

**Application Number** 19/00758/FUL

<b>Proposal</b>	Demolition of existing garages/storage units for development 7no. terraced houses
<b>Site</b>	Land off Houghton Street, Hyde.
<b>Applicant</b>	Mr Carl Maddocks
<b>Recommendation</b>	Approve subject to conditions
<b>Reason for report</b>	A Speakers Panel decision is required because, in accordance with the Panel's terms of reference, the authorisation of the Panel will be required for the making up of Houghton Street, a private street, to enable development to take place.

**1.0 APPLICATION DESCRIPTION**

- 1.1 The application seeks full planning permission to demolish and remove all of the existing garages, used as lock-ups, from the site and to redevelop the site to provide a terrace of seven houses.
- 1.2 The houses would be arranged in a linear terrace facing towards adjacent parkland with the fronts being accessed along a footway in between. Bin storage, private amenity space and car parking (2spaces/house) would be provided at the rear of the houses with access being taken along a private driveway off Houghton Street and behind neighbouring houses in Green Street.

**2.0 SITE & SURROUNDINGS**

- 2.1 The application relates to a rectangular area of land comprising approximately 0.1ha in an established residential area, characterised by standard terraced houses, south of Hyde town centre. The land is occupied currently by dilapidated, lock-up garages.
- 2.2 To the north the site abuts the rear of yards behind terraced houses in Green Street. Houghton Street is a private, unmade and unadopted street and abuts the site to the east and, at the southernmost extent of the site, narrows to a footpath and continues in to open parkland abutting the site to the south. To the west the site abuts the side of the curtilage of a semi-detached house in Markland Street, which is no-through road that terminates where it adjoins the application site.

**3.0 PLANNING HISTORY**

- 3.1 Outline planning permission (ref. 17/00798/OUT) was granted in February 2018 for the demolition of the existing buildings and the redevelopment of site for seven, 2-storey terraced houses. The permission remains extant.

**4.0. RELEVANT PLANNING POLICIES**

- 4.1 **Tameside Unitary Development Plan (UDP) Allocation**  
Unallocated

- 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;  
1.12: Ensuring an Accessible, Safe and Healthy Environment.

- 4.3 **Part 2 Policies**  
H2: Unallocated Sites;  
H4: Type, Size and Affordability of Dwellings;  
H7: Mixed Use and Density;  
H10: Detailed Design of Housing Developments;  
T1: Highway Improvement and Traffic Management;  
T10: Parking; and,  
C1: Townscape and Urban Form.  
MW11: Contaminated Land.

- 4.4 **National Planning Policy Framework (NPPF)**  
Section 2. Achieving sustainable development;  
Section 5 Delivering a sufficient supply of homes;  
Section 9. Promoting sustainable transport;  
Section 11. Making effective use of land; and,  
Section 12. Achieving well-designed places.

- 4.5 **Other Policies**  
Residential Design Supplementary Planning Document.

It is not considered there are any local finance considerations that are material to the application.

- 4.6 **Planning Practice Guidance (PPG)**  
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.

## 5.0 PUBLICITY CARRIED OUT

- 5.1 As part of the planning application process 75 notification letters were sent out to neighbouring properties and a notice was posted at the site on 23rd September 2019.

## 6.0 RESPONSES FROM CONSULTEES

- 6.1 The Head of Environmental Services (Environmental Protection) has raised no objection and has suggested that a condition restricting the hours of work during the demolition and construction be attached to any permission.
- 6.2 The Head of Environmental Services (Highways) has raised no objection and has suggested that conditions: regarding car parking and cycle storage provision; a highways survey; and, temporary vehicle facilities, and informative notes: regarding postal addresses; working near to a highway; and entering in to an agreement under the Highways Act 1980 be attached to any permission.

## 7.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED

7.1 No responses have been received.

## **8.0 ANALYSIS**

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

- 1) The principle of development;
- 2) Design and appearance;
- 3) Impact on existing residential amenities;
- 4) Residential environment created; and,
- 5) Impact on highway safety and the road network.

