

Application Number	21/01039/FUL
Proposal	Erection of 12no. apartments within a 3 storey block and associated works
Site	Land off Coombes View, Broadbottom
Applicant	Box Clever Consulting Ltd
Recommendation	Grant planning permission subject to conditions.
Reason for report	A Speakers Panel decision is required because the application is major development.
Background Papers:	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

1. SITE & SURROUNDINGS

- 1.1 The application relates to an area of undeveloped land to the west of Coombes View, which is a residential cul-de-sac located off Moss Lane. The site is located to the South West of Broadbottom Village Centre. The site is irregular in shape and covers an area of approximately 0.2 hectares. It borders the turning head of the highway with the boundary enclosed behind a 1.8m railing fence. The site has not been previously developed and is heavily vegetated with numerous mature trees and shrubs located throughout and across its boundaries. There is a fall in levels of over 4m to the south/south western corner.
- 1.2 Broadbottom train station is located off the entrance to Moss Lane. The Glossop/Manchester railway line is located across the northern boundary and the Great Wood (Site of Biological Importance (SBI) / Local Nature Reserve) located across the western boundary. Properties within Coombes View are two storey properties of brick construction, these are arranged as either semi-detached or rows of small terrace formats. Parking within the cul-de-sac is restricted and when instances of on street parking occur this has a tendency to result in access problems. Moss Lane has a more rural character and opens out into open countryside to the south/west.

2. PROPOSAL

- 2.1 The application seeks full planning permission for a residential development of a residential apartment block of 12 apartments. A supporting statement by Jigsaw Homes (registered provider) states that it is the intention to provide all 12 of the apartments on an affordable (rent) basis.
- 2.2 Amendments have been made during the assessment of the application which altered the design, siting and parking arrangements of the building. The building would be split level in design standing at a maximum of 3 storeys in height and then reducing to single storey. The siting of the building has been influenced by a need to observe spacing standards to adjacent properties and also avoid encroachment to the SBI boundary located to the north.
- 2.3 Access would be taken from the head of Coombes View. A total of 13 parking spaces would be provided along with a dedicated turning head to the front of the building.
- 2.4 The building would be constructed from a mix of buff brick, cladding and glazing. This provides texture to the elevations. To reduce the height and mass, the building would have

a flat roof. The accommodation split would be 9no 1 bed and 3no 2 bed apartments, they would measure between 42 square metres (sqm) (1 bed) to 52sqm (2 bed). The grounds around the building would be landscaped and be available for communal use.

2.5 The development looks to retain as many existing trees as possible. In total there would be 15 trees/groups to be removed. The condition of these trees has been fully detailed within the accompanying tree survey.

2.6 The application is supported with the following documents:

- Arboricultural Impact Assessment;
- Bat Survey;
- Construction Methodology and Environmental Management Plan
- Crime Impact Assessment;
- Design & Access Statement;
- Ecology report (subsequently updated);
- Drainage Strategy;
- Geo Environmental Statement
- Landscaping details;
- Land Contamination Assessment
- Planning Statement
- Supporting Affordable Housing Statement (Jigsaw Homes)
- Tree Survey and Arboricultural Impact Assessment

3 PLANNING HISTORY

3.1 19/00224/FUL - Full planning application for the erection of a part 2 part 3 storey apartment block supporting 15 no. one and two bedroom apartments for over 55s with associated infrastructure, car parking and landscaping – Application Withdrawn 12.12.2019

4 PLANNING POLICY

National Planning Policy Framework

4.1 Paragraph 9 of the National Planning Policy Framework (NPPF) states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area.

4.2 Paragraph 11 states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay (as per section 38(6) of the Planning and Compulsory Purchase Act 2004). However, where the development plan is absent, silent or out of date, planning permission should be granted unless the application of policies in the NPPF that protects areas or assets of particular importance, provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

4.3 Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

Development Plan

- 4.4 The adopted development plan is the Tameside Unitary Development Plan (2004) and the Greater Manchester Joint Waste Development Plan Document (2012). The site is unallocated bordering the Green Belt and SBI which are located immediately to the west.

Tameside Unitary Development Plan (2004)

4.5 Part 1 Policies

- 1.3: Creating a Cleaner and Greener Environment;
- 1.4: Providing More Choice and Quality of Homes;
- 1.5: Following the Principles of Sustainable Development;
- 1.6: Securing Urban Regeneration;
- 1:10: Protecting and Enhancing the Natural Environment;
- 1:11: Conserving Built Heritage and Retaining Local Identity;
- 1.12: Ensuring an Accessible, Safe and Healthy Environment.

