

**Application Number: 15/01051/FUL**

**Proposal:** Erection of six 2-bedroom apartments with associated landscaping and car park.

**Location:** Car Park Adjacent 20 Stamford Street, Stalybridge

**Applicant:** CJW Property Investments Ltd

**Recommendation** **Approve**

**REPORT**

**1 APPLICATION DESCRIPTION**

- 1.1 The application is for full planning permission to develop the site for 6 apartments with associated landscaping and car parking.
- 1.2 The apartment building comprises of a single, three storey block containing 6 No. two bedroomed apartments. The building fronts onto Stamford Street with access to the car park via Lees Street to the side. The apartment building has one access door from the car park into an internal hallway with individual access to each apartment. Each apartment contains a hallway, living room/ kitchen, store room, bathroom and two bedrooms. Externally there is a shared communal car parking area and refuse storage to the rear of the apartment block.
- 1.3 The design of the apartment block is relatively modern which incorporates a pitched roof, recessed balconies and large areas of glazing to the Stamford Street elevation in order to break up the built form. The palette of materials proposed includes facing brickwork, contrasting feature bands, aluminium windows and dark grey slate effect roof tiles.
- 1.4 With regard to the proposed access arrangements, the proposal will use the existing car park access off Lees Street which will provide vehicular access to a shared parking area providing 6 No. spaces for occupiers and visitors of the proposed apartment block together with access into the cycle and refuse stores.
- 1.5 The application proposes a communal bin storage area within the car park area for the occupiers of the apartment scheme.
- 1.6 A landscaping scheme has been submitted with the application indicating soft landscaped areas to the front and rear of the apartment block and along the boundary of the proposed access into the site. Various forms of boundary treatment are proposed along the front and side site boundaries including low brick wall with railings above.
- 1.7 The application has been accompanied by the relevant plans and supporting documents including a Design and Access and Heritage Statement.

**2 SITE & SURROUNDINGS**

- 2.1 The application site comprises of a roughly square parcel of land some 0.041 hectares in area located on the corner of Stamford Street and Lees Street, Stalybridge. The site was last used as car parking for surrounding business and

residents. The site area comprises of hard surfaced area with some planting and trees to the site boundaries. The current vehicle access point is via Lees Street.

- 2.2 The site is located in the Stalybridge Town Centre Conservation area.
- 2.3 The area surrounding the site is a mixed use edge of town centre location comprising of residential properties to the north east of the site at the rear and across Stamford Street and commercial properties either side of the site along Stamford Street, the Cow'd Feet Club to the west above the site on Stamford Street and two storey shops and office premises to the east.

### **3 RELEVANT PLANNING POLICIES**

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

- 3.1.1 Unallocated

#### **3.2 Tameside UDP**

##### **3.2.1 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
- 1.11 Conserving Built Heritage and Retaining Local Identity
- 1.12 Ensuring an Accessible, Safe and Healthy Environment

##### **3.2.2 Part 2 Policies**

- H1 Housing Land Provision
- H2 Unallocated Sites
- H4 Type, Size and Affordability of Dwellings
- H10 Detailed Design of Housing Developments
- C1 Townscape and Urban Form
- C2 Conservation Areas
- C3 Demolition of Unlisted Buildings in Conservation Areas
- C4 Control of Development in or adjoining Conservation Areas.
- T10 Parking
- MW11 Contaminated Land

#### **3.3 Other Policies**

- 3.3.1 Residential Design SPD

- 3.3.2 National Planning Policy Framework (NPPF)

- Section 6 Delivering a wide choice of high quality homes
- Section 7 Requiring Good Design
- Section 7 Requiring good design
- Section 12 Conserving and enhancing the historic environment

- 3.3.3 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.

#### **4 PUBLICITY CARRIED OUT**

- 4.1 The application was displayed by a site notice on 28 January 2016 and in the local press on 4 February 201. Individual letters were sent to neighbouring occupiers adjoining the site on 28 January 2016 and amended plan letters sent out on 13 May 2016.

