

Application Number:	23/01124/FUL
Proposal:	Erection of a three storey building providing 35 affordable rented residential apartments and associated works.
Site:	217 Stamford Street Central, Ashton-under-Lyne, OL6 7QB
Applicant:	Ashton Alban (Central) Limited
Recommendation:	Grant planning permission, subject to conditions.
Reason for Report:	The application constitutes a major development.
Background Papers:	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

1. SITE & SURROUNDINGS

- 1.1 The site subject of this planning application relates to redevelopment of a surface car park located at the junction of Stamford Street Central to Mill Lane. Historically the site was previously developed being occupied by a nightclub, the building of which was demolished following a fire.
- 1.2 The redline boundary covers an area of approximately 0.1 hectares, the site is rectangular in shape and is largely bounded by highway, Stamford Street Central (north), Mill Lane (west) Fleet Street (south) on the eastern boundary stands the former Hudson Bay night Club / Oddfellows Hall Apartments complex.
- 1.3 Access to the car park is taken from Mill Lane, levels across the site are flat, views across are open with boundary treatments consisting of a simple knee rail, the car park surface is unbound with no dedicated drainage.
- 1.4 The site is within the Ashton Town Centre Conservation Area, on the opposite side of the Stamford Street Central is the Church of the Nazarene which is Grade II listed. With exception of the church which is stepped back from the highway, properties along Stamford Street Central generally occupy a uniformed building to the back of the footway, there is a precedent of 3 storey accommodation.
- 1.5

2 PROPOSAL

- 2.1 This full application seeks full planning permission for the erection of a three storey apartment block comprising 35 affordable apartments (33 x 1b 2 x 2b). The building would be sited square to Stamford Street Central from where it would take its pedestrian access. To the rear, there would be 13 off street parking's spaces accessed from Fleet Street. All apartments would be accessed from a stairwell and central corridor, provision would be made within the building for dedicated bin and cycle storage.
- 2.2 The building would support a dual pitch roof, windows would be arranged with a strong vertical emphasis. The main materials would be redbrick which would include coursing and bands to provide texture to the appearance of the elevations. Juliet balconies would be included to each apartment's openings.

- 2.3 Amendments have been secured which have strengthened the appearance of the entrance and also introduced parapets to the building's roof. The design has also been supported by a CGI to give a more realistic impression of the eventual built form.
- 2.4 The building would be setback from Stamford Street Central to provide defensible space to the ground floor apartments. A 1.1m high railing would and landscaping would be provided within the frontage.
- 2.5 An affordable housing statement confirms that the development would be owned and managed by Jigsaw Homes (Tameside). This will be funded (100%) from a grant issued by Homes England. All of the apartments would be provided on a social rent (general needs) basis. The accommodation is specifically targeted at addressing a requirement for 1 bedroom accommodation. The accommodation would be allocated through Tameside Homes Choice in accordance with the Council's nomination agreement.
- 2.6 The application has been supported by the following reports:
- Affordable Housing Statement
 - Coal Mining Risk Assessment
 - Crime Impact Assessment
 - Design and Access Statement
 - Flood Risk Assessment and Outline Drainage Strategy
 - Full Plans Package including section and montages
 - Ground Investigation Report
 - Heritage Statement
 - Noise Assessment
 - Planning Statement
 - Preliminary Site Investigation
 - Travel Plan

3. PLANNING HISTORY

- 3.1 06/00967/FUL – Demolition of existing buildings and construction of 4 retail units and 66 no. 1 & 2 bedroom apartments – Refused
- 3.2 07/01135/FUL – Demolition of existing buildings and construction of 7 retail units and 76no. 1 & 2 bedroom apartments – Approved.

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.

4.4 **Development Plan**

The adopted development plan is the Tameside Unitary Development Plan (2004), Greater Manchester Joint Waste Development Plan Document (2012), Places for Everyone (2024) from March 2024.

Allocation: Ashton Town Centre / Conservation Area

Tameside Unitary Development Plan (2004)

4.5 **Part 1 Policies**

- 1.1: Capturing Quality Jobs for Tameside People;
- 1.3: Creating a Cleaner and Greener Environment;
- 1.5: Following the Principles of Sustainable Development;
- 1.6: Securing Urban Regeneration;
- 1.9: Maintaining Local Access to Employment and Services;
- 1.10: Protecting and Enhancing the Natural Environment;
- 1.12: Ensuring an Accessible, Safe and Healthy Environment.