4.6 Part 2 Policies

- H1: Housing Land Provision
- H2: Unallocated Sites
- H4: Type, Size and Affordability of Dwellings
- H5: Open Space Provision
- H10: Detailed Design of Housing Developments
- T1: Highway Improvement and Traffic Management
- T7: Cycling
- T10: Parking
- C1: Townscape and Urban Form
- N3: Nature Conservation Factors
- N5: Trees within Development Sites
- N7: Protected Species
- MW11: Contaminated Land
- MW12: Control of Pollution
- U3: Water Services for Developments
- U4: Flood Prevention
- U5: Energy Efficiency

Places for Everyone

- 4.7 The Places for Everyone Joint Development Plan Document was published in August 2021. It was submitted to the Secretary of State in February 2022 and inspectors are appointed to carry out an independent examination. It is a joint plan covering nine of the ten Greater Manchester districts, including Tameside, and is intended to provide the overarching framework to strategically manage growth across the boroughs.
- 4.8 Paragraph 48 in the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to: the stage of preparation of the emerging plan (the more advanced its preparation, the greater weight may be given); the extent to which there are unresolved objections (the less significant, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).
- 4.9 Whilst Places for Everyone has been published and submitted, a number of representations have been received objecting to policies, and so in accordance with paragraph 48 of the NPPF, only very limited weight can be given to those policies at this time.

Other Considerations

- 4.10 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a persons rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.
- 4.11 The application has been considered in accordance with the Tameside One Equality Scheme (2018-22), which seeks to prevent unlawful discrimination, promote equality of opportunity and good relations between people in a diverse community. In this case the proposed development is not anticipated to have any potential impact from an equality perspective.

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 major development by neighbour notification letter, display of a site notice; and advertisement in the local press.

6. SUMMARY OF THIRD PARTY RESPONSES

- 6.1 30 representations in objection to the development have been received the reasons for which are summarised as follows:
- 6.2 Land Use:
- Loss of Protected Green Space contrary OL4 Protected Green Space
 - Would set an undesirable precedent
- 6.3 Design:
- Development is out of character with Broadbottom.
 - Overdevelopment of the site.
 - Poor design/appearance.
 - Building height is too high.
- 6.4 Highways & Access:
- The number of cars/vehicles parking on Moss Lane and Coombes view is already more than the road can accommodate, leading to people parking in dangerous places, on pavements and often leaving junctions and driveways unsighted from oncoming traffic. This is also causing restricted access on pavements for the use of pedestrians and creating dangerous junctions.
 - Access is Substandard for construction traffic.
 - Moss Lane cannot accommodate further development.
 - Lack of adequate parking and impact on highway safety.
 - Residents of Coombes View need dedicated parking.
 - Structural integrity of the railway bridge.
 - Development needs more parking capacity.
 - Lack of Pedestrian footways on Moss Lane.
- 6.5 Ecology:
- Adverse impact on adjacent SBI (Great Wood).
 - Lack of Biodiversity Net Gain.
 - Impact on trees and wildlife.
 - Loss of mature trees.

- 6.6 Amenity:
- Loss of privacy / overlooking to existing properties.
 - Noise and disturbance to existing residents.
 - Spacing standards are not observed.
- 6.7 Objections to Amendments:
- Scale and materials out of keeping.
 - Overshadowing and loss of privacy to adjacent properties.
 - Ecology impacts.
 - Broadbottom station is not accessible to disabled persons.

7. RESPONSES FROM CONSULTEES

- 7.1 Housing - No objections, supportive of the proposal for affordable housing. Comment that it is expected that a local connection to Tameside for 100% of the properties on first and subsequent lets will apply, and that suitable nomination and allocation arrangements will be agreed between TMBC and the Registered Provider.
- 7.2 Contaminated Land – No objections subject to recommended conditions requiring further site investigations.
- 7.3 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.
- 7.4 Greater Manchester Ecology Unit (GMEU) – The submitted landscape scheme is largely sympathetic to the local context. Concerns had been raised over the location of the car parking and impact on trees (root protection areas) and adjacent SBI. The layout provides for greater protection of the broadleaved woodland and SBI, Should the scheme be progressed with a recommendation for approval conditions are required relevant to landscaping and biodiversity plan (notwithstanding the submitted information).
- 7.5 Greater Manchester Archaeology Advisory Unit (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.
- 7.6 Local Highway Authority (LHA) – No objections subject to conditions. Note that the bridge on Moss Lane is subject to an 18 tonne weight limit restriction, confirm that arrangements for deliveries and construction vehicles can be adequately controlled through a Construction Management Plan. Following completion of the development access and manoeuvring arrangements are suitable and the 13 parking spaces would be adequate for the scale of the development. Conditions are recommended relevant to the provision of vehicle & cycle parking, lining and signage improvements to Moss Lane and assessment of slope stability within the site.
- 7.7 Lead Local Flood Authority (LLFA) – Recommend that further investigations are undertaken in to the use of SUDS/Infiltration techniques. Recommend pre-commencement conditions requiring submission of further drainage information.
- 7.8 Network Rail – Following receipt of amendments to the site boundary confirm removal an earlier holding objection. Recommend a series of informative relevant to development within the vicinity of the railway.
- 7.9 Police (Secure by Design) – Comment that they support the application subject to the layout issues within Section 3.3 and section 4 of the Crime Impact Assessment being conditioned.

