

**Application Number** 17/00984/REM

<b>Proposal</b>	Application for the approval of reserved matters (means of access, landscaping, layout, scale and appearance) relating to the residential phase of development approved under outline planning permission 16/00962/OUT.
<b>Site</b>	Site off Hattersley Road West (bound by Hattersley Road West to the north west and Sandy Bank Avenue to the south and west), Hattersley
<b>Applicant</b>	BDW Trading Ltd (Barratt Manchester)
<b>Recommendation</b>	Grant planning permission subject to conditions
<b>Reason for report</b>	A Speakers Panel decision is required because the application constitutes major development.

**1. APPLICATION DESCRIPTION**

- 1.1 The application seeks reserved matters approval for a scheme for 26 no. dwellings. The outline planning permission was not specific in terms of the number of units and no condition was imposed setting a limit.
- 1.2 The applicant has provided the following documents in support of the planning application:
- Crime Impact Assessment;
  - Design and Access Statement;
  - Planning Statement;
  - Flood Risk Assessment
  - Statement of Community Involvement
  - Transport Statement; and,
  - Tree Survey and Constraints plan.
- 1.3 As this is a reserved matters application, the matter of developer contributions is not being revisited as this relates to the principle of development, which was established under the outline planning permission. In this case, the outline permission was not subject to a Section 106 Agreement as this parcel of land represents one part of a wider phase of the original masterplan for the regeneration of Hattersley, for which outline planning permissions originally granted in 2006. Contributions to green space across the masterplan area have since been secured through separate agreements with the Council.

**2. SITE & SURROUNDINGS**

- 2.1 The application site is a parcel of land to the south of Hattersley Road West, with Sandy Bank Avenue running parallel with the western and southern boundaries of the site. Residential properties fronting onto Hattersley Road West are adjacent to the northern boundary of the site. An access road leading to the rear of the properties fronting onto Sandy Bank Avenue runs parallel with the eastern boundary of the site, with those dwellings to the south east of the application site.

**3. PLANNING HISTORY**

- 3.1 16/00962/OUT - Outline planning application (All matters reserved) for residential development on 0.59 Hectares of land – approved

#### **4. RELEVANT PLANNING POLICIES**

4.1 National Planning Policy Framework (NPPF)

4.2 Planning Practice Guidance (PPG)

#### **4.3 Tameside Unitary Development Plan (UDP) Allocation**

Not allocated, within the settlement of Hattersley

#### **4.4 Part 1 Policies**

1.3: Creating a Cleaner and Greener Environment.

1.4: Providing More Choice and Quality Homes.

1.5: Following the Principles of Sustainable Development

1.6 Securing Urban Regeneration

1.12: Ensuring an Accessible, Safe and Healthy Environment

#### **4.5 Part 2 Policies**

H2: Unallocated sites

H4: Type, size and affordability of dwellings

H5: Open Space Provision

H7: Mixed Use and Density (Density being relevant to this proposal)

H10: Detailed Design of Housing Developments

OL10: Landscape Quality and Character

T1: Highway Improvement and Traffic Management.

T10: Parking

T11: Travel Plans.

C1: Townscape and Urban Form

N7: Protected Species

MW11: Contaminated Land.

U3: Water Services for Developments

U4 Flood Prevention

U5 Energy Efficiency

#### **Other Policies**

4.6 Greater Manchester Spatial Framework - Publication Draft October 2016;  
Residential Design Supplementary Planning Document; and,  
Trees and Landscaping on Development Sites SPD adopted in March 2007.  
Hattersley and Mottram SPG (dated April 2004) (Policy H1 (14) is the broad policy applying to the land of which this site is one parcel)

#### **National Planning Policy Framework (NPPF)**

4.7 Section 1 Delivering sustainable development

Section 6 Delivering a wide choice of high quality homes

Section 7 Requiring good design

Section 8 Promoting healthy communities

Section 11: Conserving and enhancing the natural environment

#### **Planning Practice Guidance (PPG)**

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

## **5. PUBLICITY CARRIED OUT**

- 5.1 Neighbour notification letters were issued in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's adopted Statement of Community Involvement.

