

**Application Number** 19/00865/FUL

<b>Proposal</b>	Proposed re-development of the site to form New Residential Development (59 dwellings) and associated works. (Amendments to layout and access arrangements).
<b>Site</b>	Land at Ash Road, Droylsden, M43 6QU
<b>Applicant</b>	Mr Paul Lackey
<b>Recommendation</b>	Members resolve to refuse planning permission.
<b>Reason for Report</b>	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 59 dwellings. This would involve the demolition of industrial buildings currently occupying the site. The properties would be a mixture of 2 and 3 storeys in height with the accommodation mix as follows:
- 12 x 2 bed semi-detached / mews
  - 9 x 3 bed semi detached
  - 14 x 3/4 bed semi-detached (3 storey)
  - 4 x 1 bed apartments
  - 20 x 2 bed apartments
- 1.2 The development would comprise of dwellings set along a central access road leading from Ash Road. The properties would be positioned to maintain an active frontage to the highway, parking would be integrated within the development with plots accommodated to the front side and rear of properties to reduce overall dominance. All properties would be served with private gardens which would accommodate rear bin storage. The apartment blocks (x4) would have an area of communal outside space along with dedicated secure bin and cycle storage.
- 1.3 The site borders Ash Road Waste Recycling Centre which is located immediately across the eastern boundary. To mitigate the impacts a (up to) 20m landscape buffer is proposed along with a 2m high acoustic fence. The application has been amended during the course of the assessment, originally the applicant applied for 74 dwellings in addition amendments have been made to improve the sites access. To address access issues from Ash Road an additional queuing lane is proposed from Ash Lane which could accommodate approximately 11 vehicles. This would provide additional capacity for users of the Waste Transfer Station with the aim of creating unrestricted access to the residential development. This area of land required to accommodate the highway improvements is owned by TMBC, agreement with the Council which would be arranged separate of the planning process.
- 1.4 The layout would accommodate an onsite play area and there would also be access provided to playing fields immediately across the western boundary. The layout accommodates a significant level of landscaping with a good proportion of trees to plots frontages.
- 1.5 The proposed accommodation would consist of 5 different house types including apartments. The accommodation would be designed to technical standards. Off Road parking would total 86 spaces through the development. All three bedroom+ units having two dedicated spaces. It is proposed that the dwellings would be constructed of brick with anthracite openings.

1.6 The application has been supported by the following documents;

- Air Quality and Odour Assessment;
- Design and access Statement (includes drainage statement and Crime Impact);
- Noise Assessment;
- Preliminary Site Investigation Report;
- Transport Statement
- Planning Statement

## **2.0 SITE & SURROUNDINGS**

2.1 The site is located at the end of Ash Road, in Droylsden. It is located immediately adjacent to a Household Waste recycling centre having previously been part of its operations. The site measures approximately 1.2ha in area with levels generally flat within the site although there is fall from the entrance in the region of 2.5m, the site is lower than the adjacent Waste Transfer Centre as a consequence. The site borders (separated by a footpath) playing fields belonging to Droylsden academy to the south, across the western boundary is Lewis Park and to the north are allotments.

2.2 The site is occupied by two portal framed warehouse buildings which are located within a fenced compound. There are dedicated parking and storage areas located around the buildings. The site is generally void of any significant vegetation. Access is taken via Ash Road which links to Manor Road to the south. Droylsden Cemetery is located to the east of Ash Road.

2.3 Aside from the Waste Transfer Centre the wider area is residential in character. Droylsden Town centre is located to the southeast and is within walking distance. Manor Road is served with regular bus services and the Metrolink is accessible from Droylsden.