- 7.10 Transport for Greater Manchester (TfGM) – Development falls below the quantum of development which would trigger a highway impact review. No objections but advise that secure cycling storage is accommodated.
- 7.11 Tree Officer – No objections. The proposed plans indicate that the majority of the significant mature trees around the boundary are to be retained. This should provide adequate screening to surrounding properties. Some of the proposed parking / hard standing areas do encroach on to the Root Protection Areas of a number of these trees. The amended proposal will involve the removal of one Category B tree to facilitate the parking bays, however, given the otherwise good tree cover at the site, this would be acceptable. The trees to be retained should be protected to the recommendations in BS 5837 and the submitted Arboricultural Constraints Appraisal. Permeable paving is a good option for the parking bays within root protection areas, but should be installed using no dig construction methods. The species mix for the tree planting proposed for the development is appropriate to the location and the plans. Two for one replacement planting to mitigate for tree losses, as indicated on the landscape masterplan and strategy, would be acceptable.
- 7.12 United Utilities (UU) – No objections subject to details of the site drainage being conditioned in accordance with the drainage hierarchy and that site is drained on separate foul and surface water systems.

8. ANALYSIS

- 8.1 Section 38 of the Planning and Compulsory Purchase Act 2004 states that applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2 Paragraph 219 of the NPPF 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.
- 8.3 The NPPF states that a presumption in favour of sustainable development should be at the heart of every application decision. For decisions on planning applications 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 site is unallocated on the UDP Proposals Map (2004), it sits at the head of Coombes View cul-de-sac which is solely in residential use. The proposals would be evidently compatible with the prevailing land use on Coombes View. However, immediately across the western boundary is the border with Great Wood which is a Site of Biological Importance and also a Local Nature Reserve, located within a larger swathe of countryside which is allocated as Green Belt. There is no evidence of the site having been previously developed and accordingly it is considered to be greenfield.
- 9.2 By virtue of its undeveloped nature the site functions as green space. Policy OL4 of the UDP seeks to retain areas of protected green space, including spaces identified within the development plan, as well as non designated functioning areas of land in similar use, but

which are too small to be shown as protected green spaces on the proposals map. Consideration of the undeveloped nature and location to the adjacent SBI suggests the boundary is 'blended' and the site shares many of the characteristics of the SBI.

- 9.3 Policy OL4 identifies a number of exceptions which may permit the release or redevelopment of land which functions both formally and informally as green space. The policy makes clear reference that the criteria should not apply if: 'part or all of the land involved would continue to fulfil a local need for amenity space, provide a valued sense of openness in the street scene, maintain the character and environmental quality of the area, maintain an open land corridor or substantial enclave of open space within the urban area, provide links to or continuity with wider areas of countryside, or form a wildlife corridor'.
- 9.4 The site is fenced off with no available public access. Its value/function for the purposes of policy OL4 is as a natural area which also has some visual amenity benefits. The Open Space Assessment identifies Broadbottom as falling within the Longdendale settlement. 100% of the population have an acceptable access standard to natural space / countryside (defined as a 10 minute walk). This reflects the village's position in relation to the Pennines / Peak Park. Within Tameside Borough only Mossley is comparable to this standard. The Open Space Strategy also identifies that within Longdendale access to amenity space (managed space) is higher (87.9%) than the Borough average (78.6%) of the population meeting the accessibility standard.
- 9.5 It is clear from the representations received that local support for the existing site is high, and value is taken from its associated ecology value neighbouring Great Wood. A balanced assessment is needed of the proposals, and this is informed in part by the evidence base of the Open Space Assessment, in addition to consultation undertaken with the Arboricultural Officer and Ecologists within GMEU.
- 9.6 The site falls outside of the SBI boundary as defined on the 2004 UDP proposals map. The site has naturalised, and a lack of management means that the actual boundary to Great Wood is therefore somewhat blended. It would seem reasonable to assume part of the western corner is within the SBI. GMEU have reviewed the ecology survey and the recommended mitigation package. They identify that whilst some harm would occur, this needs to be balanced against other planning considerations. Normally GMEU would recommend a buffer between 5-10metres to the SBI boundary to ensure it is appropriately protected from the impact of the proposed development. The proposed building is located at least 6 m away from the SBI at its closest point while gardens are just over 3 m from the SBI boundary. Given the limited number of trees proposed for removal, tree loss is not considered to significantly impact the integrity of the SBI. The development is relatively small scale so human pressure on its long-term condition is likely to be limited. Subject to conditions ensuring appropriate safeguards to the SBI boundary, existing retained trees and future landscaping proposals, there are no reasons why the impacts of the development cannot be mitigated.
- 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 should be used to determine planning applications. In addition, there is also a need for affordable housing to be provided in the area, that this development will go towards meeting.
- 9.8 The site is located on the periphery of Broadbottom village centre which is directly accessible via Moss Lane. This central location within the urban fabric means that it is within the catchment of essential services and amenities including the train station, which is a short walking distance away. The location is accessible and sustainable for planning purposes.

