

Application Number 19/00224/FUL

Proposal	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 (AMENDED SCHEME).
Site	Land off Coombes View, Broadbottom, Tameside.
Applicant	Box Clever Consulting.
Recommendation	Members resolve to refuse planning permission.
Reason for report	A Speakers Panel decision is required because the application constitutes a major development. There have also been requests to speak.

1.0 APPLICATION DESCRIPTION

- 1.1 The application seeks full planning permission for a residential development of a residential apartment block of 15 units supporting 1 & 2 bedroom accommodation (8x1b & 7x2b). The applicant intends to market the accommodation exclusively for the over 55's.
- 1.2 The development proposal comprises a split level design resulting in a part two part three storey development with dormers providing accommodation within the roof space. The proposed facing materials are weathered buff and blue/grey brickwork, artificial slate roof and zinc dormer, and aluminium framed windows.
- 1.3 To the rear of the block there would be an elevated terrace which would be shared along with a communal garden area. The block would be positioned at the head of the Coombes View cul-de-sac with the principal elevations orientated on the northern and southern elevations. The application has been amended during the assessment period resulting in the omission of a single apartment (down to 15 units) and provision made for a 15 space car park (originally 10). The development incorporates communal gardens which would include raised rear terraces.
- 1.4 Access to the site would be taken directly from Coombes View with the car park area located to the north of the entrance.
- 1.5 The application has been supported with the following documents:
 - Arboricultural Impact Assessment;
 - Bat Survey Assessment;
 - Crime Impact Assessment;
 - Design & Access Statement;
 - Drivage Details;
 - Extended Phase One Habitat Survey;
 - Flood Risk Assessment;
 - Geo-Environmental Assessment;
 - Noise Assessment;
 - Planning Statement; and,
 - Full Plans Package.

2.0 SITE & SURROUNDINGS

- 2.1 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 throughout the site and across its boundaries. There is a fall in levels of over 4m to the south/south western corner.
- 2.2 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 / 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.

3.0 PLANNING HISTORY

- 3.1 No records of any previous planning application at the site.

4.0 RELEVANT PLANNING POLICIES

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 Planning Practice Guidance (PPG)
- 4.3 **Tameside Unitary Development Plan (UDP) Allocation:** Unallocated immediately bordering Green Belt & Site of Biological Importance.
- 4.4 **Part 1 Policies**
- 1.3: Creating a Cleaner and Greener Environment;
 - 1.4: Providing More Choice and Quality Homes;
 - 1.5: Following the Principles of Sustainable Development;
 - 1.6: Securing Urban Regeneration;
 - 1.11: Conserving Built Heritage and Retaining Local Identity;
 - 1.12: Ensuring an Accessible, Safe and Healthy Environment.
- 4.5 **Part 2 Policies**
- H2: Unallocated sites
 - H4: Type, size and affordability of dwellings
 - H5: Open Space Provision
 - H6: Education and Community Facilities
 - H7: Mixed Use and Density.
 - H10: Detailed Design of Housing Developments
 - OL4: Protected Green Space.
 - OL10: Landscape Quality and Character
 - T1: Highway Improvement and Traffic Management
 - T10: Parking
 - T11: Travel Plans.
 - C1: Townscape and Urban Form
 - N4: Trees and Woodland

N5: Trees within Development Sites
N7: Protected Species
MW11: Contaminated Land
U3: Water Services for Developments
U4: Flood Prevention
U5: Energy Efficiency

4.6 **Other Policies**

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

4.7 **National Planning Policy Framework (NPPF)**

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

4.8 **Planning Practice Guidance (PPG)**

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

5.0 **PUBLICITY CARRIED OUT**

5.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's adopted Statement of Community Involvement the application has been advertised as a Major Development:

- Neighbour notification letters to 98 addresses on two occasions
- Display of site notices
- Advertisement in the local press

6.0 **RESPONSES FROM CONSULTEES (SUMMARISED)**

6.1 Arboricultural Officer – Comments that the tree removal on the western boundary of the site will have a relatively low impact on visual amenity due to the adjacent woodland to the rear. The trees as a group border an SBI woodland and it is the group that is of a high amenity value to the surrounding area, rather than any one single specimen. It is not believed that an adequate level of mitigation is possible at this location for the loss of these mature trees. Also the current plans indicate construction / excavation within the Root Protection Areas of trees to be retained and possibly trees within the SBI itself, so not conforming to BS5837 and also making the long term retention of these trees uncertain.

