

Application Number 20/00191/FUL

Proposal	Full planning permission for alterations to the design and location of plots 69-84 as approved under reserved matters application 18/00306/REM.
Site	Land at Edward Street, Denton
Applicant	Wainhomes (North West) Ltd
Recommendation	Grant planning permission subject to conditions.
Reason for Report	A Speakers Panel decision is required because the application constitutes major development.

1.0 APPLICATION DESCRIPTION

- 1.1 The applicant seeks full planning permission for alterations to the design and location of plots 69-84 as approved under reserved matters application 18/00306/REM. The proposal is in effect an amendment to the previously approved layout but takes the form of a standalone application because the provisions of Section 73 of the Town and County Planning Act do not apply to Reserved Matters approvals.
- 1.2 The application relates to the north western corner of the wider parcel on which reserved matters approval has been granted (and remains extant) for 145 dwellings. The reason for the amendment is to rationalise the road layout and access arrangements to the dwellings in this part of the site. The number of dwellings within this part of the site would remain at 16. The overall number of dwellings across the wider site would therefore remain the same as the development approved by the extant permission.
- 1.3 In the extant scheme, the siting of plot 83 acted as a constraint to the access of plot 69, which fronted onto the landscaped square to the south of this parcel. This scheme seeks to address this by relocating the unit at what was no. 83 in the extant scheme closer to the western boundary of the overall site, creating space of a road link between the highway running along the northern edge of the development and the rear of plot 69.
- 1.4 The amended scheme also proposes to push the plots on the northern edge of the site forward, closer to the boundary with Lance Corporal Andrew Breeze Way and include more on plot parking provision when compared to the previously approved scheme.
- 1.5 The proposed layout seeks to remove one property from the central part of the site as previously approved and replace this with an additional unit on the southern edge of the site (fronting the landscaped square).
- 1.6 The house types would remain based on those included within the extant scheme, with some minor revisions to the elevations and some variation in the distribution of the house types from the locations previously approved.

2.0 SITE & SURROUNDINGS

- 2.1 The application site forms the north western corner of the wider parcel of land that was last occupied by Oldham Batteries but has been vacant for a number of years. Reserved matters approval was granted in 2018 for the redevelopment of the site for 145 dwellings. The recently erected Denton Wellness Centre is located to the west of the site. The northern boundary of the site runs parallel with Lance Corporal Andrew Breeze Way. Plots

within the extant reserved matters scheme are located between the southern boundary of the site and the properties at the northern end of Lime Grove and Gresham Street.

3.0 PLANNING HISTORY

- 3.1 18/00306/REM - Reserved matters application for appearance, landscaping, layout and scale for 145 dwellings (following the granting of outline planning permission ref. 15/00704/OUT.) – approved.
- 3.2 17/00513/REM – reserved matters application for 114 dwellings – refused.
- 3.3 15/00704/OUT - Outline proposal for residential development of up to 150 houses, including means of access, car parking and associated works.(Resubmission of 14/01149/OUT) – approved 09.09.2015.
- 3.4 14/01149/OUT - Outline proposal for residential development of up to 150 houses – refused (the reasons for which addressed by the 2015 application above which was approved).
- 3.5 15/00686/ENV - Request for screening opinion in accordance with Town and Country Planning (Environmental Impact Assessment) Regulations 2011 relating to a proposed residential development – not EIA development.

NB this Screening Opinion was assessed against the 2011 Environmental Impact Assessment Regulations (as amended). These regulations have since been superseded by the 2017 Regulations. The new Regulations have altered the thresholds in Schedule 2 and a Screening Opinion is no longer required for a development that is below 150 dwellings on a site below 5 hectares in area. This Reserved Matters application proposes less than 150 dwellings.

