

Application Number 20/00970/FUL

Proposal	Full planning permission to vary condition 2 (approved plans) to omit the main entrance and access bridge approved under application ref. 19/00503/FUL and replace this with a new pedestrian access, re-sited to the lower ground floor and amendment to the pedestrian access to the building.
Site	Buckton Building, Tameside General Hospital, Fountain Street, Ashton-under-Lyne
Applicant	Pennine Care NHS Foundation Trust
Recommendation	Grant planning permission, subject to conditions.
Reason for Report	A Speakers Panel decision is required because the application constitutes major development.

1.0 APPLICATION DESCRIPTION

- 1.1 The applicant seeks full planning permission to vary condition 2 (approved plans) of planning permission reference 19/00503/FUL, which approved the erection of a 12 bed, Psychiatric Intensive Care Unit (PICU), following the demolition of the existing low security mental health ward on the site.
- 1.2 The amendments sought in this application are summarised as follows:
- The removal of the bridged access to the upper floor level of the building within the extant scheme;
 - The installation of an access into the building at the lower ground level of the building; and
 - The relocation of the service user drop- off area.
- 1.3 Details of security fencing, up to a height of 5.2 meters, on the western edge of the site and on part of the eastern boundary and close boarded fencing on the southern boundary of the site (labelled only on the previously approved site plan) are shown in elevation form on the plans submitted with this variation of condition application.

2.0 SITE & SURROUNDINGS

- 2.1 The application relates to the building adjoined to the south western corner site of the Buckton Building, located on the south eastern edge of the wider Tameside Hospital site in Ashton-under-Lyne. Land levels on the site of the Buckton Building slope downwards in a south easterly direction, ensuring that the application site is at a lower level than the ground level of the main building. The building is immediately surrounded by tall wire mesh fencing, with trees and hedges demarcating the western boundary of the site. The taller part of the Buckton Building is located to the north east of the site, which fronts the car parking area associated with the whole building. The building is constructed of red brick elevations with a tiled roof.

3.0 PLANNING HISTORY

- 3.1 19/00503/FUL - Demolition of existing, 19 bed, low secure mental health ward. Erection of 12 Bed, Psychiatric Intensive Care Unit (PICU), low secure mental health unit.

- 3.2 13/00351/FUL - Extension to Buckton Building (retrospective) – approved.
- 3.3 12/00297/FUL- Extension to Buckton Building – approved.

4.0 RELEVANT PLANNING POLICIES

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 Planning Practice Guidance (PPG)
- 4.3 **Tameside Unitary Development Plan (UDP) Allocation**

Unallocated, within the settlement of Ashton-under-Lyne.

Part 1 Policies

- 1.3: Creating a Cleaner and Greener Environment.
- 1.5: Following the Principles of Sustainable Development
- 1.10 Protecting and Enhancing the Natural Environment
- 1.12: Ensuring an Accessible, Safe and Healthy Environment

Part 2 Policies

- OL10: Landscape Quality and Character
- T1: Highway Improvement and Traffic Management.
- T10: Parking
- C1: Townscape and Urban Form
- N3: Nature Conservation Factors
- N4: Trees and Woodland.
- N5: Trees within Development Sites.
- N7: Protected Species
- MW11: Contaminated Land
- MW14 Air Quality
- U3: Water Services for Developments
- U4 Flood Prevention
- U5 Energy Efficiency

4.4 Other Policies

Greater Manchester Spatial Framework - Publication Draft October 2018;

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

Residential Design Supplementary Planning Document; and,
Trees and Landscaping on Development Sites SPD adopted in March 2007.

4.5 National Planning Policy Framework (NPPF)

- Section 2: Achieving Sustainable Development;
- Section 5: Delivering a Sufficient Supply of Homes;
- Section 8 Promoting Healthy and Safe Communities;
- Section 11: Making Efficient Use of Land;

4.6 Planning Practice Guidance (PPG)

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

5.0 PUBLICITY CARRIED OUT

- 5.1 Neighbour notification letters were issued and a notice displayed adjacent to the site for 21 days, in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's adopted Statement of Community Involvement.

