

Application Number 20/00129/FUL

Proposal	Redevelopment of land to support 16 houses and 18 apartments including associated works.
Site	Former Site of St Anne's Nursery, Manchester Road, Audenshaw, M34 5PZ
Applicant	Rowlinson Construction
Recommendation	Members resolve to grant planning permission subject to completion of a Section 106 Agreement.
Reason for Report	A Speakers Panel decision is required because the application constitutes a major development.

1.0 APPLICATION DESCRIPTION

- 1.1 The application seeks full planning permission for a residential development of 34 dwellings. The development would include 16no. Traditional 2 storey dwellings and 18no. apartments within a 3 storey block. The dwellings would be provided on an affordable (shared ownership) basis managed by Mosscafe St Vincent's.
- 1.2 The accommodation split includes 8no. 3 Bedroom 4 person houses at 72sqm, 8no. 3 Bedroom, 5 person houses at 85sqm and 18no. 2 Bedroom, 4 Person apartments at 61sqm. The site layout has been amended during the assessment process in the interests of the relationship with Manchester Road and Manshaw Crescent properties. The layout of the dwellings and apartment block has been informed by a sewer easement that crosses the site.
- 1.3 The development would comprise of dwellings fronting Manchester Road, a new access would serve a cul-de-sac to the rear of these. Each dwelling would have private front and rear gardens with suitable provision for in curtilage (rear) bin storage. A total of 38 car parking spaces would be provided.
- 1.4 The dwelling would be of a traditional pitched roof construction with feature canopies and bay windows to their principle elevation. The apartments would be accommodated within a single block to the rear of the site. The materials are stipulated as a mixture of red brick, concrete tile and cladding panels.
- 1.5 The application has been supported by the following documents;
 - Affordable Housing Statement
 - Crime Impact Statement
 - Design and Access Statement
 - Drainage Strategy
 - Ecological Assessment
 - Energy Statement
 - Full plans package
 - Landscape Plan
 - Open Space Assessment
 - Phase 1 Site Investigations
 - Planning Statement
 - Statement of Community Involvement
 - Utilities Statement

- Waste Management Plan

2.0 SITE & SURROUNDINGS

- 2.1 The application relates to an area of cleared land to the south of Manchester Road. The site is within a fenced enclosure, it is rectangular in shape and covers an area of approximately 0.54 hectares. The site is bounded by Manchester Road to the north, the playing fields of St Anne's RC primary School to the south, the rear gardens of bungalows within Manshaw Crescent to the west and no.24 Manchester Road to east.
- 2.2 The site previously supported St Annes Nursey School but this was demolished circa 2019. The only remnants of the former use are areas of hardstanding and the palisade fence to the sites boundary. Levels are generally flat and the site is covered by largely self set vegetation.
- 2.3 The site is surrounded by residential development on three sides and open land to the south. The residential mix comprises of Victorian stock to more recent examples of residential infill. Manchester Road is well connected with regular bus services between Ashton and East Manchester. Fairfield railway station is also located to the south of the site.

3.0 PLANNING HISTORY

- 3.1 No records of any previous applications.

4.0 RELEVANT PLANNING POLICIES

- 4.1 National Planning Policy Framework (NPPF)

- 4.2 Planning Practice Guidance (PPG)

- 4.3 **Tameside Unitary Development Plan (UDP) Allocation:**

Unallocated immediately bordering Green Belt & Site of Biological Importance.

- 4.4 **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.

- 4.5 **Part 2 Policies:**

H2: Unallocated sites
 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
 OL4: Protected Green Space.
 OL10: Landscape Quality and Character
 T1: Highway Improvement and Traffic Management
 T10: Parking

T11: Travel Plans.
C1: Townscape and Urban Form
N4: Trees and Woodland
N5: Trees within Development Sites
N7: Protected Species
MW11: Contaminated Land
U3: Water Services for Developments
U4: Flood Prevention
U5: Energy Efficiency

4.6 Other Policies:

Greater Manchester Spatial Framework - Publication Draft October 2016
Residential Design Supplementary Planning Document
Trees and Landscaping on Development Sites SPD adopted in March 2007.
Tameside Open Space Review 2018

4.7 National Planning Policy Framework (NPPF):

Section 2 Achieving sustainable development
Section 8 Promoting healthy and safe communities
Section 9 Promoting sustainable travel
Section 11 Making effective use of land
Section 12 Achieving well-designed places
Section 14 Meeting the challenge of climate change, flooding and coastal change
Section 15 Conserving and enhancing the natural environment

4.8 Planning Practice Guidance (PPG):

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

5.0 PUBLICITY CARRIED OUT

5.1 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 the application has been advertised as a Major Development.