## **6. RESPONSES FROM CONSULTEES**

- 6.1 Local Highway Authority – No objections to the proposals subject to conditions requiring the parking to be laid out as shown on the approved plans prior to the occupation of the development and details of the construction, surfacing and means of draining surface water from the vehicular access route to the dwellings, details of the road works/traffic management measures required to provide safe access to the site, a construction environment management plan and details of lighting to be installed within the site but outside of the curtilage of any of the dwellings being secured by condition.
- 6.2 United Utilities – No objections to the proposals. Relevant conditions were attached to the outline planning permission.
- 6.3 Greater Manchester Ecological Unit - No objections to the proposals, subject to conditions restricting the timing of tree/vegetation removal and the provision of biodiversity enhancement measures within the development.
- 6.4 Borough Contaminated Land Officer - No objections to the proposals. Relevant conditions were attached to the outline planning permission.
- 6.5 Borough Environment Health Officer - No objections to the proposals subject to conditions. Relevant conditions were also attached to the outline planning permission.
- 6.6 Borough Tree Officer – No objections to the proposals. The proposed landscaping scheme is considered to be appropriate.
- 6.7 Lead Local Flood Risk Authority – No objections to the proposals. Relevant conditions were attached to the outline planning permission.
- 6.8 Environment Agency - No objections to the proposals. Conditions relating to the means of draining surface water from the development (including a sustainable drainage system) were attached to the outline planning permission.
- 6.9 Greater Manchester Police (Design Out Crime Officer) – some concerns regarding the separation of the communal car parking area in the eastern portion of the site and the inclusion of an alleyway leading to the rear of a number of the plots. Overall, a condition is recommended to ensure that the development would achieve Secured by Design accreditation prior to occupation of the dwellings.
- 6.10 Coal Authority – No objections to the proposals as the site is considered to be in a low risk area. Standing advice to the applicant can be attached to the decision notice, informing the applicant of their responsibilities in relation to coal mining legacy during the construction process.

## **7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED**

- 7.1 2 no. letters of representation (1 signed by 5 residents at separate addresses) have been received from neighbouring residents, raising the following concerns (summarised):

- Whilst not opposed to the principle of development on the site, these proposals would adversely affect the ability of the residents of the existing properties on Sandy bank Avenue to access the rear of their plots, currently allowed by an access strip on the eastern boundary of the application site, which would be enclosed within the proposed development.
- As a result of the above, the scheme will result in a loss of value to the neighbouring properties.

## **8. ANALYSIS**

8.1 The issue to be assessed in the determination of this planning application are:

- 1) The principle of development;
- 2) The impact of the design and scale of the development on the character of the site and the surrounding area;
- 3) The impact upon the residential amenity of neighbouring properties;
- 4) The impact on highway safety;
- 5) The impact on flood risk;
- 6) The appropriateness of the proposed landscaping scheme; and,
- 7) Other matters

## **9. PRINCIPLE OF DEVELOPMENT**

9.1 The principle of residential development on the site was established at the outline stage, at which point a number of dwellings was not established either in the description of development or by condition. This reserved matters scheme would equate to approximately 44 dwellings per hectare. Policy H1(14) of the Hattersley and Mottram SPG and H7 of the UDP indicate that a density between 30 and 50 dwellings per hectare should be achieved to make efficient use of land. The policies indicate that higher densities in locations that are highly accessible by public transport. Whilst this site is within walking distance of Hattersley rail station and regular bus services, the site is not in a town centre location, approximately 1 mile from Hattersley Hub and the future town centre site, with relatively limited employment opportunities within walking distance. On that basis, the proposed density of development is considered to be acceptable.