4.0 RELEVANT PLANNING POLICIES

4.1 Tameside Unitary Development Plan (UDP) Allocation

Allocated under policy E2 (11) as a Development Opportunity Area

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

Part 2 Policies

- E2: Development Opportunity Area (this site being no. 11 of the sites identified in that policy).
- H2: Unallocated Sites (for housing)
- H4: Type, size and affordability of dwellings
- H5: Open Space Provision
- H7: Mixed Use and Density.
- 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
N5: Trees Within Development Sites
N7: Protected Species
MW11: Contaminated Land
MW12: Control of Pollution
MW14: Air Quality
U3: Water Services for Developments
U4 Flood Prevention
U5 Energy Efficiency

4.2 **Other Policies**

Greater Manchester Spatial Framework - Publication Draft October 2018;

The Greater Manchester Combined Authority (GMCA) has consulted on the draft Greater Manchester Spatial Framework Draft 2019 (“GMSF”) which shows possible land use allocations and decision making policies across the region up to 2038. The document is a material consideration but the weight afforded to it is limited by the fact it is at an early stage in its preparation which is subject to unresolved objections

Residential Design Supplementary Planning Document; and,
Trees and Landscaping on Development Sites SPD adopted in March 2007.

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

Section 2: Achieving sustainable development
Section 5: Delivering a sufficient supply of homes
Section 8 Promoting healthy and safe communities
Section 11: Making efficient use of land
Section 12: Achieving well designed places
Section 15: Conserving and enhancing the Natural Environment

4.4 **Planning Practice Guidance (PPG)**

4.5 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 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.

6.0 **RESPONSES FROM CONSULTEES**

6.1 Borough Environmental Health Officer (EHO) - no objections to the proposals.

6.2 Borough Tree Officer – no objections to the proposed landscaping scheme, which is considered to be appropriate in terms of the number of trees and extent of landscaped open space.

- 6.3 Lead Local Flood Authority (LLFA) – a Surface Water Drainage Strategy should be submitted to demonstrate how the increase in the surface water run off rate resulting from the development would be controlled to prevent an increased risk of flooding.
- 6.4 Coal Authority – raises no objections to the proposals, confirming that the site is in an area considered to be at low risk in relation to the legacy issues associated historic coal mining.
- 6.5 Borough Contaminated Land Officer - No objections to the proposals subject to a condition requiring compliance with the remediation strategy agreed for this parcel and the wider site through the discharge of the relevant condition attached to the outline planning permission. The submission of a verification report, confirming that the approved remediation works have been implemented should be required by a separate condition.

7.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- 7.1 No representations have been received.

8.0 ANALYSIS

- 8.1 The principle of residential development on this site and the surrounding land was established through the granting of reserved matters approval ref. 18/00306/REM. This application seeks to make minor revisions to that extant approval in relation to the layout in the north western corner of the wider development site.
- 8.2 The issues to be assessed in the determination of this planning application are:
- The impact of the revisions on the character of the surrounding area; and
 - The impact of the revisions on the residential amenity of neighbouring properties and the future occupiers of the development; and
 - The impact of the revised layout on highway safety

9.0 CHARACTER

- 9.1 The proposals include the same house types as approved under the extant permission that covers this plot and the wider site, with revisions only to their location within the plot. The objective of the alterations is primarily to improve the access arrangements to the rear of the properties that front the public square to the south of the parcel.
- 9.2 The proposed revision has resulted in improvements in the design of the development in some key areas. By pushing the plots that front the northern boundary of the wider site northwards, that edge of the development would present a more prominent built form to Lance Corporal Andrew Breeze than in the extant scheme. This would increase the presence of the development in public view and enhance its contribution to the regeneration of this part of Denton.
- 9.3 The relocation of one of the dwellings originally approved within the central part of the parcel to the southern edge has resulted in a stronger frontage to the public square, which is immediately beyond the boundary of this application site. This frontage would be further strengthened by a change in house type in the revised scheme, resulting in a 3 storey gable element in the centre of the northern boundary of the public square. This would provide a more effective frame to the open space than the extant scheme, which proposed 2 detached units in this location. This change would result in an enhancement to the legibility of this part of the scheme, representing an improvement in urban design terms.