- Neighbour notification letters to 46 addresses on two occasions
- Display of site notices
- Advertisement in the local press

6.0 RESPONSES FROM CONSULTEES (SUMMARISED)

6.1 Arboricultural Officer – There is currently no significant existing tree or vegetation on site. Recommend that existing trees that are to be retained on the eastern boundary should be protected to BS 5837 during all works. Subject to conditions the landscape plan is appropriate to the development.

6.2 Contaminated Land – No objections subject to recommended conditions requiring further site investigations.

- 6.3 Education - There is a significant shortage of school places in Audenshaw. Aldwyn Primary School, Hawthorns Primary Academy and Audenshaw High School are being expanded to provide additional school places
- 6.4 Environment Health Officer – Recommend that a noise assessment is undertaken prior to the commencement of development to inform the glazing specification. No objections subject to conditions relating to working hours.
- 6.5 Greater Manchester Ecology Unit – Comment that the revised layout includes a number of trees roughly proportionate to the number present prior to site clearance. Recommend that all planting includes native species (silver birch, rowan, hawthorn etc). Approve the identified ecological mitigation and recommend that this is conditioned. Conditions recommended relating to protected species, nesting birds and removal of invasive species.
- 6.6 Greater Manchester Archaeology Advisory Unit – Satisfied that the proposed development does not threaten the known or suspected archaeological heritage. On this basis there is no reason to seek to impose any archaeological requirements upon the applicant.
- 6.7 Green Space Manager – Identifies that to satisfy Policy H5 financial contribution required to fund off-site improvements. Recommend that monies are used to fund improvements to children's play equipment at Ryecroft Hall and Tree planting within the immediate area of the site.
- 6.8 Highway Authority – Recommend a conditional approval. The scheme is proposing to deliver 34 units, 16 houses and 18 apartments with associated off street parking spaces of 38 No. delivering an average of 1.1 car parking spaces across the site for each of the properties/apartments. This does not meet the requirements of 1.5 car parking spaces required set out in the Tameside MBC Residential Design Guide. However in the LHA's opinion this is adequately mitigated in that the development is in a highly sustainable area with regular bus transport and a railway station within a short walking distance. Along with the proposed covered / secure cycle storage and improved cycle links proposed to install a crossing of Audenshaw Road at the eastern end of Clarendon Road and the opening of an existing access pathway leading to the cul-de-sac end of Clarendon Road. Providing a substantial short-cut for residents to the primary school / nursery, Fairfield railway station and to Fairfield Golf Club therefore meeting the requirements of NFFP 106 and secured by a Section 106 Developer Contribution of £21,610.73.

Vehicle journeys generated from the proposed site onto Manchester Road of approx. twenty am / pm journeys are considered negligible and will not in the LHA's opinion have a significant impact on the local highway and does not have an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

This internal layout has been designed to promote low traffic speeds and create a safe environment for pedestrians and other road users, incorporating various traffic calming measures within the site including speed tables and 20 mph zones.

- 6.9 Lead local Flood Authority – Have reviewed the drainage strategy and raised no objections. Comments that the surface water design is acceptable. Approval will be required for any connections to the drainage network with United Utilities.
- 6.10 Police (Secure by Design) – Satisfied with the recommendations within the Crime Impact Statement which should be conditioned on any approval.
- 6.11 TFGM – No objections, the quantum of development falls below the requirement for an impact assessment. Recommend that cycling is promoted within the development with appropriate secure cycle stores.

- 6.12 United Utilities – Raise no objections subject to detail of drainage proposals being conditioned.

7.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- 7.1 In response to the consultation undertaken there have been 31 letters of objection. A total of 26 letters were received on the first round of consultation and 5 letters on the amended consultation.

- 7.2 Councillor Ryan objects to the development on behalf of Manshaw Avenue Residents. Believes these residents would be overlooked by the proposed plans and amenity detrimentally impacted upon as a result.

- 7.3 The following concerns have been raised within individual objection letters, which are summarised as follows:

- 7.4 Highways concerns:

- Entrance of the development will cause traffic issues as vehicles queue to enter the site;
- Likely to result in additional accidents;
- Development would add at least 50 vehicles to the road which is far too much.
- Parking on Manchester Road is at a premium and the development would add to this;
- The development of the Jam Works is already in local problems and this will add further issues;
- Additional pressure on local transport (trains); and
- Will see more rat running through local roads.

- 7.5 Design Concerns:

- Design and appearance is not in-keeping with the neighbourhood;
- Apartment block is too large;
- Not in-keeping with the heritage of the area;
- Site is not suitable for an apartment block the design of which is not desirable; and
- Site should be retained as green space.