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 comments received.
- 6.5 Greater Manchester Archaeology Advisory Unit – Satisfied that the proposed development does not threaten the known or suspected archaeological heritage. On this basis there is no reason to seek to impose any archaeological requirements upon the applicant.
- 6.6 Highway Authority – Object to the proposals. State that the proposed car parking does not meet the required LHA minimum parking requirements of the Residential Design SPD of 1 space per bedroom. Consider that the development would result in a displacement of vehicles onto Coombes View which currently has inadequate parking for the existing residents. It is also noted that there is no facility within the proposed development for a turning head to facilitate service vehicles to enter and leave in a forward gear.
- Recommend refusal on highway safety grounds; ‘The parking arrangements proposed are inadequate and would cause more standing and turning vehicles on Coombes View, creating danger and inconvenience to other road users’.
- 6.7 Lead local Flood Authority – The submitted drainage details have not fully explored the use of SUDS.
- 6.8 Natural England – No objection, consider that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.
- 6.9 Network Rail – Note that land which is within Network Rail ownership is included within the red Line boundary. The developer/applicant must ensure that their proposal, both during construction and as a permanent arrangement, does not affect the safety, operation or integrity of the existing operational railway / Network Rail land. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and boundary treatments. Any construction works on site and any future maintenance works must be conducted solely within the applicant’s land ownership.
- 6.10 Police (Secure by Design) – Satisfied with the recommendations within the Crime Impact Statement which should be conditioned on any approval.
- 6.11 United Utilities – Submitted drainage details are unacceptable. Request the Ground Investigation report and infiltration test results (in accordance with BRE Digest 365) are provided before an agreement for a connection to the combined public sewer network can be reached. This can be addressed by a condition.

7.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- 7.1 Councillor Janet Cooper – Raises serious concerns regarding the scale of the development in relation to the size of the plot, the impact on the immediate area would be huge and detrimental. Concerns specifically raised to the lack of parking and the highways impact this would have. Raises equal concerns to the loss of trees and resultant impact on wildlife.
- 7.2 In response to the consultation undertaken there have been 31 letters of objection including a request to speak.
- 7.3 The following concerns have been raised with the individual object letters which are summarised as follows:
- 7.4 Highways:

- 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
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- Not compliant with the Councils own parking guidelines SPD
- No betterment to the highway infrastructure which is wholly inadequate to support further development
- Large vehicles struggle to access Moss Lane how would construction traffic be accommodated
- Lack of amenities in Broadbottom means residents will be reliant of cars
- Emergency Services would not be able to adequately serve the site due to current access constraints

7.5 Design:

- The proposed buildings will be obtrusive and out of character with their surroundings.
- Building too large for the site
- Building would look shoe horned into an inadequate sized plot
- The building is effectively 4 storeys in height out of character with area
- Out of keeping with the size, style and building materials of the majority of properties in Broadbottom
- Density is too high for the site

7.6 Amenity:

- Overlooking and resultant loss of privacy to properties on Coombes View
- Overshadowing and loss of outlook
- The impact on the neighbours, particularly in terms of privacy and overlooking which will be exacerbated by the tree loss and lack of planting.
- Little Amenity space within the development
- Does not comply with Councils Spacing Standards

7.7 Trees & Ecology:

- Site is Green Field and of a high biological importance
- Unacceptable loss of trees (47) and detrimental wildlife impact
- Development would encroach into the adjacent SBI
- Encroachment within root protection areas of trees outside of the site boundary