## **9.0 PRINCIPLE OF DEVELOPMENT**

9.1 Previously-developed land is defined in the NPPF as being land which is or was occupied by a permanent structure, including the curtilage of the developed land, although it should not be assumed that the whole of the curtilage should be developed. The application site forms part of the urban area (that is, it is outside the green belt) and it is occupied by permanent structures. The land is therefore not considered a greenfield site and so is developable land. Constituting the reuse of previously-developed land the proposal is inherently a sustainable development, making efficient use of the land, and so accords with the core principles of the NPPF and policy 1.5 of the UDP. In these circumstances, the grant of the extant planning permission establishes that the principle of the development is acceptable

## **10.0 DESIGN AND APPEARANCE**

10.1 The linear arrangement of the terrace reflects that of surrounding streets and conforms with the indicative arrangement that was included in the outline permission (see paragraph 3.1). The proposed houses would be of a traditional design and appearance, and would be brick-built with tiled roofs, which would be in-keeping with the setting within the established residential area. Windows in the fronts of the houses would be constructed with heads and sills. The external hard-surface in front of the houses would be finished with water-permeable block paving whilst at the rear the surface would be bitumen but with the car parking bays being differentiated by the use of block paving.

10.2 Taking heed of the built form of the locality, and not appearing out-of-keeping in their setting, the design and appearance of the proposed houses are considered acceptable and compliant with: policies 1.3, 1.11, H10 (a) and C1 of the UDP; policy RD1 of the SPD; and, Section 12 of the NPPF.

## **11.0 EXISTING RESIDENTIAL AMENITIES**

11.1 Among other things, UDP policy H10(d) requires that housing developments do not result in an unacceptable impact on the amenity of neighbouring properties through loss of privacy or overshadowing. In order to prevent undue over-shadowing and over-looking of neighbouring properties the Residential Design SPD requires that minimum distances, measured from habitable room windows, be maintained. In relation to 2-storey buildings, the normal standard is that 21m be maintained between directly facing habitable room windows.

- 11.2 The front of the houses would face towards open parkland and there being a distance of more than 24m between the rear of the proposed houses and the nearest of the outriggers on the rear of the neighbouring houses in Green Street so that policy H10(d) of the UDP and policy RD5 of the SDP are satisfied and it considered that the proposal would not result in any undue over-looking or over-shadowing of neighbouring properties.

## **12.0 RESIDENTIAL ENVIRONMENT CREATED**

- 12.1 Reflecting the requirement of Section 12 of the NPPF, that developments create places with a high standard of amenity for existing and future users, UDP policy H10(a) requires that the design of proposed housing developments, which are acceptable in relation to other relevant policies in the plan, meets the needs of the potential occupiers. To this end policy RD18 of the Residential Design SPD recommends minimum floor areas that residential developments should achieve. Internal space is interpreted by reference to the nearest equivalent new national technical standard which is given in the Government's Technical housing standards – nationally described space standard document (THS).
- 12.2 An upstairs room in each of the houses is annotated on the submitted plan as being a study room. The study rooms are small and the floor areas of the rooms fall below the standard set out for a single bedroom in the THS. It is therefore considered unlikely that these rooms could accommodate furniture generally associated with a bedroom. The houses are therefore each 2-bedroom. Providing total useable internal areas of approximately 85.5sqm, the houses achieve the requirements of the THS. Each house would be provided with commensurate private amenity space. In terms of the amount of living accommodation that would be provided the proposal is therefore considered of an adequate size to comply with policy H10(a) of the UDP and Section 12 of the NPPF.

## **13.0 IMPACT ON HIGHWAY SAFETY AND THE ROAD NETWORK**

- 13.1 Situated approximately 160m south of town centre and so a relatively short walk to services and transport infra-structure, and there being numerous and regular bus services along Dowson Road, approximately 85m to the east, it is considered that the site's location is relatively highly-accessible.
- 13.2 Being situated in a sustainable location, the provision of two car parking spaces to serve each of the houses is considered adequate and in compliance with both the policy H10 (b) of the UDP and policies RD7, RD8 and RD9 of the SPD, and, the impact on the road network not being severe, Section 9 of the NPPF.
- 13.3 It has been a consistent approach for 25 years or more in Tameside that more than 5 dwellinghouses should be served by an adopted highway, and this is consistent with the Government's Manual for Street document. Haughton Street, which would serve the development, is currently unadopted and so works under the private street works code will be required to bring the road up to an appropriate standard.

