

Application Number:	21/01143/FUL
Proposal:	Change of use of building from storage and distribution (Use Class B8) to 43no. apartments (Use Class C3), including infill roof extension, external alterations, and car parking, following partial demolition.
Site:	61 Stockport Road, Ashton-under-Lyne, OL7 0LF
Applicant:	Infinity Property Investing Ltd
Recommendation:	Grant planning permission, subject to conditions.
Reason for Report:	A Speakers Panel decision is required because the application constitutes a major development.
Background Papers:	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

1. SITE & SURROUNDINGS

- 1.1 The site relates to an existing building, which is a maximum of three storeys in height, also including some two and single storey sections. The building was last used as a mattress warehouse. It is believed to have been vacant for over nine years.
- 1.2 The building includes some attractive features, particularly to its front and side elevation. To the frontage, a traditional shop frontage remains at ground floor level, and although requiring repairs, includes features such as panelled stallrisers and cills, with vertical pilasters and a traditional fascia board. Existing windows within the upper floors of the building are proportioned with the traditional style of the building, and include original features such as stone headers and sills. Windows and doors at ground floor, as well as some windows at first floor, are currently covered with security grills.
- 1.3 The site is situated outside of the defined area of Ashton town centre, but within walking distance of it, including the shops and services offered.

2. PROPOSAL

- 2.1 This full application seeks planning permission for the change of use of the building to 43no. apartments.
- 2.2 Externally, the existing shop front would be replaced, including repositioned windows and doors, with retention of some traditional features.
- 2.3 Replacement and reconfiguration of window openings are proposed at upper floors, and to the rear and side of the building, including change from some doors to windows.
- 2.4 A single storey section of the building would be partially demolished, adjacent to the frontage, and would be set back within the plot in order to create a courtyard and access. This section of the building would then be reconstructed in facing brickwork, in order to match the existing building, with a roof infill section above the ground floor.
- 2.5 The applicant has indicated that the development would include an 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. The submitted basement and ground floor plans show that staff facilities, including a staff office and store area, would be provided.

- 2.6 The proposed scheme will provide 43 specialist supported living apartments comprising 41 one bedroom apartments and 2 two bedroom apartments. The scheme will enable residents to live independently, where they would perhaps not be able to otherwise. A dedicated staff team will be available on site, to assist residents where required. This model is intended to assist residents in finding employment or education, or establish roots within the local community, with the intention that they would eventually move into the private rented sector in future.

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

4.6 **Part 2 Policies**

- H1: Housing Land Provision
- H2: Unallocated Sites
- H4: Type, Size and Affordability of Dwellings
- H5: Open Space Provision
- 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
- N3: Nature Conservation Factors
- N7: Protected Species
- MW11: Contaminated Land
- MW12: Control of Pollution
- U3: Water Services for Developments
- U4: Flood Prevention
- U5: Energy Efficiency

Places for Everyone

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

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

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

Other Considerations

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

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

5. **PUBLICITY CARRIED OUT**

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

6. SUMMARY OF THIRD PARTY RESPONSES

- 6.1 In response to the neighbour notification letters, there was one letter received, which is of a neutral opinion (not objecting or supporting the development). The issues raised within the letter are summarised below:
- Unclear what parking arrangements are proposed. Would raise concerns if parking is on-street only;
 - Unclear whether the proposed development would be utilised as social housing or as private market housing.

