

Application Number: 20/00559/FUL

Proposal: Conversion of existing two storey workshop building to form two dwelling houses, demolition of existing single storey workshop building and erection of two single storey bungalows with associated works including car parking.

Site: 218 Audenshaw Road, Audenshaw, M34 5QR

Applicant: Mr D Ross

Recommendation: Grant planning permission subject to conditions.

Reason for report: A Speakers Panel decision is required because one of the objectors to the application has requested to address the Panel meeting and, in accordance with the Panel's Terms of Reference, to authorise the utilisation of the Private Street Work Code for the making up of Eastwood Street, a private street, to enable development to take place.

1. APPLICATION DESCRIPTION

- 1.1 The applicant seeks full planning permission for the conversion of the existing two storey workshop building to form two dwelling houses and the erection of two single storey bungalows following the demolition of existing single storey workshop building. The proposals also include associated works including the provision of car parking.
- 1.2 The scheme has been amended to reduce the number of dwellings by two, with the original scheme proposing to replace the existing single storey workshop with four bungalows. The proposals include the erection of a relatively narrow 1.5 storey lean-to extension on the southern elevation of the mill as part of the conversion of that building.
- 1.3 The mix of the dwellings in the proposed scheme would be as follows:-
- 2 x 2 bed single storey bungalows
 - 2 x 3 bed 2 storey houses
- 1.4 The following documents have been submitted in support of the planning application:-
- Planning Statement
 - Development Financial Appraisal
 - Contaminated land screening report (including reference to coal mining legacy)
 - Preliminary Bat Report
 - Bat Presence Survey
 - Noise Impact Assessment

2. SITE & SURROUNDINGS

- 2.1 The application relates to a former builders yard, which currently stands vacant, accessed via Eastwood Street in the south western corner of the site. There is an existing bungalow adjacent to the southern boundary of the site, which fronts on to Audenshaw Road and is owned by the applicant. Neighbouring properties on High Ash Grove back on to the north western boundary of the site. The southern gable of a terrace of 5 properties faces the northern boundary of the application site. The eastern gable of a terrace of units that front

onto Audenshaw Road face the south eastern corner of the site, separated from the site boundary by Eastwood Street.

- 2.2 A two storey building of brick elevations and a slate tiled is located in the eastern portion of the land, backing on to that boundary of the site. More modern and lighter weight single storey structures extend from the northern elevation of that building and run along the rear (northern) boundary of the site. The remaining area of the site is covered by hardstanding. Land levels on the site and adjacent neighbouring properties are relatively flat. The railway line runs adjacent to the eastern boundary of the land, with established trees lining that edge of the site.

3. PLANNING HISTORY

- 3.1 None relevant to the determination of this planning application.

4. RELEVANT PLANNING POLICIES

4.1 Tameside Unitary Development Plan (UDP) Allocation

No specific allocation, located within the settlement of Audenshaw.

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

4.3 Part 2 Policies

- E3: Established Employment Areas
- C1: Townscape and Urban Form
- 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
- N3: Nature Conservation Factors
- N4 Trees and Woodland
- N5: Trees Within Development Sites
- 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 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 (SPD)

Employment Land SPD adopted January 2009

Trees and Landscaping on Development Sites SPD adopted in March 2007

Tameside Open Space, Sport and Recreation Study (2010)

Tameside Council Playing Pitch Strategy 2015

4.5 **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 Effective use of Land

Section 12: Achieving well-designed places

Section 15: Conserving and enhancing the natural environment

Section 16: Conserving and enhancing the historic environment

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 and a notice displayed adjacent to the site for 21 days, in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's adopted Statement of Community Involvement.

6. **RESPONSES FROM CONSULTEES**

6.1 Borough Environmental Health Officer (EHO) – no objections to the proposals, subject to the imposition of conditions securing details of the specific measures to be installed within the buildings to mitigate against the impact of external noise sources and limiting the hours of work during the construction phase of the development.

6.2 Greater Manchester Ecology Unit (GMEU) – no objections to the proposals or the conclusion of the Bat Survey submitted with the planning application. Conditions requiring details of the soft landscaping and external lighting schemes and the biodiversity enhancements to be installed to be submitted and approved are recommended, along with an informative outlining the developer's responsibilities with regards to protected species.

