

**Application Number** 17/01034/FUL

<b>Proposal</b>	Full planning application for the erection of 116 no. dwellings with associated works including car parking, access road and landscaping
<b>Site</b>	Vacant land at Edge Lane Droylsden
<b>Applicant</b>	Droylsden Site Investments
<b>Recommendation</b>	Approve, subject to conditions and the prior completion of a Section 106 Agreement
<b>Reason for report</b>	A Speakers Panel decision is required because the application is a major.

## **REPORT**

### **1. APPLICATION DESCRIPTION**

- 1.1 The applicant seeks full planning permission for redevelopment of the land for 116 dwellings with associated works including car parking, access road and landscaping. The proposed housing mix would be as follows:  
22 x 4 bed dwellinghouses  
24 x 3 bed dwellinghouses  
4 x 2 bed dwellinghouses  
66 x 2 bed apartments (across 2 blocks)
- 1.2 The applicant has provided the following documents in support of the planning application:
- Air Quality Assessment
  - Noise Assessment
  - Arboricultural Impact Assessment
  - Preliminary Ecological Appraisal
  - Planning Statement
  - Design, Access and Crime Impact Statement
  - Transport Assessment and Travel Plan
  - Phase I Site Investigation
- 1.3 In accordance with the Environmental Impact Assessment Regulations (as amended) 2017 Regulations, as the scheme proposes a development of less than 150 dwellings on a site below 5 hectares in area, the proposals are considered not to be Schedule 2 development. Therefore a Screening Opinion against the criteria in Schedule 3 of the Regulations is not required.

### **2. SITE & SURROUNDINGS**

- 2.1 The application site is located on the junction of Edge Lane and Fairfield Road, to the south west of Droylsden Town centre and west of the Fairfield Conservation Area. Ashton Canal (a designated Site of Biological Importance) runs parallel with the eastern boundary of the site. A vacant former public house and single storey commercial building are situated adjacent to the south eastern corner of the site. Palisade fencing runs along the majority of the southern and western boundaries of the site, with 2 points of vehicular access taken from Edge Lane (the northern most of which is blocked by overgrown vegetation.)
- 2.2 There are extensive areas of hardstanding in the southern portion of the site, a clear reference to its previous industrial use. In terms of active adjacent uses, there is a car repair garage immediately beyond the north western boundary, Edge Lane Business Park is located to the west and a plant hire commercial use is located to the east. Residential

development, including development of part 3 storeys in height is located to the south of the site.

### **3. PLANNING HISTORY**

- 3.1 05/00608/OUT – Outline planning application for mixed use development comprising 4no. apartment blocks and 1no. office block following demolition of existing industrial premises - refused. Two reasons were given for refusing the application, the first being that the proposal will result in the loss of an employment site and the second being the impact of the neighbouring commercial uses on the residential amenity of the future occupants of the development.
- 3.2 02/00060/FUL– erection of 5 Industrial units for B1 Use (business) B2 Use (General Industrial) and B8 (Storage and Distribution) – approved

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

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

Allocated under policy E3 as an Established Employment Area

#### **4.2 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
- 1.10: Protecting and Enhancing the Natural Environment
- 1.12: Ensuring an Accessible, Safe and Healthy Environment

#### **4.3 Part 2 Policies**

- C1: Townscape and Urban Form
- E3: Development Established Employment Areas
- H2: Unallocated Sites (for housing)
- H4: Type, size and affordability of dwellings
- H5: Open Space Provision
- H6: Education and Community Facilities
- H7: Mixed Use and Density.
- H10: Detailed Design of Housing Developments
- MW11: Contaminated Land
- MW12: Control of Pollution
- MW14 Air Quality
- N1b: National Nature Conservation Sites
- N2: Locally Designated Nature Conservation Sites
- N3: Nature Conservation Factors
- N4 Trees and Woodland
- N5: Trees Within Development Sites
- N6: Protection and Enhancement of Waterside Areas
- N7: Protected Species
- OL7: Potential of Water Areas
- OL10: Landscape Quality and Character
- T1: Highway Improvement and Traffic Management.
- T10: Parking
- T11: Travel Plans.
- U3: Water Services for Developments

U4 Flood Prevention  
U5 Energy Efficiency

#### 4.4 **Other Policies**

Greater Manchester Spatial Framework - Publication Draft October 2016  
Residential Design Supplementary Planning Document  
Trees and Landscaping on Development Sites SPD adopted in March 2007  
Employment Land SPD adopted January 2009

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

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

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

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

### 5. **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.

### 6. **RESPONSES FROM CONSULTEES**

6.1 Highways England – no objections to the proposals.

6.2 Borough Environmental Health Officer (EHO) – some concerns relating to the noise generated by the waste transfer site to the north of the site on the future occupants of the proposed development. The Noise Impact Assessment submitted with the planning application details mitigation measures which are considered to be acceptable but further mitigation is required in relation to the impact of odour and dust migration. Standard conditions recommended relating to the hours of work during the construction phase of the development and details of refuse storage to serve the development.

6.3 Greater Manchester Ecology unit (GMEU) – no objections to the proposals following the submission of additional information relating to the potential impact on the biodiversity value of Ashton Canal running parallel with the north eastern edge of the site. A number of conditions are recommended to ensure adequate mitigation of the impacts of the development.

6.4 Transport for Greater Manchester (TfGM) – some concerns regarding the level of trip generation and the resulting impact of congestion arising from the development, although it is acknowledged that the junction between the access into the development and Edge Lane would not result in capacity issues on that section of the highway.