7. RESPONSES FROM CONSULTEES

- 7.1 Local Highway Authority – No objections, subject to conditions requiring a scheme for secured cycle storage; a travel plan; a construction environment management plan; and a surface water drainage scheme. A financial contribution for reinstatement to the footway/kerb line, and road lining at the junction of Stockport Road, is also requested.
- 7.2 United Utilities – No objections. Recommends a condition requiring a surface water drainage scheme be submitted, including that foul and surface water be drained separately.
- 7.3 Lead Local Flood Authority – Limited drainage information provided, and infiltration should be further investigated. Further detail regarding rain water recycling and a potential green roof should be investigated.
- 7.4 Greater Manchester Ecology Unit – No objections. Recommends an informative advising that works should cease if bats are present.
- 7.5 Environmental Health – No objections, subject to conditions requiring restrictions on construction working hours; bin storage provisions; acoustic mitigation measures outlined within the submitted Noise Assessment to be implemented; and submission of an air quality impact assessment.
- 7.6 Contaminated Land – No objections, subject to conditions requiring a programme of investigation, followed by a remediation strategy as necessary, and that remedial measures be implemented prior to use.
- 7.7 Transport for Greater Manchester – Raises concerns should new vehicular access onto Stockport Road be introduced. Provides guidance regarding cycle storage provision.
- 7.8 Waste Management – Provides guidance regarding bin store capacity and future requirements.

8. ANALYSIS

- 8.1 In terms of the principle of housing development, Members will be aware that the Council cannot demonstrate a deliverable five year supply of housing land. It is therefore recognised that the NPPF is a material consideration that carries substantial weight in the decision making process. Assuming the development is considered sustainable, the NPPF is clear

that where no five year supply can be demonstrated, the presumption in favour of sustainable development identified at paragraph 11 of the NPPF should be used to determine planning applications. The opportunity to develop the site for 43 apartments would make a 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. 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, given the sites location within walking distance of Ashton town centre, with links to services which would meet the sustainable policy objectives.
- 8.3 It is evident that the building has been vacant for at least nine years. It remains that the site is undeveloped and reflects negatively on the local environment.
- 8.4 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 opportunity to make a positive contribution to housing supply by the redevelopment of a brownfield site is considered to be highly sustainable and this is afforded significant weight in the determination of the application. The site is situated outside of the defined area of Ashton town centre, but within walking distance of it, including the shops and services offered, and would be an appropriate re-use of previously developed land.
- 8.5 The site is located within a highly accessible area close to the town centre, connected to public transport which runs close to the site, and local services and employment uses within Ashton. 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 building consists of an existing part two storey, part three storey commercial building. The building includes some attractive features, particularly to its front and side elevation. To the frontage, a traditional shop frontage remains at ground floor level, and although requiring repairs, includes features such as panelled stallrisers and cills, with vertical pilasters and a traditional fascia board. Existing windows within the upper floors of the building are proportioned with the traditional style of the building, and include original features such as stone headers and sills. Windows and doors at ground floor, as well as some windows at first floor, are currently covered with security grills.
- 9.3 The majority of alterations to the building would be made at the ground floor, to the frontage. The existing shop front design, not considered practical for the future use of the building, would be replaced with new but smaller fenestration, including repositioned windows and doors. Traditional features, however would be retained in part, with vertical pilasters

remaining in between the new fenestration. Traditional features above the existing fascia board would be retained upwards, with protruding stone supports remaining in place, meaning the proportions of the frontage at first and second floor levels remain largely as original. The new windows and doors would be of an appropriate design, with stone headers and cills, and of a proportion which reflects the remainder of the building. Replacement of windows at upper floor levels and removal of security grills would improve the appearance of the building further. It is important that works are undertaken in sympathetic materials, similar in style and appearance to the existing, and a condition is recommended ensuring details be submitted for approval prior to their use.

- 9.4 The single storey section of the building would be partially demolished adjacent to the frontage, and would be set back within the plot in order to create parking and site access within this area. This section of the building would then be reconstructed in facing brickwork, in order to match the existing building, with a moderate roof infill section above the ground floor. This section of the building is not considered of the highest visual merit when compared against the frontage of the main building, and is not considered worthy of retention in its current form. The proposal would create openness to this area, allowing for easier access and movement, and the rebuilt section of building would appear acceptable visually. The single storey section of building would also have a small infill roof section, which is considered acceptable, not widely visible from public vantage points.
- 9.5 To the rear and side elevations of the building, other external alterations would primarily consist of additional window openings and change of some doors to windows. These would largely be undertaken sympathetically, with appropriate designs, siting and both headers and sills included where possible. These are considered to be acceptable visually.
- 9.6 In light of the above, the alterations to the building are considered appropriate in this location.