7.8 Other:

- Loss of functioning Space contrary to policy OL4
- Lack of a facilities within the development to care for over 55 age group
- Site topography not suited to retirement accommodation
- Lack of Sustainable Drainage System
- The railway bridge has a weight limit and is already showing signs of movement. Concerns with regard to the weight of plant machinery and construction materials being transported on the bridge as well as the disruption to homes and residents during the building phase
- Local GP services are oversubscribed
- There is no disabled access at Broadbottom Station
- There is poor water pressure within the locality

8.0 ANALYSIS

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 8.2 The current position is that the Development Plan consists of the policies and proposals maps of the Unitary Development Plan and the Greater Manchester Joint Waste Plan Development Document.
- 8.3 The National Planning Policy Framework (NPPF) is also an important consideration. The NPPF states that a presumption in favour of sustainable development should be at the heart of every application decision. For planning application decision making this means:-
- approving development proposals that accord with the development plan without delay; and
 - where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless:-
 - o any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
 - o specific policies in the Framework indicate development should be restricted.

9.0 PRINCIPLE OF DEVELOPMENT

- 9.1 Section 38 of the Planning and Compulsory Purchase Act 2004 states that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Consideration will also be necessary to determine the appropriate weight to be afforded to the development plan following the publication of the National Planning Policy Framework. Paragraphs 212 - 217 of the NPPF set out how its policies should be implemented and the weight which should be attributed to the UDP policies.
- 9.2 Paragraph 213 confirms that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. At the heart of the NPPF is the presumption in favour of sustainable development and Section 5 of the NPPF requires Local Planning Authorities to support the delivery of a wide choice of quality homes in sustainable locations.
- 9.3 The site is unallocated but immediately borders Great Wood on its western boundary. Great Wood is recognised as a Site of Biological Importance (SBI), and also a Local Nature Reserve, it is 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.
- 9.4 By virtue of its undeveloped nature the site functions in a Green Space capacity. Policy OL4 of the UDP seeks to retain areas of protected green space, including not only spaces identified within the Development Plan, but also 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.
- 9.5 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'.

- 9.6 An Open Space Assessment has not been submitted with the application. Whilst not publically accessible it has a valued function within the locality. The site frames the head of the Coombes View Cul-de-Sac, the onsite level of tree and vegetation cover effectively presents the site as an extension to the adjacent Great Wood SBI and also the wildlife corridor that borders the adjacent train line. On this basis the site fulfils a link/continuity function identified by policy OL4.
- 9.7 It is considered that the effect of the development would result in an immediate loss of environmental quality. This loss would also erode its current ecological value and function of the site within the area. Consideration to the current role and function of the Green Space identifies that it is a highly valued asset within the context of the local community and environment, a fact which has also been reflected within the representations received. Concerns have been raised by the Arboricultural Officer over the inability to suitably mitigate the loss of tree cover within the site and this carries weight to the decision making process especially given the protection to trees that is afforded by UDP Policy N4. The lack of assessment by the applicant to the sites current function and value within the local environment is unfortunate. Overall it is not considered that there is a compelling environmental case to support the scale of development which is proposed and it is considered that the site actively achieves the environmental qualities referenced by policy OL4.
- 9.8 The emphasis of policy OL4 upon the function Open Spaces contribute to character and environmental quality is highly pertinent in the circumstances of the site, insofar as a justification for its loss cannot be presented.
- 9.9 Whilst the principle of development is contrary to policy OL4, it is nevertheless necessary to have regard to material considerations, specifically the NPPF and housing supply.
- 9.10 In terms of housing development, the Council accepts that it currently 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.
- 9.11 The balance between the loss of the functioning Green Space and housing supply is not compelling. The representations that have been received coupled with the site assessment confirm that the site serves an important local Green Space function which fulfils a strong Social and Environmental role. The value of the site to the local community is reflected within the representations which are material to the balancing exercise. There is not considered to be an overriding economic (regenerative) case which would outweigh the associated harm that would result from development of the site/loss of the functioning Green Space, the impact upon highway safety (to be discussed later) is also relevant to this assessment. Whilst welcomed, the contribution to housing supply is limited and does not outweigh consideration to the adverse Social and Environmental impacts and, therefore, it is not considered that the proposals constitute a sustainable form of development to which there would be significant and demonstrable benefits.

