

<b>Application Number:</b>	21/01460/FUL
<b>Proposal:</b>	Demolition of existing building, erection of 4 no. dwellings, with associated parking and landscaping
<b>Site:</b>	Land Fronting Stalybridge Cricket Club, Gorse Hall Road, Dukinfield
<b>Applicant:</b>	Stalybridge St Pauls CC
<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 departure from the adopted Tameside Unitary Development Plan (2004) and is recommended for approval.
<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 Stalybridge St Paul's Cricket Club, located off Gorse Hall Road in Dukinfield. The site itself is located in the North West corner of the Cricket Club landholding to the rear of the nearest neighbouring properties: Nos. 113 – 121 Cheetham Hill Road.
- 1.2 The site is currently occupied by a single storey function room building, which is highlighted within the submitted dilapidated survey as being in a very poor state of repair. A private road leads down the side of the function room building to an enclosed parking area at the rear (south). A group of trees front the site along Gorse Hill Road to the north.
- 1.3 The site is located within a predominately residential area made up of mainly traditional terraced properties with mix of brick and stone construction.
- 1.4 The site is allocated as protected green space according to the UDP Proposals Map.

## **2. PROPOSAL**

- 2.1 This full application seeks planning permission for the demolition of the existing function room building and the erection of 4no. 2 bedroom dwellings each with a smaller 'study' room at first floor level. The proposed two storey dwellings will be of semi-detached design, constructed with facing brick elevations and pitched tiled roofs.
- 2.2 Each of the new dwellings will benefit from two off-street parking spaces to the front of the plots with private garden areas to the rear. Bin storage and cycle storage is shown to be located within the rear gardens.
- 2.3 The ground floor of the proposed dwellings comprises an entrance hallway, separate lounge area, W.C and kitchen/dining space. At first floor level, the proposed floor plans indicate a master bedroom with en-suite, family bathroom, a second bedroom (single) and a smaller study room.

## **3. PLANNING HISTORY**

- 3.1 00/00085/NMAS - Telecommunications mast (15m high) and equipment cabin - determination as to whether prior approval is required for siting and appearance. Approved on 24.02.2000
- 3.2 06/01572/OUT - Proposed residential dwellings on part of cricket club land – Approved on 22.01.2007
- 3.3 07/00329/FUL – Removal of Condition no.14 on previously approved application 06/01572/OUT for proposed residential development – Refused on 10.05.2007
- 3.4 07/00440/NMAS - Installation of a radio base station comprising of a 15m high slim-line pole accommodating 3no. antennas. No objections - 25.05.2007
- 3.5 07/01691/FUL - Variation of condition 5 (visibility splay) and condition 12 (phasing of construction of clubhouse) planning permission 06/01572/OUT. Approved on 31.01.2008.

#### **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;
- 1.8: Retaining and Improving Opportunities for Sport, Recreation and Leisure
- 1:10: Protecting and Enhancing the Natural Environment;
- 1.12: Ensuring an Accessible, Safe and Healthy Environment.

#### 4.6 **Part 2 Policies**

- H1: Housing Land Provision
- H4: Type, Size and Affordability of Dwellings
- H5: Open Space Provision
- H6: Education and Community Facilities
- H10: Detailed Design of Housing Developments
- T1: Highway Improvement and Traffic Management
- T7: Cycling
- T8: Walking
- T10: Parking
- C1: Townscape and Urban Form
- OL4: Protected Green Space
- OL6: Outdoor Sport, Recreation and Play Space Developments.
- N3: Nature Conservation Factors
- N5: Trees within Development Sites
- N7: Protected Species
- MW11: Contaminated Land
- MW12: Control of Pollution
- U3: Water Services for Developments
- U4: Flood Prevention
- U5: Energy Efficiency

#### 4.7 Also of relevance are:

- Tameside Residential Design Guide Supplementary Planning Document (SPD)
- National Design Guide (2019) (Ministry of Housing, Communities and Local Government).
- Department for Communities and Local Government – Technical housing standards nationally described space standard.

#### **Places for Everyone**

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

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

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

#### **Other Considerations**

4.11 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.