4.6 **Part 2 Policies**

- S1 Town Centre Improvement
- S2 New Retail Developments in Town Centres
- S9 Detailed Design of Retail and Leisure Developments
- C1: Townscape and Urban Form
- C2 Conservation Areas
- C4 Control of Development in or adjoining Conservation Areas
- C6 Setting of Listed Buildings
- C10 development Affecting Archaeological Sites
- C12 Art in the Environment
- MW11: Contaminated Land
- MW12: Control of Pollution
- N3: Nature Conservation Factors
- N4: Trees and Woodland
- N5: Trees within Development Sites
- N7: Protected Species
- OL10: Landscape Quality and Character
- T1: Highway Improvement and Traffic Management
- T7: Cycling
- T8: Walking
- T10: Parking
- T11: Travel Plans
- U3: Water Services for Developments
- U4: Flood Prevention
- U5: Energy Efficiency

Places for Everyone

- JP-S2 Carbon & Energy
- JP-S5 Flood Risk
- JP-S6 Clean Air
- JP-S7 Resource Efficiency
- JP-J1 – Supporting Long-Term Economic Growth
- JP-H1 Scale, Distribution and Phasing of New Housing Development
- JP-H2 Affordability of New Housing
- JP-H3 Type, Size and Design of New Housing
- JP-H4 Density Of New Housing
- JP-G8 A Net Enhancement of Biodiversity and Geodiversity
- JP-P1 Sustainable Places
- JP-P2 Heritage
- JP-C3 Public Transport
- JP-C4 The Strategic Road Network
- JP-C5 Street for All
- JP-C6 Walking and Cycling
- JP-D2 Developer Contributions

5. PUBLICITY CARRIED OUT

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

6. SUMMARY OF THIRD PARTY RESPONSES

- 6.1 There have been two letters of representation received summarised as follows:
- Concerns about waste collection arrangements
 - Loss of car parking within the town centre
 - Inadequacy of the proposed parking arrangements
 - Overdevelopment of the site.

7. RESPONSES FROM CONSULTEES (summarised)

- 7.1 Active Travel England – Confirm that they do not wish to comment on the proposals.
- 7.2 Coal Authority – No objections.
- 7.3 Contaminated Land – no objection - recommend conditions are applied relevant to further site investigations being undertaken.
- 7.4 Economic Growth – Support - Council is committed to the regeneration of Tameside's town centres. This includes establishing new businesses, attracting inward investment, improving the environment and economic prospects for local people. Proposals and strategies to increase town centre living which in turn increases footfall to support local businesses through both the day and evening time are supported.
- 7.5 Education – No comments received.
- 7.6 Environmental Health – No objections - recommend conditions relevant to waste storage, construction hours and the recommendations of the noise assessment being undertaken.

- 7.7 GMAAS –no heritage concerns. The potential for finding anything of archaeological significance is low given demolition works undertaken previously at the site, therefore no reason to seek to impose further archaeological requirements on the applicant.
- 7.8 GMEU – No objections. Confirm that the site has been adequately assessed for protected species, with buildings and trees assessed as having negligible bat roosting potential, more detailed bird surveys finding no evidence of kingfisher nearby, with all other species reasonably discounted owing to a lack of suitable habitat on the site or nearby. Agree with recommendations of the submitted report relevant to protection of the River Tame throughout construction, details to be secured by condition. Further conditions recommended in relation to lighting, timeframes to undertake works to trees, matters to address invasive species and securing BNG.
- 7.9 GMP – Reviewed the Crime Impact Statement and recommend the following:
- Doors into cycle stores should operate on an access control system, operated with resident's key card/fob.
 - Access into cycle stores should be restricted to genuine users rather than every resident of the building/block.
 - Access into the buildings should be controlled by a video entry phone system so that residents can vet visitors before allowing them access into the building. There should be no unrestricted trade access into the building.
 - Secure mail delivery system should be provided to the apartments.
 - A provision to install an intruder alarm should be provided to each apartment.
 - The car parking area should be illuminated to a high standard.
 - The building should be built to the Secured By Design standards.
- 7.10 Highways – No objections subject to conditions. The LHA comment that they are satisfied that the proposed access/egress from the development onto Fleet Street is satisfactory and meets requirements for maximum gradients and visibility splays standards from the development have been met.
- The LHA are satisfied that the vehicle trips generated by the development are acceptable based on comparable TRICS database examples and the cumulative impact on the road network would not be severe.
- Whilst the provision of 13no. parking spaces is below maximum standards this can be supported given the sites central location with immediate access to public transport.
- A Section 278 agreement is required for this development to address defects to surrounding footways and lighting to the site. .
- 7.11 Housing Growth – Supportive of the proposals on the basis that the properties remain as Affordable Rented homes, and 100% nominations are secured to TMBC on first lets and at least 50% on subsequent lets.
- 7.12 LLFA – No objections, a condition should be applied requiring the site to be drained in accordance with the drainage hierarchy.
- 7.13 TfGM – No objections, the LHA should comment on the parking provisions. Request that substandard footways surrounding the development are approved and that a Travel Pack is provided for future occupants.
- 7.14 United Utilities – Comment that the current drainage strategy has not provided sufficient evidence to discount the drainage hierarchy. Request that a condition is applied requiring the submission of an updated strategy prior to commencement of development.

7.15 Waste Services – No objections, recommend that secure bin storage is provided as per TMBC standards.

8. ANALYSIS

8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.

