

Application Number 19/00994/FUL

Proposal	Proposed residential development of 52 no. dwellings and the change of use of the former Organ Inn to 5 no. apartments and associated landscaping and car parking.
Site	Organ Inn, 81 Market Street, Hollingworth, Tameside
Applicant	Mulbury Homes Ltd And Equity Housing Group Ltd
Recommendation	Members resolve to grant planning permission subject to completion of a section 106 agreement.
Reason for Report	A Speakers Panel decision is required because the application constitutes a Major development.

1.0 APPLICATION DESCRIPTION

- 1.1 The application seeks full planning permission for a residential development comprising of 52 no. dwellings and the change of use of the former Organ Inn to 5 no. apartments and associated infrastructure.
- 1.2 The accommodation would comprise of 18 x 2bed, 30 x 3bed and 4 x 4-bed properties including terrace blocks, semi-detached and detached units measuring from 70 to 106sqm and the conversion of the Organ Inn building into 2 x 1 bed, 2 x 2 bed and 1 x 3 bed apartments units measuring from 38 to 101sqm. All of the properties would have private in-curtilage parking with between 1 and 2 spaces per dwelling.
- 1.3 The site comprises the former Organ public house, its associated car park and a large former sports field to the rear. Access would be taken at the south-east corner of the site via Holly Bank onto Printers Fold which extends to the junction with the A628 Market Street.
- 1.4 The application has been supported by the following documents:
 - Planning Statement
 - Design & Access Statement;
 - Transport Statement
 - Site Investigation (Contamination)
 - Sports and Open Space Supporting Statement
 - Heritage Statement;
 - Crime Impact Statement;
 - Ecology Report
 - Construction Environmental Management Plan;
 - Flood Risk and outline Drainage Strategy;
 - Utilities report (manhole schedule)/ site appraisal
 - Arboricultural Impact Assessment
 - Tree Survey
 - Full Plans Package including sections and street scenes

2.0 SITE & SURROUNDINGS

- 2.1 The application site comprises of the former Organ Inn public house, its associated car park and a large former sports field to the rear.

- 2.2 The Organ Inn, which fronts directly onto Market Street, is constructed from stone and ranges from two to three storeys in height. There is a large car park area to the rear of the pub which is accessed via Water Lane which runs to the west of the site. The property is adjacent to residential properties on all sides, whilst there are some local commercial units nearby along Market Street
- 2.3 The site is generally square in shape and covers an area of 1.48 hectares. The red-line extends to the south-east where it meets Holly Bank. The field, which sits directly to the south of The Organ's car park, was historically used as a junior playing pitch for local football club Hollingworth Juniors and Old Boys Club but has been vacant and unused for a number of years.
- 2.4 Levels fall slightly across the site to the southern boundary with properties on Holly Bank. Tree cover is mainly limited to the sites boundaries none of which are subject to Preservation Orders.

3.0 PLANNING HISTORY

- 3.1 14/00318/OUT - Demolition of The Organ PH and erection of 38no. 2, 3, 4 bed houses on land including that to the rear of the public house with associated landscaping, access and car parking - OUTLINE (Approval for Access, Landscaping, Layout and Scale) – Withdrawn - 7/4/15
- 3.2 17/00143/OUT - Outline application for demolition of The Organ and erection of 52 dwellings (comprising 12 x three bed end terrace, 16 x two bed terrace, 18 x three bed semi-detached, 3 x three bed detached and 3 x three bed terrace) with associated access. – Withdrawn 5/11/19

4.0 RELEVANT PLANNING POLICIES

4.1 Tameside Unitary Development Plan (UDP) Allocation Protected Green Space

4.2 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;
- 1.10 Protecting and Enhancing the Natural Environment
- 1.12: Ensuring an Accessible, Safe and Healthy Environment;

4.3 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

4.4 **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.

4.5 **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

4.6 **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 173 addresses;
Display of a site notice; and,
Advertisement in the local press.

6.0 **RESPONSES FROM CONSULTEES**

- 6.1 Arboricultural Officer – The existing trees on site are low to medium value, the more significant of which are to be retained in the proposed development. There is no other significant vegetation within the footprint of the site. The landscape plan and schedule is appropriate to the proposed development and adequately mitigates for existing tree losses.
- 6.2 Coal Authority – Site falls within a low risk area therefore further investigation into coal mining legacy is not required. Recommend that standing advice is applied as an informative in the interests of Health and Safety.
- 6.3 Contaminated Land – There is potential for contamination to be present at the site. No objections subject to a contaminated land condition in order to ensure all risks posed by contamination are appropriately addressed during any development of the site.
- 6.4 The Head of Environmental Services (Environmental Protection) – No objections recommend restrictions on the hours between which works should be undertaken.
- 6.5 The Head of Environmental Services (Highways) has raised no objection and has suggested that conditions regarding car parking, electric charging points, cycle storage provision, a

highways survey, street lighting visibility splays driveway gradients, highway construction, green travel plan, and temporary vehicle facilities, and informative notes: regarding postal address and traffic calming, be attached to any permission.