- 4.12 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 The applicant has accompanied the application with a letter of support from the assistant director of Active Tameside. Main comments raised:
- One of club's main objectives was to demolish the old function room that is in a poor condition and a financial burden on the club;
  - The club are now at the heart of the community and have run community fun and charity days, The Active Tameside Sport & Physical Activity Network also use the new clubhouse for coach education and First aid courses which is given free of any facility hire charge;
  - I have no hesitation in supporting the planning application form the club and have no doubt with the many volunteers it will continue to grow in the coming years.

## **7. RESPONSES FROM CONSULTTEES**

- 7.1 Local Highway Authority – No objections, subject to conditions requiring a surface water drainage scheme be submitted to an approved in writing by the Local Planning Authority (LPA); as well as the submission of a Construction Environment Management Plan, a scheme for electric vehicle charging and a lighting scheme all to be submitted to and approved in writing by the LPA.
- 7.2 Greater Manchester Ecology Unit (GMEU) – No objections.
- 7.3 Environmental Health – No objections, subject to conditions recommending restrictions on construction working hours.
- 7.4 Contaminated Land – No objections, subject to a condition requiring the submission of 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 LPA.
- 7.5 Tameside's Arboricultural and Countryside Estates Officer – No objections, subject to the implementation of the proposed replacement planting.

## **8. ANALYSIS**

- 8.1 In terms of housing development, the Council cannot demonstrate a deliverable five year supply of housing land. It is therefore recognised that the NPPF is a material consideration that carries substantial weight in the decision making process. Assuming the development is considered sustainable, the NPPF is clear that where no five year supply can be demonstrated, the presumption in favour of sustainable development identified at paragraph

11 of the NPPF should be used to determine planning applications. The opportunity to develop the site for 4 dwellings would make a small, but positive, contribution to housing land supply, this should be apportioned due weight in the decision making process.

- 8.2 Section 5 of the NPPF requires local planning authorities to support the delivery of a wide choice of quality homes in sustainable locations. 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 and H1 promote the re-use of previously developed sites within accessible areas.
- 8.3 The site is allocated as protected green space according to the Tameside Unitary Development Plan (UDP) Proposals Map. The principle of the development must therefore be considered against policy OL4 (Protected Green Space) of the UDP and chapter 8 (promoting healthy and safe communities) of the NPPF, to establish whether built development is acceptable on the allocated area of protected green space.
- 8.4 Policy OL4 states that: “The Council will not permit built development on any land shown as Protected Green Space on the proposals map. This policy will also apply to areas of land in similar use but which are too small to be shown as Protected Green Spaces on the proposals map. Exceptions to this policy will only be made where one of the following criteria is satisfied:
- a) the proposed development is ancillary to the principal use of a playing field or green space for recreation or amenity and does not adversely affect this use,
  - b) or redevelopment of part of a playing field or green space provides the only means of upgrading the site to the required standard, and the remaining playing field or green space will continue to meet the needs of the surrounding area for sport, recreation or amenity, or
  - c) a playing field or green space which will be lost as a result of the proposed development would be replaced by a playing field or green space of an equivalent or better quality and quantity, in a suitable location and subject to equivalent or better management arrangements, prior to commencement of development, or
  - d) it can be demonstrated, by means of a suitable supply and demand study taking account of possible future as well as current requirements, that the retention of a site or facilities for sport or recreational use is not necessary and the site has no special significance to the interests of sport and recreation.

These exceptions will not apply if part or all of the land involved would continue to fulfil a local need for amenity space, provide a valued sense of openness in the street scene, maintain the character and environmental quality of the area, maintain an open land corridor or substantial enclave of open space within the urban area, provide links to or continuity with wider areas of countryside, or form a wildlife corridor.

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

- 8.5 The NPPF highlights that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change. At paragraph 99, the NPPF states that:

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

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

- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use”.

8.6 Paragraph 103 of the NPPF states "Policies for managing development within a Local Green Space should be consistent with those for Green Belts”.

8.7 The site itself relates to the northern corner of the Stalybridge Cricket Club Landholding where there is an existing function room building. The remainder of the site comprises a separate brick-built club pavilion and the wider cricket pitch, car park and surrounding land.