## **3.0 PLANNING HISTORY**

3.1 01/00402/R3D - 1no. single storey building for recycling use. 1no. single storey building for offices, canteen and lecturing facility – Approved

3.2 03/01334/FUL - Erection of fencing and installation of new container – Approved

3.3 07/01127/FUL - Redevelopment and extension of existing household waste recycling centre – Approved

## **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

### **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  
E3 Established Employment Areas  
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  
MW9 Control of Minerals and Waste Developments  
MW11: Contaminated Land  
MW14: Air Quality  
U3: Water Services for Developments  
U4: Flood Prevention  
U5: Energy Efficiency

#### 4.6 **Greater Manchester Joint Waste Plan**

Policy 11 - Safeguarding of sites allocated for waste management in the Waste Plan and safeguarding of sites required for the delivery of the Municipal Waste Management Strategies.

*When determining applications for non-waste development on a site specifically identified for waste management, either as part of this Development Plan Document through Policy 4 or as part of an approved Municipal Waste Management Strategy, regard will be had to any potential adverse impact the proposed development might have on the future of the site as a location for waste management and thus on the Waste Plan's aim and objectives.*

*When determining applications for non-waste development within a distance that could affect the potential for waste use on a site, regard will be had to any potential adverse impact the proposed development might have on the future of the site as a location for waste management and thus on the Waste Plan's aim and objectives.*

*If a development is likely to have an unacceptable impact on the future of the site as a location for waste management it will be refused, unless it is demonstrated (by the applicant) that there is no longer a need for the allocated site as a location for waste management or there is an overriding need for the non-waste development in that location.*

*The sites in Table 11 'Sites identified for the purposes of delivering the Greater Manchester Municipal Waste Management Strategy are required for the implementation of the Recycling and Waste Management Contract and will be safeguarded from other types of development.*

*The sites in Table 12 'Sites identified for the purposes of delivering Wigan's Municipal Waste Management Strategy' are required for the delivery of Wigan's Municipal Waste Management Strategy and will be safeguarded from other types of development.*

Table 11:- Map Reference 24 Ash Road, Droylsden – Household Waste Recycling

Policy 12 – Safeguarding Existing Waste Management Capacity.

#### 4.7 **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

#### 4.8 **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

#### 4.9 **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 184 addresses on two occasions
- Display of site notices
- Advertisement in the local press

### 6.0 **RESPONSES FROM CONSULTEES (SUMMARISED)**

6.1 Affordable housing officer – Would want to see 9 of the units secured on an affordable basis. (3 x 3bed & 3 x 2bed Social rent & 3 x 3bed Shared Ownership). The value of the discount to be around £785K if a commuted sum was to be considered.

6.2 Arboricultural Officer – No objections to the amended layout. Comment that the landscape plan is appropriate to the scale of development.

6.3 Contaminated Land – The site and surrounding area has had a significant and prolonged industrial use and as a result, there is the potential for contamination to be present. The site is also noted as being within close proximity to the former Ash Road Landfill. Recommend that (if approved) contaminated land conditions are attached to the planning permission in order to ensure all risks posed by contamination and landfill gas are appropriately addressed during the development of the site.

6.4 Education – Identify a significant shortage of school places in Droylsden. Comment that Greenside Primary School and Droylsden Academy will be expanding to provide additional

school places. Request a development contribution (above obligation calculation) of £256,988.42.