10. RESIDENTIAL AMENITY

- 10.1 Windows which would serve habitable rooms would be positioned within each of the four 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. For buildings of three or more storeys, this should be increased by an additional three metres extra (17m total) for each additional storey. The building in this case is a maximum of three storeys in height.
- 10.2 Windows serving habitable rooms are to be positioned in each elevation of the building. Residential properties on Bollington Street to the rear, as well as Stockport Road to the side and to the front, would be affected by the proposed development. The property situated closest to the building are nos. 1 and 2 Bollington Street, whose frontage are situated approximately 16.7m from the rear of the building. This relationship is acceptable, falling only slightly below the recommended distance of 17m as set out above, and retaining an acceptable relationship between both existing buildings. The relationship between no. 59 Stockport Road, whose gable elevation faces the side elevation of the building, is considered to be acceptable at a distance of 15.5m, with no habitable room windows within that elevation. The rear garden area of that property would not be unduly overlooked at that distance, and adequate privacy between the two would be maintained. The relationship between the building and those units to the opposite side of Stockport Road which include first floor flats are considered to be acceptable, considering the distances involved largely comply with the above guidance.
- 10.3 Windows within upper floors of the building, serving habitable rooms, positioned within the southern elevation of the building would face towards the gable wall and boundary shared with no. 67 Stockport Road. At present, the boundary forms part of the single storey element of the building, part of which is to be demolished. This would continue to afford some privacy

to that residential property, particularly adjacent to the rear garden. A bin store and small amenity area would be formed adjacent to the rear garden, and a condition is recommended to ensure a suitable boundary treatment is installed to protect the amenity of that property from those utilising this area. The upper floor windows would continue to be positioned approximately 11.0m from the boundary with no. 67, and the property does not include habitable room windows within its gable. The condition as mentioned previously would require the applicant to provide a boundary treatment between the front proposed parking area (adjacent to the section of building to be demolished), which would further protect the amenity and privacy of occupiers of no. 67. It is thereby considered that the relationship between the two would be acceptable.

- 10.4 Outlook afforded for future occupants of the proposed apartments (those externally facing) would largely be acceptable, with their relationships compared with distances from neighbouring properties above. Windows serving habitable rooms positioned to apartment numbers 11, 12, 13 and 14, would face towards an existing wall at ground floor level, achieving a distance of just over 4.3m between the two. Although none of the habitable windows would directly face, this would still fall below the 14m distance identified above. Notwithstanding this relationship, as no windows would directly face, therefore a lesser separation distance could be acceptable. The windows would face out into a common courtyard entrance area, rather than out onto a public highway, and therefore would unlikely be significantly trafficked aside from those residing within the development, and amenity and privacy concerns would therefore be less. Buildings within the vicinity area relatively closely spaced, as is the character of this area. It is also considered the case that urban locations such as this may not achieve the same level of separation and amenity expectations of other areas.
- 10.5 On balance, although the outlook for apartment numbers 11, 12, 13 and 14 would achieve a separation distance below the standard outlined in paragraph 11.1, it is acceptable in this scenario. It is noted that the building is situated within an urban location, where considerably lower separation distances than those within the SPD are commonplace, and this scheme would bring a vacant building back into a viable use, according with the aims of the NPPF wishing to achieve greater use of town centre living.
- 10.6 With regard to the amenity of future occupiers, it is noted that each of the apartments would achieve at least 37 square metres (sqm) internally, and some would exceed this, which is the minimum size expected to achieve a reasonable standard of amenity, as outlined within the Government Technical Housing standards document (nationally described space standard), for single bedrooms normally occupied by one person. Those apartments which, still having one bedroom but to be normally occupied by two persons, would exceed 50sqm internally, which is the minimum expected for that standard of accommodation. Finally, those apartments which have two bedrooms would exceed 70sqm internally, which is the minimum expected for that standard of accommodation. On this basis, the development is acceptable in this regard, providing adequate internal space for future occupiers.
- 10.7 The site lies within a busy urban location, with commercial uses situated within close proximity, including the within the properties to the west to the opposite side of Stockport Road. Highways lie to three sides of the building, with Stockport Road operating as a busy thoroughfare. Associated background noise from those uses and highways are likely, and the applicant submitted a noise impact assessment with the application, which recommends a range of mitigation measures to ensure better soundproofing of the future accommodation. The application has been reviewed by the Council's Environmental Health officers, who raise no objections but recommend that the mitigation measures be implemented prior to occupation of the accommodation. A relevant condition is thereby recommended.
- 10.8 The Council's Environmental Health officers have also recommended a condition restricting the hours of conversion of the proposed development to daytime hours only. As set out