8.8 A dilapidation survey has been provided indicating that the function room building, which was constructed in 1949 and of a steel-frame construction, is no longer fit for purpose with an original expected life span of 10-15 years. The supporting statement advises that ‘The original construction provides minimal thermal or acoustic performance which means the building is inefficient and expensive to run and also has resulted in a number of issues of noise complaints from neighbouring properties due to the building’s use as a function room’. The statement goes on to say ‘...With the funds that the sale of the land would generate we would be in a financially secure position for many years to come and would be able to continue to develop sport on this site for future generations. There has recently been a new structure installed at the club with a new chairman, secretary and treasurer and it is the club’s intention to resurrect the junior side of the club and with better facilities this will help to attract new members and players’.

8.9 Referring back to the above policies both within the UDP and the NPPF, Officers are satisfied that the existing function room building, which is in a poor state of repair, is surplus to requirements. The cricket club would still be served by the existing pavilion building which is to remain in-situ. In this respect the proposal would not conflict with the aims and aspirations of paragraph 99(a) of the NPPF.

8.10 It is acknowledged that through the loss of the function room building, the size of the land associated with the cricket club would be reduced. However, in accordance with policy OL4 (b), the redevelopment of this land for housing would mean that additional funds could be implemented back into the club to help continue to meet the needs of the surrounding area for sport and recreation. Nevertheless, even without the additional funds generated, as demonstrated on the proposed site plan, the new housing would not compromise the use and functionality of the existing cricket pitch and on-site services (pavilion, car parking etc.) would remain unaffected.

8.11 There would also not be a loss of openness through the demolition of the function room building and its replacement with housing.

8.12 Overall, the site is located within a sustainable location, connected to public transport and local services. The proposal would offer a small contribution to housing need. The loss of function room building is surplus to requirements and the redevelopment of the site would not compromise the use or function of the existing cricket club. The proposal would not conflict with the aims and aspirations of policy OL4 of the UDP and paragraph 99 of the NPPF. 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 and the NPPF are clear in their expectations of achieving high quality development that enhances a locality and contributes to place making objectives. The NPPF emphasises that development should be refused where it fails to take opportunities available

to improve the character and quality of an area and the way that it functions (para. 134). Paragraph 130 of the NPPF states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users<sup>49</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

9.2 Policy C1 within the UDP states that in considering proposals for built development, the Council will expect the distinct settlement pattern, open space features, topography, townscape and landscape character of specific areas of the Borough to be understood, and the nature of the surrounding fabric to be respected. The relationship between buildings and their setting should be given particular attention in the design of any proposal for development.

9.3 Policy H10 states that the layout, design and external appearance of proposed housing developments, which are acceptable in relation to other relevant policies in this plan, will be required to be of high quality and to meet the following more detailed criteria:

- a) a design which meets the needs of the potential occupiers, provides an attractive, convenient and safe environment for the local community, and complements or enhances the character and appearance of the surrounding area, and
- b) suitable arrangements for parking, access to and from the highway, and delivery, refuse and emergency vehicles, including access by pedestrians, cyclists and disabled people, and for convenient access to public transport where appropriate, with no unacceptable impact on the surrounding highway network, and
- c) suitable landscaping and fencing, including retention of existing features such as trees and hedges where practical, which enhance the appearance of the development, ensure privacy and security where necessary, enable discrete storage of wheelie bins and minimise the visual impact on surrounding areas, and
- d) no unacceptable impact on the amenity of neighbouring properties through noise, loss of privacy, overshadowing, or traffic, and (e) minimisation of the opportunities for crime and anti-social behaviour. The Council will encourage and permit new and innovative design solutions wherever this can be achieved without adverse effects on existing character.

9.4 Further to the above, Policy RD22 of the Residential Design Guide SPD gives detailed guidance advising on how infill development should respond to the context of the area. Policy RD2 provides detailed design criteria for new proposals. As set out in the above policies, in order to integrate sympathetically, the design of the proposal needs to be carried through to the proposed development in terms of: scale, massing, proportions, materials, fenestration patterns and general design/appearance. These matters are considered in more detail below.

