

Application Number 20/00463/FUL

Proposal	Construction of 2 number 4 Bedroom Town Houses 2number 2 bedroom town houses and 12 apartments
Site	Land on Stamford Road, Mossley
Applicant	Mr Wilcox
Recommendation	Refuse planning permission.
Reason for Report	A Speakers Panel decision is required because the application constitutes major development.

1.0 APPLICATION DESCRIPTION

- 1.1 The applicant seeks full planning permission for the construction of 2 x 4 Bedroom Town houses, 2 x 2 bedroom town houses and 12 x 2 bed apartments.
- 1.2 The development would be 3 storeys in height, with a fourth floor of accommodation to be provided in the roofspace (served by dormer windows on the front and rear elevations). Plans have been submitted that, due to the change in levels between the application site and the properties on George Street to the south of the site, the windows within the dwellings at the eastern end of the proposed development would be largely screened from the view of the neighbouring properties to the south.
- 1.3 The scheme would involve 6 'bays' of development, of varying widths and the ridge heights of the elements would drop in an easterly direction, reflecting the drop in land levels along Stamford Road.
- 1.4 The following documents have been submitted in support of the planning application:
 - Arboricultural Impact Assessment
 - Drainage Strategy
 - Crime Impact Statement

2.0 SITE & SURROUNDINGS

- 2.1 The site is approximately 0.79 hectares in area and is situated along the south side of Stamford Road on land between number 9 Stamford Street and 77 Stamford Road. There is evidence from historical maps which show that part of the site was previously occupied by numbers 85 to 97 Stamford Road and houses accessed from Back George Street. The site includes land within the designated line of the Town Centre shown on the UDP map.
- 2.2 The site slopes steeply from Stamford Road up to the back of properties on George Street, to the south of the site. A footpath runs between no. 9 George Street and The Blazing Rag Public House and leads through the site, although the majority of the route is an informal footway with minimal surfacing.
- 2.3 There are mature trees in the eastern portion of the site, adjacent to the western gable end of no. 77 Stamford Road. That property and the terrace of units of which it is part are two storey dwellings, as are the properties on the northern side of Stamford Road, which face the northern boundary of the site.

3.0 PLANNING HISTORY

- 3.1 07/01602/FUL – Erection of 1 pair of semi-detached dwellinghouses (site area limited to the north eastern corner of the land that is the subject of this current application) – approve.

4.0 RELEVANT PLANNING POLICIES

4.1 Tameside Unitary Development Plan (UDP) Allocation:

The northern portion of the site is located in Mossley Town Centre

4.2 Part 1 Policies

Policy 1.4: Providing More Choice and Quality Homes.
Policy 1.5: Following the Principles of Sustainable Development
Policy 1.6: Securing Urban Regeneration
Policy 1.10: Protecting and Enhancing the Natural Environment.
Policy 1.11: Conserving Built Heritage and Retaining Local Identity.
Policy 1.12: Ensuring an Accessible, Safe and Healthy Environment.

4.3 Part 2 Policies

C1: Townscape and Urban Form
H1: Housing Land Provision.
H2: Unallocated Sites (for housing)
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
MW11: Contaminated Land
MW12: Control of Pollution
MW14 Air Quality
N3: Nature Conservation Factors
N4: Trees and Woodland
N5: Trees Within Development Sites
N7: Protected Species
OL4: Protected Green Space
OL10: Landscape Quality and Character
T1: Highway Improvement and Traffic Management.
T10: Parking
T11: Travel Plans
T13: Transport Investment
U3: Water Services for Developments
U4: Flood Prevention.
U5: Energy Efficiency

4.4 Other Policies

Greater Manchester Spatial Framework - Publication Draft 2019.

The Greater Manchester Combined Authority (GMCA) has consulted on the draft Greater Manchester Spatial Framework Draft 2019 (“GMSF”) which shows possible land use allocations and decision making policies across the region up to 2038. The document is a material consideration but the weight afforded to it is limited by the fact it is at an early stage in its preparation which is subject to unresolved objections.

Residential Design Supplementary Planning Document;
Trees and Landscaping on Development Sites SPD adopted in March 2007; and
Tameside Open Space, Sport and Recreation Study (2010)

4.5 National Planning Policy Framework (NPPF)

Section 2: Achieving Sustainable Development;
Section 5: Delivering a sufficient supply of homes;
Section 7: Ensuring the vitality of town centres;
Section 8: Promoting healthy and safe communities;
Section 11: Making Effective use of Land;
Section 12: Achieving well-designed places;
Section 15: Conserving and enhancing the natural environment; and
Section 16: Conserving and enhancing the historic environment

4.6 Planning Practice Guidance (PPG)

- 4.7 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 Neighbour notification letters were issued and a notice displayed adjacent to the site for 21 days, 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.