- 6.5 Environment Agency – Comments that the previous use of the proposed development site as a landfill site on the Western boundary of the site presents a Medium Risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this area since the site is located on a Principal aquifer. Recommend conditions are applied to address environmental issues
- 6.6 Environmental Health Officer – Object to the proposals. Comment that based on the experiences the GMCA have reportedly had at other sites close to residential properties, we (Environmental Health) feel that future occupiers of the site would be subject to noise from activities at the waste site, in particular the top floors of the apartment blocks. This would be particularly the case during the warmer months when windows are likely to be open. While the noise impact assessment states that the suggested mitigation measures would allow the development to meet the necessary noise criteria, we feel that future occupants of the development would be impacted by the noise from the waste transfer station even though it may not necessarily amount to a statutory nuisance. As a result of being made aware of the GMCA concern, the Environmental Services formerly object to the granting of planning permission based on the impact noise from the site will have on both the future occupiers of the housing and also on the operator of the waste site.
- 6.7 Greater Manchester Ecology Unit – The site has limited potential to support protected species. The buildings on the site are pre-fabricated units with very limited potential to support roosting bats. There are some areas of vegetation around the outskirts of the site which could potentially support nesting birds. Work (building demolition and site and vegetation clearance) should be timed to avoid the main bird nesting season (March - August inclusive) unless it can otherwise be demonstrated that no active birds nests are present. No other ecological constraints to the development are considered to be likely. Recommend conditions to secure biodiversity net gain.
- 6.8 GMAAS – 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.
- 6.9 Highway Authority – Recommend approval subject to conditions. Assessment to be covered in the main body of the report. In summary the information and proposed plans supplied for the development would in the LHA's opinion would not have an unacceptable impact on highway safety, or that the residual cumulative impact on the road network would be severe.
- 6.10 Lead local Flood Authority – Recommend that a flood risk assessment should be undertaken also that the site is drained in accordance with the drainage hierarchy.
- 6.11 Police (Secure by Design) – Not reviewed the section of the Design and access Statement on Crime impact. Recommend that a separate Crime Impact Assessment is undertaken of the development.
- 6.12 TFGM – No objections satisfied with the transport statement which has been issued and agree with the trip generation/forecasting which has been identified. Note that the site is within an accessible location with bus services provided on Manor Road. Recommend that Travel Plan condition is attached to any approval.
- 6.13 United Utilities – Have reviewed the submission documents and according to their records the proposed layout shows dwellings would be located on top of/ in close proximity to a critical sewer. This is not considered acceptable to United Utilities and they object to the proposals. They recommend that it is determined prior to determination how the sewer would be affected

with appropriate measures taken to ensure its protection. Should the Council deem it appropriate to grant planning permission they recommend conditions.

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

7.1 Councillor G. Cooney objects to the proposals. Councillor Cooney does not believe there has been proper or full consultation on the impact of the traffic. The entrance to this site will be down Ash Rd which is already the entrance to the refuse tip. At weekends all year round and during the summer time cars already queue along this road waiting to go into the tip. This development will increase traffic down this Road and is not acceptable to have family housing accessed from it.

7.2 SUEZ (WTS Operator) & Greater Manchester combined Authority (summarised);

In order to ensure that the Local Planning Authority (LPA) and environmental health officers are aware of the current practices (that could be considered noisy) at the site and result in unnecessary complaints from the occupants of the new residential scheme (if permitted), they are detailed as follows:

- The site is open 0800- 2000 BST and 0800-1800 BWT 7 days a week (including bank holidays). All activities on site are carried out at all times of the day.
- A compactor vehicle is used to move waste around the containers to spread it out more evenly. This is an ongoing process, often moving from container to container, throughout the day using a 360 mobile plant.
- All vehicles on site have reversing beepers. The empty containers arrive on site and are then reversed into place within the designated bay and the full container is then removed from site.
- Members of the public, as well as site staff, drop waste (from height) into empty containers which can be considered quite noisy dependant on the type of material. Glass, rubble and metal containers are usually considered the noisiest containers.

Having reviewed the application details and all supporting documentation, whilst accepting the general need to redevelop brownfield sites, SUEZ and the GMCA do not believe the development of residential properties so close to an operational waste management facility is appropriate and therefore object to the proposals. The proximity of housing (or similarly sensitive receptors) can place significant additional operational constraints on such vital, local facilities, and thus prove potentially detrimental to its role. Would have strong concerns that a residential development within close proximity of the boundary of the HWRC could have significant effects of the future operation of the site and would potentially restrict any future changes that we would seek to make to improve the operation of the site and the service we offer the residents of Tameside. Also identify operational concerns with the revised design to the sites access as proposed. Believe that the proposals risk the operational viability of a valuable local amenity but also potentially creates a large number of complainants that both Tameside Council and the GMCA will have to deal with at a cost to the public purse.