6.3 Local Highway Authority – no objections to the amended proposals following amendments to the scheme. Conditions are recommended in relation to the following:-

- The submission of a condition survey of the highway prior to the commencement of development.
- The submission of a Construction Environment Management Plan prior to the commencement of development.
- The submission of an external lighting scheme.
- Stipulating the visibility splays to be retained free from obstruction in both directions from the vehicular access.
- The provision of secured cycle storage.
- The laying out of the parking spaces shown on the submitted plans prior to the occupation of the dwellings.

6.4 The developer will need to enter into a Section 204 Agreement, under the Highways Act 1980, with respect to the construction and adoption of the approved highway/s and/or junction/s. This requirement should be included as part of any decision by the Speakers Panel to grant planning permission.

6.5 United Utilities - no objections to the proposals subject to the imposition of conditions requiring surface and foul water to be drained from the site via different mechanisms and the submission and approval of a sustainable surface water drainage strategy prior to the commencement of development. United Utilities advises that a large diameter pressurised trunk main crosses the site. As United Utilities need unrestricted access for operating and maintaining it, we will not permit development over or in close proximity to the main. (NB the applicant has been made aware of this issue).

6.6 Lead Local Flood Authority (LLFA) – request further information in relation to a surface water drainage strategy for the development, prior to the determination of the application.

6.7 Borough Contaminated Land Officer - no objections to the proposals subject to the imposition of a condition requiring an intrusive investigation into potential sources of ground contamination of the site and the approval of a remediation strategy prior to the commencement of development.

6.8 Borough Tree Officer – no objections to the proposals. Specific details of the soft landscaping scheme to serve the development should be secured by condition.

6.9 Coal Authority – no objections to the proposals, confirming that the site is in an area that is considered not to be at high risk from the land stability issues associated with coal mining legacy.

6.10 Network Rail – raise concerns regarding the erection of 1.8 metre high fence adjacent to boundary with the railway, stating that any such means of enclosure should be constructed on land wholly within the ownership of the applicant. Any boundary treatments to be installed must be set 1 metre away from land controlled by Network Rail. A Risk Assessment and Method Statement (RAMS) will need to be completed and agreed by Network Rail for all works to be undertaken within 10m of the operational railway.

6.11 Health and Safety Executive (HSE) – do not advise against the granting of planning permission.

7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED

7.1 3 letters of objection were received in relation to the original proposals (for 6 dwellings on the site) from neighbouring properties, which raise the following concerns (summarised):-

- The scheme will result in harmful overlooking of neighbouring properties.

- The demolition and construction phase will result in harm to air quality and will generate noise levels that will have an adverse impact on the residential amenity of neighbouring residents.
- There appears to be insufficient car parking provision to serve the development.
- The plans indicate that the main entrance into the development would be from Eastwood Street. This route shares a boundary with a neighbouring residential property. The noise and air quality issues associated with the use of this access would have a detrimental impact on the residential amenity of that neighbouring property.
- There are windows in the side gable of the property immediately west of Eastwood Street – the increased level of activity on this road that would result from the proposed development would harm the residential amenity of the occupants of that property.
- Neighbouring properties park vehicles on Eastwood Street. The ability to continue to do so would be hindered by the proposed development.
- Highway safety concerns regarding the use of Eastwood Street as the point of access – due to lack of visibility into Audenshaw Road and the narrow width of that highway.

8. ANALYSIS

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

- 1) The principle of development
- 2) The impact of the proposed design and scale of the development on the character of the surrounding area
- 3) The impact on the residential amenity of neighbouring properties;
- 4) The impact on highway safety
- 5) The impact on the ecology and trees
- 6) The impact on flood risk / drainage
- 6) Other matters

9. PRINCIPLE OF DEVELOPMENT

9.1 The application states that the last use of the site was as a builders' yard. Whilst a relatively low key employment use when compared to office or light industrial use, the extant use of the site is one that supports employment opportunities. Policy E3 of the UDP is entitled Established Employment Sites. The policy makes clear that sites that have an established employment use but are not specifically allocated for this purpose (this site is not allocated) should be assessed against the criteria of that policy.