above, the site is in a busy mixed use location. For this reason, it is considered that such a condition is necessary to protect the amenities of residential properties.

- 10.9 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 development proposes no dedicated car parking provision. Initially, the LHA raised objections to this, considering that the proposed use would likely generate some level of vehicle movements and associated demand for parking. The applicant in response carried out an on-street parking survey, in order to measure the availability of on-street parking at certain times of day, during the week, and to ascertain whether this would be acceptable to justify a lower level of off-street parking dedicated to the development. The LHA reviewed this, and considered that the site is situated in a highly sustainable location, within walking distance of the town centre of Ashton, with its shops, services and public transport provision operating close to the site. They also noted that cycle parking provision would be required within the development, and that a travel plan is recommended to encourage future occupiers to use more sustainable transport modes other than the private car. These measures are discussed in further detail, but this combined with the parking survey, which demonstrated that capacity exists on surrounding streets for parking with few restrictions, led the LHA to remove their objection to the proposals. Further, they noted that a vehicular access onto Stockport Road, which is a busy throughfare, would not be appropriate for highway safety reasons, and therefore no parking is to be provided on-site.
- 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 at ground floor level, with additional provision within the basement area. The LHA considers that 30no. 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 As noted above, the LHA does not consider that a vehicular access should be provided to the front of the site onto Stockport Road. The LHA have requested a financial contribution, to ensure the current dropped kerb to the front of the building is reinstated, in order to prevent vehicular access, and to implement waiting restriction lining along Stockport Road, in order to prevent vehicles waiting which may cause a highway safety issue. Although this is considered to be reasonable and necessary, a condition for off-site highway works would be appropriate and is therefore recommended.
- 11.5 The LHA further recommend that a construction environment 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 a relevant condition is recommended.
- 11.6 In concluding highways matters, the proposed development would not result in an adverse impact on highway safety in terms of trip generation, and a 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, formerly in an industrial use with sales.
- 12.2 The applicant has submitted a Flood Risk Assessment and Drainage Strategy, which has been reviewed by the Lead Local Flood Authority (LLFA). The LLFA initially noted that limited drainage information had been provided, and that the infiltration capability of the site should be further investigated. They also considered that limited foul and surface water drainage detail had been provided. The LLFA reviewed further submitted information, and concluded that infiltration methods were discounted, however further information was required. They also required further detail regarding rain water recycling and a potential green roof, which could be accommodated within the development.
- 12.3 United Utilities have reviewed the submission, and have raised no objections subject to proposal and implementation of a surface water drainage scheme.
- 12.4 In light of the comments from both drainage bodies, it is considered appropriate to recommend a condition which requires a sustainable drainage scheme to be proposed and implemented. This would be submitted to both drainage bodies for their comment before it is implemented, and would ensure that the development is adequately drained and flood risk reduced.
- 12.5 Subject to imposition of the condition as set out above, it is considered that 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 Environmental Protection Unit (EPU) have reviewed the submitted information. They note that potential sources of contamination at the site could be associated with the former industrial uses of the site (i.e. works, tyre re-treading and mattress manufacture). This could include volatile contamination and leaks from any fuel/oil/chemical storage. If this is present, it may present a ground gas/vapour risk. In addition, when considering the age of the building, it is likely that asbestos containing materials may be present. However, no soft landscaping is to be included within the proposals. The EPU raise no objections to the proposals, and recommend that a condition is attached to any approval, which would require a programme of investigation to be carried out in order to assess the future contamination risks at the site, followed by a remediation strategy as necessary, in order to address those risks. The condition would ensure any recommended remedial works and measures be implemented prior to first use.
- 13.2 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 It is noted that the building has not been in active use for some time, and may be utilised by protected species such as bats. The applicant submitted a bat scoping survey alongside the application, which found no evidence of bats, and considered the building to have a low roosting potential. Greater Manchester Ecology Unit (GMEU) reviewed the survey, and noted