8.2 The current position is that the Development Plan consists of the policies and proposals maps of the Unitary Development Plan and the Greater Manchester Joint Waste Plan Development Document.

8.3 The National Planning Policy Framework (NPPF) is also an important consideration. The NPPF states that a presumption in favour of sustainable development should be at the heart of every application decision. For planning application decision making this means:-

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless:-
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
 - specific policies in the Framework indicate development should be restricted.

9. PRINCIPLE OF DEVELOPMENT

9.1 The site lies wholly within the Ashton Town Centre Conservation Area boundary, as identified within the Tameside Unitary Development Plan (UDP). Policy S4 of the UDP states that outside of the primary shopping areas of the town centres (as shown on the Proposals Map), the Council will permit a diversity of uses which contribute to the overall appeal of the town centre, help to minimise the extent of empty properties, and improve the appearance of the centre.

9.2 As demonstrated by the planning history there have been previous ambitions to redevelop the site for residential purposes, this scheme permitted development up to six storeys in height, it followed broader regeneration proposal linked to the nearby St Petersfield redevelopment. Since the 2007 site building have been demolished (2014) and the site has operated as a surface car park. The sites previous and current status constitutes as Previously Developed (Brownfield) Land

9.3 In terms of planning policy, since the previous planning approval the NPPF has been introduced and PFE is also at an advanced stage. Amongst other things the NPPF promotes developments for new housing, it also strongly advocates the efficient reuse of brownfield sites within central sustainable locations. In relation to the density of development, paragraph 128 of the NPPF states that 'planning policies and decisions should make efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land for accommodating it;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;

- d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e) the importance of securing well-designed, attractive and healthy places.

- 9.4 Paragraph 129 states that 'where there is an existing.....shortage of land for meeting identified housing needs (as is currently the case in Tameside), it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.
- 9.5 The sites area is approximately 0.1ha, this equates to a density of 350 dwellings per hectare (dph). Whilst this is significant, it demonstrates the high levels of sustainability/efficiency that can be achieved from the development of land for apartments, it also accords with emerging PFE policy JP-H4 (Density of New Housing) which aspires for new developments within town centres to achieve a minimum density of 120dph. The Strategic Housing and Economic Land Availability Assessment (SHELAA) gives an indicative density of 150 dwellings per hectare for apartment schemes in locations such as this, based on TfGM's Greater Manchester Accessibility Levels dataset. Consequently, from a housing perspective the proposal is supported by the principles of efficient development.
- 9.6 Section 7 of the NPPF is entitled 'Ensuring the vitality of town centres.' Paragraph 90 of the NPPF states that 'planning polices and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.' The same paragraph goes on to state that there is a need to 'recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.' Planning Practice Guidance 'Town Centres and Retail' promotes the diversification of town centres, it states; 'Residential development in particular can play an important role in ensuring the vitality of town centres, giving communities easier access to a range of services. Given their close proximity to transport networks and local shops and services'. Residential development within central locations and the principle of re-purposing buildings or sites is supported by the policy framework.
- 9.7 Stamford Street Central has historically been commercial in character supporting retail, commercial, leisure and office uses. Its fortunes have changed significantly in recent years particularly with the loss of retail and food and drink outlets, there is quite a high level of vacancies although a number of buildings have, and continue, to be repurposed for residential use. Whilst an element of ground floor commercial use would be preferable it is accepted that the commercial realities are that there is likely to be limited need and demand for extra floor space, and the proposed residential scheme represents a good redevelopment of the site. In terms of the loss of the surface car parking, it is accepted that it was always intended to be an interim/temporary use prior to site's redevelopment. There is availability of parking at other sites across the town centre and there are also overriding benefits of having the site developed.
- 9.8 Given the location on a prominent junction within the Ashton Conservation Area it represents an unfortunate 'gap site' within the town, the principle of redevelopment to address this is firmly supported. Residential development would be wholly compatible with the aspirations of raising the residential population within the town centre, the associated increase in footfall and local spend from the development would contribute positively to the overall vitality and viability of the town as a whole.
- 9.9 Maximising the use of urban sites is of further importance given that the Council cannot currently demonstrate a 5 year supply of housing sites. The proposals would also see all the accommodation provided on an affordable basis managed by Jigsaw Homes, this would therefore make a valued contribution to meeting affordable housing needs. This along with the associated regeneration benefits should carry significant weight in the determination of this application.

- 9.10 The site is located within a highly sustainable location as demonstrated by its accessibility and relationship to services. Precedents have been established on previous approvals and it is considered that there are significant regeneration associated with the redevelopment of a vacant site for residential purposes. The principle of development is therefore considered acceptable, subject to all other material planning considerations being satisfied.