6.5 Local Highway Authority – no objections to the proposals following consideration of the Transport Assessment submitted with the application. A number of conditions are

recommended and a financial contribution towards highway upgrade works is to be secured through the Section 106 Agreement.

- 6.6. Greater Manchester Archaeological Advisory Service (GMAAS) – no objections to the proposals subject to a condition requiring a written scheme of investigation to be undertaken prior to the commencement of development, given that the historic records indicate that the site is of local significance in terms of industrial heritage.
- 6.7. United Utilities have raised no objections to the proposals subject to the imposition of conditions.
- 6.8. Greater Manchester Police (Design Out Crime Officer) – no objections received
- 6.9. Environment Agency – no objections subject to the imposition of a condition requiring the undertaking of an intrusive investigation into potential sources of contamination on the site and the approval of any necessary remediation prior to the commencement of development.
- 6.10. Borough Contaminated Land Officer: recommends that a standard contaminated land condition is attached to any planning approval granted for development at the site, requiring the submission and approval of an assessment into potential sources of contamination and a remediation strategy.
- 6.11. Borough Tree Officer – no objections to the proposals given the submission of an appropriate landscaping scheme.
- 6.12. Natural England – no comments to make on the application
- 6.13. Coal Authority - no objections to the proposals given that the site is not located in a high risk area with regard to coal mining legacy and no conditions are considered necessary

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

- 7.1. No representations have been received in relation to the application.

## **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 proposed layout, 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 the ecological significance of the site
- 6) The impact on flood risk and environmental health
- 7) Other matters

## **9. PRINCIPLE OF DEVELOPMENT**

- 9.1. The application site forms part of a wider site designated as an Established Employment Area in the UDP. The proposals must therefore be considered against the criteria of policy E3.

- 9.2 The policy states that the conversion of such sites to residential or mixed use development will not be permitted unless it is considered that the need for housing and the regeneration benefits of such development outweigh the need to retain the site for employment purposes. The policy states that, in making this assessment, the following factors should be considered:
- (a) The quality and type of employment sites and premises available in the area
  - (b) Evidence of demand for employment sites and premises in the area
  - (c) The suitability of the site for further employment use in terms of size, physical characteristics, access, traffic impact, and sensitivity of surrounding land uses
  - (d) The opportunity which may be presented for new forms of employment as part of a mixed use scheme
- 9.3 The redevelopment of this site would not result in the loss of the entire Established Employment Area, with land to the east and west of the site to be retained within this designation. In considering the availability of other sites within Droylsden for employment uses, Littlemoss Business Park is designated as an Established Employment Area, as is the former Robertsons Jam site. In addition, a Development Opportunity Area has been allocated to the south of Droylsden Town Centre and under the provisions of policy E2 is earmarked as suitable for uses including office and light industrial uses, which meet the definition of 'employment' uses.
- 9.4 There is no evidence to suggest that the site would not be suitable for employment purposes in environmental terms but it is the case that the site has been actively marketed for an extensive period. The applicant has provided details of the marketing exercise undertaken by Greenham Commercial Chartered Surveyors. The information confirms that marketing began in 2016, including an advertisement board on the site and electronic marketing on a number of national websites and circulation to Manchester based land agents.
- 9.5 Interest was generated but this was predominantly for redevelopment of the site for residential purposes. There was interest from 3 parties looking at commercial development of the site but initial enquiries did not result in offers, despite being followed up by the agent. The price sought could not be considered a deterrent, as the advert clearly stated that 'offers are invited' and so the lack of interest, within an 18 month period, would tend to indicate that factors other than the cost of the land are relevant to the lack of interest in returning the vacant site to employment use. Therefore, whilst it may be environmentally suitable, the evidence presented by the application indicates that the site is not a desirable location for continued use for employment purposes.
- 9.6 The Employment Land Review of 2013 indicated that the supply of industrial use properties was greater than demand for such premises in the Borough. The surplus of employment land has been reduced through the inclusion of some allocated employment land within the Strategic Housing Land Availability Assessment (SHLAA) (i.e. there is an assumption that some of these sites would be redeveloped for residential use).
- 9.7 The Housing and Employment Land Availability Report 2016 forms the most up to date position in relation to housing and employment supply in the Borough. The assessment explains that the overall housing requirement for Tameside between 2015 and 2035 is approximately 680 units per annum, 13,600 over the whole period.
- 9.8 One of the purposes of the review was to identify opportunities to boost the supply of housing on allocated employment sites as the anticipated supply position in 2015 was approximately 568 dwellings per annum, substantially below the target quoted above. The report identified 5 relatively large Established Employment Sites, including the land of which this application site forms a part, which are considered suitable to be considered for residential development.