- 9.4 The removal of one of the plots from the central part of the parcel in this revised scheme also allows space for more of the plots to have garages, providing parking within the curtilage. This has resulted in the removal of the communal parking area on the western edge of the development in the extant scheme and would result in an enhancement of the public realm within this part of the development.
- 9.5 Following the above assessment, it is considered that the proposals, when compared to the extant scheme, would not result in an adverse impact on the character of the site or the surrounding area and would achieve some welcome urban design improvements

10.0 RESIDENTIAL AMENITY

- 10.1 The proposed amendments would not result in a reduction in the separation distances between the corresponding elevations of the units within this parcel in relation to the extant scheme. Whilst additional garages have been introduced within the intervening distances between some of the buildings, these would be single storey and would not be of a scale or siting that would result in overshadowing that would have an unreasonable impact on the residential amenity of any of the future occupiers of the development.
- 10.2 The separation distances between the plots on the western edge of the parcel and to the corresponding boundary of the wider site would remain sufficient to prevent any adverse impact from the adjacent Wellness Centre on the future occupiers of those plots. This assessment is corroborated by the lack of objection to the proposals from the EHO.
- 10.3 The separation distances between the properties on the southern and eastern edges of the parcel and the corresponding elevations of the adjacent dwellings within the wider site would remain as per the extant scheme, ensuring that an unreasonable impact on the residential amenity of the future occupiers of any of the affected plots would be avoided.
- 10.4 Whilst the size of the curtilage associated with the property in the south western corner of the parcel (plot 70) would be reduced as a result of the relocation of the building within that plot, it would still be sufficient in size to provide adequate private amenity space for the future occupiers of that unit.
- 10.5 A condition was attached to the reserved matters approval which related to this parcel and the wider site requiring details of a scheme of soundproofing of a number of properties, including those that would front Lance Corporal Andrew Breeze Way to the north of the site. Such a condition is also included in the recommendation on this application to ensure continuity in the protection of future occupiers against external noise.

11.0 OTHER MATTERS

- 11.1 The proposals would retain the same level of car and cycle parking provision as approved under the extant scheme and the primary access routes within the parcel and to each of the plots would remain largely unchanged. No material change would result in relation to highway safety therefore and this assessment is corroborated by the lack of objection from the Local Highway Authority to the proposals.
- 11.2 A condition requiring the provision of secured cycle storage within each of the plots was attached to the reserved matters approval and is therefore attached to the recommendation for this application.
- 11.3 In relation to surface water drainage, the LLFA has commented that a Drainage Strategy should be submitted to demonstrate how the increase in the surface water run off rate resulting from the development would be controlled to prevent an increased risk of flooding.

Whilst this request is noted, in this case there is an extant planning permission in place for the number of dwellings proposed within this parcel and there is a clear connection between how the 16 units on this parcel and the wider site are drained.

- 11.4 A condition requiring the submission and approval of a surface water drainage strategy was imposed on the original outline permission and this remains to be discharged. A similar condition is considered to be reasonable in relation to this application and is attached to the recommendation.
- 11.5 In relation to soft landscaping, the revised proposals for this parcel do include the removal of some of the trees included within the extant scheme. However, an additional tree is proposed on the eastern edge of the scheme which would mirror the proposals on the opposite side of the road, improving connectivity with the wider scheme. Important structural landscaping has been retained on the northern and western edges of this parcel. The Tree Officer has not raised any objections to the proposals, subject to compliance with the submitted details. Conditions requiring this and appropriate management of the soft landscaping scheme are attached to the recommendation.
- 11.6 Conditions 5 (contaminated land investigation), 7 (air quality impact mitigation) and 9 (sustainable travel plan) attached to the original outline planning permission applying to this parcel and the wider site have already been discharged. Conditions requiring compliance with the approved details are included on the recommendation on this application, to ensure consistency.
- 11.7 Conditions 3 (external materials) and 8 (crime reduction measures) of the reserved matters approval have also been discharged. Conditions requiring compliance with the approved construction materials and crime reduction measures are included on the recommendation on this application, again to ensure consistency.
- 11.8 An application to discharge condition 13 (Japanese Knotweed management plan) remains pending. The Greater Manchester Ecology Unit (GMEU) has been consulted on that application. If GMEU accept the applicant's conclusion that there is no Japanese Knotweed on the site, that condition can be discharged and it would not be necessary to impose a similar condition on any planning permission issued on this parcel. A verbal update on this issue will be provided to Members at the Panel meeting.
- 11.9 The original outline planning permission which related to the wider site was not subject to a Section 106 Agreement due to viability considerations. Given that this scheme does not propose an increase in the number of units within this parcel, there would be no increase in impact on the capacity of services and facilities over and above the extant scheme. For this reason, it is considered not to be reasonable to require the applicant to enter into a Section 106 Agreement for this revised application.