10. DESIGN & HERITAGE

- 10.1 The site is located within the Ashton Town Centre Conservation Area which was designated in 1978. The is located directly opposite the Church of the Nazarene (no.230 Stamford Street Central) and Oddfellows Hall located to the east which are both designated as Grade II heritage assets.
- 10.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 confirms that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 of the Act states that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 10.3 UDP policy C2 of the UDP echoes the requirements of the NPPF that new development must preserve or enhance the character of Conservation Areas. The Ashton Town Centre Strategy SPD (2010) seeks to ensure that development within the Old Town acknowledges the character of this historic area. This should be evident through elements such as the primary materials, alignment & size of windows, detailing and the vertical or horizontal emphasis of the building's fenestration. It advises that the Old Town's gridiron urban grain is a key element of its historic character, as such new development must be sited within these defined blocks to retain this character and restrict the possible mass of developments. It identifies the site as a potential development sit within the western gateway. This along with sites adjacent to Park Parade, present a poor gateway experience with large areas of surface car parks and underutilised land. As such there is a need to promote appropriate development to improve these key sites.
- 10.4 Paragraph 205 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 10.5 Paragraph 206 states that any harm to, or total loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 10.6 Paragraph 208 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 10.7 The present contribution of the site to the overall character of the Ashton Town Centre Conservation Area is negative. The proposed building would essentially present itself as an infill within an established frontage and building line. The building would be provide an active frontage to Stamford Street Central. Fleet Street would be framed in a positive manner and would also benefit from increased animation and surveillance a result of the buildings design. The building would not abut no.203 Stamford Street (Former Hudson bay Night Club) so

there would be a gap maintained to the street frontage. However, the land is outside of the applicant's ownership and it is likely that this land will come forward for development. The overall benefits attributed to the development outweigh any perceived harm of this land being excluded.

- 10.8 The supporting Design and Access statement and Heritage Appraisals provides a contextual assessment of the locality and the response of the design proposals. The redevelopment proposed would address this positively by addressing the current gap along Stamford Street. The Heritage Appraisal states that the proposal would result in a positive enhancement of the Conservation Area, it states; 'Although not utilising the grand Victorian classicism of the 19th century, the proposal will nonetheless, produce a simple line of buildings that is, ultimately, contextual to this site and respectful of those quality, non listed buildings such as the adjacent Sunday School and former Banks. In light of the current condition of the site therefore, this proposal will offer a considerable enhancement of the Conservation Area through the development of what is currently an unsightly site'. The impact upon the Church of the setting of the Church Of the Nazarene would be neutral and on the Oddfellows would be positive. The conclusions of this assessment are considered robust and are supported.
- 10.9 The building's form and choice of materials is relatively simple. The use of a red brick and slate effect roofing material references the established vernacular of the Conservation Area and reinforces an element of compatibility with existing buildings within the locality. The vertical emphasis of the openings aligns to the elevations on nearby properties. The overall dimensions of the build also give it a 'Mill' like appearance which is respectful of the industrial heritage of the town.
- 10.10 The overall height and scale of the building is comparable with the prevailing character of properties located along Stamford Street Central. The redevelopment of the site presents an opportunity to create a development that would have a more positive impact on this part of the Conservation Area. In line with the requirements of both national and local planning policy, the design quality and public benefits brought about by the proposed scheme is considered to be acceptable. The comprehensive redevelopment of the site and introduction of a residential use would have a positive impact on the character of this part of the Conservation Area which would be of a significant environmental benefit.
- 10.11 Following the above assessment, it is considered that the amended proposals would achieve the requirements set out in UDP policies C3 and C4 and Section 16 of the NPPF and satisfy the statutory duties as quoted above.

11. RESIDENTIAL AMENITY

- 11.1 Church Street is built on an established grid iron and there is a tight relationship to properties to the rear on the opposite site of Fleet Street. The planning history dictates that the acceptability of residential development has been accepted albeit on a scale (building height) larger than what is now proposed. The building would stand at 3 storeys in height and would be sited 24m away from the rear elevation of 2 storey terraces located on Crown Street. This separation complies with the interface distance recommended within the SPD and as such the relationship and influence upon existing residents amenity levels is deemed to be acceptable.
- 11.2 Internally, the 1-bedroom accommodation would measure between 45 and 47sqm and the 2 bedroom accommodation would measure 59sqm. The 1 bedroom accommodation would fall within the scope of standards but the 2 bed would be below. The applicant has justified this on grounds that they meet Homes England standards, the apartments are designed to a high energy efficiency rating to ensure low overall running costs. The development's viability is identified marginal and there is an acute need for more affordable housing to address housing waiting list demands. The accommodation would allow for separate living, sleeping and

kitchen areas in addition to dedicated storage provision the apartments would also have dedicated Juliet balconies.