6.0 RESPONSES FROM CONSULTEES

- 6.1 Local Highway Authority – concerns regarding the highway safety implications of cars reversing out of the driveways onto the highway, especially given the existing traffic signals which are adjacent to the proposed development.
- 6.2 Lead Local Flood Authority (LLFA) – the submission of further details regarding surface water drainage is considered to be necessary, prior to the determination of the application.
- 6.3 United Utilities (UU) – no objections to the proposals subject to the imposition of conditions requiring the submission and approval of a sustainable surface water drainage strategy and that foul and surface water are drained from the site via separate mechanisms.
- 6.4 Borough Environmental Health Officer (EHO) – no objections to the proposals subject to details of soundproofing scheme to be installed to mitigate the impact of external noise sources on the residential amenity of future occupants, details of the refuse storage arrangements to serve the development and a limitation on the hours of work during the construction phase of the development being secured by conditions.
- 6.5 Borough contaminated land officer - no objections to the proposals subject to the imposition of a condition requiring an intrusive investigation into potential sources of ground contamination of the site and the approval of a remediation strategy prior to the commencement of development.

- 6.6 Borough Tree Officer – following the submission of an Arboricultural Impact Assessment (AIA), no objections to the proposals as the AIA indicates the removal of only Category U and C trees of very low value, therefore the proposals would be acceptable.
- 6.7 Transport for Greater Manchester (TfGM) – comment that, Stamford Road is fairly narrow and would not lend itself to cars reversing out of the driveways onto the highway, especially given the existing traffic signals which are adjacent to the proposed development. It is considered that this would create traffic conflicts to the detriment of highway safety. TfGM would therefore recommend that the car parking provision for the dwelling houses is either removed or redesigned.
- 6.8 Greater Manchester Police (Designing out Crime Officer) – a Crime Impact Assessment produced by a qualified person should be submitted prior to the determination of the planning application given the scale of the development and the potential for opportunities for crime.
- 6.9 Greater Manchester Archaeological Advisory Service (GMAAS) – no objections to the proposals on the grounds of archaeological significance and no conditions considered necessary in this regard.

7.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- 7.1 Six letters of objection have been received from neighbouring residents, raising the following concerns (summarised):
- The scheme proposes to high a density of development on the site, which result in a detrimental impact on the character of the area, highway safety and the residential amenity of neighbouring properties;
 - Concerns regarding the impact of overlooking into and overshadowing of neighbouring properties, which would be harmful to the amenity of the existing residents;
 - Concerns regarding highway safety – the proposed garages would require dangerous manoeuvring in the highway, close to a busy junction. This situation would be detrimental to highway safety;
 - The proposals do not make adequate provision for car parking. Reliance on on-street parking is not a feasible option and the size of the units will result in increased pressure for parking in the locality;
 - The scale of the development would result in a population increase that would have a detrimental impact on the capacity of services and facilities e.g. schools, doctor surgeries;
 - The proposed development would result in the loss of open space that has both amenity and biodiversity value.
 - Development of land relatively close to this site was refused under ref. 19/00940/FUL due to the harmful loss open space and the same principle is considered to apply to this application;
 - The scale of the proposed development would have a detrimental impact on the character of the area; and
 - Concerns regarding the impact of traffic and noise generated during the construction phase of the development on the residential amenity of neighbouring properties.

The re-alignment of the Public Right of Way running through the site is considered by one of the residents to be a positive element of the scheme.

- 7.2 Mossley Town Council has objected to the application, raising the following concerns (summarised):
- The proposed development involves over development on this site; - The proposed amenity facilities (refuse collection, bin storage etc.) for the proposed dwellings are inadequate and have the potential to create additional litter problems in the locality

causing further detriment to residential amenity. Older properties in Mossley have difficulty in storing bins and a new development should not encourage further examples of bins left out on the pavement which is detrimental to the street scene and an obstruction of the highway;

- The development as proposed is out of character with surrounding and nearby properties and would therefore be detrimental to residential and visual amenity. In particular the scale of the proposal will overly dominate the street scene and be "over bearing" on the nearby residential property. Whilst it is acknowledged there is some attempt to refer to more local character architecture we feel that this does not work here;
- The proposed car parking arrangements are inadequate for the development proposed. It appears that vehicles accessing the site cannot enter and leave the site in a forward gear which, if not possible will be seriously detrimental to highway safety on Stamford Road and the nearby five way traffic signal controlled junction. It runs contrary to good standards of highways practice which tries to avoid this, especially on main roads;
- Vehicles waiting to make a right turn into the site from Stamford Road will cause traffic to back-up to the nearby 5-way traffic signal controlled junction, further exacerbating the existing traffic difficulties at the junction and resulting in highway dangers;
- Bearing in mind the location of the site, there are no facilities to accommodate construction vehicles during the development process and construction traffic will be unable to park and deliver on the site leading to serious traffic hazards, indeed chaos on Stamford Road and again at the nearby junction.

7.3 Councillor Homer has objected to the application as Ward Member, raising the following concerns (summarised):

- Concerns of the local residents summarised above – with emphasis on the loss of green space, the inappropriate scale of the development, lack of refuse storage and car parking provision and disruption to amenity and highway safety during the construction phase of the development.

