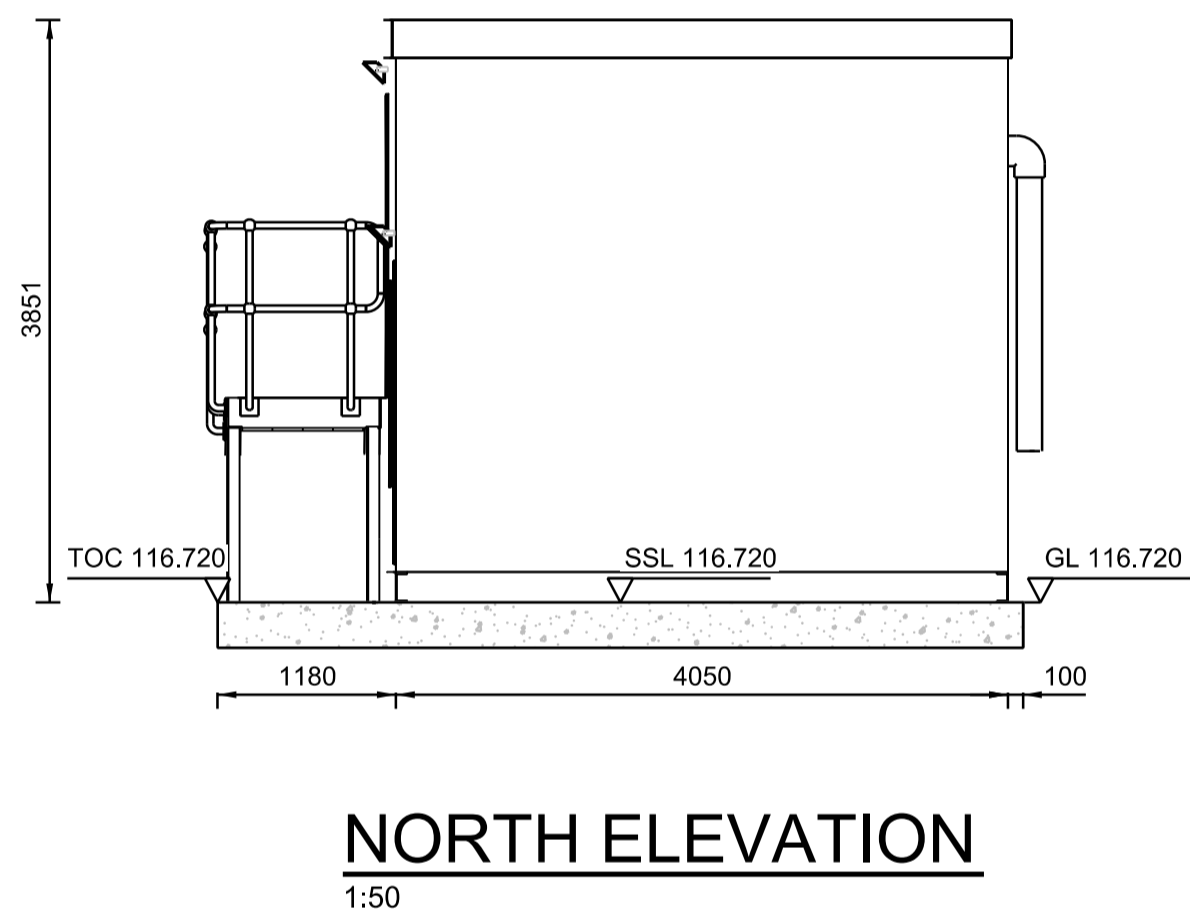