- 6.5 Greater Manchester Ecology Unit – No objections subject to conditions regarding:
- That no tree felling or vegetation clearance required to facilitate the works should take place during the optimum time of year for bird nesting (March to July inclusive). All nesting birds their eggs and young are protected under the terms of the Wildlife and Countryside Act 1981.
 - Further bat emergence surveys to be undertaken in the bat active season (May-September 2020).
 - Prior to the commencement of any works on site (including vegetation clearance) a methodology for the control of invasive species be submitted to and agreed by the council. Once agreed the method statement must be implemented in full. It is an offence under the terms of the Wildlife and Countryside Act to allow these plants to grow in the wild. Japanese knotweed is also classified under the Environmental Protection Act 1990 as “controlled waste”
 - All trees to be retained on the site should be protected from the development to prevent damage to the root system. Protection should follow guidelines presented within BS 5837:2012 ‘Trees in relation to design, demolition & construction’.
 - Opportunities for biodiversity enhancement be incorporated into the new development. These should include: Bat bricks and/or tubes within the new development; Bird boxes; Native tree and shrub planting
- 6.6 Highway England – offer no objection
- 6.7 Lead Local Flood Authority – Recommend that full drainage details are conditioned which will require full investigation into the drainage hierarchy.
- 6.8 TFGM – Comment that:
- The trip assessment work is acceptable.
 - Tactile paving and dropped kerbs should be installed across either side of the two proposed junctions into the site (from Water Lane and Holly Bank Lane).
 - Cycle parking should be provided within a secure store for the apartment use. The facility should be lockable and covered, suitable for overnight accommodation, located within the block. There should be sufficient security such as lighting and CCTV. Each dwelling should also have provision for secure cycle storage within the site curtilage.
 - Any redundant access points which previously served the site should be reinstated as continuous footways to adoptable standards.
- 6.9 United Utilities – Raise no objections subject to recommended conditions regarding surface water and foul water drainage. The site should be drained in accordance with the drainage hierarchy and detailed design will be required for any connections into the drainage network.
- 6.10 GMP Architectural Liaison Officer – Raise no objections subject to the physical security specifications set out in the Crime Impact Statement be conditioned as part of any planning approval.
- 6.11 Sport England –There is a need to mitigate the loss of the site as playing field by creating a new youth football pitch. A contribution of £75k towards bringing the Longdendale Recreation site back into use would be acceptable to mitigate the loss. Sport England may withdraw the objection subject to a signed s106 agreement that secures £75k towards investment at Longdendale Recreation Ground and the relevant playing field mitigation clauses should be agreed with Sport England.

7.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED

7.1 In response to the consultation undertaken there have been 36 letters of objection.

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

- Increase in local traffic especially given the level of local development;
- Number of units exceeds capacity of the access;
- Loss of Green Space within Hollingworth;
- Services (Doctor, Dentist, childcare, schools) in the area cannot cope with existing demand;
- Access inappropriate through residential area;
- Access onto Market Street A628 inappropriate for capacity;
- Loss of on street parking for existing residents;
- Additional development in the area unacceptable before improvements to local road infrastructure;
- Impact on health of local residents;
- Increase in noise pollution during construction and when occupied;
- Loss of light and privacy;
- Overlooking;
- Overbearing and intrusive impact;
- Access to the site should be through site of The Organ Inn pub; and,
- Support change of use of the Organ Inn into flats.

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:-
- 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.

8.4 The main issues to consider in the determination of this application are:

- The principle of the development;
- Loss of the playing field
- Design and residential amenity
- Design and layout
- Highway safety
- Trees & ecology
- Ground conditions mining & contamination

- Mitigation/Contributions

9.0 PRINCIPLE

Principle of the loss of protected green space

- 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.
- 9.3 The site is allocated in the UDP as protected green space. Policy OL4 of the UDP seeks to retain areas of protected green space, including not only designated spaces but also 'areas of land in similar use but which are too small to be shown as Protected Green Spaces on the Proposals Map'.
- 9.4 The policy states that built development will not be permitted on land designated as protected green space unless one of the following applies.
- (a) the proposed development is ancillary to the principal use of a playing field or green space for recreation or amenity and does not adversely affect this use, or
 - (b) redevelopment of part of a playing field or green space provides the only means of upgrading the site to the required standard, and the remaining playing field or green space will continue to meet the needs of the surrounding area for sport, recreation or amenity, or
 - (c) a playing field or green space which will be lost as a result of the proposed development would be replaced by a playing field or green space of an equivalent or better quality and quantity, in a suitable location and subject to equivalent or better management arrangements, prior to commencement of development, or
 - (d) it can be demonstrated, by means of a suitable supply and demand study taking account of possible future as well as current requirements, that the retention of a site or facilities for sport or recreational use is not necessary and the site has no special significance to the interests of sport and recreation.
- 9.5 The policy also states that these exceptions will not apply if part or all of the land 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 In this instance it is considered that the proposed development would meet two of the four criteria. In terms of criteria (c), it has been agreed during the course of this and earlier applications a financial contribution will be provided towards improving an existing pitch or providing a replacement pitch which would mitigate the loss of the playing field and ensure that the quantum and quality of local pitches is maintained.