7.3 In response to the consultation undertaken there have been 23 letters of objection including a request to speak at the time of writing.

7.4 The following concerns have been raised with the individual object letters which are summarised as follows:

7.5 Highways concerns:

- Manor Road is congested during peak periods when children attend Droylsden Academy. Without improvement to the existing infrastructure the development should be refused as there is insufficient local capacity.

- Development will raise additional safety risks to children.
- Ash Road is frequently blocked by queuing traffic proposals will cause further congestion
- Should not be developed without a separate access
- Manor road is already dangerous with limited crossings
- Inadequate capacity on local roads, development needs to be considered in the context of other developments including the Jam works

#### 7.6 Land Compatibility:

- Not reasonable or suitable to locate housing next to a refuse tip.
- Previous industrial use of the site dictates it is not suitable for residential development. Initial site investigations have identified high levels of contamination.
- Development will appeal to landlords and not homeowners
- Poor quality of life for the future residents
- What consideration has been given to the occupiers of the properties and the impact of Nosing and smell from the tip.
- Development would set a bad precedent

#### 7.7 Social Infrastructure Concerns:

- Local schools are at capacity
- Health Care provision is oversubscribed

#### 7.8 Other:

- Application has not been adequately advertised not all residents on Manor Road were aware.
- Upheaval of additional noise and pollution
- Disturbance from construction impact vermin /rodents
- No need for housing in Droylsden
- Concerns over potential impact upon adjoining Ash Road allotments developer should make necessary infrastructure and security improvements
- Development was sold at auction without planning consent for housing the Council should receive a parachute payment for any uplift.
- Concerns over the closure of the tip
- Site should be developed for community benefits and not housing
- Overdevelopment of Droylsden and lack of supporting services
- Development will add to the areas poor air quality
- This is not sustainable development when people decide to move house due to this development and break up existing communities. Removing this amenity space is not in the best interests of resident's health and wellbeing.
- Gradients are unresolved and completely misleading
- Development will upset the water table resulting in localised 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 which 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 not allocated on the adopted UDP proposals map and is also not subject to any designations. The site would otherwise be considered as a brownfield / previously developed land. Policy E3 Established Employment Areas applies equally to both allocated and non-allocated functioning employment sites. It states that proposals for residential development will not be permitted unless, after assessment, the Boroughs housing requirements and the regeneration benefits outweigh the potential of the sites employment use. 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.
- 9.4 However, aside from consideration of housing supply the prevailing policy in this instance is considered to be that of policy 11 of the Greater Manchester Joint Waste Development Plan Document. The adjacent Waste Transfer Station operated by Suez is an identified Household recycling centre within the Plan. Policy 11 of the plan states; 'When determining applications for non-waste development within a distance that could affect the potential for waste use on a site, regard will be had to any potential adverse impact the proposed development might have on the future of the site as a location for waste management and thus on the Waste Plan's aim and objectives. If a development is likely to have an unacceptable impact on the future of the site as a location for waste management it will be refused, unless it is demonstrated (by the applicant) that there is no longer a need for the allocated site as a location for waste management, or there is an overriding need for the non-waste development in that location'. Further to this policy 11 is also explicit in preventing changes of use of allocated sites, it states; 'Sites identified for the purposes of delivering the Greater Manchester Municipal Waste Management Strategy' are required for the implementation of the Recycling and Waste Management Contract and will be safeguarded

from other types of development. The purpose of this policy is to safeguard sites allocated for waste uses in the Waste Plan and those sites required for the delivery of the Municipal Waste Management Strategies and to protect against potential future conflict with incompatible uses.