## **14.0 OTHER ISSUES**

- 14.1 Conditions to be attached to any permission regarding cycle storage provision and a highways survey suggested by the Head of Environmental Services (Highways) are considered inappropriate. In the first instance the proposals do not include any discrete cycle storage facilities, and in this relatively highly-accessible location it is not considered that these are necessary to allow for a recommendation for approval. In the second instance the making good of any damage caused to the highway by the development

works, which would be identified by the survey, would require compliance with other regulatory requirements and so is unnecessary and not relevant to planning.

## **15.0 CONCLUSION**

- 15.1 The Council cannot demonstrate a five-year supply of deliverable housing sites in a recently adopted plan or in any annual position statement, as is required by paragraph 74 of the NPPF. For decision-taking this means that permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 15.2 Seven new homes would contribute to the stock of homes in the area and contribute to meeting the Borough's housing supply. There would also be limited benefits that would contribute to the economic, social and environmental objectives through the provision of jobs and spending during the construction phase. Afterwards, there would be further benefits through spending in the local economy by future occupants. In seeking to bring forward housing development in a relatively highly accessible location, and making efficient use of the site, the proposal accords with the general thrust of the NPPF and would support the development of a previously-developed site where land supply is constrained and the available site could be used more effectively.
- 15.3 Constituting the redevelopment of a brownfield, or previously-developed site, the proposal is, in this respect, considered a sustainable development and compliant with the core principles and Section 2 of the NPPF and policy 1.5 of the UDP. Without impinging unduly on any existing amenities, it is considered that the proposed development would provide new dwellings that are well integrated with neighbours that conform to the relevant requirements of the Residential Design SPD, the UDP and the NPPF. The recommendation is therefore for approval.

## **16. RECOMMENDATION**

That Members resolve that they would be MINDED TO GRANT planning permission for the development subject to the following:

- (i) To authorise the making up of Haughton Street, a private street, to enable development to take place and the completion of a suitable legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) to secure those works under the private street works code;
- (ii) The discretion to refuse the application appropriately in the circumstances where a S106 agreement has not been completed within six months of the resolution to grant planning permission; and,
- (iii) That upon satisfactory completion of the above legal agreement that planning permission be GRANTED subject to the following conditions:
1. The development hereby approved 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 implemented in accordance with the following approved plans:

the Location Plan, and the Existing Site Plan , ref. 19/DB/002, received on 13.08.19;  
the Proposed Site Plan, ref. 19/DB/002 rev. A, received on 01.10.19;  
the Proposed Details plan, ref. 19/DB/003 rev. A, received on 08.10.19; and,

the Proposed External Materials schedule, received on 01.10.19.

3. Development shall not commence until 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 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. Development shall not commence until details of the existing and proposed ground levels for the whole site, and the proposed finished floor levels of the dwellinghouses have been submitted to, and approved in writing by, the local planning authority. The development shall then be implemented in accordance with such details as approved.
5. Development shall not commence until details of 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 and, unless otherwise agreed in writing by the local planning authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

Foul and surface water shall be drained on separate systems.

The development shall be completed in accordance with the approved details

6. Development shall not commence until details of the wheel cleaning facilities, temporary access, vehicle parking and turning facilities to be provided during the construction period, has been submitted to and approved in writing by the local planning authority. These measures shall be implemented and retained in operation through the duration of the building works.
7. The materials used in the external construction of the development hereby approved shall be those specified in the approved Proposed External Materials schedule in accordance with the details illustrated on the approved Proposed Site Plan, ref. 19/DB/002 rev. A, and the approved Proposed Details plan, ref. 19/DB/003 rev. A.

- 8 All windows and external doors in the houses hereby approved shall be constructed with reveals, or recesses, to a depth of at least 90mm.
9. Prior to the first occupation of the development hereby approved, the car parking indicated on the approved Proposed Site Plan, ref. 19/DB/002 rev. A, shall be provided and thereafter kept unobstructed and available for its intended purpose. The area shall be maintained and kept available for the parking of vehicles at all times.
10. Prior to the first occupation of the development hereby approved the treatments to the site's boundaries shall be provided in accordance with the details illustrated on approved Proposed External Materials schedule and the approved Proposed Site Plan, ref. 19/DB/002 rev. A.
11. During demolition/construction no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.