- 9.9 These sites were assessed as being ‘...vacant with no commercial interest for employment (having been shown) for a considerable time.’ The report concluded that even if these allocated employment sites were re-developed for housing, there would still be a 45.55 hectare supply of employment land in the Borough and the deficit in housing supply would substantially reduce. The report does acknowledge that even with the uplift in numbers through developments of site such as this for residential use, the projections still fall short of a five year supply of housing land. Given that the other large scale sites included in the report (including the former Robertson’s Jam site in Droylsden) have not yet had planning applications for residential development approved, these factors weigh in favour of the proposals in principle, subject to the scheme meeting the definition of sustainable development.
- 9.10 Taking the above factors as a whole, it is considered that, whilst the surplus in employment land has reduced since 2013, this proposal would not result in the loss of the entire designated Established Employment Area within which the site is situated. Requiring the redevelopment of this site to include commercial uses in a mixed use scheme would likely reduce the number of residential units on the site. In addition, the low level of interest generated during the marketing of the site suggests that demand for this type of development in this location is not significant. It is therefore considered that the benefit of boosting the supply of housing in the Borough would outweigh the retention of part of the site for employment purposes in a mixed use development, addressing the requirements of criteria (d) of policy E3.
- 9.11 there are alternative areas within droylsden designated for employment use. whilst this list does include the former robertson’s jam site, which has also been included in the shlaa following the 2016 review, there is no live planning permission or application for the redevelopment of that site at the time of determining this application. the current designation of that site is therefore relevant to the determination of this application.
- 9.12 in addition to these factors, the weight to be attributed to the retention of the employment site must be considered in light of the inclusion of the site within the shlaa as contributing to the future housing needs of the borough in 2016, after the udp policy was adopted.
- 9.13 whilst it is acknowledged that an application was refused in 2005 partly on the basis that the employment site would be lost through redevelopment for alternative uses, as would be the case here, officers consider that there has been a material change in circumstances since that time. the inclusion of the site in the shlaa and the requirement of the nppf (introduced in 2012) to boost the supply of housing (including on brownfield sites in sustainable location such as this) are the principle considerations which lead officers to conclude that the principle of the loss of employment land is now considered to be acceptable.
- 9.14 the site is considered to be in a sustainable location, within 0.6 miles of edge lane tram stop, with regular services to manchester and ashton and regular bus routes also within walking distance of the site. the site is approximately 1 kilometre from droylsden district centre and 400 metres from openshaw district centre, which together provide a range of services and facilities.
- 9.15 in relation to density, the scheme proposes 116 dwellings on a site of approximately 1.3 hectares. this equates to a density of approximately 89 dwellings per hectare. given that the site is considered to be situated in a sustainable location, this density is considered to accord with policy h7 of the udp. the proposal constitutes the efficient use of land through the redevelopment of a brownfield site, both of which are factors encouraged by the nppf and weigh heavily in favour of the proposals.
- 9.16 in concluding the issue of the principle of development, following the above assessment officers consider that the weight to attributed to the loss of the employment site is limited

and the weight to be attributed to the need to boost the supply of housing in a sustainable location is substantial. on that basis, the principle of development is considered to be acceptable, subject to all other material considerations being satisfied.

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

- 10.1 Section 7 of the NPPF requires development to achieve good standards of design and states at paragraph 56 that 'Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.' National policy also emphasises the importance of new development effectively responding to the character of the surrounding area.
- 10.2 The scheme proposes a block of apartments to provide a strong frontage to the Fairfield Road/Edge Lane junction. The majority of the block would be four storey, rising to five on the corner. The scheme also proposes a four storey block of apartments facing the canal on the north eastern edge of the development. The use of buildings of this height in these locations are considered to be positive elements of the scheme in design terms, providing a sense of scale and presence to prominent boundaries of the site, emphasising the link to the regeneration of the wider area.
- 10.3 The proposed houses would be 3 storeys in height across the scheme which would result in a logical scale to the overall development from public views. On the approach to the site from the west along Edge Lane, the 5 storey apartments would form the backdrop to the 3 storey buildings, clearly defining the edge of the site and resulting in a legible development. Similarly from the canal towpath adjacent to the north eastern boundary of the site and the public open space on the opposite side of the canal, the frontage apartments would provide strong definition to the edge of the development, with the 3 storey buildings set behind this providing a step down to the two storey dwellings along Edge Lane, further in the background from these views.
- 10.4 In terms of overall layout, the scheme proposes a relatively dense arrangement of properties in relatively short, linear rows. This is considered to respect the regular, 'grid' formation of buildings that is characteristic of residential development within this urban part of Droylsden. The proposal provides a consistent active frontage along the western boundary onto Edge Lane and the height of the canal side apartments would frame the view from the access road into the development, albeit at an oblique angle. Active frontage is provided to all of the access roads within the development, reinforcing a strong urban character and the appropriateness of the density of the development.
- 10.5 The use of integrated parking within the dwellings would reduce the extent of frontage parking, providing a positive design solution to a potentially negative side effect of a higher density layout. The communal parking courts associated with the two apartment blocks within the development would be overlooked due to the height of the blocks. Soft landscaping along the access road would help to soften the visual impact of the canal side apartment parking area from the entrance to the site. The most prominent long range view of the parking area associated with the apartments on the Edge Lane/Fairfield Road corner would be screened by the properties on the western edge of the development. This area would be visible from the southern boundary but this is a localised view, seen within the context of the surrounding development.
- 10.6 In terms of elevational treatment, the apartment blocks would be regular in form, with a strong vertical emphasis, reinforced through the fenestration and brick detailing. There would be a consistency in the massing and appearance of the two blocks, providing a legibility to the design of the overall scheme. A cladding would be applied to the exterior of the five storey section of the apartments on the Fairfield Road/Edge Lane corner to provide emphasis to the taller element of the building, which would help to break up the appearance

of the long elevation of the building, visible from Fairfield Road. Vertical emphasis and regularity of form would also be emphasised by the treatment of the elevations of the dwellinghouses.

- 10.7 Following the above assessment, it is considered that the proposals would be of an appropriate scale and massing, using buildings of scale to address key views of the site and resulting in a layout and form that respects the urban context of the site and its surroundings.