- 9.7 Regarding criteria (d) as the pitches have not been used for a number of years, it is considered there is little likelihood that the use would be reinstated on that site. This fact is further evidenced in Tameside's Playing Pitch Strategy (2016) which acknowledges the site as being disused.
- 9.8 Further compliance with policy OL4 is demonstrated as that the site is not accessible to the public and as such has not provided a recreational or sporting function for a long period of time. It is only visible from the immediate vicinity and is not considered to contribute to a sense of openness to the local area and is not of high landscape value. For the reason set out above the loss of the field is considered in compliance with policy OL4.

Principle of the proposed development:

- 9.9 The site area is 1.48 hectares and the proposal therefore represents a density of approximately 38 dwellings per hectare. The site is located within the urban area of Hollingworth. The scheme will result in the reuse of an unused building, and development of a disused former playing field. The entrance to the site is located around 1.1km from Hadfield Railway Station, which offers half hourly train services between Glossop/ Hadfield and Manchester and there are bus stops within close proximity to the entrance to the site which are served by regular connections to and from Ashton.
- 9.9 The 2016 Housing Land and Availability Report (HLAR) is the most up to date adopted position in relation to the allocation of land for housing. This site is identified as one of the sites to come forward as part of the housing land supply within the Borough and is one of the sites earmarked to come forward in the first 10 years of the period covered by the Report (2016 – 2031). The anticipated yield for the site was recorded as a density of 38 dwellings per hectare, in line with the density proposed in this application.
- 9.10 The Council's current absence of a 5 year housing supply is afforded significant weight to the assessment process. The NPPF is clear in paragraph 11 that the presumption in favour of sustainable development should be applied to determine planning applications in such instances, unless the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF as a whole.
- 9.11 The development proposes the conversion of the former Organ Inn public house. This long term vacant building has not been in use as a public house for a number of years and is considered to be unviable as its previous use as a pub and no longer provides any of the associated community benefits associated with such a use. The pub has never been registered as an Asset of Community Value (ACV), though it should be noted the Gun Inn further along Market Street in Hollingworth is on the ACV register. The property has been nominated for heritage listing, this was not upheld but served to highlight the historical importance of retaining the property in the street scene. As such the retention and reuse of the vacant building is considered a positive element of the scheme and enhances the street scene and locality.
- 9.11 In terms of the assessment against paragraph 11, all developments must be considered in light of their sustainable credentials, which the NPPF identifies as having three dimensions (Economic, Social and Environmental). This site is one of the only sites large enough to accommodate a development of this size within the settlement boundary of Hollingworth. The scale of development will mean that the construction period will bring revenue to the local economy. The social objective is met as the development is intended to provide a large amount of affordable dwellings to the locality. Environmentally as a result of the development, the site will be appropriately remediated removing contaminated material and includes the planting of trees and further landscaping schemes.
- 9.12 Therefore to conclude, the overall sustainable credentials are not questioned, and the proposals are considered to achieve the three dimensions of sustainable development

through the contribution to the supply of affordable housing within a sustainable location. There are no adverse impacts that would outweigh the benefits and as the authority cannot demonstrate a 5yr housing supply the scheme is considered to be acceptable in principle.

10.0 LOSS OF THE PLAYING FIELD

- 10.1 The playing field that forms the greater part of the proposed development has an area of approximately 1.4 hectares. This was understood to have been used by Hollingworth Juniors and Old Boys Club Football clubs till around 2012.
- 10.2 Paragraph 96 emphasises the important contribution to health and well-being that can be made by access to the network of high- quality open spaces and opportunities for sport and recreation. And that planning policies should be based on should be based on robust and up-to-date assessments of the needs for open space.
- 10.3 Paragraph 97 is of relevance to any plans for residential development on playing field land. Local authorities are directed to only allow development on Existing open space, sports and recreational buildings and land, including playing fields, should not be built on if any of the following criteria apply:
- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

As the site of the proposed development is former playing fields then the tests in paragraph 97 apply.

- 10.4 Tameside has produced a Playing Pitch Strategy and Action Plan report which identifies the site as a disused site and there is not a surplus of provision in the area. At the time of the survey Hollingworth Juniors (who originally used the Water Lane pitch) reported currently being at the limit in respect of the number of older teams it can run due to limitations in the number of facilities to which it can gain access and at the time of the survey there were no full size AGPs in the Longdendale area, this is still the situation.
- 10.5 The site although disused meets the definition of both a playing field and a playing pitch. Irrespective of length of time the site has been disused the application must be assessed against paragraph 97 of the NPPF and Sport England's Playing Fields Policy and Planning Objectives. A playing field will always be a playing field in land use terms until such time as either a planning application for change of use is approved or the site is developed for an alternative use.
- 10.6 Sport England's guidance sets out five possible exceptions that could result in opposition being withdrawn to a scheme affecting a playing field or playing pitch. Sport England have been consulted on the application and have confirmed that the scheme would need to satisfy exemption 4 which states:

The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:

- *of equivalent or better quality, and*
- *of equivalent or greater quantity, and*