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 A builders yard (the established use of the site) is a sui generis use as opposed to one that falls within the traditional employment uses (those falling within class E, B2 or B8). The supporting information submitted with the planning application indicates that the site has been vacant of any commercial activity for a minimum of 15 years. Neighbouring

residential properties are located within close proximity to the northern and western boundaries of the site and the surrounding area is predominantly residential in character. The access arrangement that serve the site from Eastwood Street are considered to be restrictive for Heavy Goods Vehicles.

- 9.4 In terms of alternative sites, a large area of land to the south of the M60 is allocated under policy E2 of the UDP as a Development Opportunity Area. That area includes a number of relatively low key employment uses, including demolition yards, which have resulted in a detrimental impact on the environmental quality of the surrounding area, which is adjacent to the Ashton Canal. The Development Opportunity Area allocated for the land states that new employment development that enhances the environment would be an appropriate form of development in this area. Such development remains to be brought forward and therefore this land represents a viable and more suitable alternative to the application site for generating new employment uses in Audenshaw.
- 9.5 The close proximity of neighbouring dwellings ensures that regular trips associated with any commercial use would likely be more harmful to the residential amenity of those properties than residential use of the site, where trips would be more concentrated to peak periods and would be more aligned to the existing neighbouring uses.
- 9.6 Given the above, it is considered that the site is constrained in terms of its potential for employment use and only has a limited recent history in this regard. Conversely, it is considered that the site is situated in a highly suitable location for residential development, in accordance with national and local planning policy. Regular bus services connecting between Manchester city centre and Ashton can be accessed via bus stops within close proximity of the site, with Guide Bridge train station less than a 15 minute walk from the site.
- 9.7 The site is therefore considered to be situated in a sustainable location. It also meets the definition of previously developed land as set out in the NPPF. The scheme therefore constitutes the redevelopment of a brownfield site for residential purposes, in an area characterised by predominantly residential development. It is also the case that the Council is required to boost the supply of housing in the Borough, in order to address the deficit in the five year supply of housing land.
- 9.8 Given this situation, it is considered that the benefit of the provision of housing on this site is worthy of significant weight. Demand for potential employment use has not been tested through a period of marketing. However, given the nature of the last use of the site, the constrained nature of the land from a commercial perspective and the fact that land within relatively close proximity of the site has been allocated for redevelopment with new employment uses, it is considered that the loss of a potential employment site in this location is worthy of less weight.
- 9.9 Following the above assessment, the principle of development is considered to be acceptable, subject to all other material planning considerations being satisfied.

10. CHARACTER OF THE SURROUNDING AREA

- 10.1 Section 12 of the NPPF is entitled Achieving well-designed places. Paragraph 127 states that planning decisions should ensure that development achieves the following criteria (those relevant to this proposal):-
- Developments that will function well and add to the quality of the area.
 - Developments that are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

- Developments that are sympathetic to local character and history, including the surrounding built environment and landscape setting, whilst not preventing or discouraging appropriate innovation or change (such as increased densities).
- Developments that establish or maintain a strong sense of place, using the arrangements of streets, spaces, building types and materials to create attractive, welcoming and distinctive places.
- Developments that optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space).
- Developments that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

- 10.2 Paragraph 130 of the NPPF states that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards....'.
- 10.3 The scheme proposes the conversion of the existing brick warehouse building in the eastern portion of the site. The conversion would retain the large openings on the principal elevation of the existing building, with the entrances to each of the two properties to be recessed. The treatment of this key elevation is considered to preserve the character of the building, which officers consider to be a non-designated heritage asset.
- 10.4 The two proposed new build bungalows would back on to the northern boundary of the site, which is visible from High Ash Grove. Whilst ideally development would be outward facing, it is acknowledged that the northern boundary of the site forms the shared boundary with the front garden area of the closest neighbouring property to that boundary.
- 10.5 This presents challenges in terms of residential amenity impact and access but also ensures that the site boundary is set back on the High Ash Grove frontage from these views. As such, development that backs on to that boundary is considered not to be a prominent departure from the character of development on the streetscene. This assessment is made within the context of the fact that the existing single storey structures which back on to the northern boundary of the site are visible in public views of the site from High Ash Grove.
- 10.6 The scheme proposes to utilise the existing access from Eastwood Street and would arrange the dwellings around a central courtyard area. This is considered to be an appropriate design solution in this case, responding to the orientation of the existing property at 218 Audenshaw Road and the two storey workshop building to be retained and converted as part of the proposed scheme. The fact that the new build dwellings on the northern edge of the development would be single storey is considered to ensure that the scale of the scheme would not result in a detrimental impact on the character of the area.
- 10.7 Following the amendment to omit two of the four new buildings originally proposed, it is considered that the revised scheme retains gaps between the dwellings and the boundaries of the site to the extent that emphasise the relatively low density of development. The spacing that can be achieved further reduces the prominence of the development in public views and allows greater opportunities for structural landscaping to soften the impact of the development, recognising the mature landscaping on the eastern edge of the site.
- 10.8 Following the above assessment, it is considered that the amended proposals would achieve the requirements set out in UDP policy C1 and Section 11 of the NPPF as quoted above.