## **11. RESIDENTIAL AMENITY**

- 11.1 In terms of the impact on neighbouring uses, the only residential properties in close proximity to the site are located on the opposite side of the road, to the south east of the site. Whilst the 4/5 storey element of the apartments fronting Fairfield Road would face southwards, the relationship with those neighbouring properties would be oblique, with the properties east of the site. Given this situation and the fact that Fairfield Road bisects the intervening distance, it is considered that the proposals would not result in unreasonable overlooking into or overshadowing of those properties. No other neighbouring residential dwellings would be adversely affected, with substantial separation distances retained to the terrace of properties on Edge Lane to the north west and the properties to the north of the canal.
- 11.2 In relation to the impact on the residential amenity of the future occupants of the development, 21 metres would be retained between the corresponding elevations of properties in 'back to back' relationships and 14 metres were blank elevations of a property face an elevation with habitable room windows in a neighbouring property. The separation distances to be retained between the two apartment blocks and the closest dwellinghouses would take account of the height of those buildings. The angle of the apartment building fronting the canal would also retain an oblique angle to the closest dwellinghouses, further reducing any potential impact. On that basis, the proposals would achieve the residential amenity of the future occupants of the development in terms of overlooking and overshadowing.
- 11.3 In relation to the impact of the neighbouring uses, the Environmental Health Officer has raised some concerns regarding the noise associated with the waste transfer site, although has not formally objected to the proposals. A noise impact assessment has been submitted with the application. The report concludes that a 3 metre high acoustic fence would need to be positioned along the northern boundary of the site in order to mitigate the impact of that neighbouring use on the occupants of the properties on the northern edge of the development. In addition, higher specification glazing and mechanical ventilation systems would need to be installed within the dwellings to mitigate the impact of noise sources, including traffic on the adjacent highways. The report details the minimum requirements in terms of the specification of these installations but does not give details of specific products. The exact specification of the mitigation measures to be installed can be secured by condition.
- 11.4 The EHO does not suggest that this would not be sufficient mitigation in relation to noise, but considers that this would not address odour or dust migration. The applicant has agreed to the imposition of a condition requiring a tree belt to be planted along the northern (outward facing) boundary of the acoustic fence. The Borough Tree Officer considers that there is sufficient space to plant a type of Hornbeam tree at regular intervals along the boundary. The condition would require trees to be semi-mature on planting, in order to reduce the prominence of the acoustic fence from public views and reduce the impact of odour and dust migration on the amenity of those properties.



- 11.5 In relation to impact on air quality, the site falls outside of an Air Quality Management Area. The applicant has submitted an Air Quality Assessment which identifies a number of dust related risks associated with activity during the construction phase of the development. Air quality issues relating to emissions from cars once the development is occupied are considered to be negligible. A number of mitigation measures to manage the impact of dust during the construction phase of the development are listed in Table 19 of the report. Subject to a condition securing compliance with these measures, there are no objections to the proposals with regards air quality.
- 11.6 On the basis of the above assessment, the proposals are considered to preserve the residential amenity of neighbouring properties and, subject to the imposition of conditions, would preserve the amenity of the future occupants of the development.

## **12. HIGHWAY SAFETY**

- 12.1 The scheme proposes to take access from Edge Lane on the western boundary of the site, via a newly constructed access in approximately the same location as the northern most of the two existing access points on that boundary. The predicted trip generation for the overall development is 418 in a 12 hour period, with 44 trips in the AM peak and 55 in the PM peak.
- 12.2 The Transport Assessment assesses the potential impact of the development on the capacity of the surrounding road network, focussing on the junctions between the proposed access into the development and Edge Lane and between Edge Lane and Fairfield Road beyond the south western corner of the site.
- 12.3 In relation to the former, the modelling indicates that there would be significant spare capacity at that junction, even taking into account the worst case (85<sup>th</sup> percentile) scenario. This relates to both the impact of traffic turning into Edge Lane from the development and the queuing impact of traffic waiting to turn right into the development from Edge Lane during peak periods.
- 12.4 In relation to the latter junction, the report concludes that this junction would operate 'generally within capacity' during the AM peak, although queuing would increase to 4/5 vehicles towards the end of the 5 year period modelled. In the PM peak, the junction is considered to be operating close to capacity with the addition of the traffic generated by this scheme. The report concludes that the extent of the resulting queuing would not be 'severe.'
- 12.5 TfGM has highlighted the fact that the survey indicates that this junction is projected to be operating over capacity. However, the Local Highway Authority concur with the conclusions of the Transport Assessment that the impact would not be severe. On the basis of the guidance in paragraph 32 of the NPPF, planning permission should not be refused on this basis. Highways England has also confirmed that it has no objections to the proposals.
- 12.6 A number of conditions are recommended by the Local Highway Authority. Specific details of the road works and traffic management measures to be put in place to secure safe access to the site would be required as part of a Section 38 or Section 278 Agreement under the Highways Act and it is considered not to be necessary to impose this condition on the planning permission therefore. For the same reason, a condition survey of the highway is considered not to be necessary in planning terms.
- 12.7 However, details of measures to be included within a construction environment management plan to manage the impact of traffic and materials storage during the construction phase of the development is considered to be necessary. In addition, a requirement for the parking to be laid out as shown on the approved plans prior to the first

occupation of any part of the development is considered to be reasonable. It is considered reasonable to restrict the permitted development rights for means of enclosure to the front of the plots facing Edge Lane to ensure adequate visibility splays are maintained, including pedestrian visibility splays.