- 11.3 With respect to private amenity space there would be limited communal space outside of the apartments. That which would be provided is limited to parking, bin storage and cycle storage and landscaping strips. Again precedents of previous approvals carry weight in the assessment but it must also be noted that such arrangements are not uncommon in a town centre environment. Furthermore it is considered that the buildings central location, with access to services and other amenities, mitigates and compensates for these perceived limitations.
- 11.4 It is noted that with the central location there are commercial uses within the vicinity of the site. A noise report has been submitted which concludes that a suitable residential environment can be achieved. A review by Environmental Health is supportive of the proposals subject to a recommendations that a robust glazing specification is applied to all openings as recommended within the noise report. This is a matter which can be suitably conditioned. On the basis of the above assessment, the proposals are considered to be acceptable, safeguarding conditions will ensure that internal living standards and that of established commercial operations would not be unduly impacted on by noise or disturbance.

12. HIGHWAY SAFETY & ACCESSIBILITY

- 12.1. In a town centre location the site is inherently sustainable and is easily accessed by public transport, foot or bicycle. Ashton town centre is served with bus, tram and train connections across the Greater Manchester Region. It is also apparent that a host of amenities and employment opportunities are immediately on hand, it is reasonable to assume that future residents would undertake journeys by sustainable means.
- 12.2 It is acknowledged that the current use of the site for car parking provides convenience for town centre users and supports overall parking provision within the town. However, it must be accepted this represents an interim use, the car park was established due to circumstances around the demolition of the sites former buildings. It was never envisaged that this would be a permanent use nor would it be deemed to be appropriate given the high profile of the site within the Conservation Area. The associated loss of car parking from the current use is therefore tolerated and mitigated by capacity at other town centre car parks.
- 12.3 Vehicular access to the parking spaces would be via a continuous dropped crossing onto Fleet Street. Given the current parking use that if the development would replace overall vehicle movements would be significantly reduced. A total of 13 parking spaces would be provided in addition to secure cycle storage. Policy RD8 of the adopted RDG indicates that 0.5 spaces per unit may be acceptable within Ashton town centre. The provision of car parking spaces falls below the lower end of the policy requirement. Bus, tram and railway stations are all under a 10 minute walk from the site and the scheme would meet the level of secured cycle parking provision for each of the dwelling required by RD8 (35 to be provided). Highways have reviewed the proposals and raise no objections. It is noted that no off street parking is dictated by the constraints of the site, in addition there is also capacity for parking across dedicated car parks within the centre including those located to the rear of Stamford Street which mitigate the impacts of the development.
- 12.4 The Local Highway Authority have confirmed their approval of the initiatives detailed within the applicant's Sustainable Travel Plan and its recommendations should be conditioned.
- 12.5 Improvements to the existing footways of Stamford Street, Mill Lane and Fleet Street within the demise of the building would be secured by condition. This would secure local environmental improvements to benefit of not only future residents but also existing.

- 12.6 The central location of the building on a busy thoroughfare presents a challenging environment for construction works to be undertaken. Strict adherence to the provision of a Construction Method Statement (to be conditioned) to ensure that the interests of nearby commercial premises, highways traffic and pedestrians are not unduly prejudiced.
- 12.7 With regard to servicing and waste management matters, the apartments and commercial units would be serviced from dedicated bin stores accommodated within the ground floor of the building. It is recognised that locally there are waste management issues, back streets to Stamford Street are particularly prone to incidents of fly-tipping. The capacity and location of the bin storage is deemed acceptable and would not add to any offsite problems.
- 12.8 To conclude, the access and parking arrangements have been assessed as being acceptable. The site is within a sustainable location which benefits from immediate access to services and transport options. As such in the absence of any demonstrable adverse impacts, and subject to recommended conditions, the development is considered to adhere to the provisions of policies T1, T7, T8 and T10 by providing safe, secure and convenient access for all road users.

13. DRAINAGE AND FLOOD RISK

- 13.1 The site is in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. The site has historically been developed and in its present guise is laid completely to hard surfacing. Surface run-off will not be increased by the development and future residents are not considered to be at risk.
- 13.2 A drainage strategy has been submitted which would address surface water drainage via an attenuated system. United Utilities have reviewed this but cannot support it without further evidence as to why SUDS have been discounted. Recognising the urban nature of the site and its relative constraints it seems unlikely that SUDs would work at the site, however, the applicant and UU are happy for this to be looked at in more detail as part of a planning condition.

14. GROUND CONDITIONS & ARCHAEOLOGY

- 14.1 The site falls within the Coal Authority's defined Development High Risk Area. An appropriate and up-to-date coal mining risk assessment has been undertaken to the satisfaction of the Coal Authority, the site can be made suitably stable for development subject to agreement of the foundation design to be addressed under a future Building Control application.
- 14.2 The Environmental Protection Unit (EPU) has identified that there is on site contamination as a result of historic uses of the site. Subject to a condition requiring further site investigations and remediation (if necessary) there are no objections raised to the development of the site.
- 14.3 GMAAS have confirmed their support to the assessment which has been undertaken. They confirm that the potential for finding anything of archaeological significance is low. On this basis there seems no reason to seek to impose further archaeological requirements on the applicant.