- 9.9 The balance between the loss of the green space and housing supply is supported subject to appropriate conditions relating to biodiversity protection. There is an overriding case relevant to the supply of affordable housing, which would outweigh the associated harm to the loss of the green space. The NPPF identifies that there are three overarching objectives to sustainable development, economic, social and environmental. The proposals are considered to be in broad compliance with these factors recognising the sites UDP allocation, sustainable location and contribution to affordable housing supply.

10. DESIGN & LAYOUT

- 10.1 Policies C1 and H10 seeks to ensure that developments are designed to respect their surroundings and contribute positively to the character of the area, having particular regard to the layout, density, design, scale, height, massing, appearance, materials and landscaping prevalent in the area. New development should be compatible with the local character and encourage local distinctiveness through the use of appropriate and high-quality building materials, architectural detailing and boundary treatment.
- 10.2 The apartments would be accommodated within a single block. This would be of a split level design to address site conditions. The accommodation would be provided over 3 floors including a lower ground floor space. The size and location of the building have been influenced to address on site constraints which include the change in levels, relationship to existing residents and influence of trees and biodiversity.
- 10.3 The applicant has submitted amendments to the design to address concerns raised within representations, the advice of officers and technical consultees. These alterations have seen the building re-positioned to improve the interface distance to Moss lane and Coombes View properties. In addition the scale of the block has been broken down into 3 interconnected blocks, favourably reducing the overall mass. The building position and re-configured car park also improve the relationship of the development to the adjacent SBI, the car park itself is now less reliant upon retaining structures to the benefit of the long term retention of trees.
- 10.4 In responding to the local context, the scale, materials and fenestration of the apartment block would exhibit a contemporary form. The use of buff brick is a reference to the stone which is prevalent within Broadbottom. The height, scale, and features of the apartment would be larger than that of the immediate properties the use of site levels and inclusion of a flat roof help to reduce the impact considerably. The design and scale would frame the highway in a successful manner providing a desirable frontage to Coombes View. The location of the parking to the north of the site integrates well within the site removing what would otherwise be an undesirable dominance of parking.
- 10.5 Apartments represent a very efficient use of land this is demonstrated by the density which can be achieved, which in this instances equates to 60 units per hectare. This aligns to NPPF objectives and the emerging strategy of the PfE to promote the efficient re-use of land within established settlements where located close to public transport, this is particularly important in periods of housing undersupply.
- 10.6 The block would be set within landscaped grounds. The retention of mature trees within the site would enhance the setting of the block. It would provide some screening from surrounding views and also help to the building to 'bed into' its surroundings.
- 10.7 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 complement the existing area. The scale and density of the development works to the sites constraints, the block would not be domineering. The design would be of a sufficient quality which would sit comfortably within its surroundings. 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. RESIDENTIAL AMENITY

- 11.1 The adopted policies within the Council's Residential Design Guide Supplementary Planning Document 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. Paragraph 130(f) of the NPPF states that development should seek to provide a high standard of amenity for existing and future users alike. This is reflected in policy H10 and the recommendations of the Residential Design Guide SPD, which seek to ensure that all development has regard to the amenity of existing and proposed properties.
- 11.2 The layout and height of the apartment block has been amended to improve the relationship to street and that of existing residents. The building would stand at a maximum 3 storeys in height with other elements reducing down to single storey. The building has been designed so that the eaves height is comparable to the existing properties, and sections provided demonstrate how this would be achieved. The siting of the properties would be 16m away from the rear elevation of 24 Moss Lane and would be positioned 13.5m away (on an acute angle) from the rear elevation of no. 9 and 11 Coombes View. The elevations facing these properties would contain secondary windows which are proposed to be un-openable and obscurely glazed. In terms of the objections raised on amenity, privacy and outlook/light, the proposals are deemed to be sufficiently compliant with policy RD5.
- 11.3 Disruption from the development would be mainly attributable to the construction phase. A Construction Environment Management Plan (CEMP) has been submitted which commits to best practice guidelines for reducing noise and disturbance. Notwithstanding the submitted detail, a condition is required for a further updated CEMP to address highway matters. The loading and unloading of materials along with contractor parking will need to be handled sensitively especially given weight restrictions to Moss Lane. Environmental Health has no objections to the proposals. As stated, vehicle movements to/from the site would not be discernible above that of existing highway users, the proposals would not give rise to undue impacts.
- 11.4 With regard to the amenity which will be afforded to the residents of the development, it is of note that each of the properties meets with the technical housing standards. The close proximity of the site to existing Broadbottom Village Centre, transport links, nearby local amenities and open space means that residents would also benefit from an acceptable standard of access to local services.

