

Application Number 18/01130/FUL

Proposal	Demolition and clearance of existing site comprising of shops and apartments within Ambleside parade and Rydal Walk to facilitate the erection of 24 no. residential houses comprising of 2no. 2-bedroom, 16no. 3-bedroom and 6no 4-bedroom semi-detached houses with front or rear in-curtilage parking.
Site	1 Rydal Walk, Stalybridge, Tameside.
Applicant	Jigsaw Homes (previously New Charter).
Recommendation	Members resolve to refuse planning permission.
Reason for report	A Speakers Panel decision is required because the application constitutes a major development which is also a departure from the Development Plan.

1. APPLICATION DESCRIPTION

- 1.1 The application seeks full planning permission for a residential development of 24 dwellings on an affordable basis. The proposals are tied to the comprehensive redevelopment of properties on Ambleside and Rydal walk. The site previously supported 51 single bedroom maisonettes set within 4no. 3 storey blocks. Work has commenced on the demolition and clearance of the site of the Rydal walk blocks. The Ambleside facing block remains in situ, this is currently occupied at ground floor level by a local convenience store, and the proposals include the removal and redevelopment of this block also. The application states that there would be a phased approach to the redevelopment with the Rydal Walk (rear) being completed prior to the Ambleside Parade.
- 1.2 The development proposal comprises of the construction of 24no. 2, 3 and 4-bedroom semi-detached and terraced Houses comprising of 2no. 2-bedroom houses, 18no. 3-bedroom houses and 4no. 4-bedroom houses. The dwellings would be positioned in a similar arrangement to the existing maisonettes with 8 properties fronting onto Ambleside (along the position of the existing retail parade) and the other properties also occupying a similar alignment to the rear of the site fronting onto Rydal Walk.
- 1.3 Access to the site would be taken from Rydal Walk with the access culminating in cul-de-sac / private road. A shared parking court would provide off road parking for 39 vehicles. Plots 9-18 occupy an elevated position overlooking the central parking court. The Changes in levels (approx. 2m) requires a stepped access to these plots.
- 1.4 The application has been supported with the following documents:
 - Bat Survey and Bat roost Assessment;
 - Coal Mining risk Assessment;
 - Crime Impact Assessment;
 - Design & Access Statement;
 - Extended Phase One Habitat Survey;
 - Flood Risk Assessment;
 - Geo-Environmental Assessment;
 - Planning Statement;
 - Tree Constraints Report; and,
 - Full Plans Package.

2. SITE & SURROUNDINGS

- 2.1 The application relates to the Ambleside retail parade and Rydal Walk maisonettes which are located on the Ridge Hill Estate approximately 0.9m north of Stalybridge town centre. The site covers an area of approximately 0.7 hectares, until recently it supported 4 residential blocks, 3 of these which fronted Rydal Walk are under demolition, the Ambleside block originally supported 6 retail units at ground floor level, 3 of these units are occupied by Waz's 'convenience store and Newsagents.
- 2.2 Rydal Walk leads off Ambleside and provides access to a shared parking court and service area for the retail parade. There is a change in levels from east to west across the site down towards Ambleside. The retail parade occupies an elevated position which is set back from the highways and accessed from the highway via steps. The parade is separated from Ambleside by dedicated parking and area of soft landscaping / tree planting. Levels also rise from Rydal Walk and the former blocks had occupied an elevated position overlooking the parking court.
- 2.3 There are lawned areas throughout the site which also support a number of semi mature trees. These areas are generally enclosed by 1m high railings. There are open rights of way through the site which link with surrounding residential streets such as Coniston Drive located to the east.
- 2.4 The wider area is predominantly residential in character comprising mainly of semi-detached housing stock. The Ridge Hill estate is served with public transport and there are also 2 primary schools within a short walking distance. Around the estate there are examples of isolated commercial (retail) uses but these are not located within a dedicated retail parade.