- 12.8 In relation to parking provision, each of the dwellings houses would be served by 2 parking spaces (one space being provided in integrated garages.) Of these units, 26 would have 4 bedrooms. In order to meet the maximum standard within the Residential Design Guide SPD, 3 spaces should be provided for units of that size in this location, with 2 being sufficient for smaller properties. In relation to the 66 apartments proposed across the scheme, each would be 2 bed and allocated 1 space. The proposal would fall short of the maximum standards set out in the SPD.
- 12.9 However, the harm arising from this deficit is considered to be limited by two key considerations. These are maximum standards, the application of which is no longer consistent with national policy and this site is considered to be located close to regular public transport links to Manchester and Ashton via both tram and bus. In addition to these factors, bike storage areas are indicated on the proposed plans adjacent to each apartment block and the integrated garages within the dwellinghouses would provide space for cycle storage on those plots. For these reasons, it is considered that the proposals would not result in a severe impact on highway safety with regard to the level of parking provision.
- 12.10 The applicant has submitted a Travel Plan in support of the application which includes measures to promote sustainable modes of transport, including cycling and car share initiatives. Specific measures include the provision of residents of the development with a 'welcome pack' detailing public transport options available as alternatives to the private car for trips from the site. Compliance with the measures in the Travel Plan can be secured by condition.
- 12.11 On the basis of the above assessment, it is considered that the proposals would not result in a severe impact upon highway safety, subject to the imposition of conditions

### **13. ECOLOGY**

- 13.1 Ashton Canal, which runs parallel with the north eastern boundary of the site, is designated as a Site of Biological Importance. GMEU reviewed the Preliminary Ecological Appraisal submitted with the planning application. Whilst the report recommended that further survey work be undertaken regarding the potential impact of development on the otter population, GMEU consider this not to be necessary given the lack of evidence of otter activity in the locality. The loss of a Black Poplar tree, which is a Greater Manchester Biodiversity Species should be mitigated by the landscaping scheme associated with the proposed development and this requirement can be secured by condition.
- 13.2 Following the submission of additional information relating to the potential impact of overshadowing from the development on the biodiversity value of the canal, GMEU are satisfied that the impact of the proposals would not result in harm that would warrant refusal of the application. A condition is recommended to secure a management plan detailing measures to be put in place during the construction phase of the development to mitigate any potential adverse impact on the canal. This is considered to be reasonable and can be attached to the decision notice.
- 13.3 The Ashton Canal is highly likely to be used as a foraging corridor by bats. Therefore the lighting scheme of the site adjacent to the canal would need to be carefully designed to prevent any additional light pollution reaching the canal. Details or external lighting to be provided within the development can be secured by condition. Conditions can also be attached to the decision notice limiting the timing of tree and vegetation removal from the

- site, a management plan for the control and removal of Japanese Knotweed from the site and the provision of biodiversity enhancements to mitigate the impact of the development.
- 13.4 Following the above assessment it is considered that any potential adverse impact on protected species and the biodiversity value of the site can be adequately mitigated through measures that can reasonably be secured by condition.

## **14. FLOOD RISK**

- 14.1 The applicant has submitted a Flood Risk Assessment and Drainage Strategy. The site is in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. The proposed Drainage Strategy indicates a number of measures that could be incorporated to provide a sustainable means of draining surface water from the site, without reliance on the mains network. These include sedum roofs on the apartment buildings, detention basins and swales and a hydro-brake system to slow the water run off rate before discharge into the canal. These details can only be finalised once the full extent and exact nature of ground contamination on the site is known.
- 14.2 Given the above, a condition requiring the submission of a sustainable surface water drainage strategy to serve the development, including details of management and maintenance is considered reasonable and necessary.
- 14.3 United Utilities have raised no objections to the proposals subject to the imposition of conditions. The requirement for surface water and foul water to be drained via different mechanisms is considered to be reasonable. The EA have no objections to the proposals in this regard.
- 14.4 It is considered that the proposed development would not result in a harmful impact in relation to flood risk.

## **15. ENVIRONMENTAL HEALTH**

- 15.1 In addition to the comments regarding the impact of adjacent uses discussed previously in this report, the EHO has recommended conditions limiting the hours of works during the construction phase of the development and details of the refuse storage arrangements be attached to the decision notice. Given that residential properties are located on the approaches to the site along Edge Lane and Fairfield Road, the suggested limitation on construction hours is considered to be reasonable.
- 15.2 Whilst areas for communal bin storage associated with the apartments are annotated on the proposed plans and the curtilage of each of the dwellinghouses would be sufficient to provide screened refuse storage, the details of the exact size and means of enclosure have not been provided. On that basis, the imposition of this condition is considered reasonable.
- 15.3 The applicant has submitted a Phase I ground investigation report which highlights the likely sources of ground contamination on the site given the historic industrial use of the land. On the basis of the information submitted, the Borough Contaminated Land Officer has not raised any objections to the proposals, subject to securing further investigation work by condition. A condition requiring this additional work to be undertaken and that any necessary mitigation measures are agreed and implemented prior to the commencement of development is considered to be reasonable given the brownfield nature of the site.
- 15.4 The Coal Authority has raised no objections to the proposals given that the site is not located in a high risk area with regard to coal mining legacy and no conditions are

considered necessary. An informative detailing standing advice to the applicant can be attached to the decision notice.