12. HIGHWAYS AND ACCESS

- 12.1 The apartment block would take pedestrian and vehicle access from the head of the Coombes view cul-de-sac. Amendments to the layout and scale during the application process have seen the provision of a relocated 13 space car park within the site, the internal layout allows for manoeuvring of vehicles within the site so that they can egress in a forward gear.
- 12.2 The sites does demonstrate sustainable credentials given its proximity to Broadbottom train Station, bus services as well as the amenities associated with the Village Centre. Acknowledgment is made to Moss Lane and Coombes View having a narrow carriageway so the construction phase of the development would be sensitive. There is capacity for off-street car parking within Coombes View through the provision of private parking managed by Jigsaw homes. Take up of these parking spaces has been observed to be low with a preference for

the convenience of on-street parking, nonetheless the provision of this capacity is considered significant/relevant to the proposals.

- 12.3 Policy T1 requires all developments to be designed to improve the safety for all road users. Likewise paragraph 111 of the NPPF confirms that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 12.4 The LHA has reviewed the application and the predicted vehicle journeys on the network during at peak periods. It will generate a maximum of 10 no. additional two-way vehicle movements on a typical weekday. The LHA is satisfied that the increased vehicle trips generated by the development are minimal and therefore the residual cumulative impact on the road network would be acceptable.
- 12.5 The LHA is satisfied that the post construction vehicles using the existing access/egress from the development via Coombes View/Moss Lane is satisfactory and meets requirements for maximum gradients from existing junctions. The LHA is aware that there is a weight limit of 18 tonnes on the bridge at the junction of Mottram Road/Moss Lane which would restrict construction/delivery vehicles to the development during the construction phase. This has not been picked up on the submitted construction environmental management plan, but can be suitably addressed by a planning condition.
- 12.6 In recognition of the above issues, the development has appropriately demonstrated that safe and convenient access can be achieved to meet all highway users' requirements. The disruption associated with traffic during the construction period can be managed in a viable manner to ensure minimal disruption would occur during the temporary period. Once operational, the associated traffic movements from the site would not be significant and there would remain appropriate capacity on the local network. Safety would not be compromised and future residents would have direct access to public transport. The proposals would be in compliance with the requirements of T1, T7, T10 and T11 and NPPF paragraph 111.

13. DRAINAGE AND FLOOD RISK

- 13.1 The site is in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. The proposals would see the removal of vegetation, and whilst gardens and soft landscaping areas would be incorporated within the design there would be an increase in hard surfacing.
- 13.2 A drainage strategy has been prepared and submitted with the application. This concludes that infiltration would not be suitable at the site such that the proposal is to discharge surface water via an attenuated system to a combined drain. The LLFA and UU has reviewed and raised queries with the strategy conclusion, they note that infiltration techniques may be viable at the location due to favourable ground conditions.
- 13.3 Notwithstanding the comments from the drainage authorities, there are not considered to be any fundamental drainage issues on the site. The observations raised by the LLFA and UU in their review can be adequately addressed through the detailed design process. Ultimately a planning condition would be sufficient to ensure that the design and drainage strategy would be adequate for the site and that the proposals would not result in a detrimental impact on flood risk or drainage capacity.

14. GROUND CONDITIONS

- 14.1 The site falls outside of the Coal Authority's defined development high risk area. As such, a coal mining risk assessment has not been undertaken. Consultation with the Coal Authority has confirmed no objections.

- 14.2 Consultation with GMAAS confirms that there are no heritage assets or any known archaeological potential within the application site. As such, there is no reason to require any archaeological investigations of the ground conditions.
- 14.3 The Environmental Protection Unit (EPU) have reviewed the initial site investigation appraisal which identified some elevated concentration of lead within the soil. Further investigation will be required to inform the remediation strategy. This is not a constraint to development and there are no objections raised to the proposals subject to recommended conditions. The conditions recommended by the EPU are considered reasonable and necessary to ensure that future users of the proposed development would not be exposed to potential risks caused by contamination at the site.
- 14.4 It is noted that there is a fall in levels across the site. The split level design seeks to work with levels to reduce the overall mass of the building. In addition, the location of car parking areas has been amended to reduce the impact upon root protection areas. Notwithstanding these matters it is recommended that a condition is applied relevant to further assessment of the slope stability to determine the exact nature of the any retaining structures. This would accord with the provisions of paragraph 184 of the NPPF.