9.5 **Scale, massing and proportions:**

The height, width and length of the proposed units respond well to the surroundings. The surrounding area is predominately made up of terraced properties, but the proposed dwellings would not appear disproportionately large in their context, as such the overall mass and bulk of the units is considered to be acceptable having regard to the scale of existing development in the locality.

9.6 **Materials, fenestration and detailing:**

The dwellings are proposed to be constructed with facing brick elevations and pitched tiled roofs. It is recommended that further material details (specifications etc.) are submitted for approval but overall, officers are satisfied that the proposed dwellings will respond positively and integrate sympathetically with the surroundings. Overall the proposed dwellings will have a uniform and consistent appearance which will be complimentary to the wider street scape.

9.7 **Landscaping and alignment:**

The proposed dwellings will be set back from the highway and footpath with off-street parking located to the front. The two pairs of semi-detached properties will also be staggered back from each other. There is no well-defined building line to conform to, so the staggered arrangement here is acceptable. The driveways to the front of the plots provides a sense of openness to the street frontage and allows for valued off-street parking. As discussed in more detail below, although it will be necessary to remove a number of trees, a group of trees would be retained to the north-eastern boundary of the site retaining a sense of valued greenery to the site. It is recommended that details of hardstanding and boundary treatment is secured by condition to ensure the materials are appropriate to the locality.

9.8 Overall in respect of visual amenity, subject to conditions, the proposal would contribute positively to the character and appearance of the area and enhance the appearance of the existing site. The proposal is in accordance with paragraph 130 of the National Planning Policy Framework, Policies 1.3, H10 and C1 of the UDP and the Residential Design SPD.

## 10. RESIDENTIAL AMENITY

10.1 At paragraph 130, the NPPF outlines the importance of planning in securing good standards of amenity for future and existing occupiers of land and buildings. UDP Policy H10 seeks to ensure that new development does not result in any detrimental impact on the residential amenities of existing occupiers through loss of privacy, overshadowing or traffic. The Residential Design SPD identifies standards for new residential development and expands on issues covered by criteria under Policy H10 with, amongst other matters, the requirement of new development to maintain adequate separation distances between proposed and existing dwellings in order to protect the amenities of future and existing occupiers.

10.2 **Existing Residential Amenities:**

SPD policy RD5 confirms buildings should be orientated to maximise levels of natural light/solar gain and minimise overlooking in habitable rooms and private gardens. To help achieve this minimum distances are applied between new and existing dwellings:

- RD5(A) – habitable room to habitable room = 21 metres standard, 14m on street frontages, 14m between bungalows;
- RD5(B) – habitable room window to a blank wall = 14m to two storey wall, 10m to single storey wall (a reduction may be permitted if the affected window is not the main source of natural light to the room).

RD5(C) states that 1 metre extra is added to A and B for every 1 metre in height difference between facing buildings. RD5(E) states that for infill sites, such as this, variation of these guidelines may be acceptable where existing spacing should be taken into account.