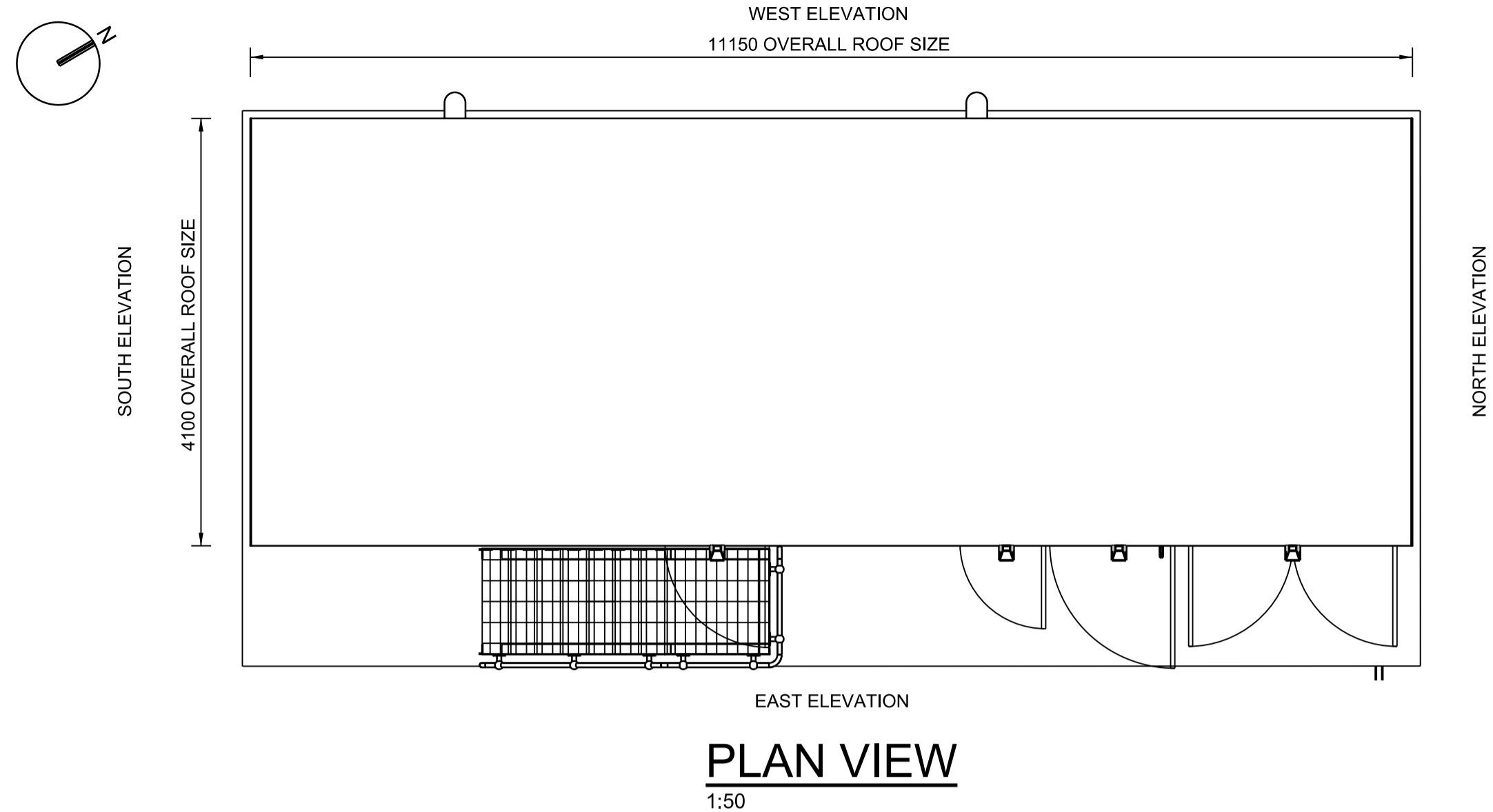
PLANNING APPLICATION