- 7.6 Health Grounds:

- Poor air quality for residents;
- Loss of green space to development will be negative to local air quality; and
- Safety of children will be compromised.

- 7.7 Amenity:

- Loss of privacy / overlooking;
- Density of the development is too large and will create unnecessary noise;
- Properties in Manshaw Crescent will be unreasonably overshadowed;
- Loss of daylight; and
- Location of bins will cause smells.

- 7.8 Social Infrastructure concerns:

- Public services are oversubscribed – schools, doctors and dentists. The development will add to the mounting demand.

7.9 Other Concerns:

- Increase in crime;
- Density of the area already high;
- Damage to existing properties during construction;
- Development represents unsustainable greed;
- Too much development within the local area;
- Residents of Manshaw Crescent will struggle to maintain their rear boundaries;
- Already a high number of HMO's in the area which cause anti-social issues;
- Development would alienate the local community;
- Likely that properties will be rented out and the residents will have no respect for the locality;
- Residents should be compensated for as they were when the motorway was built; and
- Development will affect the local water table resulting in potential flooding.

8.0 ANALYSIS

8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.

8.2 The current position is that the Development Plan consists of the policies and proposals maps of the Unitary Development Plan and the Greater Manchester Joint Waste Plan Development Document.

8.3 The National Planning Policy Framework (NPPF) is also an important consideration. The NPPF states that a presumption in favour of sustainable development should be at the heart of every application decision. For planning application decision making this means:-

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless:-
 - o any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
 - o specific policies in the Framework indicate development should be restricted.

9.0 PRINCIPLE OF DEVELOPMENT

9.1 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 determine the appropriate weight to be afforded to the development plan following the publication of the National Planning Policy Framework. Paragraphs 212 - 217 of the NPPF set out how its policies should be implemented and the weight that should be attributed to the UDP policies.

9.2 Paragraph 213 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 Section 5 of the NPPF requires Local Planning Authorities to support the delivery of a wide choice of quality homes in sustainable locations.

9.3 The site is located immediately within an established residential area which is served with immediate access to both bus and train services. Local services and employment are on

hand within Audenshaw and Droylsden, in addition both Ashton and Manchester centres are also within convenient distance.

- 9.4 It site is unallocated and is not subject to any designations. Policy H2 applies to unallocated sites, it gives preference to the reuse of previously developed sites. The site had been previously developed although evidence of the former use is limited, despite the element of naturalisation which has occurred the site is considered to represent previously developed land as per the requirements of H2 and the NPPF definition. This, taken with the location/accessibility of site confirms that the proposals would be a sustainable re-use of the site.
- 9.5 It has been raised within representations that the site fulfils an important green space function. Consideration to its function along with consultation responses from the Arboricultural officer and Ecologists within GMEU identify that its value is limited. The site is not publically accessible and has not served any recreation purpose, its ecological value is also not significant to warrant any protection. The site is a gap site within an otherwise built frontage to Manchester Road, appropriate levels of biodiversity enhancement can be secured through planting and habitat commitments identified within the landscaping strategy. Consultees are satisfied with this approach and there are not any objections for the purposes of policy OL4.
- 9.6 Housing Supply, paragraph 59 of the NPPF identifies the Government objective to significantly boost the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed and that land with permission is developed without unnecessary delay. UDP policies 1.6, H1 and H2 promote the re-use of previously developed sites within accessible areas, the proposals would fulfil these policy objectives.
- 9.7 In terms of housing development, the Council cannot demonstrate a deliverable five year supply of housing land. It is therefore recognised that the NPPF is a material consideration that carries substantial weight in the decision making process. Assuming the development is considered sustainable, paragraph 11 is clear that where no five-year supply can be demonstrated, the presumption in favour of sustainable development identified in the footnote of paragraph 11 should be applied to the consideration of planning applications.
- 9.8 The site is located in a highly accessible area well connected to public transport, local services and employment uses. In terms of the assessment against paragraph 11, all developments must be considered in light of their sustainable credentials, which the NPPF identifies as having three dimensions (Economic, Social and Environmental). The development would contribute directly to the choice of housing which would also contribute to meeting employment and servicing needs. There would also be direct economic gains associated with the construction phase of the development. The social role would be fulfilled with the commitment to affordable housing. On the matter of the environmental impact and the sustainable credentials the redevelopment of PDL carries significant weight along with the locational factors relating to access to services and transport, appropriate levels of ecological mitigation can be secured and the houses would be designed to reduce energy/CO2 emissions. Therefore, to conclude, the overall sustainable credentials are not questioned, and the proposals are considered to achieve the three dimensions of sustainable development through the contribution to the supply of affordable housing within a sustainable location.