#### **5 RESPONSES FROM CONSULTEES**

- 5.1 Head of Environmental Services – Highways have raised no objections to the proposal and have requested conditions to be added to any approval.
- 5.2 Head of Environmental Services (Environmental Protection) – No objections.
- 5.3 United Utilities have confirmed that they have no objections to the proposal subject to the imposition of various conditions relating to drainage.

#### **6 SUMMARY OF THIRD PARTY RESPONSES RECEIVED**

- 6.1 Four letters of objection and a petition with 24 signatures objecting to the application has been received as a result of neighbour notifications. Main points raised relates to loss of parking and increased demand on other areas for parking, Noise from residents, over development, height of development not in keeping and will block light from adjacent properties.

#### **7 ANALYSIS**

- 7.1 The principal issues in the determination of this application are;
- Principle of development
  - Layout, Design and Landscaping
  - Impact on the conservation area
  - Residential Amenity
  - Impact on highway and pedestrian safety

#### **8 PRINCIPLE OF DEVELOPMENT**

- 8.1 Section 38 of the Planning and Compulsory Purchase Act 2004, states that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Consideration will also be necessary to the appropriate weight to be afforded to the development plan following the publication of the National Planning Policy Framework. Paragraphs 208 - 219 of the NPPF sets out how its policies should be implemented and the weight which should

be attributed to the UDP policies. Paragraph 215 confirms that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. At the heart of the NPPF is the presumption in favour of sustainable development and would support the delivery of a wide choice of quality homes with housing applications being considered in the context of a presumption in favour of sustainable development.

- 8.2 The site is designated as unallocated on the UDP and subject to policy H2. This policy confirms unless other considerations take precedence, the Council will permit the redevelopment of previously developed land for residential use where these are not specifically allocated for this purpose in the plan (UDP). This policy is intended to facilitate the approval of brownfield windfall sites for housing development.
- 8.3 The site is located within an established built up area with access to good public transport links. It is considered that providing other SPD and UDP policies can be satisfied the proposal will contribute to the delivery of the Borough's 5 year housing land supply, deliver quality homes and create a sustainable, inclusive housing development which conforms to the Tameside UDP and is in accordance with the NPPF core principles and Section 6 of the NPPF.

## **9 LAYOUT, DESIGN AND LANDSCAPING**

- 9.1 The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that "it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes." Whilst the NPPF confirms any decision should not attempt to impose architectural styles or particular tastes and not stifle innovation but adds it is proper to promote or reinforce local distinction.
- 9.2 In this regard the proposal should also be considered against UDP Policies C1 and H10 which seek to ensure that the design and layout of proposed housing developments are of high quality and complement or enhance the character and appearance of the surrounding area.
- 9.3 The site is located in the Stalybridge Town Centre Conservation Area and any developments proposed to be built within the Conservation Area must be sympathetic to the setting and character of the area and also be aware of their proximity to the other features of interest within the Conservation area. All new developments should adopt sympathetic, contextual design which states that within the Conservation Area new developments must respect the scale, height, massing, alignment and traditional materials.
- 9.4 In terms of its detailed design, the size and scale of the proposed development being three storeys in height and follows the pattern of building heights along the street scene is considered to be in keeping with the area and as a result the proposal would not have any undue impact on the street scene or character of the surrounding area.
- 9.5 In terms of the environment created for proposed occupiers of the scheme, the size of the individual apartments and dwelling houses comply with the guidelines laid down in the National Space Standards.

9.6 The layout of the site and building is designed to give a positive environment to the new residents with access to secure rear car parking and pedestrian entrance but in turn the layout of the apartments has been designed to ensure habitable rooms overlook Stamford Street.

9.10 It is considered the principle of the redevelopment of the site proposed is acceptable and would provide significant benefits as outlined above whilst also being in general accordance with the Stalybridge Town Centre Conservation Area Appraisal and Management Proposals.