TERTIARY TREATMENT MCC KIOSK

PLAN & ELEVATIONS

SCALE AS SHOWN	SHEET SIZE A1
DRAWING NUMBER 80061943-01-C2V-GLOSS-97-DR-I-00006	REVISION P04

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- NOTES**
- ALL DIMENSIONS IN MILLIMETRES AND ALL LEVELS IN METRES AOD UNLESS NOTED OTHERWISE.
  - KIOSK TO BE COLOUR DARK GREEN AS PER 14C39 TO BS4800.
  - ALL VENT AND FAN DETAILS ARE INDICATIVE. ALL VENTS TO BE FITTED WITH INSECT PROOF SCREENS.
  - DOORS TO BE FULL HEIGHT WITH PAD LOCKING FACILITY AND STAINLESS STEEL SECURITY SHROUD COVER
  - GALVANISED STEEL ACCESS STAIRS AND PLATFORM, NATURAL FINISH.
- LEGEND**
- PROPOSED DEVELOPMENT REQUIRING PLANNING PERMISSION - 3080m<sup>2</sup> / 0.308 ha
  - LAND WITHIN UNITED UTILITIES OWNERSHIP
  - CONCRETE
  - GL GROUND LEVEL
  - TOS TOP OF STEEL
  - TOC TOP OF CONCRETE
  - SSL STRUCTURE SLAB LEVEL
- REFERENCE DRAWINGS**
- 80061943-01-C2V-GLOSS-97-DR-I-00001 - SITE LOCATION PLAN
  - 80061943-01-C2V-GLOSS-97-DR-I-00002 - PLANNING APPLICATION SITE LAYOUT PLAN SHEET 1 OF 2
  - 80061943-01-C2V-GLOSS-97-DR-I-00003 - PLANNING APPLICATION SITE LAYOUT PLAN SHEET 2 OF 2
  - 80061943-01-C2V-GLOSS-97-DR-I-00004 - PLANNING APPLICATION FERRIC DOSING KIOSK 1 AND 2 PLAN & ELEVATIONS
  - 80061943-01-C2V-GLOSS-97-DR-I-00005 - PLANNING APPLICATION LV DISTRIBUTION MCC PLAN & ELEVATIONS
  - 80061943-01-C2V-GLOSS-97-DR-I-00006 - PLANNING APPLICATION TERTIARY TREATMENT MCC KIOSK PLAN & ELEVATIONS
  - 80061943-01-C2V-GLOSS-97-DR-I-00007 - PLANNING APPLICATION TSR MCC KIOSK PLAN & ELEVATIONS
  - 80061943-01-C2V-GLOSS-97-DR-I-00008 - PLANNING APPLICATION DNO KIOSK PLAN & ELEVATIONS
  - 80061943-01-C2V-GLOSS-97-DR-C-00001 - CIVIL GAS PROTECTION MEASURES KEY PLAN
  - 80061943-01-C2V-GLOSS-99-DR-C-00002 - CIVIL GAS PROTECTION MEASURES MISCELLANEOUS DETAILS
  - 80061943-01-C2V-GLOSS-99-DR-C-00003 - KIOSK GAS PROTECTION MEASURES MISCELLANEOUS DETAILS
  - 80061943-01-C2V-GLOSS-97-DR-L-00003 - LANDSCAPE AND BIODIVERSITY PROPOSALS PLAN

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GLOSSOP WwTW - Q and X REQUIREMENTS - AMP7

PLANNING APPLICATION

SODIUM HYDROXIDE DOSING KIOSK

PLAN & ELEVATIONS

SCALE AS SHOWN	SHEET SIZE A1
DRAWING NUMBER 80061943-01-C2V-GLOSS-97-DR-I-00009	REVISION P03

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**Application Number 22/00479/FUL**

**Installation of 7 No. kiosks and landscape bund required in connection with wider permitted development works**

**Glossop Wastewater Treatment Works, Melandra Road, Mottram-in-Longdendale**

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**Photo 1: Aerial view of the site.**



**Photo 2: 3D Image looking north.**



**Photo 3: Site Entrance from Melandra Road**



**Photo 4: internal access road**



**Photo 5: Southern area of site to be developed**



**Photo 6: Onsite infrastructure with tree screening to the rear (western boundary)**



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## Appeal Decision

Site visit made on 4 April 2023

**by C Coyne BA (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 14 July 2023**

**Appeal Ref: APP/G4240/W/22/3312499**

**Godley Hall Inn, Godley Hill, Hyde, Tameside SK14 3BL**

- 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 Bardsley against the decision of Tameside Metropolitan Borough Council.
- The application Ref 22/00364/FUL, dated 6 April 2022, was refused by notice dated 6 June 2022.
- The development proposed is erection of a new build dwelling.

### Decision

1. The appeal is allowed and planning permission is granted for erection of a new build dwelling at Godley Hall Inn, Godley Hill, Hyde, Tameside SK14 3BL in accordance with the terms of the application Ref 22/00364/FUL, dated 6 April 2022, subject to the conditions set out in the schedule to this decision.

### Preliminary Matters

2. In accordance with the statutory duty set out in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have given special regard to the desirability of preserving Godley Hall (former Godley Hall Inn/Public House) or its setting or any features of special architectural or historic interest which it possesses.

### Main Issues

3. The main issues are:
  - The effect of the proposed development on the character and appearance of the area having regard to the setting of Godley Hall; and
  - The effect of the proposed development on the living conditions of future occupiers having regard to the provision of outdoor amenity space.