10.0 DESIGN & LAYOUT

- 10.1 UDP, NPPF polices and the guidance of the SPD are clear in their expectations of achieving high quality development that enhances a locality and contributes to place making. The framework emphasises that development should be refused where it fails to take

opportunities available to improve the character and quality of an area and the way that it functions (para. 130).

- 10.2 Amendments have been sought on the development following review of the initial comments raised within the representations and consultation responses. The presence of an onsite sewer and the need to observe spacing distances has informed the design that presented now would see properties aligned to Manchester Road creating an active frontage. Whilst the apartment block would be a substantial building, its location to the rear of the site would mean it, along with its associated car parking would be largely screened from public view and therefore not appear as an overly dominate feature. Whilst its design is somewhat more contemporary, its height and mass is comparable of the larger housing stock found within the area.
- 10.3 The broad mix of house types would appeal to a range of accommodation needs from family housing to the apartments, which would appeal to both younger and older residents alike. The range of the accommodation meets the policy aspirations of policy H4, the housing mix and affordability will address local needs.
- 10.4 In responding to the local context the scale, materials and fenestration of the dwellings would assume a traditional appearance. Properties fronting the highway would follow established building lines and the height, scale, and features are also reflective of the local vernacular. The design and scale would frame the highway in a successful manner adding interest and variety to the streetscape. Likewise the internal arrangement of the dwellings is not highway dominated and there would be good levels of surveillance across public areas. The variety in the housing stock would also provide welcomed interest and variance to the street scenes.
- 10.5 With the inclusion of the apartments the development would constitute a density of approximately 62 units per hectare, which represents an efficient use of land. This aligns to NPPF objectives and the emerging strategy of the GMSF to promote the efficient re-use of land within established urban areas, this is particularly important in periods of housing undersupply.
- 10.6 With reference to parking arrangements the layout does not appear to be overly car dominated, parking areas are provided to the front and sides of the properties and their dominance/impact would be softened as a result of soft landscaped front gardens and landscaping within the highway itself. Provision is also made within the layout to accommodate appropriate levels of visitor parking within the street. All of the properties are served with private front to rear access which allow for the storage of bins outside of the public domain.
- 10.7 Within the development, boundaries would consist of a mixture of treatments including railing, brick pier and panel walls and timber fences to rear gardens. This creates appropriate levels of defensible space, provides a suitable finish to the public areas and ensures relevant privacy standards are achieved. Where space allows, frontages would support planting in the form of trees and shrubs, this in turn provides a visual benefit by softening the site's overall appearance by enhancing the setting of individual plots.
- 10.8 Having full consideration to the design merits of the proposal and the layout of the scheme it is considered that the development would deliver an attractive residential environment which would enhance the existing area. The scale and density of the development is reflective to that of properties within the locality, and the design would integrate successfully and promote the regeneration of the overall area. It is therefore considered that the proposal adheres to the objectives of UDP policy H10 and the adopted SPD which stress the importance of residential development being of an appropriate design, scale, density and layout.

11.0 DESIGN AND RESIDENTIAL AMENITY

- 11.1 The policies of the adopted Residential Design Guide strive to raise design standards; they should be applied along with the criteria of Building For Life (BFL). Good design is aligned to the delivery of high residential amenity standards, this should reflect equally on the environment of existing residents as well as that of future residents. Technical standards (spacing distances policy RD5) form part of the criteria to the assessment of good design, but this should not override principles of successful place making. Good design is about how buildings relate to one another, their place within the streetscape and interaction within their surroundings. Developments should not be dictated by highway (policy RD13) they should observe established Street Patterns (policy RD3) and promote Natural Surveillance at street level (policy RD4). Building For Life states that basic principles should be observed when designing layouts, the use of strong perimeter blocks is advocated and specific reference is made to avoiding houses which back on to the street and create what is effectively a 'dead edge'.
- 11.2 The layout demonstrates that all relevant spacing standards would be observed between proposed and existing properties. The apartment block would be positioned 24m from Manshaw Crescent properties and the dwellings on the eastern boundary over 25m from no. 24 Manchester Road. In this regard privacy standards would be met and well within policy requirements.
- 11.3 Occupants of the dwellings would be served with a good level of amenity. The design of the properties is such that they have well-proportioned room sizes in line with housing technical standards. Rear gardens are also of a size that is suited to family occupation.
- 11.4 The site of the development is within an established urban area, which represents a highly accessible and sustainable location. It is located close to a high frequency bus route and is also located within a convenient walking distance of Fairfield railway station. Droylsden centre, Snipe Retail park and amenities in neighbouring Openshaw are immediately on-hand to serve future residents requirements.
- 11.5 The layout and form of development represents a considered response to its context, and would avoid any undue impact on the amenity of neighbouring properties which overlook the site, and for future occupiers by reason of visual intrusion, overshadowing, loss of daylight, overlooking or loss of privacy and accords with the provisions of policy H10 and the adopted SPD.