- *in a suitable location, and*
- *subject to equivalent or better accessibility and management arrangements*

- 10.6 Evidence suggests that the site has not been in use for more than 5 years which potentially removes the obligation for Sport England to be treated as a statutory consultee. However Sport England applies its policy to any land in use as playing field or last used as playing field and which remains undeveloped, irrespective of whether that use ceased more than five years ago. Lack of use should not be seen as necessarily indicating an absence of need for playing fields in the locality. Such land can retain the potential to provide playing pitches to meet current or future needs.
- 10.7 The supporting document submitted with this application do not dispute the position adopted at the time of the 2017 planning application that there is a shortfall of playing field provision meaning that the site is not surplus to requirements and development on the site would be unacceptable without demonstrating consistency with the policy exemptions and this applies regardless of the status of Sport England as a non-statutory consultee.
- 10.8 In order to comply with the relevant NPPF, UDP and Sport England policies the applicants have agreed to an off-site financial contribution. Sport England and the Football Foundation do not support the creation of unsupported single pitch sites as they are not sustainable and have agreed that a contribution of £75k towards bringing the Longdendale Recreation site back into use would be acceptable to mitigate the loss. This would need to form part of a wider investment strategy to create ancillary facilities and pitch improvements. The Council, Sport England and the Football Foundation developed the Local Football Facility Plan for Tameside and it found Longdendale Recreation Ground is a priority investment opportunity and therefore any contribution towards its delivery meets both a planning and sports development need and offers the greatest long term benefits and provides a replacement in the same analysis area. A Community Use Agreement will also be used to secure community access.

11.0 DESIGN AND RESIDENTIAL AMENITY

- 11.1 The policies of the adopted Residential Design Guide strive to raise design standards; they should be applied along with the criteria of Building For Life (BFL). Good design is aligned to the delivery of high residential amenity standards, this should reflect equally on the environment of existing residents as well as that of future residents. Technical standards (spacing distances policy RD5) form part of the criteria to the assessment of good design, but this should not override principles of successful place making. Good design is about how buildings relate to one another, their place within the streetscape and interaction within their surroundings. Developments should not be dictated by highway (policy RD13) they should observe established Street Patterns (policy RD3) and promote Natural Surveillance at street level (policy RD4). Building For Life states that basic principles should be observed when designing layouts, the use of strong perimeter blocks is advocated and specific reference is made to avoiding houses which back on to the street and create what is effectively a 'dead edge'.
- 11.2 The layout demonstrates that all relevant spacing standards would be observed between proposed and existing properties. Rear principle elevations would be 21m from the nearest properties on Hollybank and Rose Bank Close and 14m across the street frontage of Water Lane which is fully compliant with policy RD5.
- 11.3 Occupants of the dwellings would be served with a good level of amenity. The design of the properties is such that they meet the technical standards. Rear gardens are also of a size which is suited to family occupation.

- 11.4 The site is within an established residential area, which represents a highly accessible and sustainable location. It is located close to a bus route with bus stops located directly on Market Street. Hollingworth also provides amenities which would be immediately on hand. The accessibility of the site to these services would be of significant benefit to future occupants.
- 11.5 The design approach would be sympathetic in terms of its siting, scale, massing, design, roofline, materials and landscaping, it would build upon local distinctiveness of the area. The density of development reflects that which prevails within the locality and strikes the correct balance between the need to protect residential amenity, local character, and the efficient use of land. The layout and form of development represents a considered response to its context, and would avoid any undue impact on the amenity of neighbouring properties which overlook the site, and for future occupiers by reason of visual intrusion, overshadowing, loss of daylight, overlooking or loss of privacy and accords with the provisions of policy H10 and the adopted SPD.

12.0 DESIGN AND LAYOUT

- 12.1 UDP, NPPF polices and the guidance of the SPD are clear in their expectations of achieving high quality development that enhances a locality and contributes to place making. The framework emphasises that development should be refused where it fails to take opportunities available to improve the character and quality of an area and the way that it functions (para. 130). Policy RD22 of the adopted SPD applies specifically to infill development it advises that:
- Plot and boundary widths should align with the surrounding street.
 - Scale and mass of dwellings should align with their surroundings.
 - Architectural styles and materials should generally align with the existing.
 - Development must follow an existing building line and orientation, particularly at road frontage.
 - Ensuring privacy distances are achieved.
 - Proposals should not land lock other potential development sites.
 - Retaining and providing appropriate outdoor amenity space, parking & access.
- 12.2 Minor amendments have been made to the layout following concerns raised by Officers and Consultees. The subsequent layout responds to the issues raised in a positive manner and would create a welcoming residential environment. The arrangement takes a traditional form which provides appropriately for off street parking, private amenity space and achieves secure by design objectives. Parking arrangements would be provided mainly to the front and side of dwellings, with the majority provided to the side with landscaping positioned on street frontages to reduce dominance. All of the properties are served with a front to rear access which allow for the storage of bins outside of the public domain.
- 12.4 In responding to the local context the scale, materials and fenestration of the dwellings draw upon the local vernacular and include cill and header details on the windows. On the Water Lane elevation the design, form and detailing also draws upon prevailing features of the traditional character of that area with the existing stone boundary wall being retained.
- 12.5 The development would constitute a density of approximately 38uph; this is considered to be an efficient use of the land which is achieved through a mix of house types. An increase to the density would not be desirable recognising this would be at loss to amenity and character. The properties are all 2 storey in height. Overall it is considered the scale of the development, both in terms of the numbers and height is appropriate to the local context.
- 12.6 Within the development, boundaries would consist of a mixture of treatments including walling to match the adjacent house types, the existing walls along the Water Lane frontage