## 10.0 **IMPACT ON THE CONSERVATION AREA**

10.1 In determining planning applications, the NPPF requires applicants to submit Heritage Statements to describe the significance of any heritage asset affected and include any contribution made by their setting. The applicant has submitted a Heritage Statement which, alongside other supporting documents, attempts to demonstrate the proposed design and contemporary detail is an appropriate solution to the redevelopment of this site. Paragraph 126 of the NPPF advises local planning authorities take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the wider social, economic and environmental benefits that conservation of the historic environment can bring; and, opportunities to draw on the contribution made by the historic environment to the character of a place.

10.2 Paragraph 131 of the NPPF provides guidance to planning authorities in determining planning applications and includes criteria in order to make a proper assessment. The criteria includes; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality. and, the desirability of new development making a positive contribution to local character and distinctiveness

10.3 The submitted Design and Access Statement alongside the Heritage Statement make reference to the character of the area and surrounding land use. These documents describe local character and features and the detail considered in assessing an appropriate design for the sites redevelopment.

10.4 A key view in terms of overall townscape is the position of the site on Stamford Street and important through route with views across the town. The site is important in providing a first impression of the town centre and for those passing along the road. There are several new contemporary features within the historic conservation area and recent approvals for the former Casablanacas site and the conversion of the former Police station on Corporation Street will result in contemporary designed buildings of modern materials and finish. This general modernisation of the town centre is reflected in these recent developments and the contemporary design proposed for this development will further reflect this.

10.5 The Stalybridge Conservation Area Appraisal and Management Proposals Document provides an up to date assessment of the Conservation Area by analysing its built form, historical context and natural setting to define the special interest of the area. It also identifies key positive and negative impacts, erosion of character and potential threats and considers the appropriateness of the Conservation Area boundary. The document makes recommendations for future policy and action by the Council to preserve and/or enhance the area's special character. The appearance of this derelict site clearly harms the character of the Conservation Area.

- 10.6 It is considered that this scheme will create a modern designed building which integrates well into the street scene and add contrast and character to the Conservation Area.

## **11 RESIDENTIAL AMENITY**

- 11.1 UDP Policy H10 and the Residential Design SPD provide criteria to be met for protecting the residential amenity of nearby residents and ensure that habitable room in houses and their gardens have a reasonable degree of daylight and freedom from overlooking.
- 11.2 Specifically, Residential Design SPD Policy RD5 requires minimum separation distances between existing houses and proposed schemes. The layout proposed maintains adequate spacing between the new apartments and the existing residential properties on Lees Street and the proposed dwellings comply with the Councils guidelines with regard to their proximity to existing properties surrounding the site. As a result it is not considered that the proposed development would have any undue impact on the amenities of surrounding residents in terms of overshadowing or loss of privacy.

## **12 IMPACT ON HIGHWAY AND PEDESTRIAN SAFETY**

- 12.1 With regard to the impact of the proposal on highway and pedestrian safety, the proposal provides a total of 6 car parking spaces for the proposed apartments which will be in a shared parking area located via the existing access into the site off Lees Street.
- 12.2 Policy T10 of the UDP advises that new development will be subject to maximum levels of parking provision and criterion (b) of Policy H10 requires that parking facilities for new housing developments are provided with no unacceptable impact on the surrounding highway network.
- 12.3 Taking into account the type of residential accommodation proposed, the particularly convenient location of the site close to bus services, the site is approximately 200 metres away from the Stalybridge Bus Station and 0.5km away from Stalybridge Railway Station on Market Street, it is considered that the level of parking provision (100%) proposed by the application is acceptable.
- 12.4 The Head of Environmental Services (Highways) has raised no objections to the proposal on highway safety grounds.
- 12.5 There have been objections received concerned about the loss of the existing site for car parking as it was used for this purpose for a number of years. It is understood that this matter is being dealt through the objectors solicitors and the private rights of individuals to use this land is not able to be considered as a planning matter.