15. LANDSCAPING & ECOLOGY

- 15.1 Section 180 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment. The site has a very low ecological value and this is influenced by previous and established uses, as well as the urban nature of the surrounding environment. There would be some soft landscaping within areas to the rear of

the site although this would be best suited to ornamental species. Physical features such as bat and bird boxes can be incorporated into the building to raise the biodiversity value in accordance with aspirations of local and national policy.

16. DEVELOPER CONTRIBUTIONS

- 16.1 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.
- 16.2 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 Highways contributions as per the requirements of policies H4 (affordable housing) , H5(open Space) H6 (education) and T13 (highways) of the Development Plan. In this instance, the affordable housing requirement would be exceeded through the applicant's intention to provide all of the apartments on an affordable basis which would be secured by condition, the delivery of 35 apartments on an affordable (social rent) basis is significant to the planning assessment.
- 16.3 Recognising the nature of the accommodation, which is unsuited to family accommodation, no contribution is required to mitigate any potential educational requirements. Highways requirements are limited to addressing improvements to carriageways and footways in the vicinity of the site, these works can be secured by condition which would also secure Green Space / Public realm improvements within the Conservation Area.

17. NOISE & DISTURBANCE

- 17.1 A noise survey has been undertaken of the local environment and this has established that the dominant source of noise is from the highway (Stamford Street). To mitigate against associated noise it is proposed to introduce acoustic glazing in addition to mechanical ventilation of the units, this would also seek to address any potential transference of noise from ground floor commercial units. This mitigation along with the details of any extraction and plant equipment required for the operation of the commercial units is recommended to be conditioned.

18. SUSTAINABILITY

- 18.1 The application stresses that the redevelopment of a brownfield site within an accessible urban environment is highly sustainable. The apartments would be constructed to efficient standards including enhanced insulation and low energy fixtures to reduce overall energy usage. There are no issues raised on sustainability grounds, the proposals being deemed as an efficient and appropriate development of the site.

19. OTHER MATTERS

- 19.1 The application has been accompanied with a Crime Impact Statement. This has been reviewed by the Greater Manchester Police Designing Out Crime Officer, who has concluded that the contents of the statement are sufficient. The Crime Officer recommends that physical security measures are implemented, in order to achieve good levels of security and reduce the fear of crime for future users of the development and for members of the public. The

design and layout of the development itself would ensure that good levels of surveillance are achieved across public areas including the riverside walkway.

- 19.2 The application site is not within a designated Air Quality Management Area. The highly sustainable nature of the location ensures that it is realistic to assume that a significant proportion of trips generated by the development would be via cycle and pedestrian connection to public transport. Further mitigation would be provided via the inclusion of electrical vehicle charging points and a condition requiring details of these facilities is attached to the recommendation.

20. CONCLUSION

- 20.1 The site is previously developed, brownfield land, and is not allocated for other purposes. The opportunity to see the site redeveloped would address a longstanding gap site within the Conservation Area, this would be positive to the overall character and appearance of the area.
- 20.2 The design and scale of the development is considered to be acceptable and would be respectful to the established development pattern along Stamford Street Central. The re-introduction of built form would be respectful to the historic context, the design and appearance being such that it would harmonise successfully into the street scape.
- 20.3 The relationship between the development and surrounding heritage assets would be positively enhanced as a result of development which responds positively to the local context. The proposals would improve the site, would complement other developments within this area of the town centre which is would be of significant social, economic and environmental benefit.
- 20.4 The redevelopment of a brownfield site for residential purposes would be compatible with the Housing Strategy and would add to the growing residential offer within the town centre. The development would add to and contribute to much needed, good quality affordable housing in a period of documented under supply.
- 20.5 The site is located within a highly sustainable location as demonstrated by its central location with access to town centre amenities, employment opportunities and public transport services. Precedents have been established on previous approvals, it is considered that there are significant regeneration benefits associated with the redevelopment of a prominent long-term vacant site within the Conservation Area.
- 20.6 The proposal is considered not to be detrimental to residential amenity, with the relationship between the building and nearby properties on Fleet Street being acceptable and reflective of that of developments across the town.
- 20.7 The development would not cause undue impacts to highway safety, it can be a safely accessed and serviced from the established highway network and overall levels of parking would be appropriate to the scale of development within an accessible town centre location.
- 20.8 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 urban site.
- 20.9 Overall, when considering the proposal against the policies of the NPPF as a whole the collective benefits associated with the proposal are positive. The development would accord with the main aims and objectives of the development plan and represent sustainable development. There have been no negative economic, social, or environmental impacts identified from the development. The proposal would therefore result in sustainable

development in accordance with the development plan and the NPPF.

RECOMMENDATION

Grant planning permission, subject to the following conditions:

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.
- 2) The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved unless required by any other conditions in this permission.