- 9.5 In addition to the protection offered by policy 11 NPPF paragraphs 180 and 182 make specific reference to exercising appropriate caution when considering the suitability of a developments location. Para 180 states; 'Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development'. Para 182; 'Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established'.
- 9.6 Objections from the Waste Transfer Station (WTS) operator (Suez) and Greater Manchester Combined Authority are supported by the Environmental Protection Unit, the concerns raised are considered to be significant and persuasive to the planning assessment. Whilst the applicant has sought to address agent of change principles, via mitigation to prevent disturbance occurring to future residential occupiers, it still remains that there is an immediate land compatibility conflict raised by the proposals. The development would introduce sensitive receptors immediately on the boundary to the WTS, this could potentially prejudice current operations as well as any potential expansion at the site. The Ash Road WTS provides a strategic contribution to meeting the City regions recycling targets. The site is one of only two within Tameside which are designated within the Greater Manchester Waste Plan. Policy 11 of the Waste Plan recognises this importance, and sets a high bar for the consideration of alternative developments (land uses) within an influential area of an established WTS, the policy is clear that if a development is likely to have an unacceptable impact on the future of the site as a location for waste management, then planning permission should be refused.
- 9.7 In considering the principle of the development, it is not considered reasonable to site a residential development within an immediate area of influence of an established WTS. The need of the WTS take an overriding priority as a strategic recycling and amenity facility. The site would be located on land previously used for the WTS operations. Whilst it was sold it would appear that employment uses would be the most appropriate. The site would also appear to be being used in an employment capacity at present suggesting that there is demand. Proposals to locate residential properties on the immediate boundary appears to be immediately contrived for the purposes of land use planning policy.
- 9.8 A balancing exercise needs to be undertaken to identify whether there are material considerations that would justify the development against policy 11 of the Waste Plan and the wider advice and guidance of the NPPF. Section 11 Making Effective use of land of the NPPF states in Paragraph 120 (b) that where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan, prior to updating the plan, application for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.
- 9.9 With regard to the broad principle of residential development at the site, it is noted that the residential use would not be readily compatible with adjoining uses, and unless mitigation can be appropriately exercised, the principle is not acceptable. The Council's current lack of a 5 year housing supply is afforded significant weight to the assessment process. The NPPF is clear that the presumption in favour of sustainable development should be applied to determine planning applications in such instances, unless the adverse impacts of granting

permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF as a whole.

- 9.10 In justifying the proposals the applicant has provided both an Air Quality and Noise Assessment. These have been reviewed by the Environmental Health officer but objections are raised. The nature of the activities at a WTS are difficult to legislate for, more persistent noise includes the use of machinery and compactors, vehicles beepers, crushing and smashing of material as it is dumped within skips. Environmental Health advise that it would be particularly difficult to mitigate the impacts of the development during summer months when residents would reasonably want to have windows open or will be sitting in their gardens. More crucially, the introduction of sensitive receptors to the boundary of the WTS could be prejudicial to any future changes or practices in the operations undertaken by Suez at the site. This point has been raised by Suez in their objection and the point raised is considered to be material.
- 09.11 In balancing the merits of the proposals against the operations of the WTS, it is concluded that the application represents an incompatible land use at a sensitive location. The introduction of residential development would be incompatible to the day-to-day operations of the WTS whose future operations at the Ash Road site could easily be prejudiced. Consideration to this concludes that the WTS should be protected as per the requirements of policy 11 of the Waste Plan and the principle of development is not supported.