### Reasons

#### *Character and Appearance*

4. The appeal site is situated to the side and rear of Godley Hall, a former public house and Grade II listed building that has recently been converted back into a dwelling. Godley Hall is an example of an early 18<sup>th</sup> Century yeomanry farmhouse of stone construction albeit with some more recent alterations. On the other side of the site is a row of two storey terraced dwellings with a more contemporary red-brick external material finish.

5. Opposite Godley Hall and the red-bricked terrace there is another row of two storey terraced dwellings with a more traditional stone external material finish. These dwellings also have traditional stone slate roof tiles like those on the roof of Godley Hall. The appeal site comprises a portion of what was the car park for the former public house and an adjacent area of open space. The terraces and Godley Hall are located quite close to each other, giving the area a compact feel and dense urban character.
6. On the other side at the open end of the cul-de-sac lies a large food processing and manufacturing plant, part of which is clearly visible from the end of the street closest to the appeal site. At the other end of the street, when turning the corner, a large four storey office block within the grounds of the food processing plant is fully visible both to pedestrians and road users.
7. The proposal would install a two storey, L-shaped dwelling within the gap between Godley Hall and the red-bricked terrace. It would have a traditional stone and slate external material finish that would resemble Godley Hall and the traditional row of terraced dwellings opposite and would infill the gap between these buildings.
8. According to the evidence, the historic pattern of development on the appeal site and the land around Godley Hall, including the two terraces was dense and compact, with buildings standing where the appeal site and former car park are now located.
9. Given the materials to be used, the proposal's design and external material finish would reflect those of Godley Hall and the traditional terraced dwellings opposite and would not be 'modern' in its style. Indeed, the fenestration detailing would be similar to that on these more traditional styled properties.
10. In terms of its scale, the proposal would not be much higher than Godley Hall and would be lower in height than the adjacent red-brick terrace which, according to the evidence, would reflect the height of the building that previously stood in the same location before it was demolished to make way for the car park. It would also project to the rear to a similar degree to the buildings that once stood there and would leave a similar L-shaped gap between the Hall and itself, similar to what was there historically.
11. According to the submitted plans, the proposal would measure around 11 metres in width and be located approximately 5.8 metres away from Godley Hall. While I note the point that the proposal's width would broadly equate to the width of two of the adjacent terraced properties, it would not be wider overall than Godley Hall. The width of the proposal would also appear to be less than that of the two-storey building that once stood on the appeal site as shown on drawing no. RG284 / PL104 rev P2. In addition, based on the submitted plans, the proposal's 'L' shape would also not be significantly larger than the overall cruciform shape and layout of Godley Hall. Consequently, while it would not be completely subservient in scale and massing to Godley Hall, it would not be so large as to visually dominate it or its setting.
12. Consequently, to my mind, the proposal would in essence restore the previous historic pattern of development and therefore it would visually compliment and contribute to the significance of Godley Hall and positively contribute to the character and appearance of the area overall.
13. I note that the proposal would place built development on part of the site of the former car park and infill the gap between Godley Hall and the adjacent terrace. However, given that the proposal would be set back from the front building line of the terrace I consider that it would not lead to an increased sense of enclosure

particularly given the already compact and dense urban character at this end of the street. Furthermore, the removal of the hardstanding and concrete currently in situ and its replacement with a well-designed built form would represent a visual improvement in my view.

14. It is therefore my overall planning judgement that the proposal would preserve the setting of Godley Hall. Accordingly, based on the evidence before me, I find that the proposed development would not unacceptably harm the character and appearance of the area. I therefore conclude that the proposed development would accord with policies C1, C5, C6, H9 and H10 of the adopted Tameside Unitary Development Plan (UDP), Policies RD2 and RD22 of the Tameside Residential Design Supplementary Planning Document (SPD), and paragraphs 130 and 134 of the *National Planning Policy Framework* (the Framework).

#### *Outdoor Amenity Space*

15. The SPD stipulates that all houses should have private amenity space of a size and function suitable for its intended occupants with houses of 3 or more bedrooms being expected to have an outdoor space that reflects this. The SPD does not provide any detailed guidance as to what an adequate minimum size of outdoor private amenity space would be acceptable. The proposal would have four bedrooms and a private garden and amenity space to the rear would be provided.
16. According to the submitted plans the proposed rear garden would encompass the full width of the rear elevation extending either side of it to a small degree. It would then extend backwards in a rectangular fashion to the existing mature tree line before tapering off at an angle in a rectangular shape with a steep drop in gradient which progresses as it moves in that direction.
17. Based on the evidence, the flat rectangular portion of the proposed rear garden would be of a similar size to the rear gardens/amenity spaces used by the occupiers of neighbouring properties. Furthermore, based on the submitted plans, I see no reason why this rectangular garden/amenity space to the rear of the proposal could not functionally be used as such. Consequently, and given that the SPD does not specify a minimum standard size, I find that the proposal would provide an adequate amount of usable private outdoor amenity space.
18. As a result, I find that the proposal would not materially harm the living conditions of future occupiers having regard to the provision of outdoor amenity space. It would therefore accord with policy H10 of the UDP, Policies RD11, RD12 and RD18 of the SPD, and paragraph 130 of the Framework.