## **10. CHARACTER OF THE SURROUNDING AREA**

- 10.1 The scheme proposes an active frontage onto Sandy Bank Avenue, which runs parallel with the western boundary of the site. This is considered to be a positive element of the scheme and this would interact with the proposed development on the parcel of land to the west, which is also to be developed by the applicant and is an item on this agenda. Whilst parking would be provided at the front of a number of the properties on that boundary, the rows of spaces would be limited to blocks of 4, with soft landscaping interspersed between these areas. Setting the units back from the roadside edge also replicates a characteristic of existing residential development in the area. The scheme would positively contribute to the wider regeneration of the area therefore.
- 10.2 The scheme would also provide active frontage to the southern boundary of the site. The terrace of units at plots 19-22 would provide an active terminating vista to the entrance to the site off that section of Sandy Bank Avenue. Active frontage would also be provided to the internal access road, a point emphasised by positioning units 19-22 close up to the back edge of the footway. Units would be effectively orientated to turn the corners within the proposed layout.

- 10.3 In relation to the design of the dwellings, the treatment of the elevations of each of the house types would be consistent with those already built out by the applicant on sites along Fields Farm Road in Hattersley. The majority of units fronting on to Hattersley Road West would have exposed brick elevations, the unit in the north western corner and the terrace of the 3 in the south western corner would have light rendered above forticrete block work elevations. A mixture of the two finishes would be evident on the southern boundary of the scheme. The use of 3 storey house types (Hawley and Brentwood) on the western edge of the development would give strength to the frontage along Sandy Bank Avenue and alongside the variation in elevational treatment, would provide variation in the built form, with the overall layout respecting the general linear pattern of short rows of properties within the locality.
- 10.4 In relation to boundary treatments, the majority of the external boundaries of the site would be treated with hedges and railings, with brick walls with piers on the on the northern western and south western edges of the development to treat the affected boundaries of the respective plots. Close boarded fencing would be restricted to the rear boundaries of plots and this fencing would only be readily visible from public view on plots 23-26 in the south eastern corner of the development.
- 10.5 Concerns have been expressed by neighbouring residents in relation to the ability of the occupiers of the properties to the east of the site to access the rear of their properties, which is currently achieved via the access track on the eastern edge of the site. The proposed layout would alter these arrangements but access would still be possible, via the access road into the development and through the gap between plots 22 and 23. The area would not be relied upon for parking associated with the proposed units and is shown as remaining as existing on the proposed plans. Private rights of access are not a material consideration in determining a planning application as these are administered through civil law, falling beyond the remit of planning system. However, the plans do demonstrate that access to the rear of those properties would still be achieved once the development is built out.
- 10.6 Following the above assessment, it is considered that the proposals would not result in an adverse impact on the character of the area, subject to conditions requiring compliance with the materials, boundary treatments and hard and soft landscaping details submitted with the application.

## **11. RESIDENTIAL AMENITY**

- 11.1 The rear elevations of the proposed units at 18 – 22 would face the common boundary with no. 188-196 Hattersley Road West. The separation distances to be retained between the corresponding elevations would be sufficient to meet the minimum 21 metres required by the Residential Design Guide in this relationship. The separation distance to be retained between the front elevations of those plots and the neighbouring properties to the south and east of the site ensures that there would be no unreasonable overlooking into or overshadowing of those properties.
- 11.2 The rear elevations of the properties at plots 23-26 would face the western boundary of the property at 33 Sandy Bank Avenue. The first floor window in the corresponding gable elevation of that property is a narrow high level opening, with an entrance door and obliquely glazed window at ground floor level. These openings are considered not to be primary habitable room windows. On that basis, the separation distance to the rear elevations of the proposed units would achieve the minimum 14 metres required by the Residential Design Guide in this relationship.
- 11.3 Adequate separation distances between plots within the development would be achieved to ensure that the residential amenity of future occupants would be preserved.