- 10.3 The nearest neighbouring properties are nos. 113 – 121 Cheetham Hill Road. The ground levels between these properties on Cheetham Hill Road and the application site are broadly similar. In applying the above policy requirements, there should be a distance of at least 14m between the rear facing habitable room windows to the properties on Cheetham Hill Road and the proposed dwelling on plot 4. As demonstrated on the proposed site plan, there would be a resultant distance of around 14.87m therefore meeting the required standards. To the north-west facing gable elevation of the property on plot 4, there are to be two windows at both ground and upper floors. In both cases, these windows would serve non-habitable rooms (bathrooms). It is recommended that these windows are obscure glazed and secured by condition to prevent a loss of privacy to the neighbouring occupiers. Separate to privacy matters, given the separation distance and orientation, an acceptable outlook would be retained and that the proposal would not result in an unacceptable loss of daylight / direct sunlight to the nearest properties on Cheetham Hill Road.
- 10.4 It is not considered that any other properties would be unduly affected by the proposed development in respect of light, outlook or privacy. The nearest property opposite, No.111 Lord Street has a blank gable elevation.
- 10.5 **Residential Environment Created:**  
Reflecting the requirement of Section 12 of the NPPF, that developments create places with a high standard of amenity for existing and future users, UDP policy H10 (a) requires that the design of proposed housing developments, which are acceptable in relation to other relevant policies in the plan, meets the needs of the potential occupiers. To this end policy RD18 of the Residential Design SPD recommends minimum floor areas that residential developments should achieve. Internal space is interpreted by reference to the nearest equivalent national technical standard which is given in the Government's Technical housing standards – nationally described space standard document (THS).
- 10.6 The floor plans indicate one double bedroom and one single bedroom. A study room is also shown at first floor level. For a 2 bed, 3 person dwelling (2 storey) the THS require a minimum of 70m<sup>2</sup> gross internal floor space with 2.0m<sup>2</sup> of built in storage. The proposed dwellings would each have a gross internal floor space of approximately 82.38m<sup>2</sup>.
- 10.7 Other requirements are that:
- a dwelling with two or more beds spaces has at least one double (or twin) bedroom;
  - in order to provide two bed spaces, a double (or twin bedroom) has a floor area of at least 11.5m<sup>2</sup> and is at least 2.75m wide;
  - any area with a headroom of less than 1.5m is not counted within the Gross Internal Area unless used solely for storage (if the area under the stairs is to be used for storage, assume a general floor area of 1m<sup>2</sup> within the Gross Internal Area)
  - any other area that is used solely for storage and has a headroom of 900- 1500mm (such as under eaves) is counted at 50% of its floor area, and any area lower than 900mm is not counted at all
  - the minimum floor to ceiling height is 2.3m for at least 75% of the Gross Internal Area
- 10.8 The master bedroom meets the standard for a 'double' bedroom and bedroom 2 meets the standard for a 'single' bedroom. The proposal therefore meets the minimum space standard requirements for the two bedrooms. Give the size of the proposed study rooms, it falls well below the standard for a single bedroom as set out in the THS. It is therefore unlikely that these rooms could accommodate furniture generally associated with a bedroom.
- 10.9 Each of the bedrooms have access to natural light and ventilation. The proposal is therefore found to be acceptable in this regard and would provide a good standard of amenity for future occupiers, in accordance with Policy H10 of the UDP and section 12 of the NPPF.

- 10.10 In considering the level of private amenity space provided within the site to serve the proposed dwellings, regard has been had to Policy RD11 within the Tameside Residential Design Guide SPD. The Policy requires that all houses should have private amenity space of a size and function suitable for its intended occupants. Each of the units has an enclosed garden space to the rear of the plots. These are all considered to be an acceptable size with adequate privacy to create a satisfactory useable/functional amenity space to serve the intended occupants.
- 10.11 The Council's Environmental Health officers have also reviewed the application, who raise no objections but recommended a condition restricting the hours of construction of the proposed development to daytime hours only. Given that the site is located within a predominately residential area, it is considered that such a condition is necessary to protect the amenities of residential properties.
- 10.12 In light of the above, the development is considered to be 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 application has been reviewed by the Local Highway Authority (LHA) who have confirmed that they have no objection to the proposal. The LHA is satisfied that the access/egress from the dwellings onto Gorse Hall Road is satisfactory and meets the LHA requirements for max gradients/minimum 10m from existing junctions.
- 11.2 The LHA is satisfied that the vehicle trips generated by the development are minimal and therefore the residual cumulative impact on the road network would not be severe, in accordance with paragraph 111 of the NPPF.
- 11.3 In respect of parking, the submitted plan shows parking provision for 2 no. off street parking spaces for each of the dwellings within the redline boundary, therefore the LHA deem this parking provision acceptable based on the TMBC Supplementary Planning Document requirements and the provision of cycle storage and the area being well served by sustainable modes of transport.
- 11.4 An electric vehicle charging point is required for each of the dwellings to promote sustainable modes of transport. A condition is therefore recommended on this basis.
- 11.5 It is recommended that a construction environment management plan be submitted to and approved in writing by the Local Planning Authority.
- 11.6 In the interests of sustainable travel, it is recommended by the LHA that 4no. cycle storage spaces should be accommodated within the proposed red boundary (1 per dwelling). The applicant has provided the details of this, comprising a standalone secure bike storage unit within each garden. The LHA consider it to be acceptable and compliant with policy RD10 (Design of Cycle Parking) within the Residential Design Guide SPD. A condition requiring the implementation of the proposed cycle storage scheme is therefore recommended.
- 11.7 The LHA has noted that an existing street lighting column is within a proposed vehicle crossing point. It is noted by the LHA that the applicant will be required to provide a lighting design and relocate the column at their own expense. This can be dealt with under highways legislation.