and timber fences to rear gardens. This creates appropriate levels of defensible space and also provides a suitable finish to the public areas that ensures relevant privacy standards are achieved. Where space allows, frontages would support planting in the form of trees and shrubs, this in turn provides a visual benefit by softening the site's overall appearance by enhancing the setting of individual plots.

- 12.8 Having full consideration to the overall design merits of the proposal and the layout of the scheme it is considered that the development would deliver an attractive residential environment which would enhance the existing area. It is considered that the design has sufficient regard 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.

13.0 HIGHWAY SAFETY

- 13.1 The proposals will provide a new access point along Holly Bank and the apartments in the converted public house building will continue to use the existing access into the public house car park via Water Lane. There is no vehicular access proposed through the site. An additional pedestrian route will link the site with Water Lane.
- 13.2 The development would be set around two cul-de-sacs off which there would be private driveways and 3 areas of private courtyards. The design would allow for appropriate manoeuvring and servicing to take place.
- 13.3 The east side of the entrance way is the only part of the site which does not contain footways on both sides of the carriageway. The scheme has been designed with a footway to the west side of the carriageway and a service strip to the east to minimise the impact on the existing mature trees.
- 13.4 In line with the maximum standards of the adopted SPD parking is proposed at 200%. The position and orientation of the properties ensure that these parking spaces are accessible and in the interests of security are also covered by good surveillance.
- 13.5 Objections regarding the capacity of the local highways network are noted. Traffic surveys and modelling has been carried out to assess potential movements to and from the site and at the A628 Market Street/ Printers Fold junction. The submitted Traffic Statement confirms the results of these and that the increased traffic movements resulting from the site would be acceptable in terms of local capacity. There are key amenities in Hollingworth which fall within a 10-minute walk. In addition public transport is immediately on hand with bus stops on Market Street. On this basis the site is considered in highway terms to be an appropriate location for a residential development.
- 13.7 The access and parking arrangements have been designed in conjunction with advice given from the Highways Authority. The Highways Authority comments that the access arrangements are suitable to protect all road users. There is adequate capacity on the highways network and appropriate visibility splay can be achieved at the entrance to the site and entrances to private drives. Therefore subject to the recommended conditions, it is considered that the development adheres to the provisions of policies T1 and T10.

14.0 TREES & ECOLOGY

- 14.1 Policy N5 seeks to protect trees of a recognised quality which are located within development sites. The tree survey identified a total of 22 items of vegetation (12 individual trees and 10 groups of trees). Of these, 7 trees and 3 groups were identified as retention

category 'B', 4 trees and 7 groups were identified as retention category 'C' and 1 tree as unclassified.

- 14.2 The proposed development necessitates the removal of 7 individual trees and 8 groups within the site boundary. The loss of the trees is regrettable but is a necessity of the development. In total there would be 59 replacement trees as well as hedges, and shrubs included around the site. The trees and hedges mainly located within public areas to break up the street frontage and site boundary along water lane with planting. Overall this would provide sufficient mitigation and as such the loss can be tolerated. The detailed planting of this mitigation can be adequately secured by condition, likewise conditions relating to the timing of works and protection for existing trees can minimise the ecological impacts of the development.
- 14.3 In terms of the impact of the ecology on the site the application has been accompanied by an Ecology report and bat survey. No bats or signs of bats were found during the survey, however the building is considered to have the potential to support roosting bats along with the surrounding habitat which has a low-moderate suitability to support foraging and commuting bats. Further bat emergence surveys are necessary, which will need to be undertaken in the bat active season and can be adequately secured by condition.
- 14.4 The building, trees and scrub all have the potential to support nesting birds and as such conditions regarding the prevention of work during the main bird breeding season are recommended. A number of strands of the invasive Japanese knotweed together with Japanese rose and Variegated Yellow Archangel were identified on the site. It is an offence under the terms of the Wildlife and Countryside Act to allow these plants to grow in the wild. The appropriate removal and treatment can also be secured via condition.
- 14.5 Section 11 of the NPPF advocates biodiversity enhancement. The biodiversity value of the site could be enhanced as part of the landscaping proposals to be approved by condition. GMEU advise that this should include planting of native species and the fixture of bat and bird boxes to both trees and dwelling of the development.