15. LANDSCAPING, TREES & ECOLOGY

- 15.1 Paragraph 174 of the NPPF states that the planning system should contribute to and enhance the natural and local environment. The site currently has a good ecological value, associated with the level of tree and vegetation cover.
- 15.2 The tree survey identified 24 individual and 8 groups of trees along with hedgerows within the site. Species include mature Oak, Sycamore, Ash, Birch and Willow. The survey identifies that in total 15 individual/groups of trees would require removal. Trees within the site have not been subject to any management, higher quality trees are found to the site boundaries and these will in the main be retained. The trees to be retained will be protected throughout the construction period, the long-term impact of the trees lost will be mitigated through replacement planting of native species which is proposed on a two for one basis. The tree officer has reviewed the proposal and subject to conditions relevant to protective fencing and replacement planting is supportive.
- 15.3 The applicant states that the hard and soft landscaping in this scheme is designed to be sympathetic to the surrounding area. The level of tree retention and replanting is deemed to be acceptable.
- 15.4 An extended phase 1 habitat survey and bat survey have been submitted with the application. In the preparation of this report GMEU provided records of three Sites of Biological Importance (SBI) within the search area, the closest of which are Hurst Clough and Great Wood which adjoin one another, the latter also being designated as a Local Nature Reserve (LNR). Both these SBI's predominantly comprise semi-natural woodland (a large proportion of which is ancient woodland) which is located on steep slopes, but support other habitats including grassland. In addition GMEU also provided a number of protected and priority species records within the search area including bats (pipistrelle spp.), birds and badger. None of these records originate from the site and almost all are several hundred metres away.
- 15.5 In summary, the site comprises a mosaic of semi-natural broadleaved woodland, dense scrub, tall ruderal and poor semi-improved grassland with a hedgerow along the southwest site boundary. Several plant species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) were also recorded within the site.

- 15.6 The scheme has been designed to minimise loss of woodland habitat and avoid the SBI. The proposed car parking area does infringe the SBI and retained areas of woodland but tree roots will be protected by overlaying them with a GEOWEB tree root protection system. It is proposed that an ecological clerk of works should be present during key stages of the construction phase to provide a toolbox talk to contractors and to demarcate the extent of the development footprint with the SBI being fenced off to signify that contractors must not enter or materials be stored in this area. Specific details will need to be included within a construction environmental management plan (CEMP). A landscape scheme has been developed which will involve sensitive landscaping and introduction of appropriate species to surrounding retained habitats. The eradication of Schedule 9 plants and snowberry would also help enhance the biodiversity value of woodland. These measures should form part of a 25 year aftercare woodland management plan to ensure the measures are successful.
- 15.7 The proposals have been considered by the Council's Tree Officer along with GMEU who are supportive with the strategy and the overall level of planting which is proposed. The Tree Officer requires further assurance about the methods to be used for tree protection and recommends that a condition be attached to any approval requiring submission of additional information. Subject to this requirement, the proposals are considered to be in accordance with the requirements of policy N4, N5 and NPPF paragraph 174.
- 15.8 The level of retained tree cover is significant and 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 a suitable level of assessment has been undertaken and there is no evidence of any adverse effect upon protected species and the proposals are in accordance with policy N7: Protected Species.

16. DEVELOPMENT CONTRIBUTIONS

- 16.1 The scale of the development constitutes a major development, as such there would normally be a requirement to meet affordable housing (15%), green space and highways contributions as per the requirements of policies H4, H5 and T13 of the UDP. Education contributions don't apply on development below 25 dwellings. The affordable housing requirement would be exceeded through the applicant's intention to provide all of the apartments on an affordable basis managed through Jigsaw Homes, this can be secured through a condition. Beyond improvements to signage along Moss Lane and any associated repairs to Coombes View there are no identified highway impacts associated with the development which would warrant off-site mitigation via a commuted sum. Likewise, with reference to Green Space contributions, beyond on site planting given the modest scale of development and finding within the open space assessment there is not demonstrable need to provide off-site contributions.