11. RESIDENTIAL AMENITY

- 11.1 The adopted Residential Design Guide (RDG) requires 21 metres to be retained between corresponding elevations of properties of the same height that contain habitable rooms, reducing to 14 metres where properties face each other across a highway. A separation distance of 14 metres is also required to be retained where an elevation with primary window(s) serving habitable room(s) and a corresponding blank elevation of a neighbouring property face each other.
- 11.2 The amendment to remove two of the originally proposed new build bungalows has allowed the separation distances to the properties to the west of the site to be increased. The western elevation of the proposed bungalow closest to the common boundary with those neighbouring properties would include openings, but none of these would be primary windows to habitable rooms. All glazing on that elevation could therefore be required to be obscurely glazed to prevent unreasonable overlooking across the western boundary of the site. A condition stipulating this requirement is attached to the recommendation.
- 11.3 This would effectively make that elevation 'blank' for the purposes of assessing the impact on the residential amenity of the affected neighbouring properties. The plans demonstrate that a separation distance in excess of 14 metres would be retained between that gable elevation and the corresponding rear elevation of the closest neighbouring property to the west of the site. Given the fact that the proposed building is single storey and the oblique nature of the relationship to be retained, it is considered that the proposed development would not result in unreasonable overlooking into or overshadowing of any of those neighbouring properties.
- 11.4 A separation distance of approximately 14 metres would be retained between the rear elevation of the bungalow proposed in the north eastern corner of the site and the corresponding gable elevation of the property at 5 High Ash Grove to the north of the site. There are no primary openings serving habitable room rooms on that gable elevation of that neighbouring and as such, the separation distance to be retained would comply with the RDG and preserve the residential amenity of the neighbouring property.
- 11.5 A separation distance in excess of 18 metres would be retained to between the front elevation of no. 33 High Ash Grove to the north west of the site and the closest dwelling within the proposed development. Given this distance, the oblique relationship to be retained to the site and the single storey nature of the proposed development in that part of the site, it is considered that the proposal would not result in any unreasonable overlooking into or overshadowing of that neighbouring property.
- 11.6 The separation distances to the other properties within the terrace of which 33 High Ash Grove is a part would be greater than 18 metres and again, given the oblique nature of the relationship, it is considered that there would be no adverse impact on the residential amenity on any of those properties.
- 11.7 Due to the orientation of the buildings within the proposed arrangement, it is considered that the scheme would retain a sufficiently oblique relationship between the southern-most dwelling within the building to be converted and the existing dwelling at 218 Audenshaw Road, which is within the ownership of the applicant. The separation distances to be retained between that existing property and the new build bungalows to be sited in the northern part of the site is also considered sufficient to preserve the residential amenity of the occupiers of each of the properties concerned.
- 11.8 In relation to the impact of noise associated with the use of the access along Eastwood Street on the adjacent neighbouring property, the concerns expressed by objectors are noted. However the impact of the proposals in this regard must be considered within the context of the potential impact under the extant situation. A builders yard is considered

more likely to result in more frequent journeys by vehicles larger than domestic cars for longer periods of the day than a residential use of the land. The traffic movements associated with the proposed use is likely to be concentrated at peak times and the vast majority of movements would be by domestic cars.