15.0 GROUND CONDITIONS MINING & CONTAMINATION

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

16.0 MITIGATION / CONTRIBUTIONS

- 16.1 The scale of the development constitutes a major development which meets the thresholds for Affordable Housing, Green Space, Education and Highways contributions.
- 16.2 In accordance with the adopted Developer Contributions Calculator the following contributions would need to be secured with the developer to fund offsite improvements in the locality. Consultations undertaken with the respective services have identified the following areas for funding allocation:
- Green Space £29,703.49 – To be spent on improvements to greenspaces in Hollingworth on play improvements, tree planting and upgrading infrastructure such as benches and footpaths;

- Education £74,534.07 – To be allocated towards increasing capacity at local schools;
- Highways: £18,956.89 – To fund drainage and upgraded surfacing on local footpaths and bridleways.

Total £123,194.45

- 16.3 In order for this to be adequately addressed payment should be secured through a Section 106 agreement of the Town and Country Planning Act 1990. In the absence of such an agreement being entered the development fails to adequately mitigate its impacts contrary to the requirement of policies H4 'Type, Size and Affordability of Dwellings', H5 'Open Space Provision', H6 'Education and Community Facilities' and T13 'Transport Investment'.
- 16.4 The above contributions are considered to meet the CIL regulations in that they are necessary to make the development acceptable in planning terms (given the lack of formal amenity space to be provided on site, the additional traffic to be generated and the population growth arising from the development), directly related to the development (as the close proximity ensures that residents are likely to use these facilities) and proportionate in that the sum is based on the size of the development.
- 16.5 Paragraph 64 of the NPPF states that 'where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area.' The NPPF came into force in July 2018 and is a material consideration from that point.
- 16.6 Following adoption of the Housing Needs Assessment (HNA) for the Borough in August 2018, the Council now has an up to date evidence base on which to seek affordable housing contributions for developments of this scale. The HNA requires 15% of units on the proposed development to be provided as affordable housing.
- 16.7 The requirement is for a minimum of 15% affordable housing to be provided on site for the scheme to be policy compliant. It is understood that the intention is for the site to be developed out by a registered provider who intends to provide a level of affordable housing beyond the 15% minimum requirements. There is no mechanism available through the planning process to guarantee the delivery of more than the 15% policy compliant element and as such no weight is given to an increased amount of affordable housing as a material planning consideration. In these circumstances it would be appropriate for the Council to secure the provision of the 15% affordable housing as defined by our HNA by a restrictive condition. This will ensure that a policy compliant level of on-site affordable homes can always be secured on the site.

17.0 OTHER MATTERS

- 17.1 The site is in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. United Utilities have confirmed their agreement to the use of planning conditions to address drainage matters. Such conditions would require the site to be drained in accordance with the hierarchy which would satisfy the Lead Local Flood Authority's requirements.
- 17.2 In relation to air quality, the proposed development has the potential to expose future users to elevated pollution levels and to impact negatively on existing air quality in the vicinity of the site once occupied, primarily through traffic generation. It is considered reasonable to condition details of an electric vehicles charging strategy to serve the development, in order to reduce the emissions produced by the vehicular traffic generated by the development.

- 17.3 In relation to environmental health, the Environmental Health Officer has not raised any objections to the application subject to conditions relating to the hours of work during the demolition/construction phase of the development and the provision of refuse storage facilities prior to the occupation of the development.
- 17.4 In relation to crime prevention, the application is accompanied by a Crime Impact Assessment and the proposed layout provides a good level of active frontages to all parts of the development and car parking areas remote from dwellings have been kept to a minimum. Given these factors, it is considered that the public areas in the development would be well surveyed and that the development would not create opportunities for an increase in crime or anti-social behaviour. Conditions to reflect the specific measures set out in the Crime Impact Statement are attached to the recommendation.

18.0 CONCLUSION

- 18.1 At the heart of the NPPF is a presumption in favour of sustainable development, this requires planning applications that accord with the Development Plan to be approved without delay, and where the Development Plan is absent, silent or out of date granting permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the framework as a whole or specific policies in the framework indicate that development should be restricted.
- 18.2 Following the detailed assessment earlier in this report, it is considered that the principle of development is acceptable. The site is included within the Housing Land and Availability Report as a site that is projected to come forward in the early part of the review period and is therefore earmarked for delivery and the scheme is considered to be acceptable in density terms, given the sustainable location of the site.
- 18.3 The design creates a positive and welcoming residential environment. The high quality properties would make a positive contribution to the local housing stock, in accordance with core principles of the NPPF.
- 18.4 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 are therefore considered to comply with the relevant national and local planning policies quoted previously in this report and contribute positively to the Borough's affordable housing supply.

19.0 RECOMMENDATION

Grant planning permission, subject to the following:

Completion of a Section 106 Agreement to secure the following:

- A financial contribution of £29,703.49 be secured through the Section 106 Agreement towards improvements to greenspaces in Hollingworth for play improvements, tree planting and upgrading infrastructure such as benches and footpaths;
- A financial contribution of £74,534.07 be secured through the Section 106 Agreement towards the provision of increased capacity at Longdendale High School and Longdendale Primary School;
- A financial contribution of £ £18,956.89 be secured through the Section 106 Agreement to fund drainage and upgraded surfacing on local footpaths and bridleways (LON 109 and LON29); and,

- A financial contribution of £75,000 to be secured through a Section 106 Agreement and Community Use Agreement to help fund bringing Longendale Recreation Ground back into use.