## **13 CONCLUSION**

- 13.1 It is considered that the proposed development will comply with local and national planning policy and will add to the Boroughs housing supply on a site which is within a sustainable location.

- 13.2 It is considered that the proposed development is also in accordance with the NPPF, UDP Policies C1 & H10 and the adopted SPD Residential Design.

## **RECOMMENDATION**

**To grant planning permission subject to the conditions set out below:**

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Grant planning permission subject to the following:

That the Assistant Executive Director Environmental Services be authorised to process any Traffic Regulation Order considered necessary and in accordance with the Road Traffic Regulation Act 1984. Subject to the resolution of any objections received during the public consultation period.

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. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the 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 landscaping 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 by the developer unless the Local Planning Authority gives written consent to any variation.
3. Prior to the commencement of development, the CLS2B Contaminated Land Screening Form shall be submitted to, and approved in writing by, the Councils Environmental Protection Unit. Where necessary, a scheme to deal with any contamination / potential contamination shall be submitted to, and approved in writing by the EPU. The scheme shall be appropriately implemented and a completion report demonstrating this and that the site is suitable for its intended use will be approved in writing by the EPU prior to occupation. The discharge of this planning condition will be given in writing by the Local Planning Authority (LPA) on completion of the development and once all information specified in this condition has been provided to the satisfaction of the EPU.
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 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. 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

6. Prior to the commencement of the development, plans of the site showing details of the existing ground levels and proposed ground levels and finished floor levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the details so approved.
7. This site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to a Sustainable Drainage System to meet the requirements of the National Planning Policy Framework (PPS 1 (22) and PPS 25 (F8)).
8. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the 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. The development shall be completed in accordance with the approved details
10. Prior to the commencement of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
  - a. The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Resident's Management Company; and
  - b. Arrangements concerning appropriate funding mechanisms for its ongoing maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as ongoing inspections relating to performance and asset condition assessments, operation costs, regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.
11. No external lighting shall be installed on the buildings or elsewhere on the site unless a scheme for such lighting has first been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be fully implemented.
12. Prior to first occupation of the development, a scheme for any television / radio aerial / satellite dish or other form of antenna shall be submitted to and approved in writing by the local planning authority. The development shall be constructed with such approved details.
13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no television / radio aerial / satellite dish or other form of antenna shall be installed /



affixed on the exterior of any building forming part of the development hereby permitted.

14. A clear view shall be provided at the junction of Lees St with Stamford St. Its area shall measure 2.4 metres along the centre of Lees S and 43 metres in north west direction along the edge of the roadway in Stamford St. It must be kept clear of anything higher than 0.6 metre/s above the edge of the adjoining roadway or access.
15. A clear view shall be provided on both sides of any site access where it meets the back of footway. It shall measure 2.4metres along the edge of the site access and 2.4 metres along the footway. It must be clear of anything higher than 600mm above the access, except for vertical iron railings to a design that includes rails of not greater than 15mm diameter spaced at not less than 100mm intervals.
16. Prior to occupation, the car parking indicated on the approved plan shall be provided to the full satisfaction of the Local Planning Authority 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.
17. The development hereby approved shall not be occupied/brought in to use until the road works and traffic management measures necessary to secure satisfactory access to the site have been completed in accordance with details having been agreed in writing previously with the local planning authority.
- 18 The 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
- 19 The development hereby approved shall be carried out in accordance with the following approved drawings received by the Council on 8 February 2016: Site Location Plan, Proposed Site Plan, 2015/27/01 (rev 9<sup>th</sup> May 16), 2015/27/02 (rev 9<sup>th</sup> May 16), 2015.27.StamfordStreet.dgn (Stamford street elevation) rev 9<sup>th</sup> May 16), 2015.27.StamfordStreet.dgn (Site plan and ground floor) rev 9<sup>th</sup> May 16), 2015.27.StamfordStreet.dgn (Lees St elevation) rev 9<sup>th</sup> May 16),