3. PLANNING HISTORY

- 3.1 17/01088/NDM – Notice of demolition of all buildings within the site – Approved 21.03.2018

4. RELEVANT PLANNING POLICIES

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 Planning Practice Guidance (PPG)
- 4.3 **Tameside Unitary Development Plan (UDP) Allocation:** Local Shopping Parade
- 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
1.12: Ensuring an Accessible, Safe and Healthy Environment
- 4.5 **Part 2 Policies**
S5: Changes of Use in Local Shopping Centres
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.

4.7 National Planning Policy Framework (NPPF)

Section 2 Achieving sustainable development
Section 6 Delivering a sufficient supply of homes
Section 7 Ensuring the vitality of town centres
Section 8 Promoting healthy and safe communities
Section 9 Promoting sustainable
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

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. 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 departure and Major Development:

- Neighbour notification letters to 64 addresses on two occasions
- Display of site notices
- Advertisement in the local press

6. RESPONSES FROM CONSULTÉES

6.1 Coal Authority – No objections agree with the recommendations within the submitted Coal Mining Risk Assessment and recommend that these initiatives are secured by a planning condition.

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

- 6.3 Environment Health Officer – Supportive of recommendations within the submitted noise assessment and request that the mitigation measures are conditioned. Further recommendation relating to controls on construction hours.
- 6.4 Greater Manchester Ecology Unit – No objections.
- 6.5 Highway Authority – Object to the proposals. Note that amendments have been requested from the applicant but information has not been forthcoming. Recommend refusal on highway safety grounds. State that the existing junction from the proposed Development does not have a minimum width of 5.5m or provide adequate pedestrian footways. The layout fails to provide adequate secure access for pedestrians and disabled people, particularly to plots 19-24
- 6.6 Lead local Flood Authority – No objections.
- 6.7 Police (Secure by Design) – Make the following observations:
- In terms of volume crime the location of the proposed site falls within an area which generally falls below average in most categories of crime types with the exception of vehicle crime.
 - We have drawn attention to the lack of definition of space around the proposed developments i.e enclosure/restriction to passageways between the proposed new building & definition to front gardens.
 - The proposed parking spaces at the rear of the properties facing Ambleside Road lack overlooking from within the dwellings, which will put the vehicles at risk theft from/of vehicles and criminal damage.
 - The significant changes in levels across the proposed site provide additional challenges in relation to security such as, securing boundaries/construction of retaining features, and if not detailed carefully can generate further anti-social activity and block sight lines.

With regards to the above points, our view is that without further consideration of these matters the anti-social disorder incidents generated through the previous layout would not be entirely eliminated, and still may generate additional incidents of crime to occur.

- 6.8 Tree Officer – No objections subject protection measures during construction and agreement on replacement planting.
- 6.9 United Utilities – Approve in principle the submitted drainage details request that a condition is applied to secure them

7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- 7.1 In response to the initial round of consultation 4 letters of objection have been received from neighbouring residents in addition to a 3 separate petitions of 10 signatures (against the removal of a right of way to the rear of Coniston Drive properties), 147 and 272 signatures (against the loss of the convenience store within the Ambleside Parade).
- 7.2 The following concerns have been raised with the individual object letters
- The application form is ambiguous and does not clearly identify the proposed loss/demolition of the retail parade.
 - There is no reasoning to why the retail units should be lost,
 - There is a lack of sufficient evidence to demonstrate that the Ambleside parade is either dated, redundant or unoccupied,

- The proposals are contrary to the advice of paragraph 92 of the NPPF which states that decisions should guard against the unnecessary loss of valued facilities and services , particularly where they would reduce the community's ability to meet its day-to-day needs.
- The applicant's statement is silent against UDP policy S5 which also advocates for the retention of local shops and services.
- The local convenience store is an essential service which is well used by the local community,
- The local topography restricts peoples mobility and other facilities are not convenient or accessible,
- The parade of shops were built as an integral part of the estate with the intention of sustaining a local and necessary facility for the community,
- The estate is a considerable distance from a post office or bank, the shop provides essential payment opportunities,
- General concerns over health and safety impact of construction on trees located outside of the site boundary.