12.0 HIGHWAY SAFETY

- 12.1 The proposed dwellings would be sited off a new cul-de-sac accessed from a priority junction onto Manchester Road. This junction would include a raised table and dedicated pedestrian crossing points, the design also demonstrates that suitable level of visibility at the points of access can be achieved. The geometry of the highway and nature of the residential environment it serves would dictate that the vehicles would enter and egress the site at low speeds.
- 12.2 The internal road would include both adopted and private highway. The surface of the private areas would be block paved to reduce vehicle speeds and create a pedestrian friendly environment. The main highway carriageway would be 5.5m wide with 2m footways at the entrance which meets accessibility requirements. In line with the maximum standards of the adopted SPD on parking all of the properties have appropriate provisions for off street parking. The position and orientation of the properties ensures that these parking spaces are accessible and also have good surveillance. The design of the layout ensures there is also adequate capacity for on-street visitor parking as well as appropriate turning provision

for refuse and fire appliances. The design and highway layout is deemed acceptable against the standards of the Tameside Residential Design Guide.

- 12.3 The proximity of the site to local amenities, in addition to public transport, employment and community services is noted, and on this basis is considered in highway terms to be a highly appropriate location for a residential development. Vehicle movements associated from the development would be approximately 20 movements in the am/pm peaks, in the local context this would not be significant and would not have demonstrable impact upon the safety or capacity of Manchester Road.
- 12.4 The access and parking arrangements have been designed in conjunction with advice given from Highways and they have raised no objections. Therefore subject to the recommended conditions, it is considered that the development adheres to the provisions of policies T-1, and T-10.

13.0 DRAINAGE

- 13.1 The site is in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. A drainage strategy has been submitted with the application which has been reviewed respectfully by both the LLFA and United Utilities. They are satisfied with the level of investigation undertaken. United Utilities have confirmed that there is a sewer crossing the site, no objections are made to the layout and it is advised that compliance with United Utilities 'Standard Conditions' is applied.
- 13.2 The full methodology of the sites drainage is a matter of detail to be conditioned but for the purposes of the planning application flood risk and overall water management have been appropriately investigated. The details to be secured via a condition would ensure that surface water would be positively drained and attenuated to ensure that greenfield run-off rates can be achieved.
- 13.3 Subject to the safeguarding of the recommended conditions requiring drainage details to be submitted no objections are raised from a drainage perspective.

14.0 TREES & ECOLOGY

- 14.1 Policy N5 seeks to protect trees of a recognised quality which are located within development sites. The site had previously supported a much denser tree cover but these have been removed prior the submission of the application. The levels of planting identified within the landscaping would be comparable to that which the site previously supported.
- 14.2 Section 11 of the NPPF advocates biodiversity enhancement. The biodiversity value of the site could be enhanced as part of the landscaping proposals to be approved by condition. GMEU advise that this should include planting of native species and the fixture of bat and bird boxes to each of the dwellings.

15.0 GROUND CONDITIONS - MINING & CONTAMINATION

- 15.1 The site is not within a defined high risk area from coal mining legacy and no further investigations are required in this regard.
- 15.2 Consultation with the Contaminated Land Officer confirms that no objections are raised subject to the further site investigations being undertaken. This would be secured through the requirements of a planning condition.

16.0 CONTRIBUTIONS

16.1 The scale of the development constitutes a major development which is expected to meet thresholds for Affordable Housing (15%), Green Space, Education and Highways contributions as per the requirements of policies H4, H5, H6 and T13. The financial contributions would equate as follows:

- Green Space £53,396.18 (to fund children's play at Ryecroft Hall and tree planting to Manchester Road)
- Education £28,389.21 (to fund improvements at Aldwyns Primary school)
- Highways £21,610.73 (to fund cycling and pedestrian improvements on Manchester Road)

Total £ 103,936.12

16.2 The affordable housing requirement of policy would be exceeded with all of the dwellings provided on a shared ownership basis. It is envisaged that the proposed properties would be purchased for an initial 35%-50% equity share with MSV continuing to manage the properties under a shared ownership lease. This would provide low cost affordable access to the housing market and residents would be given the option to staircase their overall equity stake. MSV management would ensure that the properties and site are well managed and that none of the properties are sublet.

16.3 The applicant has challenged infrastructure contributions and whether they meet the legal test given that the Council does not have an adopted Developer Contributions SPD. The more recent CIL regulations (the criteria against which developer contributions should be assessed), contributions should be:

- a. Necessary to make the development acceptable in planning terms
- b. Directly related to the development
- c. Fairly and reasonably related in scale and kind to the development.