- 11.8 Overall, subject to the recommended conditions, the proposals would not result in a detrimental impact on highway safety and is in accordance with policies T1 and T7 of the UDP and the NPPF, in particular paragraph 111.

## **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.
- 12.2 It is recommended by the Lead Local Flood Authority that, prior to the commencement of development, a surface water drainage scheme, based on the hierarchy as described above, shall be submitted to and approved. A condition requiring a drainage scheme to be submitted, approved and implemented is therefore recommended.
- 12.3 Following the above assessment, it is considered that the proposals would not result in a detrimental impact on flood risk or drainage capacity.

## **13. GROUND CONDITIONS**

- 13.1 The site falls outside of the Coal Authority's defined Development High Risk Area (although, it is located in close proximity to one). An informative note is therefore recommended on this basis.
- 13.2 A contaminated land report has been submitted as part of the application and the council's Environmental Protection Unit (EPU) have been consulted. The EPU has confirmed that the reporting provided to date is satisfactory, however further ground investigations are considered necessary.
- 13.3 On the basis of the above, it is recommended that 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). Additionally, it is recommended that prior to use, a verification / completion report demonstrating all remedial works and measures required to address all unacceptable risks posed by contamination and ground gas have been fully implemented in accordance with the approved remediation strategy shall also be submitted to, and approved in writing by the Local Planning Authority (LPA).
- 13.4 The conditions recommended by the EPU are considered reasonable and necessary to ensure that future users of the proposed development would not be exposed to potential risks caused by contamination at the site, and subject to its imposition the application is thereby considered acceptable in this regard.

## **14. TREES**

- 14.1 The Council's Arboricultural and Countryside Estates Officer has been consulted on the proposal and notes that there are a number of existing trees to the Gorse Hill Road frontage which will be required to be removed to facilitate the proposed development. These trees are identified as being mostly lower value with the exception of two 'category B' trees. They are Sycamores.
- 14.2 The Arboricultural Officer has advised that the loss of the trees can be adequately mitigated by the proposed new planting. The proposal would thus be acceptable from an arboricultural perspective, in accordance with Policy N5 (Trees within Development Sites) of the UDP.

14.3 For reference, a number of trees including a Flowering Cherry, 4no Sycamores, Wild Cherry and a standing dead tree are all proposed to be removed. A group of trees comprising Sycamore, Aspen and Silver Birch are all proposed to be retained to the north eastern corner of the site (adjacent to plot 1 and the existing clubhouse to be retained).

## **15. ECOLOGY**

15.1 To accompany the application, a Preliminary Ecological Appraisal has been submitted. Greater Manchester Ecology Unit (GMEU) have been consulted and concluded the following:

- The report appears to have used reasonable effort to inspect the structure both internally and externally for the presence of bats and assessed the likelihood that bats would use the structure at other times for roosting.
- The building inspection found no evidence of recent or historic usage of bats.
- It was concluded that the structure to be demolished has negligible potential to support bats at other times and consequently no further activity surveys were required.

15.2 GMEU have confirmed that there is currently no known reason to contradict the findings of the submitted survey. The scheme is therefore considered to be acceptable from an ecology perspective subject to conditions.