7.3 Stalybridge North Councillors Pearce, Jackson and Gosling object to the proposals (Comments summarised). They support the principle of the redevelopment of a brownfield site but object to the loss of valued local shops and community facilities. Regeneration involves more than housing and needs to be mindful of the needs of the wider community. Comment that there have been cuts to services across the Ridge Hill estate which is isolating the local community. The topography of the estate creates mobility challenges. The existing convenience store is well used by local residents and provides a vital facility. The current owner has leased and operated the convenience store successfully for over 13 years demonstrating that there is local demand; there are also aspirations of operating a post office from the same premises. In addition to the loss of the retail use concerns are also raised with regard to the design and security of the proposed development and its impact upon local residents with properties bordering the site.

8. 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:-
 - 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
 - specific policies in the Framework indicate development should be restricted.

9. PRINCIPLE OF DEVELOPMENT

- 9.1 The land use allocation of the site is split, the Rydal Walk properties are unallocated but as a reflection of the ground floor retail units the Ambleside fronting block is identified as a local Shopping parade on the adopted UDP proposals map. It should be noted that this is the only allocated shopping parade to serve the Ridge Hill estate, any other retail/commercial uses within the vicinity are not subject to any formal allocation within the Development Plan. The nearest allocated centre outside of the site is Stalybridge town centre which is located approximately 0.6 miles to the south of the site access to which is constrained by local topography.
- 9.2 Policy S5 'Changes of Use in Local Shopping Centres' is the prevailing policy. Whilst the UDP pre-dates the NPPF policy S5 it is still considered to be compliant with national guidance particularly that contained within paragraph 92 which applies to local community services. Paragraph 92 (criteria C) stresses that to provide services the community needs decisions should; 'guard against the unnecessary loss of valued facilities and services , particularly where this would reduce the community's ability to meet its day-to-day needs'.
- 9.3 UDP policy S5 is a retail protection policy. It sets a very high threshold for the consideration of non-retail uses on allocated sites. It states that that the Council will; 'Permit changes of use of retail premises to other uses where each of the following criteria can be satisfied':
- (a) continued retail use does not appear to be viable,*
 - (b) introduction of other uses would reduce the extent of vacant properties and improve the local environment, and*
 - (c) the day to day needs of the local community can still be met from other local shopping facilities in the area.*
- 9.4 The applicant has updated their initial planning statement including a review of policy S5. It identifies that a reduction in footfall has driven a high turnover in voids rendering the parade unviable. It is stressed that the principle of the sites demolition, including the loss of the parade has been established under the prior approval application (17/01088/NDM), which when implemented would result in an empty void on the estate. The statement also identifies that there are alternative retail uses to those identified within the vicinity, this includes a variety of retail/convenience stores and Hot food takeaways located at Ladysmith Road, Church Walk, Ridge Hill Lane and George Street which are within a 400m catchment. The applicant, believes that the ability for the community to meet its day to day needs can be adequately met by provision at these alternate sites.
- 9.5 Application 17/01088/NDM was not an application for planning permission and solely relates to the demolition works only. Its approval is a material consideration, and it represents an established fall back for the demolition and site clearance of all 4 residential blocks located at Ambleside and Rydal Walk, which also includes the convenience store. However, in considering proposals for redevelopment the weight which can be attributed to the demolition works is limited, the starting point for the determination of any application for redevelopment remains the Development Plan, which affords protection to the local retail parade through the site allocation.
- 9.6 A balancing exercise needs to be undertaken to identify whether there are material considerations that would justify a departure from the loss of the retail parade and UDP policy S5 and the wider advice and guidance of the NPPF. Paragraph 120 (b) of the NPPF states 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.