16.4 Policies H5, (Open space), H6 (Education) and T13 (Highways) are clear that development should mitigate their impact in a proportionate manner. Where needs cannot be met on site and there is a clear need to mitigate the impact of the development this should be provided in the form of off site contributions. Consultation responses have identified deficiencies within the local area relevant to the meeting the Development Plans policy requirements. Without providing contributions to this infrastructure, it is not clear how the policy requirements could otherwise be met. The identified projects are all within the vicinity of the site, which is considered to be related to the development therefore also fair and reasonable.

16.5 In order for this to be adequately addressed payment should be secured through a Section 106 agreement of the Town and Country Planning Act 1990 or alternatively by a unilateral undertaking. In the absence of such an agreement being entered the development fails to adequately mitigate its impacts contrary to the requirement of policies H5 'Open Space Provision', H6 'Education and Community Facilities' and T1 'Highway Improvement and traffic Management'.

17.0 OTHER ISSUES

17.1 Noise: - The majority of noise is transport based associated with rail traffic line. The EHO is satisfied that a suitable standard of amenity level can be achieved for the dwellings subject to recommendations for the noise survey.

17.2 Heritage: - There are no recorded assets within the vicinity of the site the setting of which could be in anyway affected by the proposals.

- 17.3 Security:- The application has been accompanied with a Crime Impact Statement. Subject to the recommendations, it is considered that the security of the future occupants and neighbouring properties would be adequately met. The layout ensures there is good levels of passive surveillance over public areas.

18.0 CONCLUSION

- 18.1 At the heart of the NPPF is a presumption in favour of sustainable development, this requires planning applications that accord with the Development Plan to be approved without delay, and where the Development Plan is absent, silent or out of date granting permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the framework as a whole or specific policies in the framework indicate that development should be restricted.
- 18.2 A balanced assessment has been undertaken of the proposals and it is recommended that the application should be approved having regard to the policies of the Development Plan, National Guidance and all material considerations raised.
- 18.3 The development accords with the requirement of policy H2 that advocates the development of previously developed sites for residential purposes. The site is located within a sustainable location as demonstrated by immediate access local services and the public transport network.
- 18.4 The redevelopment for residential purposes would be compatible with the Housing Strategy and would also be readily compatible with the residential nature of adjoining uses. The development would add to and contribute to much needed, good quality affordable housing in a period of documented under supply.
- 18.5 The design creates a positive and welcoming residential environment. The properties would make a positive contribution to the local housing stock, in accordance with core principles of the NPPF.
- 18.6 Taking into account the relevant development plan policies and other material considerations, subject to the identified mitigation measures, it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the benefits associated with the granting of planning permission. The proposals represent an efficient re-use of a largely previously developed site that would meet sustainability requirements, and contribute positively to the Borough's affordable housing supply.

19.0 RECOMMENDATION:

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

- (i) To complete a suitable legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) to secure contributions to Highways, Public Open Space and Education as identified in section 17 of the report.
- (ii) To have discretion to refuse the application appropriately in the circumstances where a S106 or other legal agreement has not been completed within a reasonable period of the resolution to grant planning permission;
- (iii) That Officers are afforded discretion to make minor amendments to the wording of any conditions (as necessary); and,

- (iv) That upon satisfactory completion of the above legal agreement that planning permission be GRANTED subject to the following conditions:

Planning Conditions:

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

- 2) The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved unless required by any other conditions in this permission.

911279 10P2 Existing Site Plan
911279 11P7 Proposed Site Plan
911279 12P5 Proposed Apartment Plans
911279 13P5 House Plans 1
911279 14P5 House Plans 2
911279 15P4 Boundary Details
Revised Indicative Images

Reports:

Design and Access Statement
Community Involvement Statement
Affordable Housing Statement
Open Space Assessment
DTPC Transport Plan Nov 20
Swept Path Analysis
TBA Landscape Plan 6084.01A
Redmore Air Quality Assessment Mar 20
Atkinson Peck Drainage Strategy Feb 20
Atkinson Peck Drainage Scheme C20374/01A
Brownfield Solutions Phase 1 Feb 20
Mosaic Planning Statement Apr 20
CIS Mar 20
TEP Ecological Assessment Mar 20
Energy Council Energy Statement Feb 20
Site Waste Management Plan
Utility Search Report
UU Sewer Records

Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policies and relevant national Planning Guidance

- 3) Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and/or full specification of materials to be used: externally on the buildings; in the construction of all boundary walls, fences and railings; and, in the finishes to all external hard-surfaces have been submitted to,

and approved in writing by, the local planning authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the locality, in accordance with policies H10: Detailed Design of Housing Developments, OL10: Landscape Quality and Character and C1: Townscape and Urban Form

- 4) 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 an Approval in Principle must be obtained for proposed retaining walls within the development including temporary retaining structures required to be submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, (This does not define adoption of the asset but merely the design constraints should they be approved by the LHA).
 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.
 7. Details of a lighting scheme to provide street lighting (to an adoptable standard), to the shared private driveway and pedestrian/cycle pathways have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how the lighting will be funded for both electricity supply and future maintenance.