## **16. OTHER MATTERS**

- 16.1 In relation to impact on trees and landscaping, the proposals would result in the loss of 8 Category B trees, which are considered to be of moderate amenity value. The scheme proposes planting along the main route into the development, improving the quality of the public realm. The species to be planted include Alder, Silver Birch and Rowan. Soft landscaping would also be incorporated into the communal parking areas, with Beech hedges used to divide the front gardens of the dwellings. Full details of the number of specimens to be planted, the species mix of the trees, hedges and shrubs and their height on planting have been provided.
- 16.2 The Tree Officer considers that the proposed landscaping scheme would adequately mitigate the loss of existing trees and has no objections to the proposals. Given the advice from GMEU that the Black Poplar trees to be lost should be replaced with the same species and the need to secure the additional planting to screen the acoustic fence along the northern boundary of the site (both matters discussed previously in this report), it is considered necessary to condition the submission of full details of the replacement landscaping scheme. Details of on-going maintenance can also be secured by condition.
- 16.3 In relation to crime impact, the Design and Access Statement addresses how the development has been designed to reduce the risk of crime. The layout would present active frontages to the Edge Lane and Fairfield Road boundaries as well as the internal roads within the scheme. The apartments adjacent to the canal side would overlook the canal towpath. The layout therefore provides for natural surveillance of entry points into the site and the public realm within the development. Security features would be provided for each of the dwellings and external lighting is proposed within parking areas and the public realm. On the basis that these measures are complied with (to be secured by condition), it is considered that the proposals would make sufficient provision for designing out crime.
- 16.4 In relation to the potential impact of the development of features of archaeological importance, GMAAS has indicated that there is evidence of a cotton factory on the site in the 1790's, with extensive development on the site during the 19<sup>th</sup> Century, with a mixture of industrial and domestic structures present. Uses on the site since that time are considered unlikely to be significant in archaeological terms. On the basis of past research, GMAAS are content that the completion of a written scheme of investigation into the archaeological significance of the site and agreement of any necessary mitigation can be secured via a pre-commencement condition. Such a condition can be attached to the decision notice.
- 16.5 In relation to financial contributions required to mitigate the impact of the development, the applicant will be required to make a contribution to the provision of open space within the local area, in accordance with policy H5 of the adopted UDP. The contribution from this development is £230,332.28, based on the Council's Developer Contributions formula, which shall be secured via a Section 106 Agreement. A scheme for improvements to the play facilities within public open space in the Sunny Bank Park/Fairfield area of Droylsden is the project that has been identified for this contribution.
- 16.6 A contribution of £75,445.41 towards the upgrading of the Edge Lane/Fairfield Road junction can be secured through the Section 106 Agreement. This is considered to offset the impact of the development on the capacity of the highway network.
- 16.7 In relation to other infrastructure, where a proposal exceeds 25 dwellings. Policy H6 requires financial contributions towards education and other community facilities where

current facilities do not have the capacity to meet the additional population of a proposed development. In this case, a sum of £98,793.18 is to be allocated to a project to extend Aldwyn Primary School, which is approximately 1.5 miles from the site. The total cost of the project is £2.5 million, with the objective being to increase the capacity of the school from an intake of 45 pupils per year to 60 pupils per annum. There has been one pooled contribution to this project, attached to the redevelopment of the former Mono Pumps site, but there remains a significant shortfall, which this scheme shall contribute towards

- 16.8 These contributions are considered to meet the CIL regulations in that they are necessary to make the development acceptable in planning terms (given the limited amenity space to be provided on site, the additional traffic to be generated and the additional demand for school places), directly related to the development (as the close proximity ensures that residents are likely to use these facilities) and proportionate in that the sum is based on the size of the development.

## **17. CONCLUSION**

- 17.1 The principle of development is considered to be acceptable. Officers are of the view that the inclusion of the site within the SHLAA and the requirement to boost the supply of housing in the Borough (particularly through the redevelopment of brownfield sites), in accordance with the guidance within the NPPF outweigh the requirements of UDP policy E3 with regard to the protection of Established Employment Areas. In reaching this conclusion, officers have had regard to the 18 month period of advertising the site, with no offers made for a continuation of the employment use of the land, despite the 'offers invited' nature of the advertisement and the fact that the NPPF postdates the UDP.
- 17.2 The proposed layout is considered to be acceptable, providing presence and vertical emphasis to the prominent edges of the site. The scale of the buildings and the elevational treatment of the scheme are considered to be appropriate and would result in a significant improvement to the appearance of the area and contribute to the wider regeneration of this part of Droylsden.
- 17.3 It is acknowledged that the level of trip generation would result in some congestion at junctions adjacent to the site. However, it is considered that the extent of the harm arising from this element of the scheme would not meet the 'severe' level required by the NPPF for planning permission to be refused on highway safety grounds. The Local Planning Authority has not objected to the proposals. The harm arising from the additional trips is considered to be mitigated through the significant contribution to the upgrade of the Edge Lane/Fairfield Road junction to be secured through the Section 106 Agreement. The level of parking provision is considered to be adequate given the close proximity of the site to public transport connections and services and facilities.
- 17.4 It is acknowledged that a number of the surrounding uses are commercial and that the waste transfer site to the north in particular could result have a detrimental impact on the residential amenity of the future occupants of the development. However, mitigation measures can be secured through the provision of acoustic fencing along the northern boundary, with landscape planting along the northern edge of that fencing. In addition, higher specification glazing and mechanical ventilation can be installed within the units to reduce the impact of noise generated by neighbouring uses and the adjacent highways. On that basis, the EHO has not objected to the proposals.
- 17.5 In weighing up all of the material planning considerations, officers consider that the proposals accord with the relevant national and local planning policies quoted above.

## **RECOMMENDATION**

Grant planning permission, subject to the completion of a Section 106 Agreement to secure the following contribution:

Green Space - £230,332.28 towards improvements to the play facilities within public open space in the Sunny Bank Park/Fairfield area of Droylsden

Highway works: £75,445.41 to secure improvements to the junction of Fairfield Road and Edge Lane.