6.0 RESPONSES FROM CONSULTEES

- 6.1 Borough Environmental Health Officer (EHO) - no objections to the proposed amendments.
- 6.2 Local Highway Authority - no objections to the proposed amendments.
- 6.3 Borough Tree Officer – no objections raised. The proposals would not result in any further impact on trees adjacent to the site when compared to the extant permission.
- 6.4 Greater Manchester Ecology Unit – no objections raised. The proposals would not result in any further impact on biodiversity when compared to the extant permission.

7.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- 7.1 No representations have been received.

8.0 ANALYSIS

- 8.1 National Planning Practice Guidance promotes flexible options for planning permissions. Section 73 of the Town and Country Planning Act 1990 allows for applicants to apply to the Local Planning Authority to amend or vary conditions placed on a planning consent. Where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended. The only restriction under section 73 is that planning permission cannot be granted to extend the time limit within which a development must be started.
- 8.2 The PPG states that; 'In deciding an application under section 73, the Local Planning Authority must only consider the disputed condition's that are the subject of the application – it is not a complete re-consideration of the application.' The original planning permission will continue to exist.
- 8.3 The principle of development was established through the granting of planning permission ref. 19/00503/FUL. This application seeks to make minor amendments to the extant permission.
- 8.4 The issues to be assessed in the determination of this planning application are:

- The impact of the revisions to the previously approved scheme on the character of the surrounding area;
- The impact of the revisions to the previously approved scheme on the residential amenity of neighbouring properties; and
- Any additional impact on highway safety compared to the extant scheme.

9.0 CHARACTER

- 9.1 The bridged pedestrian entrance to the building proposed in the extant scheme was a feature of interest but the creation of a more 'standard' entrance at lower ground level would not detract from the overall design quality of the scheme. The amended scheme would retain the dominance of the gable features on the north western, south western and south eastern elevations of the scheme as was approved under the extant scheme.
- 9.2 The security fencing to be installed along sections of the site boundary (shown in elevation form on the plans submitted with this variation of condition application) is sited in the locations indicatively shown on the site plan, which was approved as part of the extant scheme.
- 9.3 The height of the fencing on the north western elevation (which is the part of the building visible from the widest public vantage points) would sit comfortably below the eaves height of the building (as a result of the significant drop in land levels within the site). This would reduce the prominence of the fencing in public views of the development.
- 9.4 The fencing in the south western and north eastern parts of the site would be less prominent, sitting further back from the highway (south western) and less visible in public views of the site (north eastern). Subject to details of the appearance of the fencing being secured by condition, it is considered that this element of the scheme would not have a greater impact on the character of the area than the extant scheme.
- 9.5 The amended pedestrian access on the western edge of the development proposes a stepped footway to negotiate the change in levels between the existing car park and the level of the entrance to the proposed building. A level access point would be provided at the boundary of the site with the existing highway. In visual terms, these changes to the extant scheme would be relatively minor and would not detract from the design quality of the development.
- 9.6 Following the above assessment, it is considered that the proposed amendments to the extant scheme would not result in an adverse impact on the character of the site or the surrounding area.

10.0 RESIDENTIAL AMENITY

- 10.1 The fact that the building would remain sited in the same location on the land and would be of the same scale as the extant scheme ensures that the separation distances to be retained to all neighbouring properties would remain as per the extant scheme. The amendments would not result in additional overshadowing of, or overlooking into, any of the neighbouring properties.

11.0 OTHER MATTERS

- 11.1 To facilitate the creation of the pedestrian access at the lower level within the proposed building, a new footway is proposed along the western edge of the development, connecting to the existing highway that runs through the wider hospital site.