12.0 CONCLUSION

- 12.1 This application proposes relatively minor changes to the layout of this parcel in comparison with the extant scheme approved on the application site and the wider development area. The number of dwellings would remain as approved (16) and the siting of the plots would not change to a degree that would harm the residential amenity of the future occupiers of these dwellings or the units across the wider scheme.
- 12.2 The revisions have not resulted in a deterioration in the quality of the extant scheme from an urban design perspective and have in some ways made enhancements, as identified in the main body of the report. The proposed amendments would not result in a detrimental impact on highway safety or the quality of the landscaping strategy for this parcel or the

wider development. There have been no objections to the proposals from any of the statutory consultees.

- 12.3 The proposals are therefore considered to comply with the relevant national and local planning policies quoted above.

RECOMMENDATION

Grant planning permission, subject to the following conditions:

1. The development must be begun not later than the expiration of three years of the date of this planning permission
2. The development hereby approved shall be carried out in accordance with the following approved plans:
 - 1:1250 Site location plan (drawing no. 1536WHD/ESD/LPv2)
 - Proposed Wordsworth house type plans and elevations (drawing no. 1536WHD/ESD/WO02 Rev. A)
 - Proposed Telford (garage to front) house type plans and elevations (drawing no. 1.136/P/B/G)
 - Proposed Telford (garage to rear) house type plans and elevations (drawing no. 1.136/P/B/G/2)
 - Proposed house types A and B plans and elevations (drawing no. 1000-A&B)
 - Proposed house types D and E plans and elevations (drawing no. 1000-D&E)
 - Proposed site layout plan (1536WHD/ESD/PL01 Rev. AFv2) (insofar as it relates to this application site only)
 - Proposed Langley house type (plot 69) plans and elevations (drawing no. PL69)
 - Proposed Deacon house type (plots 80-81) plans and elevations (drawing no. PL80-81)
 - Proposed Wordsworth house type plans and elevations (drawing no. 1536WHD/ESDW002 Rev. A)
 - Proposed Jenner (gable fronted) house type plans and elevations (drawing no. 1536WHD/ESD/JE02 Rev. A)
 - Proposed Baird (gable fronted) house type plans and elevations (drawing no. 1536WHD/ESD/BA01 Rev. A)
 - Proposed single garage plans and elevations (drawing no. SG/4.0/1/B)
 - Proposed materials schedule produced by Wainhomes
 - Proposed Hardworks plan (sheet 1 of 4) (drawing no. 101 Rev. E) (insofar as it relates to this application site only)
 - Proposed Planting Plan (sheet 1 of 3) (drawing no. 201 Rev. C) (insofar as it relates to this application site only)
 - Proposed Planting Plan (sheet 3 of 3) (drawing no. 203 Rev. B) (insofar as it lists the species mix of the soft landscaping scheme only).
3. Prior to the first occupation of any of the dwellings hereby approved, details of secured cycle storage to be provided within each plot of the development hereby approved (minus those plots with garages) shall be submitted to and approved in writing by the Local Planning Authority. The detail shall include scaled plans showing the location of the storage within each plot and the design of the means of enclosure. The cycle storage shall be installed in accordance with the approved details within each plot, prior to the occupation of that plot and shall be retained as such thereafter.
4. Prior to the commencement of any ground breaking works, 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.