- 9.7 With regard to the broad principle of residential development at the site, it is noted that the residential use would be readily compatible with adjoining uses and that the applicant's contribution to investment in affordable housing stock would be welcomed. 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.
- 9.8 Chapter 11 of the NPPF promotes the effective use of land and is of particular relevance during periods of housing undersupply. In Paragraph 121 (b) it identifies that decisions should support development of retail land for homes provided that it would be compatible with other policies within the framework. In the applicant's circumstances conflict arises against the provision of paragraph 92 so the provision of paragraph 121 carries reduced weight. In meeting housing needs paragraph 123 states that during periods of housing undersupply decisions should avoid homes being built at low densities. Criteria C goes on to state that permission should be refused where it is considered that an efficient use of land would not be achieved.
- 9.9 Prior to the current site clearance works the site supported 51 x 1 bedroom flats across the 4 residential blocks. The principle for the loss of these units has been established, it is recognised that elements for the previous accommodation were failing and that there is a regenerative case for the site's redevelopment (in principle) of family orientated housing. Notwithstanding this, as per the requirements of paragraph 123 and the Council's current housing undersupply situation, it is considered that a comparison of the previous and proposed densities is warranted. Not including the retail use the site was constructed to a housing density of 75uph in comparison the proposals would achieve a density of 35uph.
- 9.10 Moving back to the land use allocation, and the policy S5 / paragraph 92 assessment provided by the applicant, it is not considered that a robust case has been presented to justify a departure from the Development Plan. The applicant has provided some relevant information relevant against criteria C of policy S5 (the day to day needs of the local community can still be met from other local shopping facilities in the area), the case is however, substantially weakened given that these alternate sites are not formally allocated with the Development Plan. The applicant's case is also silent on the other two criteria points raised by the policy, namely continued use of the units being viable (criteria A) and the introduction of other uses to reduce vacancies (B). The policy test would usually expect to see sufficient evidence in the form of tenancy agreements and marketing information. The lack of substantive marketing evidence undermines claims that continued use of the units is not viable, the information which has been provided is a potted history which is not substantive to the merits of the case. Furthermore, it would appear especially challenging to demonstrate a lack of demand or need for the facility in the face of mounting objection from the local community and current retail operator. Notwithstanding that prior approval for demolition works has been granted, it remains that in accordance with policy S5 and Paragraph 92 significant weight should be given to the retention of commercial/retail activity at the site, which remains the only designated local parade on the Ridge Hill housing estate.
- 9.11 The applicant sets out that the site is within an accessible location, using Stalybridge town centre as an appropriate proxy from which to make this judgement identifying train and bus services operating from it. The site is some distance from the town centre, approximately 800m in real walking terms and is located within a Greater Manchester Accessibility area scored as Level 4/5. As set out within the draft Greater Manchester Spatial Framework through policy GM-H4 a minimum accessibility score of 6 is recognised as being an accessible location. Whilst there are some bus services within the Ridge Hill area overall connectivity with the transport network is not considered to be particularly good and this is

further compounded by access and mobility issues which arise as a result of the areas topography.

- 9.12 In balancing the merits of the proposals against matters of the community use, it is concluded that the application has failed to demonstrate that the ability of the community to continue to meet its day to day needs would not be prejudiced. The site is located within a purposeful and accessible location which fulfils its original intention of serving residents of the Ridge Hill estate. The relative low density (in comparison to the previous use) would further compromise the Council's current housing supply shortage. Consideration to this concludes that an element of commercial/retail development should be retained at the site and in the absence of this the principle is not supported.