- 11.2 The applicant has agreed to the imposition of a Grampian condition requiring details of a scheme to provide a pedestrian crossing within the adjacent highway. This would facilitate safe passage between the application site and the existing footway network on the opposite side of the highway that runs parallel with the western edge of the site. Such a condition is attached to the recommendation and would ensure that pedestrian connectivity and safety would not be adversely affected by the proposed amendments to the extant scheme.
- 11.3 Other than this change, the proposals would not result in any further impact on highway safety over and above the extant scheme, with the scale and siting of the development remaining in the approved position. This assessment is corroborated by the lack of objection from the Local Highway Authority to the proposals.
- 11.4 Condition 1 of the recommendation reflects the fact that the three year commencement period of the original consent cannot be extended. Condition 2 has been amended to include the revised proposed plans. All of the other conditions attached to the original permission remain relevant and necessary and are therefore proposed to be re-imposed.

12.0 CONCLUSION

- 12.1 The minor nature of the modifications to the elevations of the development and associated changes to the access arrangements are considered not to result in a detrimental impact on the character of the area, the residential amenity of neighbouring properties or highway safety. None of the other material considerations would be materially affected by the proposed amendments.
- 12.2 The proposals are therefore considered to comply with the relevant national and local planning policies quoted above.

RECOMMENDATION

Grant planning permission, subject to the following conditions:

1. The development must be begun not later than the expiration of three years from the date of 27 November 2019 (i.e. the date on which planning permission ref. 19/00503/FUL was approved).
2. The development hereby approved shall be carried out in accordance with the following approved plans / details:
 - 1:1250 Site location plan (drawing no. TSHPCT-GDA-V1-XX-DR-A-05_20-0005 Rev. P09);
 - 1:200 Proposed site plan (drawing no. TSHPCT-GDA-V1-XX-DR-A-05_20-0007 Rev. P13);
 - 1:100 Proposed roof plan (drawing no. TSHPCT-GDA-V1-R1-DR-A-05_20-0002 Rev. P04);
 - 1:100 Proposed lower ground floor plan (drawing no. TSHPCT-GDA-V1-B1-DR-A-05_20-0001 Rev. P18);
 - 1:100 Proposed ground floor plan (drawing no. TSHPCT-GDA-V1-00-DR-A-05_20-0001 Rev. P16);
 - Proposed elevation A plan (drawing no. TSHPCT-GDA-V1-ZZ-DR-A-05_20-0002 Rev. P09);
 - Proposed elevation B plan (drawing no. TSHPCT-GDA-V1-ZZ-DR-A-05_20-0003 Rev. P08);

- Proposed elevation C plan (drawing no. TSHPCT-GDA-V1-ZZ-DR-A-05_20-0004 Rev. P08); and,
 - Preliminary Roost Assessment with Dusk Echolocation Report (dated August 2019) produced by Syntegra Consulting.
3. No development, other than site clearance and site compound set up, shall commence until such time as the following information has been submitted in writing and written permission at each stage has been granted by the Local Planning Authority:
- i) A preliminary risk assessment to determine the potential for the site to be contaminated shall be undertaken and approved by the Local Planning Authority. Prior to any physical site investigation, a methodology shall be approved by the Local Planning Authority. This shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration.
 - ii) Where necessary, a scheme of remediation to remove any unacceptable risk to human health, buildings and the environment (including controlled waters) shall be approved by the Local Planning Authority prior to implementation.
 - iii) Any additional or unforeseen contamination encountered during development shall be notified to the Local Planning Authority as soon as practicably possible and a remedial scheme to deal with this approved by the Local Planning Authority.
 - iv) Upon completion of any approved remediation schemes, and prior to occupation, a completion report demonstrating that the scheme has been appropriately implemented and the site is suitable for its intended end use shall be approved in writing by the Local Planning Authority.