That the Assistant Executive Director Environmental Services be authorised to process any Traffic Regulation Order considered necessary in connection with the approved development and indicated on the attached plan and in accordance with the Road Traffic Regulation Act 1984. Subject to the resolution of any objections received during the public consultation period.

And the following conditions:

1. The development hereby approved shall not begin until a scheme for the provision of on-site affordable housing has first been submitted to and approved in writing by the local planning authority which meets the definition of Affordable Housing in Annex 2 of the National Planning Policy Framework and which includes:
 - i. the numbers, type, tenure and location on the site of the affordable housing provision to be provided which shall consist of not less than 15% of the units to be provided on the site;
 - 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;
 - 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.

The affordable housing shall be provided and thereafter retained in full accordance with the approved scheme.

2. The development must be begun not later than the expiration of three years beginning with the date of this permission.
3. The development hereby approved shall be carried out in accordance with the following approved plans/details received by the Council:
 - Planning Layout (1331-M-PL001 rev J)
 - Materials & Boundaries Layout (1331-M-MB01 rev A)
 - Location Plan (1331-M-LP01)
 - Housetypes A 1331-M-HT-A; Housetypes B 1331-M-HT-B; Housetypes C 1331-M-HT-C; Housetypes E 1331-M-HT-E
 - Traffic management plan 886.TMP.001
 - Remediation and Enabling Works Strategy - November 2019 (13-280-r2),
 - Site sections A-A TO F-F (886.SS.001)
 - The Organ Inn conversion scheme (1331-M-CON-PL revB)
 - Indicative Street scenes 1331-M-SS01
 - Refuse Strategy Layout (1331-M-RF01 Rev B)
 - Landscape specification landscape specification note (UG306_LAN_DRW_LSN_03 rev P01)
 - Soft landscape plan soft landscape plan sheet 1 of 2 (UG306_LAN_DRW_SL_01 rev P01)
 - Soft landscape plan soft landscape plan sheet 2 of 2 UG306_LAN_DRW_SL_02 rev P01
 - Engineering Appraisal 10-01 rev P1

Cut & Fill Volumetrics 10-02 rev P1
Surface PDS Manhole Schedule 10-04-01 rev P1
Engineering Report (881852 30.10.19)
Flood Risk and Outline Drainage Strategy (881852 R1(00)-FRA)
Construction Environmental Management Plan (CEMP)
Crime impact statement version A: 01/11/19 (2014/0126/CIS/03)
Ecological survey and assessment October 2019 (ERAP Ltd 2019-282)
Heritage Statement
Phase I and phase II geo-environmental site assessment Report (13-280-R1-Rev C October 2019)
Planning statement (revised May 2020)
Sports and Open Space Supporting Statement V2
Transport Statement (October 2019)
Arboricultural Impact Assessment (V1. October 2019)

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:
 - I. In accordance with the E3P Phase I and II Geo Environmental Site Assessment dated October 2019, 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.
 - II. 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 (2) have been fully implemented including any requirements for long term monitoring and maintenance.
5. Prior to the first occupation of the development hereby approved, a verification / completion report demonstrating all remedial works and measures detailed in the scheme(s) have been fully implemented shall be submitted to, and approved in writing by, the LPA. The report shall also include full details of the arrangements for any long term monitoring and maintenance as identified in the approved verification plan. The long term monitoring and maintenance shall be undertaken as approved. The discharge of this 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.
6. In the event that contamination is found at any time when carrying out the development hereby approved which was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation strategy detailing how this contamination will be appropriately addressed and the remedial works verified should be submitted to, and approved in writing by the LPA. The remediation strategy shall be fully implemented and verified as approved.
7. Notwithstanding any description of materials listed in the application or detailed on the approved plans, no above ground construction works shall take place until samples and/or full specification of materials to be used: externally on the buildings; in the construction of all boundary walls, fences and railings; and, 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.

8. No development shall commence until such time as a Construction Environment Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of: Wheel wash facilities for construction vehicles; Arrangements for temporary construction access Contractor and construction worker car parking; Turning facilities during the remediation and construction phases; Details of on-site storage facilities. The development shall be carried out in accordance with the approved Construction Environmental Management Plan.
9. Notwithstanding the details shown on the approved plans, no part of the development hereby approved for the conversion of the former Organ Inn 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.
10. Prior to the first occupation of any part of the development hereby approved the approved scheme of landscaping scheme shown on drawing number UG306_LAN_DRW_SL_01 P01 shall be implemented in accordance with a programme submitted to and approved in writing by the Local Planning Authority. Any newly planted trees or plants forming part of the approved scheme which, within a period of 5 years from the completion of the planting, are removed, damaged, destroyed or die shall be replaced in the next appropriate planting season with others of similar size and species.
11. No development, other than site clearance and site compound set up, shall commence 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. Foul and surface water shall be drained on separate systems and in the event of surface water draining to the public surface water sewer, details of the flow rate and means of control shall be submitted. The scheme shall include details of on-going management and maintenance of the surface water drainage system to be installed. The development shall be completed in accordance with the approved details and retained and maintained as such thereafter.
12. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to and approved in writing by the local planning authority. The sustainable drainage management and maintenance plan shall include as a minimum:
 - a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
 - b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.The development shall subsequently be completed, maintained and managed in accordance with the approved plan.
13. None of the dwellings hereby approved shall be occupied until all of the physical security specifications set out in the Crime Impact Statement have been implemented in accordance with the approved details and shall be retained as such thereafter.