- 11.9 Within this context, it is considered that the proposed development would not result in noise levels that would be harmful to the residential amenity of the property that presents its gable to Eastwood Street, or any of the other neighbouring properties, within the context of the extant position. This assessment is corroborated by the lack of objection to the proposals from the Borough EHO.
- 11.10 On the basis of the above assessment, the proposals are considered to preserve the residential amenity of neighbouring properties and the amenity of the future occupants of the development.

12. HIGHWAY SAFETY

- 12.1 Vehicular access into the proposed development would be via the current point of access in the south western corner of the site, which connects to Eastwood Street. The concerns of objectors to the application regarding the visibility splays from Eastwood Street into Audenshaw Road are noted.
- 12.2 The amended scheme now proposes the erection of 4 dwellings on the site of the former builders yard. The amended scheme also includes proposals to demarcate the junction at the point where Eastwood Street connects to Audenshaw Road at a point level with the front edge of the footpath on the northern side of Audenshaw Road.
- 12.3 This effectively extends the junction point southwards from the back edge of that footpath towards the existing 'keep clear' zone that is marked within Audenshaw Road and allows adequate visibility splays to be achieved in both easterly and westerly directions from the junction into Audenshaw Road. This arrangement is similar to the markings at the junction between Ash Street and Audenshaw Road to the west of the site.
- 12.4 On the basis that the details of these works are secured by condition, the Local Highway Authority has not raised any objections to the proposals. The plans are considered sufficient to demonstrate that refuse vehicles could enter and leave the site in a forward gear via use of a turning area at the entrance into the development, beyond the northern end of Eastwood Street. A condition requiring a scheme to be agreed for these works and the works to be undertaken to bring Eastwood Street up to an adoptable standard can be secured by a Grampian condition. Such a condition is attached to the recommendation.
- 12.5 The amended scheme makes provision for 2 car parking spaces to serve each of the 4 new dwellings, with 1 space being retained for the occupiers of the existing property at 218 Audenshaw Road. This falls one space short of the requirements of policy RD8 of the RDG, which indicates that 2 spaces should be provided for each property of the size proposed. However, given the close proximity of regular public transport links to the site (as identified previously in this report), it is considered that the harm arising to highway safety from a deficit of 1 car parking space below the RDG standards would not be sufficient to warrant refusal of the application.
- 12.6 Details of secured cycle storage provision within each of the plots can be secured by condition. Conditions recommended by the Local Highway Authority in relation to the submission and approval of details of an external lighting scheme to serve the development and a Construction Environment Management Plan are also considered to be necessary and are attached to the recommendation.

- 12.7 A condition requiring the submission of a condition survey of the highway is considered not be reasonable as the Council has powers under the Highways Act to deal with damage caused during the construction process. The Grampian condition referred to previously will require details of the specification of the access road and footway connection proposed to extend the existing footway from Audenshaw Road along Eastwood Street.
- 12.8 The concerns of local residents regarding the ability to park within Eastwood Street are noted. The applicant has indicated that they own all of the land within the red edge plan and that includes Eastwood Street. This has not been challenged through the consultation process on the planning application. The issue of parking in that area therefore relates to what is currently a private right of access, which is not a material planning consideration.
- 12.9 In relation to the impact on the wider highway network, a development of 4 dwellings would be likely to produce substantially less than 10 vehicle movements to and from the site during peak periods, with far less movements during the other hours of the day. The extant commercial use would likely result in more Heavy Goods Vehicles entering and leaving the site and more two way journeys throughout the day than the proposed use. As such, it is considered that the proposals would not result in a detrimental impact on the capacity of the highway. This assessment is corroborated by the lack of objection from the Local Highway Authority to the proposals.
- 12.10 Following the above assessment, it is considered that the proposals would not result in a detrimental impact on highway safety, subject to the imposition of appropriate conditions.
- 12.11 The existing access road from Audenshaw Road to the development is currently a private street. The Local Highway Authority has indicated that this must be made up to an adoptable standard (as indicated on the submitted plans), including street lighting, in order to ensure that the engineering works required to maintain highway safety can be carried out and appropriately maintained thereafter.
- 12.12 These works can be secured at the cost of the developer by a Grampian condition and section 106 agreement. This would allow a refuse vehicle to enter and leave the site in a forward gear. The recommendation on this application seeks Members approval to delegate authority to the Local Highway Authority to utilise the Council's statutory powers with regard to the making up of private streets, at the expense of the developer, in the event that planning permission is granted.