Plans:

Site Location Plan RG383/LP01 Rev A
Proposed Site plan and Section RG383/PL01 Rev F
Proposed Floor Plans RG383/PL02 Rev E
Proposed Elevations RG383/PL03 Rev F

Reports:

Affordable Housing Statement Jigsaw Homes
Crime Impact Assessment ref 14th December 2023 v1.1
Design and Access Statement
Heritage Impact Assessment (The Urban Glow 2023)
Noise Assessment ref NP-010226
Planning Statement (Benson Planning Studio)
Preliminary Risk Assessment & Coal Mining Risk Assessment ref GRO-21208-3521
Travel Plan ref LTP/23/5707

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, samples and/or full specification of materials to be used: externally on the building; in the construction of all boundary walls and railings; and, in the finishes to all external hard-surfaces have been submitted to, and approved in writing by, the local planning authority prior to their use on site. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details and retained as such thereafter.

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

- 4) No development, other than site clearance and site compound set up, shall commence until a remediation strategy, detailing the works and measures required to address any unacceptable risks posed by contamination at the site to human health, buildings and the environment has been submitted to, and approved in writing by, the Local Planning Authority (LPA). The scheme shall be implemented and verified as approved and shall include all of the following components unless the LPA dispenses with any such requirement specifically in writing:
 1. A site investigation strategy, based on the Groundtech Preliminary Risk Assessment (Reference: GRO-21208-3521) and the LPA's contaminated land comments within the consultation memorandum dated 12 February 2024 is required. This will detail all investigations including sampling, analysis and monitoring that will be undertaken at the site in order to enable the nature and extent of any contamination to be determined and a detailed

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

2. The findings of the site investigation and detailed risk assessments referred to in point (1) including all relevant soil / water analysis and ground gas / groundwater monitoring data.

3. Based on the site investigation and detailed risk assessment referred to in point (2) and options appraisal and remediation strategy setting out full details of the remediation works and measures required to address any unacceptable risks posed by contamination and how they are to be implemented.

4. A verification plan detailing the information that will be obtained in order to demonstrate the works and measures set out in the remediation strategy in (3) will be fully implemented including any requirements for long term monitoring and maintenance.

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

- 5) Upon completion of any approved remediation scheme(s), and prior to occupation/use, a verification / completion report demonstrating all remedial works and measures detailed in the scheme(s) have been fully implemented shall be submitted to, and approved in writing by, the LPA. The report shall also include full details of the arrangements for any long term monitoring and maintenance as identified in the approved verification plan. The long term monitoring and maintenance shall be undertaken as approved.

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

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

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

- 6) Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

(i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;

(ii) A restricted rate of discharge of surface water agreed with the local planning authority if it is agreed that infiltration is discounted by the investigations);

(iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;

(iv) Incorporate mitigation measures to manage the risk of sewer surcharge if identified as necessary;

(v) Foul and surface water shall drain on separate systems;

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

- 7) The parking/manoeuvring facilities, indicated on the approved plan ref Proposed Site plan and Section RG383/PL01 Rev F shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.

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

- 8) No work shall take place in respect to the construction of the approved highway on Fleet St, as indicated on the approved site plan, 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:-

1. Surface and drainage details of all footways.
2. Details of the areas of the highway network within the site to be constructed to adoptable standards and the specification of the construction of these areas.
3. Details of a lighting scheme to provide street lighting (to an adoptable standard), to the shared private driveway and pedestrian/cycle pathways have been submitted to an approved in writing by the Local Planning Authority. The scheme shall include details of how the lighting will be funded for both electricity supply and future maintenance.

No part of the approved development shall be occupied until the approved highways works have been constructed in accordance with the approved details or phasing plan and the development shall be retained as such thereafter.

- 9) Prior to the occupation of the development a scheme relevant to the improvement of highway footways within the demise of the development (Stamford Street Central, Mill Lane, Fleet Street) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of:

1. Phasing plan of highway works;
2. Surface treatments and drainage details of all footways;
3. Full lighting details; and,
4. Details of carriageway markings and signage.

No part of the approved development shall be occupied until the approved highways works have been constructed in accordance with the approved details or phasing plan.

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

- 10) The approved development shall be carried out in strict accordance with the submitted travel plan - Proposed Residential Development Stamford Street Central Ashton-under-Lyne Travel Plan December 2023. The approved travel plan shall be operated at all times that the development is occupied and shall be reviewed and updated on an annual basis in accordance with details that shall be outlined in the approved plan. The travel plan and all updates shall be produced in accordance with current national and local best practice guidance and shall include details on the method of operation, appointment of a Travel Plan Coordinator/s, targets, infrastructure to be provided, measures that will be implemented, monitoring and review mechanisms, procedures for any remedial action that may be required and a timetable for implementing each element of the plan. Reason: In the interest of

promoting use of public transport and reducing environmental impact, in accordance with UDP Policies T1: Highway Improvement and Traffic Management and T11 Travel Plans.

- 11) The secure cycle parking area shown on approved drawing Ref Proposed Site plan and Section RG383/PL01 Rev F shall be provided prior to the first occupation of the development and thereafter retained. The cycle store shall provide secure storage for a minimum of 35 cycles, confirmation of the installation of the storage shall be submitted for approval in writing by the local planning authority.