17. OTHER MATTERS

- 17.1 Noise: Noise affecting the development is largely transport based as there are no commercial or industrial uses within the proximity of the site. The EHO is satisfied that a suitable standard of amenity level can be achieved and there are no requirements for any noise related planning conditions. A construction management plan (to be conditioned) will ensure disturbance is kept to a minimum during the construction period. Residential use is fully compatible with the local established character, there is no reason why existing residents amenity should be impacted upon negatively from the development.
- 17.2 Network Rail: Amendments to the red line boundary has resulted in the withdrawal an earlier objection from Network Rail. It is only the car parking that will be constructed within the

vicinity of the railway boundary. Advice has been supplied relevant to safe working within the railway boundary, these matters can be addressed by way of an informative.

- 17.3 Heritage: There are no recorded assets within the vicinity of the site. The development will therefore not have any influence on the setting of any assets.
- 17.4 Security: The application has been accompanied by a Crime Impact Statement. Subject to implementation of the recommendations, 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 and private areas.

18. 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 adopted development plan to be approved without delay, and where the development plan is absent, silent or out of date, planning permission should be granted 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 planning policy and guidance and all material considerations raised.
- 18.3 The redevelopment of the site at the head of an established residential cul-de-sac would be readily compatible with the housing development that is established within the locality. The scale and design of the development is deemed to be appropriate in that it would not give rise to any adverse environmental or amenity issues. The development would add to and contribute too much needed, good quality affordable housing in a period of documented under supply, a matter which is afforded significant weight to the planning assessment process.
- 18.4 The design creates a positive and welcoming residential environment. The apartments would make a positive contribution to the local housing stock, in accordance with core principles of the NPPF.
- 18.5 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.

RECOMMENDATION:

Grant planning permission subject to the following 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.
Proposed Site Plan ref PL-700-01 Rev 10

Proposed Overview Elevations ref DR-200-02 Rev 4
Proposed Overview Plans ref DR-200-01 ref Rev 7
Amended Site Sections ref SE-251-01 Rev 7
Coombes View Constraints ref PL-700-04 Rev 5

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 building; 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 polices H10: Detailed Design of Housing Developments, OL10: Landscape Quality and Character and C1: Townscape and Urban Form

4. No development, other than site clearance and site compound set up, shall commence until a remediation strategy, detailing the works and measures required to address any unacceptable risks posed by contamination at the site to human health, buildings and the environment has been submitted to, and approved in writing by, the Local Planning Authority (LPA). The scheme shall be implemented and verified as approved and shall include all of the following components unless the LPA dispenses with any such requirement specifically in writing:
 1. A site investigation strategy, based on the Groundtech Geo-Environmental Appraisal (reference 17068/344) detailing any additional investigations including sampling, analysis and monitoring that will be undertaken at the site in order to enable the nature and extent of any contamination to be determined and a detailed assessment of the risks posed to be carried out. The strategy shall be approved in writing by the LPA prior to any investigation works commencing at the site.
 2. The findings of the site investigation and detailed risk assessment referred to in point (1) including all relevant soil / water analysis and ground gas / groundwater monitoring data.
 3. Based on the site investigation and detailed risk assessment referred to in point (2) an options appraisal and remediation strategy setting out full details of the remediation works and measures required to address any unacceptable risks posed by contamination and how they are to be implemented.
 4. A verification plan detailing the information that will be obtained in order to demonstrate the works and measures set out in the remediation strategy in (3) have been fully implemented including any requirements for long term monitoring and maintenance.

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.

5. Prior to use, a verification / completion report demonstrating all remedial works and measures required to address all unacceptable risks posed by contamination and ground gas have been fully implemented in accordance with the approved remediation strategy shall be submitted to, and approved in writing by the Local Planning Authority (LPA). If during development, contamination not previously identified is encountered, then no further development (unless otherwise agreed with the LPA), shall be undertaken until a remediation strategy detailing how this contamination will be appropriately addressed and the remedial works verified has been submitted to, and approved in writing by the LPA. The remediation strategy shall be fully implemented and verified as approved. The discharge of this planning condition will be given in writing by the LPA on completion of the development and once all

information specified within this condition and any other requested information has been provided to the satisfaction of the LPA and occupation of the development shall not commence until this time unless otherwise agreed in writing by the LPA. R

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.

6. The car parking spaces to serve the development hereby approved shall be laid out as shown on the approved site plan ref PL-700-01 Rev 10 prior to the first occupation of that development and shall be retained free from obstruction for their intended use thereafter.

Reason: To ensure that the development has adequate car parking arrangements in accordance with UDP Policy T10 Parking.

7. 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 Policy T1: Highway Improvement and Traffic Management.