that it recommended that one dusk/dawn survey be undertaken, which had not been carried out. The applicant in response submitted a bat emergence and re-entry survey.

- 14.2 The additional information has since been reviewed by GMEU, who have confirmed they are satisfied with this, as it found that the building has no evidence of roosting bats. Considering that bats are highly mobile creatures, and can be discovered in locations where they may be unexpected, an informative is recommended to advise the applicant of their responsibility to cease works should bats be discovered.
- 14.3 Subject to the recommended informative, the application is considered acceptable, minimising risks to protected species. The application is thereby considered acceptable in these regards and complies with the provisions of national and local policy.

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 scale of the development constitutes 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 The applicant identifies that the accommodation would be provided on a social/affordable rent basis, proposed to be operated by Express Housing Ltd, who are a registered provider, or a similar organisation. The intention would be to lease the apartments in consultation with the Council's housing service, and they are intended to be accommodated by those requiring supported living. The proposal therefore represents a 100% affordable development exceeding the policy requirement of policy H4 of the UDP and paragraph 65 of the NPPF.
- 15.5 The affordable housing requirement would be exceeded through the applicant's intention to provide all of the apartments on an affordable basis. The affordable housing contribution carries significant weight in the assessment of the application. In the circumstances of the application, it is considered reasonable to secure the affordable housing via a planning condition.
- 15.6 Beyond improvements to the site entrance, reinstating an existing dropped kerb and improving lining on Stockport Road, there are no highway impacts associated with the development which would warrant off-site mitigation via a commuted sum. The off-site improvements listed are considered to accord with the highways policies outlined within the UDP, and with the NPPF, in order to ensure the development does not unduly affect highway safety. These provisions can be secured by means of a planning condition.
- 15.7 Likewise, with reference to green space, although none is proposed to be delivered on-site, within close proximity to the north of the site is situated West End Park, with established pedestrian crossing facilities between the site and the park allowing for convenient access. Noting that the apartments would be primarily one bedroomed (aside from two which would

be two bed), the accommodation is not deemed to be suited to family accommodation. Contributions towards education would therefore not be warranted.

16. OTHER MATTERS

- 16.1 Part of the site sits within an Air Quality Management Area. The Council's Environmental Health officers consider that an air quality impact assessment is therefore required, in order to determine if any mitigation measures would be required in order to protect the health of the future occupants of the apartments that sit within that area. For example, dedicated ventilation with nitrogen dioxide filtration may be required. A condition is therefore recommended which would require the submission of an air quality impact assessment, alongside any necessary mitigation measures to be provided prior to the first occupation of the apartments.
- 16.2 The submitted plans demonstrate that a bin store would be provided as part of the proposals. The Council's Waste Management officers have provided guidance regarding the requirements of the bin store, in terms of number of bins and apparatus which would need to be accommodated for the size of the development. Waste officers consider that the provision would need to be larger than that shown on the plans, or the types of bins provided would need to be altered. A condition is recommended therefore requiring further details of the bin store to be provided pre-occupation of the development, in order to ensure 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 change of use of a former industrial building, which would be utilised for residential use. The site is previously developed, brownfield land, and is not allocated for other purposes.
- 17.2 The site is situated outside of a town centre, but within walking distance of it, close to shops and services. The adjacent highway benefits from public transport links including bus, and tram and train services run from Ashton town centre, within close proximity, providing sustainable connections to surrounding areas, reducing reliance upon the private car. Re-use of a brownfield site such as this accords with local and national policy, introducing a diversity of uses within these areas.
- 17.3 The design and scale of the development is appropriate for this location. The external alterations are considered to be visually acceptable, with relatively moderate alterations to the building and retention of original features where possible.
- 17.4 The proposal is considered not to be detrimental to residential amenity, given the nature of the proposed use and the distance and intervening uses between residential uses. In particular, the relationship between four of the proposed flats internally has been assessed in detail and is considered appropriate.
- 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 three years from the date of this permission.