## **10.0 DESIGN AND LAYOUT**

- 10.1 UDP, NPPF policies 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 The development has been amended during the assessment of the application and this has also seen a reduction in the total number of units. It remains that the location of the site is somewhat isolated from the established residential area within Droylsden. The access arrangements via Ash Road which is the principal access to the adjacent Waste transfer Station is somewhat contrived. For reasons identified it is considered that the WTS is a negative land use for the purposes of land use planning. Notwithstanding this it is considered that reasonable steps have been taken to reduce the impact of the WTS on the development for the purposes of design and layout. This includes the introduction of a significant landscape buffer and also along the eastern boundary and properties being orientated in the main to not have an outlook on to the WTS.
- 10.3 The housing mix of new 1-4 bed dwellings provides a range of accommodation which would appeal to the housing needs of a cross section of the community. The range of the accommodation meets the policy aspirations of policy H4, the housing mix and requirement for affordability would address local needs.
- 10.4 In responding to the local context the scale, materials and fenestration of the dwellings would assume a refreshing contemporary appearance. Properties fronting the highway would follow established building lines and the height, scale, and features would give a welcoming and modern appearance. 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 means that the layout is not highway dominated and there would be a good provision of landscaping which would add to the quality of the public realm.
- 10.5 With reference to parking arrangements the layout then even with the use of shared parking courts the environment should not appear overly car dominated. Soft landscaping and

structured tree planting provides a welcomed break between the frontage of the properties and the parking spaces serving plots. All of the properties are served with private front to rear access which allow for the storage of bins outside of the public domain.

- 10.6 Notwithstanding concerns with the principle of the sites location and compatibility with the adjoining WTS the individual design and layout of the development is considered to be acceptable. If it was not the case that the site did not adjoin a WTS then there would be no immediate issues with design or layout of the individual units. However, owing to locational and environmental circumstances it is considered that the proposals would be contrary to policy H10 in that it does not suitably meet the needs of the potential occupiers given the potential of noise and disturbance which could occur to the future occupants.

## **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 proposed layout of the new housing would meet with technical standards. 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 which is suited to family occupation.
- 11.3 Whilst isolated from the established residential areas within the Droylsden it is nonetheless reasonably accessible to services and Manor Road (nearby) is served by a bus service.
- 11.4 As reiterated through this report the fundamental objection relates to the compatibility of the site with its adjoining uses. A site for residential development immediately next to a WTS is not considered to be a neighbourly use which is conducive to an acceptable residential environment. The associated activities with the WTS are not favourable to achieving an appropriate residential environment. Residents are likely to be directly impacted on from noise and odour associated with the recycling processes, it is also considered that there is a high probability of inconvenience occurring from disruptions associated with the access arrangements at the site. Despite attempts to improve capacity it is likely that during Peak Periods any queuing of vehicles outside of the WTS would infringe and inconvenience access for the residential properties. This is one of a cumulative number of issues taken with the proposals which dictates that the application is contrary policy 11 and would not be suitable residential environment.

## **12.0 HIGHWAYS AND ACCESS**

- 12.1 The development would take its primary pedestrian and vehicle access from Ash Road which is shared with adjacent WTS. Amendments submitted during the course of the application have included an improvement to the site access to accommodate a dedicated filter lane and parking spaces for the WTS. This access would be accommodated on land owned by the Council, due notice has been served on the Council. It is understood that the developer has

been in consultation with the Council Estates department and has reached agreement in principle to access Council land as per details shown on the submitted site plan. The application has been assessed on the merits of these proposals. Conversations between the developer and the Council as landowner are independent of the planning process.