13. ECOLOGY AND TREES

- 13.1 As the scheme involves the demolition of the existing buildings on the site, any potential impact on protected species during this process must be given consideration. The applicant has submitted a Preliminary Bat Report and a Bat Presence Survey in support of the application. The conclusion of the Reports is that, whilst the brick built structure and some of the adjacent trees demonstrated potential for bat roosting, no such activity was encountered during the survey period.
- 13.2 The overall risk to bats is considered to be low. Precautionary mitigation measures are recommended for the demolition phase of the development and compliance with these can be secured by condition. Whilst indicative details of biodiversity enhancements are included with the application, these relate only to the existing two storey building to be retained.
- 13.3 GMEU has reviewed the findings of the submitted information and has not raised any objections to the proposals. Conditions limiting the timing of tree / vegetation removal and requiring details of further biodiversity enhancements to be submitted and approved are considered to be necessary and are attached to the recommendation. Informatives

outlining the developer's responsibilities with regards to both protected and invasive species can also be attached to any planning permission granted.

- 13.4 In relation to the impact on trees, the main potential impact would be on the established tree belt that runs adjacent to the east boundary of the site. The scheme does not propose to extend to the rear of the existing 2 storey building in that location and sufficient separation would be retained between the dwelling proposed in the north eastern corner of the site and those trees. Consideration needs to be given to the exact location and specification of the treatments that would demarcate the rear boundaries of the properties to be formed from the conversion of the existing mill building and these details can be secured by condition.
- 13.5 The Borough Tree Officer has not raised any objections to the proposals, subject to the imposition of a condition requiring details of a soft landscaping scheme to serve the development to be submitted and approved. Such a condition is attached to the recommendation.

14. FLOOD RISK / DRAINAGE

- 14.1 The site is in Flood Zone 1 and is therefore considered to be at a lower risk of flooding, although part of Audenshaw Road immediately to the south of the site is considered to be at a higher risk of flooding. The LLFA has requested details of a drainage strategy to serve the development prior to the determination of the application.
- 14.2 The scheme proposes the erection of two new dwellings on the site and the conversion and minor extension of an existing building to two further dwellings. In addition to being a relatively small scale development, the site constitutes brownfield land, the majority of which is laid to hardstanding. The creation of grassed areas to serve the dwellings would therefore increase the extent of permeable surface on the site. Given these factors and the fact that the site is at a relatively low risk of surface water flooding, it is considered sufficient to condition the submission and approval of a sustainable surface water strategy for the site prior to the commencement of development. Such a condition is attached to the recommendation.
- 14.3 United Utilities has not raised any objections to the proposals, subject to the imposition of conditions requiring surface and foul water to be drained from the site via different mechanisms and the submission and approval of a sustainable surface water drainage strategy prior to the commencement of development. These requirements are combined into one of the conditions attached to the recommendation.

15. OTHER MATTERS

- 15.1 The Borough EHO has not raised any objections to the proposals, subject to the imposition of conditions. A Noise Impact Assessment has been submitted with the planning application. This identifies the main noise sources potentially affecting the future occupants of the development as being the train line to the east and Audenshaw Road to the south of the site.
- 15.2 The Assessment concludes that a degree of mitigation will be required, primarily relating to the specification of the glazing and the use of mechanical ventilation to serve the openings on the most affected elevations. The EHO has raised no objections to the conclusions of the assessment. Further details of the specific mitigation measures to be installed can be secured by condition.