14. 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. .
15. No work shall take place in respect to the construction of the approved highway, as indicated on drawing no. 1331-M-PL01 Rev J, 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:
 - I. Phasing plan of highway works;
 - II. Wheel Washing Facilities;
 - III. Provisions for Staff/Visitor parking;
 - IV. Temporary access and turning facilities;
 - V. Reinstatement of redundant vehicle access points as continuous footway to adoptable;
 - VI. Provision of tactile paving and dropped kerbs should be provided at the junctions / site access points serving the site;
 - VII. Details of carriageway markings and signage.

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.

16. Prior to any works commencing on-site, a condition survey (including structural integrity) to assess the existing state of the highway of the highways to be used by construction traffic shall be carried out and submitted to and approved in writing by the Local Planning Authority. On completion of the development a second condition survey shall be carried out to identify defects attributable to the traffic ensuing from the development and again be submitted to and approved in writing by the Local Planning Authority. 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.
17. Prior to the first occupation of any of the dwellings hereby approved the car parking spaces to serve the development hereby approved shall be installed in accordance with the details shown on the approved site plan (drawing no1331-M-PL01 Rev J,) and shall be retained free from obstruction for their intended purposes thereafter.
18. A clear view shall be provided at the junction of the proposed access roads with Holly Bank and Water Lane. Its area shall measure 2.4 metres along the centre of the proposed access road and 43 metres along the edge of the roadway in Holly Bank and Water Lane. It must be kept clear of anything higher than 0.6 metre/s above the edge of the adjoining roadway or access, on land which you control.
19. The gradient of driveways shall not be steeper than 1 in 14
20. Prior to the first occupation of any part of the development hereby approved, details of a scheme for external lighting to serve the development (including both within the highway and to serve private driveways) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a scale plan indicating the location of the lighting to be installed, a LUX contour plan indicating the levels of light spillage and scaled elevations of lighting columns/supporting structures. The external lighting scheme shall be implemented in accordance with the approved details prior to the first occupation of any of the dwellings and shall be retained as such thereafter.
21. No development above ground level shall commence until a detailed Green Travel Plan for the

development has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of specific measures to promote the use of sustainable modes of transport. The measures to promote sustainable modes of transport shall be implemented in accordance with the approved details on the first occupation of the development and shall remain in force thereafter.

22. Prior to the first occupation of any part of the development hereby approved details of secure and weather proof cycle storage to LPCB LPS1175 Security Rating 2, or similar shall be submitted to and approved in writing by the Local Planning Authority and installed prior to the first occupation of the development hereby approved and thereafter kept available for its intended purposes.
23. A clear view shall be provided on both sides of any driveway or vehicular access where it meets the back of footway. It shall measure 2.4metres along the edge of the site access and 2.4 metres along the back of footway. It must be clear of anything higher than 600mm above the access, except for vertical iron railings to a design that includes rails of not greater than 15mm diameter spaced at not less than 100mm intervals.
24. Prior to the occupation of any of the dwellings hereby approved, details of an electric vehicle charging strategy for the development shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of the number of charging points to be installed, their location within the development and details of the management and maintenance of these facilities. The infrastructure shall be installed in accordance with the approved details, prior to the first occupation of any of the dwellings hereby approved and shall be retained as such thereafter.
25. Notwithstanding the details shown on the approved plans, no development other than site clearance and compound set-up shall commence until scaled plans detailing the existing and proposed ground levels on the site, the levels of the proposed access arrangements and the finished floor and ridge levels of the dwellings (including sections and with reference to a fixed datum point) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.
26. No development above ground level shall commence until details of the method of construction within the Root Protection Areas of the trees to be retained on the boundaries of the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
27. No tree felling or vegetation removal shall take place during the optimum period for bird nesting (March to July inclusive) unless nesting birds have found to be absent, by a suitably qualified person and agreed in writing with the Local Planning Authority.
28. No development of the area of the site that includes the former Organ Inn and all associated buildings shall commence until 3 x bat emergence surveys have been undertaken in the bat active season (May-September 2020) and have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
29. No development shall commence unless and until a Method Statement is submitted to and approved in writing by the Local Planning Authority detailing how Japanese Knotweed, Japanese rose, Variegated Yellow Archangel and any other invasive species on the site will be removed from the site. The development shall thereafter proceed in strict accordance with the approved Method Statement.

30. No development above ground level shall commence until details of Biodiversity enhancement measures to be installed as part of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The details shall include a specification of the installations (to include Bat bricks/bat slates, Bird boxes, Native tree and shrub planting and wildflower planting) and scaled plans showing their location within the development. The approved enhancement measures shall be installed in accordance with the approved details, prior to the first occupation of any of the dwellings and shall be retained as such thereafter.