#### **Other Matters**

##### *Area of Common Land and Public Right of Way*

19. A concern was raised that there was an area of registered common land within the appeal site. Indeed, this issue was highlighted in the Council's officer report. However, I have no substantive evidence before me, such as a copy of the commons register, to support this so I cannot be certain that this area is common land.
20. It has also been highlighted that an application was submitted to add a footpath to the definitive map and statement to gain public access to the alleged area of common land. However, according to the evidence this application has been withdrawn so I also cannot be certain that there is a public right of way to the alleged area of common land.

21. In any event whether the appellant seeks additional consent to access any common land is not a matter for me to determine as part of this s78 appeal. As a result, and for the above reasons I afford this matter little weight.

#### *Housing Land Supply*

22. The Council does not dispute the appellant's contention that it is unable to demonstrate a five-year supply of deliverable housing sites in accordance with paragraph 74 of the Framework. As such, it is necessary for me to determine whether the adverse impacts of the development would significantly and demonstrably outweigh the benefits inherent in providing an additional dwelling to assist the Council in addressing its undersupply as set out in Paragraph 11 of the Framework.
23. The proposal would, for the reasons described above, not cause material harm to the character and appearance of the area or to the setting of Godley Hall. Moreover, as accepted by the main parties, the appeal site is located within an area suitable for housing. Furthermore, within this context the proposal would provide the benefit of a new home and there are no identified adverse impacts that would outweigh this benefit when assessed against the policies in the Development Plan and Framework as a whole.
24. As a result, when considered in the round, these factors weigh in favour of the proposal and the presumption in favour of sustainable development is therefore applicable in this case.

#### *Highway Safety*

25. Concerns have been raised by interested parties in relation to the proposal having an adverse impact on highway safety in terms of on-street carparking, vehicular movement up and down the lane and that access for emergency services vehicles would be restricted. However, I have no substantive evidence before me to support this. Indeed, the local highway authority does not raise an objection to the proposal subject to the imposition of appropriately worded conditions and based on the evidence before me I see no reason to disagree. Consequently, and being mindful of Paragraph 111 of the Framework, I see no reason why the proposal should be refused. I therefore afford this matter little weight.

#### *Objections by interested parties*

26. Interested parties have raised concerns relating to several matters including: drainage, bin storage, vandalism, anti-social behaviour, health and wellbeing, loss of light and the loss of a children's play space. However, I have no substantive evidence before me to suggest that the proposal would cause unacceptable harm in relation to these matters and as a result afford them little weight.
27. It has also been highlighted that there are and have been disputes about land ownership in the locality, including the appeal site. However, *Planning Practice Guidance* (the Guidance) states that planning permission runs with the land and it is rarely appropriate to provide otherwise<sup>1</sup>. In any event, this is not a matter for me to determine in the context of an appeal made under section 78 of the Town and Country Planning Act 1990. As a result, I afford this matter little weight.
28. None of the other matters raised alter or outweigh my conclusions on the main issues above.

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<sup>1</sup> Paragraph: 015 Reference ID: 21a-015-20140306