10. DESIGN, LAYOUT AND SECURITY

- 10.1 The proposed house types themselves are considered to be of a sufficient design quality. Concerns are however, raised in relation to matters the design layout. The failings of the previous development was probably in part due to the layout which worked to 'Radburn' estate principles with a reliance upon shared parking courts which are openly accessible with poor surveillance. The demolition of the maisonettes in replacement of traditional family housing is in part welcomed but the replacement accommodation would effectively work to the same compromised layout with the dwellings being positioned in almost a like for like fashion to that of the original maisonettes. This would result in the exposure of rear boundaries with little to no passive surveillance, isolated car parking and servicing areas and overall lack of defensible space. This is not considered to be conducive to the principle of Secure By Design or Building for Life.
- 10.2 The revised NPPF places an even stronger emphasis on promoting security and ensuring that development is of a sufficient design quality . The cumulative impacts of the design shortcomings is considered to fail the test of paragraph 91(b) which promotes decisions which secure safe places and reduce crime and disorder and paragraph 130 which states that; 'Permission should be refused for development of poor design which fails to take the opportunities available for improving the character and quality of an area and the way it functions'.
- 10.3 The designs shortcomings are largely dictated by the change in levels across the site and exposure of rear boundaries within the central access/parking area. The position of plots 1-8 sets up a poor internal streetscape whereby the principal access would be framed by a dominance of car parking and rear boundary treatments. This arrangement exposes the rear boundaries of properties and goes against the grain of perimeter block principles which seek to ensure that back gardens do not have an interface with the public realm. This would not be conducive to good design and runs contrary to the advice with the Residential Design Guide and assessment criteria of Building for Life.
- 10.4 More generally it is considered that the overall spacing and layout is generally ill conceived. The layout does not meet the design requirements of the Highways Authority (to be discussed later) in terms of adoption and service consideration. More general areas of weakness taken with the design also include;
- Surveillance / engagement with the footpath & public parking areas is poor;
 - Dependence on steps and levels don't address mobility issues;
 - Bin storage area within the public domain.
 - Terminating views within the development are of parking spaces;
 - Rear gardens not proportionate to style/size of dwellings;
 - No understanding to the management / ownership of onsite public open space.

- 10.5 The designs shortcomings have also been reflected in the consultation responses from the GMP security officer. Secured By Design New Homes 2016 guidance advises that Vehicular and pedestrian routes should be designed to ensure that they are visually open, direct, well used and should not undermine the defensible space. Issues are raised with the perceived exposure of the rear boundary of Ambleside facing properties and the relative isolation of parking together with the overall openness of the site which could attract anti-social behaviour.
- 10.6 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 NPPF 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). The cumulative impact of the above design issues suggests that the design needs to be revisited to improve security accessibility, failure to do this would lead to an environmental legacy which falls short of the Councils' aspirations of promoting sustainable inclusive design.

11. HIGHWAY SAFETY & ACCESSIBILITY

- 11.1 All properties would take pedestrian and vehicle access Ambleside via the existing entrance. Parking standards would be in accordance with policy requirements. Traffic movements to and from the site would be acceptable in terms of local capacity and no-off site mitigation is required to address the scale of development.
- 11.2 Rydal Walk is not an adopted highway. TMBC's policy is that no more than 5 dwellings can be served from a private drive. Consultation with LHA confirms that the layout would not meet adoption standards and would raise a number of maintenance and safety liabilities. Concerns are raised with the access levels to both carriage and footways and it has still not been demonstrated that these would be compliant with DDA requirements. Whilst the access routes have served previous development this would not meet modern design standards, this is particularly pertinent to overall mobility objectives. The lack of a dedicated footway within the design would require pedestrian and wheelchair users to access plots 19-24 via the carriageway which is not conducive to highway safety.
- 11.3 The ability for vehicles to safely manoeuvre within the development would be compromised. The turning head would struggle to accommodate refuse and emergency vehicles and the absence of a turning head to the private driveway means that vehicles would have to perform lengthy reversing manoeuvres from plots 19-24. The dimensions of this driveway also fail to accommodate an adequate service strip which raises questions with regard to utility provision and lighting.
- 11.4 In recognition of the above issues the development fails to demonstrate that safe and convenient access can be achieved to meet all highway users' requirements. This is therefore considered to be contrary to the requirements of T1.

12. LANDSCAPING & ECOLOGY

- 12.1 Consultation with the Tree Officer confirms acceptance to the proposals identifying the proposed landscaping would achieve an acceptable level of mitigation and overall enhancement in tree cover at the site.
- 12.2 All trees to be retained on the site would be protected from the development to prevent damage to the root system and ensure their future retention.