Education provision: £ 98,793.18 towards the cost of an extension to Aldwyn Primary School

A Management and Maintenance plan relating to the upkeep of communal green space and parking areas within the site.

and the following conditions:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. The development hereby approved shall be carried out in accordance with the following approved plans/details:

1:1250 Site location plan (Drawing no. 001)

Proposed site plan (Drawing no. P-100 Rev. 01)

Proposed general arrangement plan (Drawing no. UG\_11612\_LAN\_GA\_DRW\_01 Rev. 1)

Proposed Fairfield Apartment block elevations plan (Drawing no. P-210 Rev. 00)

Proposed Fairfield Apartment block ground and 1<sup>st</sup> floor (Drawing no. P-120 Rev. 00)

Proposed Fairfield Apartment block 2<sup>nd</sup>/3<sup>rd</sup>/4<sup>th</sup> floor plans (Drawing no. P-121 Rev. 00)

Proposed Canalside Apartment block elevations plan (Drawing no. P-211 Rev. 00)

Proposed Canalside Apartment block ground and 1<sup>st</sup> floor (Drawing no. P-122 Rev. 00)

Proposed Canalside Apartment block 2<sup>nd</sup> and 3<sup>rd</sup> floor plans (Drawing no. P-123 Rev. 00)

Proposed house types A and B plans and elevations (Drawing no. P-110 Rev.00)

Proposed house type C plans and elevations (Drawing no. P-111 Rev.00)

Proposed hard landscaping plan (Drawing no. UG\_11612\_LAN\_HL\_DRW\_02 Rev. 1)

Proposed hard and soft landscaping details produce by Urban Green

Proposed Landscape Strategy (Rev. A dated November 2017) produce by Urban Green

Proposed soft landscaping plan (Drawing no. UG\_11612\_LAN\_SL\_DRW\_03 Rev. 1)

Plan entitled Canal Linkage produced by Urban Green

3. No development, other than site clearance and site compound set up, shall commence until such time as the following information has been submitted in writing and written permission at each stage has been granted by the Local Planning Authority.
  - i) A preliminary risk assessment to determine the potential for the site to be contaminated shall be undertaken and approved by the Local Planning Authority. Prior to any physical site investigation, a methodology shall be approved by the Local Planning Authority. This shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration.
  - ii) Where necessary a scheme of remediation to remove any unacceptable risk to human health, buildings and the environment (including controlled waters) shall be approved by the Local Planning Authority prior to implementation.

iii) Any additional or unforeseen contamination encountered during development shall be notified to the Local Planning Authority as soon as practicably possible and a remedial scheme to deal with this approved by the Local Planning Authority.

iv) Upon completion of any approved remediation schemes, and prior to occupation, a completion report demonstrating that the scheme has been appropriately implemented and the site is suitable for its intended end use shall be approved in writing by the Local Planning Authority.

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

4. Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and/or full specification of materials to be used: externally on the buildings; in the construction of all boundary walls, fences and railings; and, in the finishes to all external hard-surfaces have been submitted to, and approved in writing by, the local planning authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.
  5. The car parking spaces to serve the development hereby approved shall be laid out as shown on the approved proposed site plan (Drawing no. P-100 Rev. 01), prior to the first occupation of any of the dwellings hereby approved and shall be retained free from obstruction for their intended use thereafter.
  6. Prior to the first occupation of the dwellings hereby approved, details of the boundary treatments to be fully installed as part of the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans of the treatments and details of the construction material and the finish to be applied. The boundary treatments for each dwelling shall be installed in accordance with the approved details prior to the first occupation of that dwelling.
  7. No development shall commence until such time as a Construction Environment Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of:
    - Wheel wash facilities for construction vehicles;
    - Arrangements for temporary construction access;
    - Contractor and construction worker car parking;
    - Turning facilities during the remediation and construction phases;
    - Details of on-site storage facilities;
- The development shall be carried out in accordance with the approved Construction Environmental Management Plan.
8. Notwithstanding the details shown on the approved plans, no part of the development hereby approved shall be occupied until details of the means of storage and collection of refuse generated by the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans showing the location of storage and the means of enclosure. The bin storage arrangements for each dwelling shall

be implemented in accordance with the approved details prior to the occupation of that dwelling and shall be retained as such thereafter.

9. Notwithstanding the details submitted with the planning application, no above ground development shall commence until full details of a scheme of hard and soft landscaping to be incorporated into the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following specific measures:
  - A plan showing the location of all trees/hedges/shrubs to be planted, details of the species mix (to include Black Poplar trees), the number of specimens to be planted, spacing between them and their height on planting
  - Details of the location, number and species mix of trees to be planted on the northern edge of the acoustic fence to be installed on the northern boundary of the site and their height on planting (the height indicating that the trees are semi-mature on planting)
  - A plan showing the location and construction material of all hard surfacing.

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

10. The approved scheme of landscaping scheme 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.
11. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Foul and surface water shall be drained on separate systems and in the event of surface water draining to the public surface water sewer, details of the flow rate and means of control shall be submitted. The scheme shall include details of on-going management and maintenance of the surface water drainage system to be installed. The development shall be completed in accordance with the approved details and retained and maintained as such thereafter.
12. Prior to the first occupation of any of the dwellings hereby approved, details of a scheme for external lighting to serve the development 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.
13. No development shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:
  - scaled plans showing the exact location and elevations of the acoustic fencing to be installed along the northern boundary of the site and a manufacturers specification of the fencing; and



- scaled plans showing the location of windows to be treated with high specification glazing and mechanical ventilation and manufacturers specifications of each of the noise mitigation measures to be installed.