- 12.2 It is noted that the majority of objections received have centred upon highway related concerns, this includes local capacity and safety particularly relating to Ash Road and Manor Road.
- 12.3 The LHA are satisfied that the access/egress from the development onto Ash Road and Manor Road is satisfactory and meets the LHA requirements for max gradients/minimum and the visibility splays comply with Manual for Streets/LHA requirements. All types of vehicles can safely manoeuvre within the site using the turning heads and egress the development in a forward gear. The LHA has required the applicant to amend the white lining and road layout on the approach to the Waste Transfer Station to accommodate for extra queuing capacity at peak times to allow uninterrupted traffic flow into the development
- 12.4 Assessment by both the LHA and TfGM confirms that they are satisfied with the trip generation which has been forecast from the development. The vehicle trips generated by the proposed redevelopment of the site is expected to generate an additional 257 vehicular trips over the course of an entire day. This is expected to result in an additional 26 trips in the AM and PM peak hours (approximately 1 additional vehicle trip on Ash Road every 2.3 minutes), Highways are of the opinion the additional traffic generated by the proposed residential development should be accommodated on the local highway network without any significant detrimental impact.
- 12.5 Within the site the development proposes a minimum of 86 No. off Street vehicle parking spaces for the 59 unit residential development. This equates to an overall rate of approximately 1.5 car parking spaces per residential unit across the entire site. This is considered acceptable by Highways and adheres to the standards within the TMBC SPD. Secure/covered cycles storage would be provided within the development and electric vehicle charging will be conditioned to promote sustainable vehicle trips by the residents.
- 12.6 Accident data for the junction of Ash Road/Manor Road is required for a 5-year period with a Safety Audit to be undertaken on approval. The internal layout of the development has been designed to promote low traffic speeds and create a safe environment for pedestrians and other road user's, incorporating various traffic calming measures within the site including speed tables and 20 mph zones.
- 12.7 The Local Highway Authority recommend approval of the development subject to recommend conditions and monies being secured within a section 106 agreement to secure local highway improvements.

### **13.0 LANDSCAPING & TREES**

- 13.1 As identified previously Paragraph 170 of the NPPF 2018 states that the planning system should contribute to and enhance the natural and local environment. The site currently has a low ecological value with a limited level of tree and vegetation cover.
- 13.2 The applicant states that the hard and soft landscaping in this scheme is designed to be sympathetic to the surrounding area. A number of mature trees would be need to be removed adjacent to the entrance to recycling centre to accommodate highway improvements. No updated Arboricultural report has been provided to assess this impact but the Arboricultural Officer and GMEU have been consulted.

- 13.3 An indicative Landscape plan has been submitted with the application setting out the overall strategy for the site. This would include the provision of a dedicated area of open space and landscape buffer to the adjacent WTS. Throughout the development there would be a good degree of tree cover which would enhance the setting of dwellings and secure Biodiversity Net Gain.
- 13.4 The proposals have been considered by the Council's Tree Officer along with GEMU who are supportive with the strategy and the overall level of planting which is proposed. The proposals are considered to be in accordance with the requirements of policy N4, N5 and NPPF paragraph 170.
- 13.5 The level of retained onsite open space is well proportioned to the scale of the development. The landscaping strategy makes appropriate provision for a suitable level of wildlife habitat. Whilst comments have been received regarding the potential impact of the proposals upon wildlife there is no evidence of any adverse effect upon protected species and the proposals are in accordance with policy N7: Protected Species.

#### **14.0 DRAINAGE**

- 14.1 The site is in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. There are a number of public sewers on the site, and United Utilities have confirmed that the layout would encroach upon the alignment of a critical sewer, consequently this is considered to be unacceptable and they object to the proposals. United Utilities request that the applicant confirms the precise location of the sewer prior to the determination of the application. The LLFA also identify that additional drainage details should be provided for assessment. Notwithstanding the concerns raised it is noted that United Utilises have also recommended a series of conditions in the event of planning permission being granted. Ultimately a condition requiring a full drainage strategy to be submitted would meet with the 6 tests. This would require liaison with both the LLFA and UU and would ensure that development is appropriately drained and this may or may not require the diversion of existing apparatus.

#### **15.0 GROUND CONDITIONS**

- 15.1 Consultation with Environmental Protection Unit and the Environment Agency identifies that there could be some onsite contamination associated with the industrial legacy of the site. These matters would not be preventative to development of the site but would require an appropriate level of investigation and on-site remediation to take place. These are relatively standard issues which can be adequately addressed by a way of planning conditions.