## Conditions

29. A set of suggested conditions was submitted by the Council which the appellant agrees with, and I have used these as the basis for those I have imposed on the appeal scheme. I have imposed conditions as set out in the attached schedule in light of the use of planning conditions set out in the Framework and the Guidance. Consequently, in the interests of precision and clarity I have undertaken some minor editing and rationalisation of the conditions suggested by the Council.
30. In addition to the standard implementation condition, I have imposed a necessary condition to define the plans with which the scheme should accord in the interest of precision. I have also imposed a necessary condition specifying that the proposal be constructed of materials in accordance with samples submitted to and approved by the local planning authority in the interests of the character and appearance of the area.
31. In the interest of minimising flood risk, I have imposed a necessary condition requiring the submission and approval of a sustainable surface water drainage strategy. I have also imposed reasonable and necessary conditions requiring the submission of a construction environment management plan and limiting the hours of construction activities in the interest of the living conditions of neighbouring occupiers.
32. In the interest of the character and appearance of the area and ensuring sufficient cycle storage I have also imposed necessary conditions requiring the submission and approval of the secured cycle storage provision, an arboricultural impact assessment, an arboricultural method statement and details of both hard and soft landscaping works including boundary treatments.
33. In the interest of minimising risks from potentially contaminated land I have also imposed conditions requiring that an investigation and risk assessment be carried out should any contamination be discovered during the proposal's construction; and that if contamination is found or suspected at any time during development, all works would stop until a remediation strategy detailing how this contamination will be appropriately addressed has been submitted to, and approved in writing by the local planning authority.
34. In the interest of the character and appearance of the area and of the preservation of the setting of a heritage asset I have imposed a necessary condition prohibiting any alteration to the roof including the insertion of dormer windows or the enlargement or extension of the dwelling hereby approved or the construction of buildings within its curtilage without first having to apply for planning permission.

## Planning Balance and Conclusion

35. The accord of the proposal with the Development Plan and the Framework when read as a whole is not outweighed by any other consideration and the Framework indicates in Paragraph 11 that such development should be approved without delay. Therefore, for the above reasons, and having had regard to all other matters raised, I conclude that the appeal should be allowed, and planning permission is granted, subject to conditions.

*C Coyne*

INSPECTOR

### **Schedule of Conditions**

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan Drawing No. RG284/PL100 Rev P1; Site Plans and Site Sections Drawing No. RG284/PL102 Rev P3; External Views (1 of 2) Drawing No. RG284/PL103 Rev P3; External Views (2 of 2) Drawing No. RG284/PL104 Rev P2; Proposed Plans and Elevations Drawing No. RG284/PL101 Rev P3.
- 3) No development above foundation level shall commence until details / samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.
- 4) Prior to the commencement of development, a sustainable surface water drainage strategy shall be submitted to and approved in writing by the local planning authority. The drainage scheme must include:
  - i. An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
  - ii. A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
  - iii. A timetable for its implementation. The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

- 5) No development shall commence, including any works of demolition, until a Construction Environmental Management Plan has been submitted to, and approved in writing by the local planning authority.

This shall include details of:

- i. Arrangements for temporary construction access;
- ii. Contractor and construction worker car parking;
- iii. Turning facilities during the remediation and construction phases;
- iv. Details of on-site storage facilities;

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

- 6) No development shall commence until such time as an Arboricultural Impact Assessment and Arboricultural Method Statement has been submitted to and approved in writing by the local planning authority.
- 7) No part of the dwelling hereby approved shall be occupied until details of both hard and soft landscape works including boundary treatments have been submitted to and approved in writing by the local planning authority. The details shall include the size, species and spacing of planting, the areas to be grassed and the materials to be used on the hard surfaced areas. The landscaping scheme shall be implemented in accordance with the approved

details prior to the occupation of the development and shall be retained as such thereafter.

- 8) A scheme for Biodiversity Enhancement and Mitigation Measures including the planting of native trees or hedgerows and the provision of bird and bat boxes shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to first occupation of the dwelling and shall be retained thereafter.
- 9) No part of the dwelling hereby approved shall be occupied until details of the secured cycle storage provision to serve the development have been submitted to and approved in writing by the local planning authority. The details shall include scaled plans showing the location of storage and details of the means of enclosure. The secured cycle storage arrangements shall be implemented in accordance with the approved details prior to the occupation of the development and shall be retained as such thereafter.
- 10) No works other than the excavation of the foundations and / or piling works for the development shall be undertaken at the site until the CLS2A Contaminated Land Screening Form has been submitted to and approved in writing by the local planning authority. Where necessary, a programme of investigation (including soil analysis and/or ground gas monitoring) shall be undertaken at the site in order to enable an assessment of the risks posed by contamination to be carried out. The proposed scheme of investigation shall be agreed with the local planning authority prior to being undertaken.

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

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

- 11) During construction / conversion of the property, no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 to 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.
- 12) Permitted Development Rights Removed Notwithstanding the provisions of the Schedule 2, Part 1 of the of the Town and Country Planning (General Permitted Development) Order 2015) as amended, no development involving enlargements such as side/rear extensions, alterations to roofs, dormer windows or the construction of buildings surrounding the house (the 'curtilage') as permitted by Classes A to F and H of Part 1 of Schedule 2 of the Order shall be carried out.