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

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

- Location plan.
- Site plan as proposed. Dwg no. P-12, rev. B.
- Basement and ground floor plans as proposed. Dwg no. P-08, rev. D.
- Mezzanine floor plan as proposed. Dwg no. P-09, rev. B.
- First floor plan as proposed. Dwg no. P-10, rev. B.
- Second floor plan as proposed. Dwg no. P-11, rev. B.
- Front and gable elevations as proposed. Dwg no. P-13, rev. B.
- Rear and gable elevations as proposed. Dwg no. P-14, 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 conversion 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) Prior to any above ground works commencing on the site, plans at a scale of 1:20 of the window openings to be installed on the elevations of the building hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a section plan showing the thickness of the frames and the depth of the recess of the frames from the outer face of the host elevation. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the locality, in accordance with Policy C1 of the adopted Tameside Unitary Development Plan.

- 5) No development, other than site clearance, demolition and site compound set up, shall commence until a remediation strategy, detailing the works and measures required to address any unacceptable risks posed by contamination at the site to human health, buildings and the environment has been submitted to and approved in writing by the Local Planning Authority (LPA). The scheme shall be implemented and verified as

approved and shall include all of the following components unless the LPA dispenses with any such requirement specifically in writing:

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

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

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

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

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

- 7) Prior to the commencement of 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 scheme shall be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. The scheme shall demonstrate that

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

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

- 8) 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 Thameside Unitary Development Plan and the National Planning Policy Framework.

- 9) 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. Details shall include a method statement indicating how the facilities will be managed and serviced and how occupiers of the proposed development will be encouraged to maximise the use of the proposed recycling facilities to reduce general waste arising. 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 Thameside Unitary Development Plan and the National Planning Policy for Waste.

- 10) Prior to the first occupation of the apartments hereby approved, the noise mitigation measures outlined in the submitted Noise Assessment (undertaken by dBx Acoustics Ltd, dated 1 December 2021) shall be implemented in full, with evidence of such implementation submitted to and approved in writing by the Local Planning Authority. The measures shall be retained as such thereafter.

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

- 11) 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 Thameside Unitary Development Plan and the National Planning Policy Framework.

- 12) 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 designed to raise awareness of opportunities for reducing travel by car, and shall feature a range of measures and initiatives promoting a choice of transport

mode, and a clear monitoring regime with set targets. The 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.

- 13) No development shall commence until a Demolition and Construction Environment Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of:

- Wheel wash facilities for construction vehicles;
- Arrangements for temporary construction access;
- Contractor and construction worker car parking;
- Turning facilities during the remediation and construction phases;
- Details of on-site storage facilities; and
- Details of mitigation measures to ensure free flow of traffic on the surrounding streets during the construction phase.

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

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

- 14) Prior to the commencement of the development hereby approved, an air quality management assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall determine what the impact of the existing air quality will have on the future occupiers of the development. Any required mitigation measures identified as being necessary shall be implemented in full, with evidence of such implementation submitted to and approved in writing by the Local Planning Authority prior to the first use or occupation of the development. The scheme shall be retained and maintained at all times thereafter.

Reason: In the interest of impact upon air quality and associated health risks in accordance with Policy MW14 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

- 15) No development, other than site clearance, demolition and site compound set up, shall commence until a scheme relevant to highway construction has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of:

- a. Phasing plan of highway works;
- b. Details of alterations to kerb lines and footway at access point; and
- c. Details of carriageway markings/lining at the junction of Stockport Road.

The approved scheme of highway works shall be constructed and completed prior to the first occupation of any part 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 100% of 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 is 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.