- 15.3 Indicative details off an area for communal refuse storage are shown on the proposed site plan adjacent to the western boundary of the site. Exact details of the capacity of the bins to be provided and the means of enclosure of the communal storage area can be secured by condition.
- 15.4 Given the relatively close proximity of neighbouring residents to the site, it is also considered reasonable to limit the hours of work during the construction phase of the development. A condition to this effect is attached to the recommendation.
- 15.5 In relation to ground contamination, a Phase I Assessment has been submitted in support of the planning application. The Assessment highlights the brownfield nature of the site and concludes that intrusive investigations need to be undertaken to inform what remediation works may be necessary. The Contaminated land Officer has reviewed the finding and has not raised any objections to the proposals, subject to the imposition of a condition requiring the undertaking of this intrusive investigation and the submission of a remediation strategy prior to the commencement of development. Such a condition is attached to the recommendation.
- 15.6 In relation to Section 106 contributions, the proposal is for less than 10 dwellings and therefore does not constitute 'major' development. As such, it does not meet the threshold referred to in either UDP policy H4 or paragraph 64 of the more recently adopted NPPF for the provision of affordable housing. An affordable housing contribution is therefore considered not to be necessary to make the scheme acceptable in planning terms.
- 15.7 The development proposes 4 dwellings, each with private hardens, in a sustainable location close to regular public transport for access to services, facilities employment are areas of public open space. Given these factors, it is considered that contributions in relation to offsite open space and highway infrastructure improvements would not meet the CIL tests in terms of being necessary to mitigate the impacts of the development. As such, a Section 106 Agreement securing contributions is not being pursued in this case.
- 15.8 The site is in a low risk area with regard to coal mining legacy and as such no conditions are considered to be necessary in this regard. An informative outlining the responsibilities of the developer in relation to this issue can be attached to any planning permission granted.
- 15.9 Network Rail (NR) has raised concerns regarding the erection of a 1.8 metre high fence adjacent to boundary with the railway (on the eastern boundary of the site), stating that any such means of enclosure should be constructed on land wholly within the ownership of the applicant. NR state that any boundary treatments to be installed must be set 1 metre away from land controlled by them. In response to this comment, it is important to note that under planning law, the landowner has the ability erect of fence of up to 2 metres in height on that boundary of the land (which they have declared that they own), without requiring planning permission.
- 15.10 The Local Planning Authority cannot therefore insist on the basis of planning considerations that any treatment on that edge of the site be stepped in 1 metre from the common boundary. The details of the location and specification of this boundary treatment can however be secured by condition and such a condition is attached to the recommendation.
- 15.11 The HSE was consulted on the application due to the presence of pressurised gas pipelines being located below the surface of Audenshaw Road, which runs adjacent to the south of the site. Their response indicates that the proximity of this infrastructure does not present a constraint on the development of the land, with no conditions considered necessary in this regard.

16. CONCLUSION

- 16.1 The principle of development is considered to be acceptable. Whilst the proposals would result in the loss of an employment site, the site has been vacant for an extended period of time. Although the site has not been actively marketed, there are a number of constraints, which limit the site's suitability for re-use for employment purposes, as identified in the main body of the report. There is also a large Development Opportunity Area allocation to the north east of the site which is considered suitable for new employment uses, offering a more viable alternative to this site for prospective employment uses looking to establish in Audenshaw.
- 16.2 The amended scheme is considered to preserve the character of the surrounding area and the residential amenity of neighbouring properties. Following the reduction in the number of dwellings by two, the amended scheme is considered to make adequate provision for car parking and includes improvements to the visibility splays that can be achieved from the junction of Eastwood Street into Audenshaw Road. The proposals also include extension of the adopted highway to include Eastwood Street, to ensure that the mitigation measures can be appropriately maintained.
- 16.3 Although the LLFA consider that further information regarding surface water drainage is required prior to the determination of the application, for the reasons given in the main body of the report, it is considered that this matter can adequately be dealt with by condition.
- 16.4 There are no formal objections to the proposals from any of the statutory consultees. It is considered that all other material considerations can be satisfied through the imposition of conditions, where appropriate, as detailed in the main body of the report.
- 16.5 The proposals are therefore considered to comply with the relevant national and local planning policies quoted above.