### **End of Schedule**

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## Appeal Decision

Site visit made on 14 June 2023

**by E Worthington BA (Hons) MTP MUED MRTPI IHBC**

**an Inspector appointed by the Secretary of State**

**Decision date: 17<sup>th</sup> July 2023**

**Appeal Ref: APP/G4240/Y/22/3310803**

**2 Moor Cottages, School Lane, Carrbrook, Tameside, Stalybridge, SK15 3NT**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
- The appeal is made by Mr Ian Doran against the decision of Tameside Metropolitan Borough Council.
- The application Ref 22/00084/LBC, dated 1 February 2022, was refused by notice dated 13 May 2022.
- The works proposed are described as 'Proposed demolition of existing single story lean too building with construction of replacement garage to allow neighbouring property to have private access to the courtyard/rear door and the installation of a set of timber French style doors in existing window opening to form fire exit from kitchen.'

### Decision

1. The appeal is dismissed.

### Procedural Matters

2. As the works relate to a listed building, I have had special regard to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
3. The proposed door opening set out in the description of works above was removed from the proposed works during the Council's consideration of the application. I confirm that I have also considered the proposed works on this basis.

### Main Issue

4. The main issue is the effect of the proposed works on the Grade II listed buildings, Numbers 1, 2 and 3 and Moorgate Farmhouse and adjoining barn and shippin, School Lane (Ref: 1309369) and the Stable Wing adjoining the north east of Moorgate House (Ref: 1068019).

### Reasons

#### *The listed buildings*

5. The listed building at Moorgate Farmhouse incorporates the farmhouse, two cottages and the adjoining shippin (cattle shed) and barn. The building dates to the late 17<sup>th</sup> century with 18<sup>th</sup> century additions and is built in stone with stone slate roofs on an extensive L shaped footprint.

6. Despite its later additions and alterations, for the most part the building maintains its historic character, scale and proportions as well as some remaining elements of its historic fabric and traditional architectural features. Thus, its historic character is still legible. It maintains an attractive rural appearance and charm which tells of its former association with agriculture.
7. The stable wing adjoins the farmhouse to its north east side and is also listed in its own right. It is an early/mid 18<sup>th</sup> century former stable building built in squared rubble and dressed stone with stone slate roof. It incorporates the barn, shippon and house all in one range and has a later single storey addition to its rear. The listing description indicates that it is listed for its group value.
8. There is a direct relationship between the two buildings and a cohesiveness to this tight group of attractive rural buildings. Thus, the two heritage assets have a shared significance. From the evidence before me, insofar as it relates to this appeal, I therefore find that the special interest of both the farmhouse and the stable wing is drawn from their simple scale and functional design, use of traditional materials, and modest proportions which attest to their function as buildings associated with farming within a rural area.
9. The settings of these buildings, and the contribution they make to the significance of those assets, in so far as they relate to this appeal, is derived from the rich historic character of the rural surroundings, its traditional functional buildings and the spaces around and between them.
10. The National Planning Policy Framework (the Framework) defines setting as the surroundings in which a heritage asset is experienced. The stable wing is attached to the farmhouse, and together they form a closely related and consolidated grouping of former agricultural buildings. The settings of both the farmhouse and the stable wing, and the contribution these make to their shared significance, in so far as it relates to this appeal, is mainly derived from the buildings' rural surroundings, their close visual and functional relationship with each other, and their historic character as described above.
11. The appeal site takes in No 2, a mid-terrace stone cottage and its rear garden area which includes a lean to garage and a driveway. The appeal property itself is part of the listed building at the farmhouse, but its garage is attached to the rear wall of the listed building at the stable wing. Thus, the appeal property and its associated outdoor areas and garage, has a close and direct visual and functional relationship with the stable wing. Similarly, the stable wing to which the garage is attached, also has a direct and functional relationship with the farmhouse (which the cottage at No 2 forms a part). This being so, the appeal site overall contributes to the settings of both these listed buildings. I have had special regard to this matter in considering the appeal.

*The proposed works*

12. No 2's existing garage is to be removed. The appellant indicates that a more recent brick wall has been built between this and the rear of the stable wing such that the garage is self-supporting. I am also mindful that the existing garage has no physical link or opening into the stable wing and is only accessed externally via No 2's garden area. Nevertheless, in practical terms it is attached to the southern rear wall of the stable wing building and therefore forms part of that listed building.