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

4. No development shall commence until details of a scheme to provide a pedestrian crossing within the highway adjacent to the western boundary of the site, connecting the levelled access point on the western edge of the development (as identified on the approved site plan) and the footway on the western side of the adjacent highway have been submitted to, and approved in writing, by the Local Planning Authority. The scheme shall include scaled plans showing the location of the crossing and a specification of the proposals. The pedestrian crossing shall be installed in accordance with the approved details prior to the first occupation of the development hereby approved and shall be retained as such thereafter.
5. Notwithstanding any description of materials listed in the application or detailed on the approved plans, no above ground construction works shall take place until samples and/or full specification of materials to be used: externally on the buildings; in the construction of all boundary walls (including the retaining wall on the southern boundary of the site, which shall be constructed from natural stone), fences and railings; and, in the finishes to all external hard-surfaces have been submitted to, and approved in writing by, the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.
6. No development shall commence until such time as a Construction Environment Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of:
- Wheel wash facilities for construction vehicles;
 - Arrangements for temporary construction access (indicating that access shall be taken from Mellor Road);
 - Contractor and construction worker car parking;

- Turning facilities during the remediation and construction phases; and
- Details of on-site storage facilities.

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

7. Notwithstanding the details shown on the approved plans, no part of the development hereby approved shall be occupied until details of the means of storage and collection of refuse generated by the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans showing the location of storage and the means of enclosure. The bin storage arrangements shall be implemented in accordance with the approved details prior to the occupation of the development and shall be retained as such thereafter.
8. Notwithstanding the details submitted with the planning application, no above ground development shall commence until full details of a scheme of hard and soft landscaping to be incorporated into the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following specific measures:
 - A plan showing the location of all trees/hedges/shrubs to be planted, details of the species mix, the number of specimens to be planted, spacing between them and their height on first planting; and
 - A plan showing the location and construction material of all hard surfacing.

The landscaping scheme shall be implemented in accordance with the approved details prior to the first occupation of any part of the development hereby approved.

9. The approved scheme of landscaping shall be implemented before the first occupation of any part of the development or in accordance with a programme agreed previously with the Local Planning Authority. Any newly planted trees or plants forming part of the approved scheme, which, within a period of five years from the completion of the planting, are removed, damaged, destroyed or die shall be replaced in the next appropriate planting season with others of similar size and species.
10. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Foul and surface water shall be drained on separate systems and in the event of surface water draining to the public surface water sewer, details of the flow rate and means of control shall be submitted. The scheme shall include details of on-going management and maintenance of the surface water drainage system to be installed. The development shall be completed in accordance with the approved details and retained and maintained as such thereafter.
11. No development above ground level shall commence until a Crime Impact Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall detail the specific crime prevention measures to be installed as part of the development to ensure that the scheme achieves Secured by Design status. The crime prevention measures shall be implemented in accordance with the approved details, prior to the first occupation of any part of the development and shall be retained as such thereafter.
12. No development above ground level shall commence until details of biodiversity enhancement measures to be installed as part of the development hereby approved has

been submitted to and approved in writing by the Local Planning Authority. The details shall include a specification of the installations and scaled plans showing their location within the development. The approved enhancement measures shall be installed in accordance with the approved details, prior to the first occupation of any part of the development and shall be retained as such thereafter.

13. During demolition / construction no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.
14. Prior to the commencement of development above ground level, details of the solar panels to be installed on the roof of the building, including scaled plans of their location, a manufacturers specification of the panels to be installed, details of the external colour and finish and the proportion of the energy needs generated by the development that would be achieved by the panels shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.
15. The development hereby approved shall be carried out in accordance with the mitigation measures contained within the ecology survey submitted with the planning application; Preliminary Roost Assessment with Dusk Echolocation Report (dated August 2019) (produced by Syntegra Consulting). In the event that demolition of the existing building(s) on the site has not commenced by March 2021, no demolition works shall commence until an updated ecological appraisal of the site has been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in strict accordance with the approved details.
16. Prior to the installation of any plant and / or ventilation equipment on the external surfaces of the building, details of the equipment to be installed (including scaled plans showing their location on the building and elevations of the equipment, a manufacturers specification of the installations and details of any means of enclosure) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.