## **16. CONCLUSION**

16.1 The site, which is allocated as protected green space, is currently occupied by an existing function room building which is surplus to the requirements of Stalybridge Cricket Club. The redevelopment of this plot for housing would offer a small, but useful contribution to housing land supply. It is found that the loss of the site would not compromise the functionality of Stalybridge Cricket Club and the remaining playing field/green space will continue to meet the needs of the surrounding area for sport and recreation, in accordance with Policy OL4 and paragraph 99 of the NPPF.

16.2 The design and scale of the development is appropriate for this location and would not harm the residential amenities of neighbouring occupiers given the nature of the proposed use and distance from the site boundaries.

16.3 The development would not cause undue impacts to highway safety, and would be considered acceptable subject to the imposition of conditions.

16.4 There are no objections to the proposals from the statutory consultees in relation to the proposals, subject to conditions.

16.5 The proposal therefore complies with relevant development plan policies as well as those contained within the NPPF and is considered acceptable when taking into account other material planning considerations.

## **RECOMMENDATION**

Grant planning permission subject to the following conditions:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following documents and plans:
  - a. Drawing number 817-LOC-01 (Location Plan)
  - b. Drawing number 817-SL-01 revision A (Site Layout)
  - c. Drawing number 817-887-01 revision A (Floor Plans)
  - d. Drawing number 817-887-02 revision A (Elevations)
  - e. Drawing number 6638.02 (Tree Protection Plan)
  - f. Drawing number 6638.03 (Landscape Proposal)
  - g. Drawing number 817-SF-01 (Screen Fence Detail)
  - h. Drawing number 817-TGS-01 (Timber Garden Store Detail)

Reason: For the avoidance of doubt.

3. 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, fences and railings and, in the finishes to all external hard-surfaces have been submitted to, and approved in writing by, the local planning authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity in accordance with UDP Policies C1 (Townscape and Urban Form) and H10 (Detailed Design of Housing Developments).

4. During demolition / 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.

Reason: To protect the amenities of occupants of nearby properties/dwelling houses in accordance with UDP policies 1.12 (Ensuring an Accessible, Safe and Healthy Environment) and H10 (Detailed Design of Housing Developments).

5. The cycle storage details as shown on drawing numbers 817-SL-01A and 817-TGS-01 shall be implemented prior to the first occupation of the dwellings hereby approved and shall be retained as approved thereafter.

Reason: in the interests of sustainable travel in accordance with UDP policy T7 (Cycling).

6. All windows in the ground and first floor of the side elevations of the dwellings hereby approved shall be fitted with obscure glass and retained as such thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of obscurity, or such equivalent as may be agreed in writing by the local planning authority.

Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential property and in accordance with UDP policy H10 (Detailed Design of Housing Developments).

7. Prior to first occupation of the development hereby approved, the landscaping/tree planting scheme shall be carried out in accordance with the approved details as shown on drawing number 6638.02 and drawing number 6638.03.

Reason: in the interests of the visual quality of the street scene

8. During the construction period, all trees to be retained shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standard

Reason: To safeguard the trees to be retained in accordance with Policy N5 (Trees within Development Sites) of the UDP.

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

Reason: To ensure adequate car parking arrangements.

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. The strategy shall demonstrate that foul water and surface water shall be drained from the site via separate mechanisms and shall detail existing and proposed surface water run-off rates. The strategy shall also include details of on-going management and maintenance arrangements. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to the proposed development, elsewhere and to future users.

11. 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:

1. Wheel wash facilities for construction vehicles;
2. Arrangements for temporary construction access;
3. Contractor and construction worker car parking;
4. Turning facilities during the remediation and construction phases; and
5. Details of on-site storage facilities.

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

Reason: In order to avoid the possibility of the public highway being affected by the deposit of mud/or loose materials which could create a potential hazard to road users, in order to protect the amenity of the occupiers of the adjacent properties, in order to protect the visual amenities of the locality and the interests of highway safety.

12. As indicated on the approved plan, prior to the first occupation of the development hereby approved an electric vehicle charging design shall be approved in writing by the Local Planning Authority which complies to the requirements listed below:-

The specification of the charging points installed shall:

1. be designed and installed in accordance with the appropriate parts of BS EN 61851 (or any subsequent replacement standard in effect at the date of the installation);
2. have a minimum rated output of 7 kW, measured or calculated at a nominal supply

voltage of 230VAC;

3. be fitted with a universal socket (known as an untethered electric vehicle charge point);
4. be fitted with a charging equipment status indicator using lights, LEDs or display;
5. a minimum of Mode 3 or equivalent.