#### **16.0 CONTRIBUTIONS**

- 16.1 The scale of the development constitutes a major development which would otherwise be expected to meet thresholds for Affordable Housing, Green Space, Education and Highways contributions. The Council does not currently have an adopted SPD for infrastructure contributions, but financial contributions are identified via the online developer contributions calculator, they would equate as follows:

- Green Space: £70,236.40
- Education: £58, 272.03
- Highways: 29,166.36
- Total: £152,674.80

(NB Education requested a larger amount of £256,988.42. in their consultation)

- 16.2 The NPPF advises that the affordable housing should be provided on all major developments of 10 units or more unless it would exceed the level of affordable housing required in the area, this is a lower threshold than identified by policy H4 which sets an affordable housing threshold of 25 or more dwellings. The affordable housing officer identifies that a contribution of 9 units (6 x 3 bed and 3 x 2 bed) is required. Affordable housing contributions along with the other developer contributions has been relayed back to the applicant but to date no progress has been made on a section 106 agreement. Recognising the fundamental land use issues associated with the redevelopment of a safeguarded Waste Site, and the evident compatibility issues with ongoing WTS operations, further advancement on the section 106 would be abortive, given that planning permission is not deemed to be acceptable. Therefore had the scheme been considered acceptable in all regards officers would be seeking contributions to mitigate the impact of the development in relation to highways, education and open space requirements. This would be secured through a section 106 agreement but this has not been progressed.

## **17.0 CONCLUSION**

- 17.1 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.
- 17.2 The Council has tried to work proactively with developer. Initial objections raised on highways grounds have been resolved and improvements have been sought to the design and layout. However, it remains that there is an overriding objection to the land use and its compatibility with the adjoin Waste Transfer Station.
- 17.3 In reaching a conclusion a balanced assessment has been undertaken of the proposals including the contribution to housing supply. However, Policy 11 of the Greater Manchester Joint Waste Development Plan seeks to safeguard allocated waste management sites within the Waste plan. The introduction of residential development in such close proximity with the Waste Transfer station would be contrary to the objective of this policy, which, amongst other things that any development which is likely to have an unacceptable impact on the operations of a waste site should be refused. The objections raised by Suez and the Greater Manchester Combined Authority, and which are supported by the Council Environmental Health Officer are persuasive, and confirm that there is no reasonable justification to depart from the policy whilst there remains an operational Waste Transfer Station at Ash Road. To permit development would prejudice a strategic facility and vital environmental and community service. It is therefore not considered that the proposals pass the sustainability test laid out within the NPPF

## **RECOMMENDATION**

Refuse for the following reasons:

1. The proposal would not be compliant with the sites allocation as a Waste Management Site within the Greater Manchester Joint Waste Development Plan Document. The application would be contrary to the advice of Policy 11 of the Waste Plan Document which explicitly states that applications for non-waste development within a distance that could affect the potential for waste use on a site, will be refused where it is likely that it would have an unacceptable impact on the future of the site, as a location for waste management operations. The site borders one of only 2 allocated sites within Tameside which are identified for the purposes of delivering the Greater Manchester Waste Management Strategy, the location of residential units within such close proximity could give rise to

complaints which could be prejudicial to existing operations and any expansion of facilities at the site. The proposals would be directly contrary to Policy 11 of Greater Manchester Joint Waste Development Plan Document and paragraphs 180 and 182 of the NPPF whereby the development would not integrate effectively with the operations of the established Waste Transfer Station at Ash Road and consequently is deemed to be an inappropriate land use.

2. The developments location next to an operational Waste Transfer Station is not considered conducive to creating a reasonable residential environment for future occupants. The close proximity to an active Waste Transfer Site is likely to give rise to an accumulation of issues relevant to recycling operations taking place at the site but particularly from noise complaints. Further to this there is a likelihood that, vehicle movements associated with the waste transfer station could have a significant and disruptive impact upon the amenity of future residents from congestion during peak time usage. In the absence of adequate mitigation the application is deemed contrary to Policy H10 'Detailed Design of Housing Developments' of the adopted Tameside Unitary Development Plan.