- 12.3 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 locally native species to benefit and maintain wildlife connectivity in addition to the fixture of bat and bird boxes to the each of the dwellings.

13. DRAINAGE

- 13.1 The site is in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. United Utilities have confirmed that the foul water drainage flows from the development can be accommodated into the existing network the apparatus for which is located within the surrounding highway to the site. .
- 13.2 The site would be positively drained and the attenuation of surface water would ensure that greenfield run-off rates can be achieved. Subject to the safeguarding of the recommended conditions requiring drainage details to be submitted no objections are raised from a drainage perspective.

14. GROUND CONDITIONS

- 14.1 The Coal Authority records indicate that the site is not within a high risk mining area therefore any approval would be subject to the Coal authority's standing advice. .

15. CONTRIBUTIONS

- 15.1 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 and has not been progressed.

16. CONCLUSION

- 16.1 It is accepted that prior approval has been granted at the site for the demolition and clearance of all existing properties. Whilst this is a material consideration it remains that prior approval is not an application for planning permission. The principle of redevelopment therefore needs to be established in accordance with the land use allocation which as a designated Local Shopping parade is protected by UDP policy S5 and paragraph 92 of the NPPF.
- 16.2 The proposal would result in the loss of the designated shopping parade which is the only allocated retail site on the Ridge Hill estate. The applicant has not provided sufficient justification that the parade is no-longer needed / viable in the form of robust marketing information. Conversely the comments raised by the existing retail operator, local residents and Members clearly demonstrates that the parade serves the day to needs of the local community.
- 16.3 Whilst there are merits to the provision of modern affordable housing the overall regeneration case presented by the applicant is not compelling. In addition to the concerns over the loss of the retail use and community impact there are also issues taken with the proposals in terms over the contribution to housing supply, design, layout, security and access arrangements. The cumulative impact of these unresolved issues confirms that there would be no demonstrable benefits which would outweigh the resulting harm which would be caused. Whilst the Council has tried to proactively work with the applicant to address these issues it is regrettable that an acceptable resolution could not be achieved.

Consequently it is recommended that planning permission is refused for the reasons set out below.

17. RECOMMENDATION: Refuse

1. The proposal would not be compliant with the sites allocation as a Local Shopping Parade in the adopted Tameside Unitary development Plan. The application has failed to provide an adequate justification as to why continued retail use would not be viable. The site is the only retail allocation on the Ridge Hill estate, other retail premises are not afforded the same level of protection and are also not as accessible as the application site. The loss of a retail use would be contrary to UDP policy S5 and paragraph 92 of the NPPF in that the development would result in the loss of an essential use which would prejudice the ability of members of the local community to meet their day to day needs.
2. The proposed layout, landscaping and access arrangements of the proposals would fail to achieve a standard of design that meets Secure by Design objectives or provides safe and convenient access for highways users. The proposals fail to provide the scale, built form or density of development that is required that would respond to the local regeneration context and allocation of the site as a Local Shopping parade. Given this combination of factors, the proposals would fail to comply with Section 12 (Achieving well-designed places) of the National Planning Policy Framework and policies H7, H10, C1, S5 and T1 of the Tameside Unitary Development Plan. The harm arising from the layout and appearance of the proposals would significantly and demonstrably outweigh the benefits of the scheme and therefore planning permission should be refused.
3. The layout fails to provide adequate secure access for pedestrians and in particular persons faced with mobility issues. The lack of dedicated footways would mean that access to plots 19-24 would necessitate pedestrian activity within the highway carriageway which is not conducive to safe highway design. Consequently the application is deemed not to meet the requirements of UDP policy T1 and paragraph 108(b) of the National Planning Policy Framework.
4. The development would fail to achieve a density that would make an optimal use of the site. This is considered contrary to paragraph 123 of the National Planning Policy Framework which strives to ensure the efficient use of land during periods of undersupply.