13. That said, despite its traditional lean to design the garage is an obviously later addition that has been tacked on to the stable wing's rear elevation with little regard to that building. Whilst its materials are broadly consistent with the other traditional buildings in the group, it is of a crude and basic construction. It has a corrugated sheet roof and appears to be constructed of re-used stone and brick with timber double doors to the front elevation. The appellant estimates it dates to the mid to late 20<sup>th</sup> century and the Council does not dispute this. This being so, the somewhat ramshackle structure has no real physical, functional or visual connection with the stable wing which faces out westwards into a courtyard area associated with the farmhouse.
14. Taking all these factors into account, I am satisfied that the existing garage is of no special architectural or historic interest or importance. It makes no positive contribution to the significance of the listed building to which it is attached, or to the significance of the neighbouring listed building which takes in the farmhouse and the cottages (including the appeal property). Thus, I am content that no harm would arise to either of the listed buildings as a result of its removal.
15. Nevertheless, the proposed works also include a replacement garage/store. This would be constructed in broadly the same location as the existing lean to structure in the rear courtyard of No 2, and to the rear of the stable wing. It would measure some 3.85 metres by 6 metres with a maximum height of 3.8 metres, and would be set off the rear wall of the stable wing by some 1.2 metres (in order to provide access to the rear of the neighbouring property).
16. It would be much larger than the existing garage, with a truncated L shaped layout. It would also have a hipped roof with a rear dormer facing south towards No 2. There would be a domestic scale door and window to the rear elevation and another domestic scale door to the front elevation. Whilst it would not be attached to the stable wing, it would introduce a significant and prominent structure to the site. Its considerable bulk would take up much of the width of the open area to the rear of No 2 and would dominate the rear courtyard/garden area there. Despite its use of matching materials, the detached building would have a contrived and awkward layout, overtly modern design and overwhelmingly domestic character and features.
17. Due to these factors, I find that the proposed garage/store would be appreciated as a substantial, over-dominant and incongruous modern addition to the appeal site that would appear directly at odds with the simple traditional rural form and character of the farmhouse/cottages and the associated stable wing. In introducing unsympathetic works within the settings of both the listed buildings, the proposed works would unacceptably detract from the rural nature and traditional character of the grouping and diminish the contribution of the settings of those buildings to their significance. Thus, the proposed works would fail to preserve the settings of the listed buildings. In doing so they would undermine the authenticity and importance of those assets as traditional rural buildings and impair the ability to appreciate their historic legibility.
18. I therefore conclude on the main issue that the proposed works would be harmful to the significance of the two listed buildings. I give this harm considerable importance and weight in the balance of this appeal.

19. The Framework advises at paragraph 199 that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 200 advises that significance can be harmed or lost through the alteration or destruction of those assets or from development within their setting and that this should have a clear and convincing justification. I consider that the harm to the listed building in this case would be less than substantial, but nevertheless of considerable importance and weight.
20. Paragraph 202 of the Framework requires that less than substantial harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use. No public benefits are put forward by the appellant.
21. I therefore find that the public benefits in this case are insufficient to outweigh the harm to the designated heritages asset that I have identified. For these reasons the works would fail to satisfy the requirements of the Act and paragraph 197 of the Framework. Whilst the decision notice refers to policies in the Tameside Unitary Development Plan, I am mindful that listed building appeals are not subject to Section 38(6) of the Planning and Compulsory Purchase Act 2004 and so do not need to be determined in accordance with the development plan.

### **Other Matters**

22. The appellant indicates that the Conservation Officer did not visit the site to assess the impact of the proposed works. However, I confirm that I have considered the proposed works on their own merits, visited the site and made my own assessment as to their potential impact.
23. The appeal site is within the Carbrook Conservation Area and the Green Belt. The impact of the works on the Conservation Area and/or the Green Belt are not reasons for refusal, and I have seen no objections from the Council in these respects. Nevertheless, this does not alter my view as to the impact of the works on the listed buildings.
24. The appellant indicates that the Council granted planning permission for the appeal scheme under reference 22/00083/FUL on 13 May 2022. No further details relating to this decision or a response from the Council are before me. Accordingly, I find that this is not a reason to allow works which I have found to be harmful.

### **Conclusion**

25. For the reasons set out above, and having regard to all the other matters raised, I conclude that the appeal should be dismissed.

*E Worthington*

INSPECTOR