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.

Reason: In the interest of highway safety, in accordance with UDP PolicyT1: Highway Improvement and Traffic Management.

- 5) 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.

Reason: In the interest of highway safety, in accordance with UDP PolicyT1: Highway Improvement and Traffic Management.

The car parking spaces to serve each dwelling as part of the development hereby approved shall be laid out as shown on the approved site plan (911279 11P7 Proposed Site Plan) prior to the first occupation of that dwelling and shall be retained free from obstruction for their intended use thereafter. Driveways shall be constructed on a level which prevents displacement of materials or surface water onto the highway and shall be retained as such thereafter.

Reason: In the interest of highway safety, in accordance with UDP PolicyT1: Highway Improvement and Traffic Management.

- 6) Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety, in accordance with UDP PolicyT1: Highway Improvement and Traffic Management.

- 7) Notwithstanding the details shown on the approved plans, prior to the commencement of development above ground level, details of traffic calming measures to be installed within the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:
- Scaled plans showing the exact locations in which the traffic calming measures are to be installed;
 - Scaled section plans showing the dimensions of each of the traffic calming measures to be installed;
 - Details of the construction materials and finish of the traffic calming measures to be installed;

The traffic calming measures shall be installed in accordance with the approved details, prior to the internal highway is opened up to the general public and shall be retained as such thereafter.

Reason: In the interest of highway safety, in accordance with UDP PolicyT1: Highway Improvement and Traffic Management.

- 8) As indicated on the approved plan, prior to the first occupation of the development hereby approved each house shall be provided with an electric vehicle charging facility. The specification of the charging points installed shall:
- i) be designed and installed in accordance with the appropriate parts of BS EN 61851 (or any subsequent replacement standard in effect at the date of the installation);
 - ii) have a minimum rated output of 7 kW, measured or calculated at a nominal supply voltage of 230VAC;
 - iii) be fitted with a universal socket (known as an untethered electric vehicle charge point);
 - iv) be fitted with a charging equipment status indicator using lights, LEDs or display;
 - v) a minimum of Mode 3 or equivalent.

Reason: In the interest of sustainability to encourage electric vehicle ownership in the interests of air quality.

- 9) A clear view shall be provided at the junction of the proposed access road with Manchester Road. Its area shall measure 2.4 metres along the centre of the proposed access road and 43 metres along the edge of the roadway in Manchester Road. It must be kept clear of anything higher than 0.6 metre/s above the edge of the adjoining roadway or access, on land which you control.

Reason: In the interest of highway safety, in accordance with UDP PolicyT1: Highway Improvement and Traffic Management.

- 10) The development shall not commence until details of a green travel Plan have been submitted to and approved in writing by the local authority. The approved travel plan shall be implemented to the satisfaction of the local Planning Authority prior to occupation of any part of the development.

Reason: In the interest of promoting use of public transport and reducing environmental impact, in accordance with UDP Policies T1: Highway Improvement and Traffic Management and T11 Travel Plans

- 11) Secure and weather proof cycle storage to LPCB LPS1175 Security Rating 2, or similar approved shall be provided prior to the first occupation of the development hereby approved and thereafter kept available for its intended purposes at all times

Reason: In the interest of highway safety, in accordance with UDP PolicyT1: Highway Improvement and Traffic Management.

- 12) 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.

Reason: To protect the amenities of occupants of nearby properties/dwelling houses in accordance with UDP policies 1.12 and E6.

- 13) Development shall not commence until the following information has been submitted in writing and written permission at each stage has been granted by the Local Planning Authority:

- i. A preliminary risk assessment to determine the potential for the site to be contaminated shall be undertaken and approved by the Local Planning Authority. Prior to any physical site investigation, a methodology shall be approved by the Local Planning Authority. This shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration.
- ii. Where necessary a scheme of remediation to remove any unacceptable risk to human health, buildings and the environment shall be approved by the Local Planning Authority prior to implementation.
- iii. Any additional or unforeseen contamination encountered during development shall be notified to the Local Planning Authority as soon as practicably possible and a remedial scheme to deal with this approved by the Local Planning Authority.
- iv. Upon completion of any approved remediation schemes, and prior to occupation, a completion report demonstrating that the scheme has been appropriately

implemented and the site is suitable for its intended end use shall be approved in writing by the Local Planning Authority.