8. No work shall take place in respect to the construction of the approved highway to the Development, as indicated on the approved site plan, until a scheme relevant to highway construction has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of:-
 1. Phasing plan of highway works.
 2. Surface and drainage details of all carriageways and footways.
 3. Details of the works to the reinstatement of redundant vehicle access points as continuous footway to adoptable standards following the completion of the construction phase.
 4. Details of the areas of the highway network within the site to be constructed to adoptable standards and the specification of the construction of these areas.
 5. Details of carriageway markings and signage.
 6. Full details of a lighting scheme (to an adoptable standard) to the private driveways, there shall be no spillage of lighting outside of the site into adjacent woodland above a level of 3 lux.

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 Policy T1: Highway Improvement and Traffic Management.

9. No development shall commence until such time as a Demolition 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;
 - Details of restriction to weight limits of Construction Vehicles along Moss Lane;

- Emergency contact details of the site manager to be displayed publically.

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 Policy T1: Highway Improvement and Traffic Management.

10. With the exception of site clearance and preparation no development shall take place until details of further ground investigations including as necessary further borehole investigations, soil testing and a watching brief to enable a slope stability assessment to provide evidence to show how the risk of a landslip will be addressed. The scheme shall include scaled plans showing cross sectional information and the design of any retaining structures which are required to ensure that the ground conditions are suitably stable. The development shall then be carried out, maintained and managed in accordance with the submitted details

Reason: To ensure that adequate slope stability measures are put in place on the site in accordance with Paragraph 184 of the NPPF'.

11. No part of the development hereby approved shall be occupied until details of the secured cycle storage provision to serve apartments have been submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans showing the location of storage and details of the means of enclosure. The secured cycle storage arrangements shall be implemented in accordance with the approved details prior to the occupation of the first apartment and shall be retained as such thereafter.

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

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. None of the dwellings hereby approved shall be occupied until details of the means of storage and collection of refuse generated by the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans showing the location of the required number of bins to be stored within each plot and any communal bin storage areas and scaled plans of the means of enclosure of all bin stores, including materials and finish. The bin storage arrangements for each dwelling shall be implemented in accordance with the approved details prior to the occupation of that dwelling and shall be retained as such thereafter.

Reason: To safeguard the general amenity of the area in accordance with UDP policy 1.12/1.13/H10.

14. No development shall commence (excluding the demolition of existing structures and site clearance or preparation) until a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. The strategy shall demonstrate that foul water and surface

water shall be drained from the site via separate mechanisms and shall detail existing and proposed surface water run-off rates. The strategy shall also include details of on-going management and maintenance arrangements. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.

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

15. The development hereby approved shall be carried in accordance with the measures listed in the Security Strategy (Section 4) of the Crime Impact Statement submitted with the planning application and shall be retained as such thereafter.

Reason: In the interests of security and residential amenity.

16. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of NPPF or any future guidance that replaces it. The scheme shall include:

- i) The numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 15% of housing units/bed spaces;
- ii) The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii) The arrangements for the transfer of the affordable housing to an affordable housing provider[or the management of the affordable housing] (if no RSL involved) ;
- iv) The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v) The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: To meet identified housing need in accordance with UDP policy H5 and paragraph 65 of the NPPF.

17. With exception of site preparation, clearance and demolition works no development shall take place until a landscape and ecological management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include the following elements:

- i) details of maintenance regimes for all landscaped areas;
- ii) details of any new habitat created on-site and confirmation that a net gain has been achieved across the site; and,
- iii) details of management responsibilities.

The landscape and ecological management plan shall be implemented prior to the first occupation of any of the approved dwellings or within an agreed timeframe with the Local Planning Authority.

Reason: In the interests of visual amenity and environmental quality of the site in accordance with polices H10: Detailed Design of Housing Developments, OL10: Landscape Quality and Character, C1: Townscape and Urban Form and policy N7: Protected Species.

18. Prior to commencement of development updated bat survey shall be undertaken of bat roost potential of all trees to be removed within the site. In addition a reasonable avoidance method statement for badgers shall also be supplied to and agreed in writing by the LPA. The method statement will include:

- i) a re-survey of trees within the site for bat roost potential
- ii) a re-survey of the site and within 30m of the site where possible for badger setts;

- iii) methodologies for clearance of dense areas of vegetation and trees under the supervision of an ecological clerk of works;
- iv) identification of derelict structures and areas of rubble with the potential to be used as setts by the clerk of works and the methodology for clearing such areas under the supervision of the clerk of works;
- v) procedures if a badger sett is found in other areas in the absence of the clerk of works;
- vi) procedures on-site during construction to prevent accidental harm to badgers that may venture on to the site at night; and,
- vii) a landscape design that accommodates as far as possible movement across the site for badger on completion.

The agreed method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the LPA.

Reason: To ensure that adequate mitigation measures are put in place to prevent harm to protected species in accordance with UDP policy N7 Protected species.

19. The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To safeguard existing trees, in the interest of visual amenity in accordance with UDP policy N5: Trees within Development Sites