5. The soft landscaping scheme detailed on the following approved plans shall be implemented prior to the occupation of any of the dwellings hereby approved:
 - Proposed Planting Plan (sheet 1 of 3) (drawing no. 201 Rev. C) (insofar as it relates to this application site only)
 - Proposed Planting Plan (sheet 3 of 3) (drawing no. 203 Rev. B) (insofar as it lists the species mix of the soft landscaping scheme only).
6. 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.
7. Prior to the first occupation of any of the dwellings hereby approved, the following details shall be 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 within the development 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.

8. The development shall be constructed in accordance with the materials listed in the approved Proposed Materials schedule produced by Wainhomes and shall be retained as such thereafter.
9. The development shall be carried out in accordance with the remediation measures outlined in the following documents (approved under discharge of condition ref. 19/00026/PLCOND):

Sirius – Strategy for Remedial and Preparatory Works for land at Edward Street, Denton – Prepared for Wainhomes (North West) Ltd – August 2018 (Rev 3 March 2019) – Report SR3584

Sirius – Materials Management Plan for Former Oldham Batteries, Edward Street, Denton – Prepared for Wainhomes (North West) Ltd – March 2019 – Ref: SR3584/MMP

Email Receipt – CL:AIRE Def. of Waste Code of Practice Declaration – 18/03/2018 – Former Oldham Batteries, off Edward Street, Denton, Manchester, Tameside, M34 3AT – Wainhomes (North West) Ltd.

10. Prior to the occupation of any of the dwellings hereby approved, a verification report detailing that the remediation and mitigation measures detailed within the documents listed in condition 9 of this planning permission shall be submitted to and approved in writing by the Local Planning Authority. The development shall be retained in accordance with the approved details thereafter.
11. The following crime reduction measures detailed in the Amended Statement by Wainhomes entitled Crime reduction Design Measures dated August 2019 shall be implemented for each dwelling, prior to the occupation of that dwelling:
 - On plot security lighting (covering all external doors, car parking and garage areas)
 - External door/window/garage door locking mechanism (manufactured to a design meeting the requirements of PAS24:2012)
 - Main doors to properties to be fitted with locking systems that meet the requirements of PAS 3621
 - 13 amp non-switched fuse spur will be fitted on all plots, suitable for an alarm system to be installed
 - Lockable mechanisms to be applied to gates on boundaries of plots
 - Utility boxes will be located externally as close as possible to the front building line of properties and shall be overlooked.

The development shall be retained as such thereafter.

12. The development hereby approved shall be implemented in accordance with the mitigation measures detailed in the Air Quality Mitigation Scheme dated August 2017, produced by Wardell Armstrong and shall be retained as such thereafter.
13. The Residents Travel Pack approved under discharge of condition ref. 19/00090/PLCOND shall be made available at each of the dwellings hereby approved, prior to the first occupation of that dwelling.
14. 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.
15. The car parking spaces to serve the development hereby approved shall be laid out as shown on the approved Proposed site layout plan (Drawing no. 1536WHD/ESD/PL01 Rev. AFv2), prior to the occupation of any of the dwellings and shall be retained free from obstruction for their intended use at all times thereafter.
16. The boundary treatments to serve the development hereby approved shall be installed in accordance with the details shown on the following approved plans (insofar as they relate to the application site):

Proposed Hardworks plan (sheet 1 of 4) (drawing no. 101 Rev. E) (insofar as it relates to this application site only)

Prior to the first occupation of any of the dwellings hereby approved. Such boundary treatments shall be retained at all times thereafter
17. 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.

18. 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.
19. The driveways to serve the dwellings hereby approved shall be constructed from a bound material and shall be constructed on a level that prevents the displacement of material and surface water onto the highway. The development shall be retained as such thereafter.
20. 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.