10.0 HIGHWAYS AND ACCESS

- 10.1 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 15 space car park within the site but there

would be no dedicated visitor parking. No provision is made as part of the proposal to improve Coombes View with the access being via a gated entrance that leads immediately from the existing turning head. This provides a further problem in that there would be no facility within the development for a turning head to facilitate service vehicles to enter and leave in a forward gear.

- 10.2 A Transport Statement has accompanied the application which identifies that vehicle movements would be in the region of 26 trips a day. Emphasis is made of the sites sustainable credentials with reference to the 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 but there have been no local parking surveys undertaken.
- 10.3 Both Coombes View and Moss Lane are adopted but the width of the carriageway is restricted in places. The junction of Moss Lane to Mottram Road is also compromised with there being no dedicated pedestrian footway. The lack of appropriate infrastructure contradicts the applicant's assertions of the ability for residents to travel sustainably. In addition to this, the visibility splay of the access is also compromised. Site visits confirm that on-street parking along these roads has the tendency to restrict access for pedestrians and vehicles alike. This is particularly evident on Coombes View where on-street parking presents a significant obstacle to access and this concern, along with general issues over the capacity of the highway, have been raised extensively within the representations received.
- 10.4 The Local Highway Authority has objected to the proposals noting that parking falls short of the prescribed standards for 1 space per bedroom. The maximum standards would require 22 spaces to be provided at the site. Whilst circumstances can sometimes suggest a relaxation of these standards this would not be desirable in this instance noting the current parking and access issues associated with both Coombes View and Moss Lane.
- 10.5 Concerns are raised with the access arrangements noting the restrictions on both Coombes View and Moss Lane, the ability to accommodate additional capacity being particularly compromised. Whilst it is suggested that vehicle movements would be relatively limited, in the context of the site and local highway conditions the impact of the additional movements would be significant. These concerns are compounded given the lack of any visitor parking within the site, with the exception of the 2 disabled parking spaces all bays are also likely to be allocated to the proposed flats. This would mean that any additional vehicles visiting the site, or within the ownership of the same household, would be displaced onto the surrounding highway network. It is observed that the existing highway fails to accommodate existing parking and servicing requirements in a satisfactory manner and, with this in mind, to permit additional development off Coombes View would only compound an existing problem. Whilst there is public transport on hand, this is not sufficient to alleviate the identified concerns.
- 10.6 Policy T1 requires all developments to ensure the developments are designed to improve the safety for all road users. Likewise Paragraph 109 of the NPPF confirms that development should 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. The additional vehicle movement along with parking arrangements that are proposed are inadequate and would cause more standing and turning vehicles on Coombes View, creating danger and inconvenience to other road users contrary Local and National policy advice.
- 10.7 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 and NPPF paragraph 109.