17. RECOMMENDATION

- 17.1 To authorise the making up of Eastwood 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, at the cost of the developer, under the Private Street Works Code; and to 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 decision.
 2. The development hereby approved shall be carried out in accordance with the following approved plans:-

1:1250 Site location plan (Drawing no. 911 PL_01)
Proposed demolition plans (Drawing no. 911 PL_04)
Proposed site layout plan (Drawing no. 911 PL_05 Rev. D)
Proposed bungalow plans and elevations (Drawing no. 911 PL_06 Rev. B)
Proposed Mill conversion plans and elevations (Drawing no. 911 PL_07)
Preliminary Bat Report produced by Braithwaite Bat Surveys (Ref. DR-M345WP)
Bat Presence Survey produced by Braithwaite Bat Surveys (Ref. DR-M345WP)
 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 listed in the application or detailed on the approved plans, 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. No work shall take place in respect to the construction of the approved highway, as indicated on the approved site plan, until a scheme relevant to highway construction has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of:-
 1. Phasing plan of highway works.
 2. Surface and drainage details of all carriageways and footways.
 3. Details of the works to the reinstatement of redundant vehicle access points as continuous footway to adoptable standards following the completion of the construction phase.
 4. details of the specification of the access road and footway connection proposed to extend the existing footway from Audenshaw Road along Eastwood Street (including the provision of tactile paving and dropped kerbs).
 5. Details of the areas of the highway network within the site to be constructed to adoptable standards and the specification of the construction of these areas.
 6. Details of carriageway markings and signage.

No part of the approved development shall be occupied until the approved highways works have been constructed in accordance with the approved details or phasing plan and the development shall be retained as such thereafter.

6. No development shall commence until details of the tree protection measures (meeting the requirements of BS5837:2012) to be installed around the trees to be retained within the site and adjacent to the boundaries of the land (as indicated on the approved plans) during the construction phase of the development have been submitted to and approved in writing by the Local Planning Authority. The protection measures shall be implemented in accordance with the approved details prior to the commencement of development and shall be retained as such for the duration of the construction phase of the development.
7. 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 shall be implemented in accordance with the approved details prior to the occupation of the development and shall be retained as such thereafter.
8. 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.

9. No part of the development hereby approved shall be occupied until details of the secured cycle storage provision to serve each of the dwellings 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 details of the means of enclosure. The secured cycle 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.
10. Notwithstanding the details submitted with the planning application, no development above ground level 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, the number of specimens to be planted, spacing between them and their height 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.

11. 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.

12. 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.
13. 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 (to include Bat bricks / bat slates, Bird boxes, Native tree and shrub planting and wildflower planting) 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.
14. Notwithstanding the details submitted with the planning application, prior to the occupation of any of the plots identified as requiring treatment to the elevations with noise mitigation measures (as identified in the approved Noise Impact Assessment), the following details shall be submitted to and approved in writing by the Local Planning Authority:-
 - A scaled plan showing the exact location of the elevations to be treated with the particular noise mitigation measures; and
 - A manufacturer's specification of the mitigation measures to be submitted and approved, including acoustic fence.

The approved mitigation measures shall be installed in each of the affected plots prior to the first occupation of that dwelling and shall be retained as such thereafter.

15. Notwithstanding the details shown on the approved plans, no development associated with the conversion of the existing building in the eastern portion of the site shall commence until scaled plans showing the extent of the recess to be applied to all external window and door openings within the dwellings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.
16. Prior to the first occupation of the bungalow to be situated in the north western corner of the site as part of the development hereby approved, all of the windows in the western elevation of that dwelling shall be fitted with obscured glazing (meeting Pilkington Level 3 in obscurity as a minimum) and shall be fixed shut below a height of 1.7 metres above the internal floor level of the room that they serve. The development shall be retained as such thereafter.
17. Notwithstanding the details shown on the approved plans, prior to the first occupation of any of the dwellings hereby approved, details of the boundary treatments to be 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.

18. 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.
19. Prior to the first occupation of any part of the development hereby approved, details of a scheme for external lighting to serve the development (including both within the highway and to serve private driveways) 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.
20. 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.
21. A clear view shall be provided on both sides of any driveway or vehicular access as it meets the back of footway. It shall measure 2.4 metres along the edge of the site access and 2.4 metres along the back of 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.
22. The car parking spaces to serve the development hereby approved shall be installed in accordance with the details shown on the approved site plan prior to the first occupation of any of the dwellings and shall be retained free from obstruction for their intended purposes thereafter.
23. The development shall be carried out in accordance with the mitigation measures detailed within the Preliminary Bat Report and Bat Presence Survey submitted with the planning application.