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

Reason: To ensure any unacceptable risks posed by contamination are appropriately addressed and the site is suitable for its proposed use in accordance with paragraph 178 of the National Planning Policy Framework.

- 14) No development shall take place until detailed drainage details have been submitted for approval in writing to the Local Planning Authority the details shall include:
- (a) That foul and surface water shall be drained on separate systems unless otherwise agreed with the utility provider.
 - (b) Submission of full foul and surface water drainage details including CCTV surveys and assessment of existing culverts and sewer diversions as deemed necessary
 - (c) A scheme to reduce surface water run-off by a minimum of 30% and a programme of works for implementation.

Thereafter no part of the development shall be occupied or brought into use until the approved scheme has either been fully implemented or implemented within an agreed timescale. The approved scheme shall be retained throughout the life of the development.

Reason: To ensure proper drainage of the area, in accordance with UDP policy U3 Water Services for Developments and Section 14 NPPF.

- 15) No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.

Reason: In the interests of biodiversity in accordance with policy N7: Protected Species.

- 16) Notwithstanding any description of boundary treatments and materials listed in the application or detailed on the approved plans, no works shall be undertaken to any rear or side boundary serving plots 1-7 until full details have been provided in writing to the Local Planning Authority. The details shall include specification of all materials, cross-sections and elevation drawing. The approved details shall be implemented in accordance with a timetable to be agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality, in accordance with policies H10: Detailed Design of Housing Developments, OL10: Landscape Quality and Character and C1: Townscape and Urban Form.

- 17) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas for shall be submitted to and approved by the Local Planning Authority prior to the occupation of the first dwelling. The landscape management plan shall be carried out in accordance

with the approved plan and in accordance with timetable to be agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality, in accordance with policies H10: Detailed Design of Housing Developments, OL10: Landscape Quality and Character and C1: Townscape and Urban Form.

- 18) Within 3 months of the commencement of development, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained and a schedule of implementation shall be submitted for approval in writing to the Local Planning Authority. The approved hard landscaping details shall be implemented prior to the occupation of the building(s) and the soft landscaping details in accordance with approved schedule.

Reason: In the interests of the visual amenities of the locality, in accordance with policy H10: Detailed Design of Housing Developments, OL10: Landscape Quality and Character and C1: Townscape and Urban Form.

- 19) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the visual amenities of the locality, in accordance with policies H10: Detailed Design of Housing Developments, OL10: Landscape Quality and Character and C1: Townscape and Urban Form.

- 20) Dust suppression equipment in the form of sprinklers or water bowsers shall be employed at the site at all times. During periods of hot or dry weather water suppression shall be undertaken at regular intervals to prevent any migration of dust from the site. All surface water run off associated with the equipment shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway at any time.

Reason: In the interests of air quality and local residential amenity.

- 21) Prior to any earthworks a method statement detailing eradication and/or control and/or avoidance measures for Himalayan balsam, Japanese knotweed and rhododendron should be supplied to and agreed in writing to the LPA. The agreed method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the LPA.

Reason: in the interests of biodiversity to secure nature improvement.

- 22) Prior to the first occupation of the development a landscape and environmental management plan shall have been submitted to and approved in writing by the LPA. The contents of the plan shall include:

- A 5 year management plan for retained habitats demonstrating how the habitats will be put in to good condition;
- A bird box strategy for the site including appropriate bird nesting opportunities both within the retained habitats and the development;

The recommendations agreed within the plan shall be implemented prior to the first occupation of any of the approved dwellings or within an agreed timeframe.

Reason: In the interests of biodiversity to ensure sufficient protection is afforded to wildlife in accordance with policy N7: Protected Species.

- 23) The development hereby approved shall be carried in accordance with the measures listed in the Security Strategy (Section 4) of the Crime Impact Statement version A: 18 April 2019 ref 2019/0237/CIS/01 submitted with the planning application and shall be retained as such thereafter.

Reason: In the interests of security and residential amenity.

- 24) Excluding site clearance and preparation works no development shall commence until a Landscape and ecological enhancement plan and phasing strategy including the use of native trees species and provision of bird nesting opportunities has been submitted to and agreed in writing by the LPA. The approved plan shall be implemented in accordance with the approved details and phasing strategy.

Reason: In the interests of biodiversity to raise the biodiversity value of the site.

- 25) The details of an emergency telephone contact number for the site manager shall be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete.

Reason: In the interests of local residential amenity.