11.0 DESIGN AND LAYOUT

- 11.1 The apartments would be accommodated within a single apartment block. This would be of a split level design to address site conditions. The accommodation would be provided over 4 floors including a lower ground and second floor which would be accommodated within the roof space. The size of the building would not be comparable to anything within the immediate locality which is characterised by two storey dwellings.
- 11.2 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.
- 11.3 The design takes a bespoke approach. Ordinarily there are many aspects to this and the choice of materials which would otherwise be deemed as acceptable. The crucial element is demonstrating how the development responds to its context, addresses its sites constraints and relates to the character of its locality.
- 11.4 Concerns had been raised with the applicant in relation to the size of the development, its access and parking arrangements, amenity impact and loss of trees. To address concerns relevant to the scale of the development and the adequacy of the parking and access arrangements the following amendments have been made:
- Reduction of units down to 15 apartment (from 16);
 - Increase from 10 to 15 parking spaces;
 - Re-positioning of the building from the eastern boundary;
 - Provision of additional landscaping; and,
 - Second floor balconies inset within the elevation.
- 11.5 The constraints of the site include the suitability and capacity of Coombes View as a point of access, the fall in levels across the site, vegetation cover, and relationship to existing properties. It is on all of these points which the development raises issues.
- 11.6 Apartment developments yield high density development. In this regard the proposal would equate to an overall density of approximately 75uph. Taken in the context of the site, surrounding density and site constraints, this is considered to represent a significant overdevelopment of a limited site. As a consequence, the development would fail to integrate sympathetically with the environment.
- 11.7 The scale of the building would be a significant departure from that of the established housing stock. Located almost immediately on the highway boundary the building would extend across to the western boundary where it would also stand at 4 storeys in height. The ability to accommodate the development would require a significant level of engineering works - particularly to the rear elevation which would see the creation of raised platforms. Whilst the highway facing elevation would be presented at a more traditional 2 storey height, the overall footprint would be much larger than that of the surrounding housing stock. It would also have a higher ridgeline which would exacerbate its mass. The position and size of the building would appear dominant, it would appear to loom above in the more modest Coombes view properties and this would not be in-keeping with the character of the locality
- 11.8 The scale of the development would require a significant level of vegetation clearance works. Only low level planting would be achieved to the Coombes View facing elevation.

The frontage would therefore be dominated by hard materials bringing further unnecessary attention to its scale and appearance.

- 11.9 UDP, NPPF polices and the guidance of the SPD are clear in their expectations of achieving high quality development that enhances a locality and contributes to place making. The 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 identifies that the design by virtue of its scale and layout would present themselves as a cramped form of overdevelopment of a limited site.

12.0 DESIGN AND RESIDENTIAL AMENITY

- 12.1 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 127 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, the guidelines of which seek to ensure that all development has regard to the amenity of existing and proposed properties.
- 12.2 The scale of the building would not be comparable to existing residential properties within the locality. The site shares a boundary with properties located on Coombes View (east) and also to the south with properties that front Moss Lane. The Moss Lane properties are positioned at a significantly lower level and as such are the most sensitive to any development.
- 12.3 The size and location of the building and its influence upon the amenity levels of neighbouring properties is a significant concern. Ultimately the relationship which would be forged would not be a successful one and it is considered that the development would result in clear and demonstrable harm to the occupants of the existing properties. The scale of this harm is largely attributable to the mass of the building, which, in the local context would be harmful to levels of outlook and light. In addition the appearance of the building would be visually intrusive to these residents since the level of fenestration would result in perceived a feeling of overlooking and overall they would experience a greater sense of enclosure.
- 12.4 Policy RD5 of the SPD relates to minimum privacy distances this advises that a minimum separation of 21m should achieved between developments. It identifies that this separation should be increased by an additional 3m on sloping sites in addition to another 3m for every change in storey height. The block would be positioned approximately 24m from the rear elevation of the property 'High Moss' which fronts Moss Lane and, therefore the policy requirement would be for a 27m separation. Whilst these distances are taken from elevations regard also needs to be given to the impact and influence of the raised communal patio areas, standing at 3.4m above the finished floor level (approx.) of High Moss would also result in overlooking. The overall lack of compliance to the spacing standards would invariably result in a loss of amenity through overlooking and loss outlook from habitable rooms and external areas alike. There is no justification for supporting such a departure.

13.0 LANDSCAPING & TREES

- 13.1 Paragraph 170 of the NPPF 2018 states that the planning system should contribute to and enhance the natural and local environment. The site currently has a high ecological value,

associated with the level of tree and vegetation cover, its proximity to the Great Wood SBI and nearby tree lined railway corridor, give the impression of the site being a continuation of these areas.