The noise mitigation measures 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.

14. No development shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with Written Scheme of Investigation (WSI) submitted to and approved in writing by Tameside Planning Authority.

The WSI shall cover the following:

1. An archaeological desk based assessment.
  2. A phased programme and methodology of site investigation and recording to include:
    - archaeological evaluation through trial trenching (subject to a new WSI).
    - dependent on the results from the evaluation trenches, a targeted more detailed area excavation and recording (subject to a new WSI)
  3. A programme for post investigation assessment to include:
    - production of a final report on the significance of the below-ground archaeological interest.
  4. Deposition of the final report with the Greater Manchester Historic Environment Record.
  5. Dissemination of the results of the archaeological investigations commensurate with their significance.
  6. Provision for archive deposition of the report and records of the site investigation.
  7. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.
15. Notwithstanding the provisions of Class A, Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no boundary treatments or means of enclosure shall be carried out without the prior written consent of the Local Planning Authority.
16. No development shall commence unless and until a Method Statement is submitted to and approved in writing by the Local Planning Authority detailing how Japanese Knotweed and any other invasive species on the site will be removed from the site. The development shall thereafter proceed in strict accordance with the approved Method Statement.
17. No development shall commence until an Environmental Construction Method Statement detailing how pollution of the Canal adjacent to the western boundary of the site is to be avoided during the construction phase of the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

18. The development shall be carried out in accordance with the measures detailed in the Travel Plan produced by Axis submitted with the planning application.
19. The development hereby approved shall be implemented and maintained in accordance with the crime reduction measures listed in Section 06 (Crime Impact Statement) of the Design, Access and Crime Impact Statement produced by nc architecture, submitted with the planning application.
20. The proposal shall be carried out in accordance with the mitigation measures detailed in Table 19 of the Air Quality Assessment submitted with the planning application and shall be retained as such thereafter.
21. 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.
22. Prior to the occupation of any part of the development hereby approved, visibility splays shall be provided on both sides of the site access where it meets the footway. The visibility splays shall measure 2.4 metres along the edge of the site access and 2.4 metres along the footway. It must be clear of anything higher than 600mm above ground level. The visibility splays shall be retained as such thereafter.
23. 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.
24. No development above ground level shall commence until details of the sedum roofs to be installed on the roofs of the apartments blocks of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The details shall include the following:
  - Scaled plans (including sections) showing the extent of the areas to be covered by the sedum roofs
  - The species mix to be incorporated into the sedum roof
  - Details of a scheme for on-going management and maintenance of the sedum roofs.

The sedum roofs shall be installed in accordance with the approved details prior to the first occupation of any of the apartments and shall be retained in accordance with the approved management arrangements.
25. No development above ground level shall commence until details of renewable energy generation measures to be incorporated into the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The details shall include the specifications of the measures to be installed and information demonstrating the extent of the energy requirements of the development that will be provided by renewable sources. The renewable energy generation measures shall be installed in accordance with

the approved details prior to the first occupation of any part of the development and shall be retained as such thereafter.

26. 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.

Reasons for conditions:

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure that the site is suitable for its intended end use and to remove any unacceptable risk to people/buildings/environment from contaminated land as per paragraph 121 of the National Planning Policy Framework.
4. To ensure that the appearance of the development reflects the character of the surrounding area.
5. To ensure that the development is served by adequate parking provision.
6. To ensure that the development would preserve the residential amenity of the occupants of neighbouring properties.
7. To ensure that the impact of the construction phase of the development would be contained within the site and would not have a detrimental impact on highway safety or the residential amenity of neighbouring properties.
8. To safeguard the general amenity of the area in accordance with UDP policy 1.12/1.13/H10.
9. To ensure appropriate landscaping of the development.
10. To ensure that the soft landscaping scheme would be adequately maintained.
11. To secure a satisfactory system of drainage and to prevent pollution of the water environment in accordance with the National Planning Policy Framework.
12. To ensure that adequate lighting is provided to public areas and that any lighting scheme would not have an adverse impact on the biodiversity value of the Canal.
13. To protect the amenities of future occupants from external noise in accordance with UDP policy H10.
14. To record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible, in accordance with NPPF Section 12, Paragraph 141.

15. To ensure that the required visibility splays from the vehicular access to the site are maintained free from obstruction, in the interests of highway safety.
16. To ensure that invasive species are removed from the site appropriately.
17. To ensure that the proposed development does not result in harm to the biodiversity value of the adjacent Canal.
18. To ensure that the proportion of trips generated by the development made via sustainable modes of transport is maximised.
19. To ensure that the development is designed to minimise opportunities for crime.
20. To protect the amenities of occupants of the development from any adverse impacts in relation to air quality.
21. In order to prevent any habitat disturbance to nesting birds in accordance with the National Planning Policy Framework.
22. To ensure that the development maintains highway safety.
23. To ensure biodiversity enhancements are secured to mitigate the environmental impacts of the scheme.
24. To ensure that the sedum roofs result in a biodiversity enhancement and incorporate appropriate species.
25. To ensure that the reliance on non-renewable sources of energy is reduced in order for the development to meet the environmental element of the definition of sustainable development as set out in the NPPF.
26. To ensure that the residential amenity of the future occupiers of the development is preserved, in accordance with policy H10 of the Tameside UDP and the NPPF.

#### Informatives

Section 106 Agreement to secure contributions towards off site green space and education provision and highways improvements.

Protected species obligations

Coal Authority low risk area