Reason: To ensure that safe and practical cycle parking facilities are provided so as to ensure that the site is fully accessible by all modes of transport in accordance with UDP Policies T1: Highway Improvement and Traffic Management, T7 Cycling and T10 Parking

- 12) No development (including demolition or site clearance) shall commence until a construction and environmental management plan (CEMP) has been submitted to and approved by the local planning authority. The CEMP must cover the following issues and any other matters the local planning authority reasonably requires:

- Hours of construction work and deliveries;
- Phasing of the development;
- Location of site compound/offices which shall be located to minimise disturbance to the amenity of existing residents outside of the site;
- Construction traffic management measures including details of access arrangements, turning and manoeuvring facilities, material deliveries, vehicle routing to and from the site, traffic management, signage, hoardings, scaffolding, where materials will be loaded, unloaded and stored, contractor parking arrangements and measures to prevent the discharge of detritus from the site during construction works,
- Measures to control the emission of dust and dirt during construction
- Measures to control noise levels during construction
- Details of any public relations measures e.g. Considerate Constructors Scheme

Development of the site shall not proceed except in accordance with the approved method statement which shall be adhered to at all times.

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

- 13) During demolition / construction no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.

Reason: To protect the amenities of occupants of nearby properties / dwelling houses in accordance with UDP policies 1.12 and E6.

- 14) The noise mitigation measures recommended in Nova Acoustics Residential Noise Assessment, reference NP-010226 shall be implemented in full and shall be retained thereafter. Written proof shall be provided to the Local Planning Authority that all mitigation measures have been implemented in accordance with the agreed detail prior to first occupation of the development,

Reason: To protect the amenities of future occupants from external noise in accordance with UDP policy H10

- 15) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or

become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the visual amenities of the locality, in accordance with UDP Policy C1 Townscape and Urban form , OI10 Landscape Quality and Character and H10 Detailed Design of Housing Developments.

- 16) The development hereby approved should be constructed in accordance with the recommendations contained within the submitted Crime Impact Statement details of which shall be submitted to and approved in writing by the Local Planning Authority, the approved works shall be carried out prior to the first residential occupation of the development.

Reason:

In the interests of security of both future occupants and visitors to the site

- 17) The details of an emergency telephone contact number for the site manager shall be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete.

Reason: To prevent detrimental impact on the amenity of nearby residents should any issues relevant to disturbance arise.

- 18) A scheme for the Biodiversity Enhancement and Mitigation Measures including the provisions of bird and bat boxes shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development and shall be retained thereafter

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

- 19) The building shall not be occupied for residential purposes until a scheme showing the location, design and screening of a single satellite television reception aerial/dish capable of distributing a signal to each flat within the development has been submitted to and approved in writing by the local planning authority. Any aerial/dish must be located so as to minimise its effect on the appearance of the building and all distribution cables must be routed internally. The aerial/dish shall be installed in accordance with the approved details.

Reason: To reduce the proliferation of satellite dishes in the interests of the appearance of the development and the character of the Ashton Conversation Area.

- 20) No installation of any externally mounted plant equipment (including utility meter boxes, flues, ventilation extracts, soil pipe vents, roof vents, lighting, security cameras, alarm boxes, television aerials) shall take place until details (including the location, design, method of support, materials and finishes) have been submitted to and approved in writing by the local planning authority. Such plant and other equipment shall not be installed other than in accordance with the approved details and thereafter maintained as such.

Reason: In the interests of the appearance of the development and the character of the Ashton Conversation Area.

- 21) All openings within the development shall be set within a minimum reveal of 10mm unless otherwise agree in writing with the local planning authority.

Reason: In the interests of the appearance of the development and the character of the Ashton Conversation Area.

- 22) The brickwork to the approved development shall incorporate the feature coursing and details as identified on the approved drawing Proposed Elevations ref RG383/PL03 rev F and detailed on page 7 of the applications Design and Access Statement.

Reason: In the interests of the appearance of the development and the character of the Ashton Conversation Area.

- 23) Notwithstanding the submitted details the development shall incorporate a single date stone details of which shall be submitted to and approved in writing by the Local Planning Authority. The date stone shall be installed in accordance with approved details.

Reason: In the interests of the appearance of the development and the heritage and character of the Ashton Conversation Area.

- 24) Details of landscape management and maintenance responsibilities (management plan) of all communal areas and landscaping features shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development. The management plan shall be carried out in accordance with the approved details.

Reason: In the interests of the general amenity and management of the site and the appearance and character of the Ashton Conversation Area.

- 25) All apartments within the approved development shall be provided and occupied on an affordable basis and maintained as such in perpetuity as detailed within the submitted Affordable Housing Statement provided by Jigsaw homes.

Reason: To meet identified housing need in accordance with UDP policy H5 and paragraph 66 of the NPPF.