## **12. HIGHWAY SAFETY**

- 12.1 Vehicular access to the development would be taken from the southern boundary of the site. Adequate visibility splays would be achieved in both easterly and westerly directions and would be sufficiently offset from the Sands Close/Sandy Bank Avenue junction to the east. The Local Highway Authority has not raised any objections to the proposals, subject to a number of conditions. A construction environment management plan was required to be submitted and approved by condition 10 of the outline planning permission and therefore does not need to be re-imposed.
- 12.2 A condition requiring full details (including construction materials, levels and details of drainage infrastructure) of the construction of the new sections of the access road, parking areas and associated highway can be secured by condition to ensure that the proposed means of access preserves highway safety.
- 12.3 Whilst condition 14 of the outline planning permission did require details of any external lighting to be approved prior to installation, this condition does not stipulate that such a scheme must be advanced. Given the location of the communal parking area to the side of plot 22 and the nature of the access route through the rear of the existing properties to the east of the site, it is considered that such a scheme is required. A condition to this effect can be added to the decision notice.
- 12.4 The scheme makes provision for 2 car parking spaces per dwelling, with the reconfigured parking area in the eastern part of the site in addition. This meets the requirements of the Residential Design Guide.
- 12.5 On the basis of the above assessment and given the relatively low density of the scheme, it is considered that the proposals would not result in a severe impact on highway safety. In accordance with the guidance contained within paragraph 32 of the NPPF, planning permission should not be refused on highway safety grounds.

## **13. FLOOD RISK**

- 13.1 The site is in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. United Utilities have raised no objections to the proposals and condition 8 of the outline planning permission required the submission and approval of a sustainable system for draining surface water from the site and condition 9 requires that surface and foul water are drained from the site via different systems. These conditions do not need to be re-applied at this reserved matters stage.

## **14. LANDSCAPING**

- 14.1 The applicant has submitted details of the proposed hard and soft landscaping scheme. The species mix on this parcel include hornbeam and silver birch trees and the plans detail the location of shrub and hedge planting and areas to be grassed. Details are also provided in relation to the number of each type of species to be planted, their height on planting and protection of the hedge and tree planting to be installed. The Tree Officer has no objections to the proposals. The soft landscaping scheme would effectively break up the frontage parking on the western edge of the development and the inclusion of tree planting would represent a biodiversity enhancement. Subject to a condition requiring the implementation of the landscaping scheme prior to occupation of the development and stipulating on-going management requirements, the soft landscaping scheme is considered to be acceptable.
- 14.2 In relation to hard landscaping, the plans indicate that Pennant concrete paving located around the external edges of the dwellings. These materials are considered to be

acceptable, with tarmac limited to the main highway and the driveways of the properties. This would ensure that the boundary hedges to be installed adjacent to the vehicular entrance as part of the soft landscaping scheme would be sufficient to reduce the prominence of the engineering works associated with the access arrangements.

- 14.3 Following the above assessment, the soft and hard landscaping proposals are considered to be acceptable.

## **15. OTHER MATTERS**

- 15.1 A condition requiring an investigation into sources of contamination on the site was attached to the outline planning permission and therefore does not need to be re-imposed at the reserved matters stage. The Coal Authority has confirmed that it has no objections to the proposals as the site is considered to be low risk in relation to the legacy of coal mining.
- 15.2 In relation to ecology, the Greater Manchester Ecology Unit has raised no objections to the proposals, subject to the imposition of conditions limiting the timing of tree/vegetation removal and requiring the inclusion of biodiversity enhancements within the scheme. Whilst the inclusion of soft landscaping would represent a partial enhancement, given the fact that a large part of the site is currently open grassland, it is considered that further measures to enhance biodiversity are required and that this condition is reasonable, applying the principles stated in paragraph 118 of the NPPF.
- 15.3 In relation to designing out crime, Greater Manchester Police have raised some concerns regarding the inclusion of alleyways leading to the rear of plots 4-9 and 20 and 21 and the lack of surveillance to the communal parking area to the north eastern corner. Whilst the concerns are noted, the entrance to the alleyway leading to the rear of plots 4-9 would be visible from the front elevations of the properties facing Sandy Bank Avenue, which would provide a degree of surveillance. The access to plot 23 would face the entrance to the alleyway to the rear of plots 20 and 21 and the entrance to the communal parking area.
- 15.4 Given that a condition can be added requiring external lighting to be installed to the proposed communal parking area, it is considered that the proposals would not increase the risk of crime over and above the existing situation sufficient to warrant refusal of planning permission.
- 15.5 Greater Manchester Police do not object to the proposals on the basis that a condition is attached to any permission given requiring Secured by Design accreditation to be confirmed prior to occupation of the development. This condition is considered reasonable and on that basis, it is considered that the risk of crime could be mitigated to an acceptable degree, when weighed alongside the benefit of boosting the supply of housing in the Borough.
- 15.6 In relation to bin storage, there is considered to be sufficient space within each of the plots to ensure adequate provision for each dwelling. The details of the exact location and means of enclosure must be submitted and approved in order to comply with condition 12 of the outline planning permission.