Reason: In the interests of sustainable travel.

13. The development shall not commence until details of a lighting scheme to provide street lighting (to an adoptable standard), to the adopted highway have been submitted to and approved in writing by the Local Planning Authority. The approved works shall be completed to the satisfaction of the Local Planning Authority prior to the occupation of any part of the development.

Reason: To secure the provision of satisfactory access to the site and in the interests of road safety and personal safety.

14. Prior to the commencement of the development hereby approved a scheme for the construction of the site accesses and the off-site works of highway improvement, to include lining works and street lighting along Gorse Hill Road, shall be submitted to, and approved in writing by the Local Planning Authority. The site accesses and off-site highway works shall be constructed and completed in accordance with the approved details prior to the first occupation of the development.

Reason: Details are required prior to commencement in order to ensure that the final details of the highway scheme/works are acceptable before work commences on site, and to provide safe access to the site for all highway users.

15. 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:

- a. A site investigation strategy 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.
- b. 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.
- c. 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.
- d. A verification plan detailing the information that will be obtained in order to demonstrate the works and measures set out in the remediation strategy in (3) have been fully implemented including any requirements for long term monitoring and maintenance.

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

16. Prior to use, a verification / completion report demonstrating all remedial works and measures required to address all unacceptable risks posed by contamination and ground gas have

been fully implemented in accordance with the approved remediation strategy shall be submitted to, and approved in writing by the Local Planning Authority (LPA).

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

The discharge of this planning condition will be given in writing by the LPA on completion of the development and once all information specified within this condition and any other requested information has been provided to the satisfaction of the LPA and occupation of the development shall not commence until this time unless otherwise agreed in writing by the LPA.

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

17. Prior to the first installation of any external lighting, an external lighting design strategy shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, this strategy shall show how and where external lighting will be installed and include all elements of the proposal such as highways lighting, pedestrian/cycleway access and external domestic/security lighting as appropriate. Any external lighting shall be installed in accordance with the agreed strategy.

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

## Informative Notes

1. The applicant's attention should be drawn to the need to consult the Engineering, Operations and Neighbourhoods, Tame Street Depot, Tame Street, Stalybridge regarding the street names/postal numbers for the proposed development. **0161 342 3417**
2. The applicant's attention should be drawn to the need to consult the Engineering, Operations and Neighbourhoods, Tame Street Depot, Tame Street, Stalybridge regarding entering into a S278 agreements for the proposed development. **0161 342 3987**
3. Vegetation clearance including trees, shrubs and undergrowth (e.g. bramble) should avoid of the breeding season (March – August inclusive) unless it can be demonstrated that there is no nesting activity present. All wild birds are protected whilst nesting (Wildlife & Countryside Act 1981).
4. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

5. When carrying out building works on property near to a public highway it is important to remember that the highway is not part of the building site. There are various statutory requirements relating to highways which may be helpful to such persons to know in advance
  - (1) Skip permits are available for certain locations where obstruction is not likely to interfere with free flow along the highway.



- (2) Similarly hoarding/scaffolding permits may be issued.
- (3) Other obstructions of the highway are not permitted, i.e. storage of materials, deposition of rubble, mixing of materials.
- (4) Parking/loading or unloading regulations must be observed.
- (5) Any damage to any part of the highway or its furniture, or blocking of gullies will be repaired/cleared at the expense of the person causing such damage/blockage.
- (6) Water should not be permitted to discharge over a public highway either temporarily or permanently.
- (7) The deposition of mud on a highway is illegal and action may be taken against the person causing such deposition (e.g. the driver and/or the owner of the vehicle).
- (8) Applications for sewer connections/vehicle crossings over footways should be made in advance of development commencing.

Any persons requiring further assistance in relation to these items should contact the Engineering Service at Tameside Metropolitan Borough Council (tel: 0161-342-3900).