- 13.2 The tree survey identified 47 individual trees within the site. Species include mature Oak, Sycamore, Ash, Birch, Maple and Willow. The survey identifies that 27 of these trees would require removal. Whilst the survey identifies these to mainly fall within the lower category C there is a strong value amenity and ecological value associated with them as a collective group.
- 13.3 There has been no further analysis of the Arboricultural implications relevant to the relocation of the car park. The reality is that any engineering works (cut and fill) to facilitate the parking would encroach within root protection areas. Furthermore, the proximity of canopies to the accommodation is also likely to prejudice the long-term retention of trees located on the sites peripheral areas. It is therefore considered that the total number of trees removed would extend beyond the 27 identified and this would compound the ecological and environmental impact further.
- 13.4 The site would be consumed by the footprint of the building, car park and outside amenity space. The reality presented is that there is little opportunity to introduce any planting to mitigate the impact for the trees and vegetation that would be lost. This is confirmed by the Arboricultural Officer who states that a suitable level of replacement planting could not be achieved at the site. As such it is considered that the proposal fails to satisfy the requirements of policy N4, N5 and NPPF paragraph 170.

14.0 DRAINAGE

- 14.1 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 submitted drainage details are unacceptable but that this matter can be adequately addressed by way of a planning condition. Such a condition would require the site to be drained in accordance with the hierarchy which would satisfy the Lead Local Flood Authority's requirements.

15.0 GROUND CONDITIONS

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

16.0 CONTRIBUTIONS

- 16.1 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, open space and affordable housing requirements. This would be secured through a section 106 agreement and has not been progressed.

17.0 OTHER ISSUES

- 17.1 There has been a land ownership issue raised by Network Rail relevant to the car park on the northern boundary. This is not material to the consideration to the application but the matters raised have been brought to the attention of the applicant.

18.0 CONCLUSION

- 18.1 Council's current position on 5 year housing supply is material to the consideration of the application. However, the proposals would not achieve the 3 dimensions of sustainable development (i.e. social, economic and environmental considerations). There is no overriding case based on these considerations which would outweigh the associated harm that would result from the development associated with:

- Loss of functioning Green Space;
- Inadequacy of Coombes View to accommodate further traffic;
- Loss of valued trees and wildlife habitat; and,
- Impact of the scale and design of the development upon the amenity level of existing properties.

- 18.2 The proposals are considered to represent a significant overdevelopment of a limited site. The application has failed to address the site constraints in an acceptable manner and in the absence of any demonstrable benefits it is not considered that planning permission can be supported.

19.0 RECOMMENDATION: Refuse

1. The site functions as a valued area of open space within the local environment and makes a significant contribution to local character with strong links to the wider countryside. The development would result in a significant loss of this amenity function with unjustified loss of valued tree cover and wildlife habitat. The applicant has failed to demonstrate that there is a compelling regenerative case to support a departure from the development plan that seeks to retain such areas. Consequently the proposal does not meet the exception test of UDP Policy OL4 'Protected Green Space', N4: 'Trees and Woodland' or N5: 'Trees within Development Sites' and paragraph 170 of the NPPF.
2. The proposals would present themselves as an overdevelopment of a limited and highly constrained site. The design and siting of the development fails to observe a 27m separation distance which is required by policy RD5 of the adopted Residential Design Guide SPD to existing properties. Occupying an elevated position the development would result in undue overshadowing and overlooking resulting in a loss of outlook and privacy to the residents of Coombes View and Moss Lane which share a rear boundary to the development site. Residents of both Coombes View and Moss lane would see a rise in disturbance associated with increased vehicle activity and greater rise of vehicle conflicts owing to the constraints of the current highway capacity. This would be contrary to Saved Tameside UDP policies 1.1: Creating a Cleaner and Greener Environment, H10: Detailed Design of Housing Developments, Residential Design Guide SPD and design Guidance contained within Chapter 12 of the NPPF.
3. The layout fails to provide adequate level of parking commensurate to the needs of the scale of the development. The existing highway fails to accommodate existing parking and servicing requirements in a satisfactory manner. The parking and service arrangements proposed are inadequate and would cause more standing and turning vehicles on Coombes View, creating danger and inconvenience to other road users. Consequently the application is deemed not to meet the requirements of UDP policy T1 and paragraph 109 of the National Planning Policy Framework.