## **16. CONCLUSION**

- 16.1 The principle of residential development on the site was established through the granting of outline planning permission. The density of development (which was not prescribed at the outline stage) is considered to be acceptable, falling within the range considered appropriate under policy H7 of the UDP.

- 16.2 The proposed layout would preserve the character of the site and surrounding area and would positively contribute to the wider regeneration of this part of Hattersley. The development would preserve the residential amenity of neighbouring residents and the proposed soft and hard landscaping schemes are considered to be appropriate.
- 16.3 There are no objections to the proposals from the statutory consultees in relation to highway safety, flood risk/drainage, landscaping, contaminated land or any of the other material considerations.
- 16.4 The application is therefore considered to accord with the relevant national and local planning policies listed earlier in this report.

## 17. RECOMMENDATION

Grant planning permission, subject the following conditions:

1. The development hereby approved shall be carried out in accordance with the following approved plans received on 2 March 2018:

Drawing Number 468/P/PL/01 Rev. 13 (Layout plan) (in so far as it relates to the application site)

Drawing Number 468/P/ML/01 Rev. 02 (Materials Layout) (in so far as it relates to the application site)

Drawing Number 468/P/HLL/01 Rev. 02 (Hard landscaping plan) (in so far as it relates to the application site)

Drawing Number 468/P/BTL/01 Rev. 02 (Boundary Treatments Layout) (in so far as it relates to the application site)

Drawing Number 468/P/S/01 (1:200 Sections plan)

Drawing Number 468/P/BTD/01 (Boundary Treatment Details)

Drawing Number 468\_P\_SS\_01 Rev. 01 (Streetscapes)

Detached garage plans and elevations (2010/DET/C/135)

Drawing No. c-1553-01 (Detailed landscaping proposals Sheet 1 of 3) (in so far as it relates to the application site)

Drawing No. c-1553-02 (Detailed landscaping proposals Sheet 2 of 3) (in so far as it defines the soft landscaping to be installed)

Barton house type plans and elevations (Drawing No. 01)

Brentford house type plans and elevations (Drawing no. 2010/BRE/C/03)

Chester house type plans and elevations (Drawing No. 01)

Ennerdale detached house type plans and elevations (Drawing No. 01)

Ennerdale house type plans and elevations (Drawing No. 01)

Folkestone house type plans and elevations (Drawing No. 01)

Folkestone detached house type plans and elevations (Drawing No. 01)

Hawley house type plans and elevations (Drawing No. 01)

Hawley mid house type plans and elevations (Drawing No. 01)

2. No development shall commence until details of the construction of the vehicular and pedestrian access arrangements to serve the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans of the access (including sections and existing and proposed ground levels) indicating the visibility splays to be achieved on either side of the proposed access into the existing highway
3. Prior to the occupation of any part of the development hereby approved, a scheme detailing the measures to be incorporated in an application to obtain Secured by Design accreditation to Greater Manchester Police shall be submitted to and approved in writing by the Local Planning Authority. Written confirmation that the accreditation has been achieved



shall be submitted to and approved in writing by the Local Planning Authority and the approved measures shall be implemented prior to the first occupation of any part of the development. The development shall be retained as such thereafter.

4. Prior to the first occupation of any of the dwellings hereby approved, details of a scheme for external lighting to be installed within the communal parking areas within the application site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a scale plan indicating the location of the lighting to be installed, a LUX contour plan indicating the levels of light spillage and scaled elevations of lighting columns/supporting structures. The external lighting scheme shall be implemented in accordance with the approved details prior to the first occupation of any of the dwellings and shall be retained as such thereafter.
5. The materials to be used in the construction of the external elevations of the buildings, boundary treatments and hard surfaced areas shall be carried out in accordance with the details shown on the following approved plans:  
Drawing Number 468/P/ML/01 Rev. 02 (Materials Layout) (in so far as it relates to the application site)  
Drawing Number 468/P/HLL/01 Rev. 02 (Hard landscaping plan) (in so far as it relates to the application site)  
Drawing Number 468/P/BTL/01 Rev. 02 (Boundary Treatments Layout) (in so far as it relates to the application site)  
Drawing Number 468/P/BTD/01 (Boundary Treatment Details)  
The development shall be retained as such thereafter.
6. The car parking spaces to serve each dwelling as part of the development hereby approved shall be laid out as shown on the approved site plan (Drawing Number 468/P/PL/01 Rev. 13 (Layout plan)) prior to the first occupation of that dwelling and shall be retained free from obstruction for their intended use thereafter. Driveways shall be constructed on a level which prevents displacement of materials or surface water onto the highway and shall be retained as such thereafter.
7. The boundary treatments to be installed each of the plot within the development hereby approved shall be installed in accordance with the details as shown on drawing number: Drawing Number 468/P/BTL/01 Rev. 02 (Boundary Treatments Layout) and Drawing Number 468/P/BTD/01 (Boundary Treatment Details) prior to the occupation of that dwelling. The brickwork used in the construction of the boundary walls and piers shall match in colour and external appearance the materials detailed on approved Drawing Number 468/P/ML/01 Rev. 02. The railings shall be painted black (RAL9005) and shall be retained as such thereafter.
8. The approved scheme of soft landscaping scheme detailed on Drawing No. c-1553-02 Rev. A (Detailed landscaping proposals Sheet 2 of 3) and Drawing No. c-1553-03- Rev. A (in so far as it defines the soft landscaping to be installed on this site) shall be implemented before the first occupation of any part of the development or in accordance with a programme agreed previously with the local planning authority. Any newly planted trees or plants forming part of the approved scheme which, within a period of 5 years from the completion of the planting, are removed, damaged, destroyed or die shall be replaced in the next appropriate planting season with others of similar size and species.
9. No development above ground level shall commence until details of Biodiversity enhancement measures to be installed as part of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The details shall include a specification of the installations and scaled plans showing their location within the development. The approved enhancement measures shall be installed in accordance with the approved details, prior to the first occupation of any of the dwellings and shall be retained as such thereafter.

10. All ensuite and bathroom windows identified on the floor plans and elevations to all of the dwellings hereby approved shall be permanently fitted with obscure glazing to meet the requirements of Pilkington Level 3 as a minimum and shall be retained as such at all times thereafter.
11. No tree felling or vegetation removal shall take place during the optimum period for bird nesting (March to July inclusive) unless otherwise agreed in writing with the Local Planning Authority.

**Reasons for conditions:**

1. For the avoidance of doubt.
2. To ensure that the access arrangements to serve the development maintain highway safety.
3. To ensure that the development is designed to minimise opportunities for crime.
4. To ensure sufficient lighting of communal car parking areas in order to maintain highway safety and reduce the risk of crime.
5. To ensure that the appearance of the development reflects the character of the surrounding area.
6. To ensure that the development is served by adequate parking provision.
7. To ensure that the development would preserve the residential amenity of the occupants of neighbouring properties and preserves the character of the surrounding area.
8. To ensure that sufficient soft landscaping are implemented to ensure that the overall development respects the character of the surrounding area and that the approved landscaping scheme is adequately maintained.
9. To ensure biodiversity enhancements are secured to mitigate the environmental impacts of the scheme.
10. To ensure that the residential amenity of neighbouring properties and the future occupiers of the development is preserved, in accordance with policy H10 of the Tameside UDP and the NPPF
11. To ensure that the potential harm to protected species during the construction phase of the development is adequately mitigated.

**Informatives**

This application is linked to outline planning permission 16/00962/OUT

Detailing the applicant's obligations in relation to avoiding harm to Protected species during the construction process.

Coal Authority standing advice