8.0 ANALYSIS

8.1 The key issues to be assessed in the determination of this planning application are:

- 1) The principle of development;
- 2) The impact of the proposed design and scale of the development on the character of the site and surrounding area;
- 3) The impact on the residential amenity of neighbouring properties;
- 4) The impact on highway safety;
- 5) The impact on the ecology and trees;
- 6) The impact on flood risk/drainage; and
- 6) Other matters

9.0 PRINCIPLE OF DEVELOPMENT

9.1 Loss of open space:

9.2 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 208 - 219 of the NPPF set out how its policies should be implemented and the weight that should be attributed to the UDP policies.

- 9.3 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.
- 9.4 Policy OL4 of the UDP seeks to retain areas of protected green space, including not only designated spaces (this site is not designated in this regard) but also 'areas of land in similar use but which are too small to be shown as Protected Green Spaces on the Proposals Map'.
- 9.5 Criterion (d) of the policy states that an exception to the policy requirement to retain green space can be made where 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. Tameside has recently produced a Playing Pitch Strategy and Action Plan report which does not identify the application site as being necessary to deliver the Council's aspirations to develop leisure space in the long term (next 6 years+).
- 9.6 There are a number of protected areas of open space within 10 minutes walking distance of the proposed development sites, which is the recommended walking distance threshold for Tameside, including Mossley Park to the south of the site.
- 9.7 Paragraph 97 of the NPPF states that Local Green Space designation will not be appropriate for most green areas or open space and that the designation should only be used where the following criteria apply:
- Where the green space is in reasonably close proximity to the community it serves;
 - Where the green space is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
 - Where the green area is local in character and does not apply to an extensive tract of land.
- 9.8 Whilst the land would comply with criterion 1 and 3, it is considered that the land does not hold the value required by criterion 2. The land itself is not designated as a site of ecological or historic significance (either nationally or locally) and the gradient of the land limits its value for recreational use.
- 9.9 The site does currently provide a visual break in development along Stamford Road. However, given the relatively dense nature of development surrounding the site and the fact that the site is within the built up centre of Mossley, it is considered that the undeveloped space is appreciated only by public views immediately adjacent to the site. It is therefore considered that the undeveloped nature of the land does not perform the role of a landscaped buffer on the edge of a settlement or provide a transition between areas of varying density or character.
- 9.10 Following the above assessment, it is considered that the loss of the open space would not result in harm that would significantly and demonstrably outweigh the benefits of the scheme, including the provision of new housing in a sustainable location, as discussed below.
- 9.11 Principle of redevelopment for housing:
- 9.12 The applicant has made reference to the fact that the site has been included in Strategic Housing Land Availability Assessments (SHLAA) produced by the Council. The site was considered suitable for the development of approximately 4 dwellings in 2014 SHLAA. It is however important to note that the site was removed from the more recent 2017/18 Strategic Housing and Employment Land Availability Assessment (SHELAA) and therefore is no longer specifically allocated for housing.

- 9.13 It is acknowledged that there is historic evidence of housing development on the site. However, it is also the case that the definition of previously developed land, as set out in the NPF, excludes land that ‘...was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape’ from being considered brownfield land. This exclusion is considered to apply to this site, in which the predominant characteristic of the site is of open space between development on the Stamford Road street scene.
- 9.14 Notwithstanding the above however, the site includes land within the allocated Mossley Town Centre Boundary and is situated within close proximity of regular bus services and within a 15 minute walk of Mossley railway station. Section 7 of the NPPF refers to residential development enhancing the viability of town centres and that consideration is relevant to this location.
- 9.15 The Council accepts that it cannot currently demonstrate a five year supply of housing land and as such, the redevelopment of the site for residential purposes in a sustainable location is worthy of significant weight in the determination of this application.
- 9.16 Following the above assessment, the principle of development is considered to be acceptable, subject to all other material planning considerations being satisfied.

10.0 CHARACTER

- 10.1 The scheme proposed a 3 storey development with accommodation in the roofspace, served by dormer windows on the front and rear elevations. The applicant has provided photographic evidence of the development that once occupied the site, in the form of a four storey development with commercial units on the ground floor.
- 10.2 Whilst the scale of the development that previously occupied the site is noted, that development was demolished a number of years ago and the character of the site has evolved into one that appears largely undeveloped. It is also considered that the proportions of the building (demonstrated by the fenestration in particular) would not result in a form of development that would positively connect with the architecture of the adjacent George Hotel, which was a key characteristic of the former buildings that occupied the site.
- 10.3 Whilst the staggered rooflines of the different elements of the scheme reflect the level changes along Stamford Road, the variation in the widths of each elements results in an inconsistency to the principal elevation of the development. This element of the design, along with the height of the scheme and the inclusion of dormer windows on the principal elevation are factors which are considered to contrast negatively with the simple, regular character and two storey scale of the properties that face the site on the opposite side of Stamford Road.
- 10.4 For these reasons, it is considered that the scale, massing and detailed design of the proposals would result in a detrimental impact on the character of the surrounding area.

11.0 RESIDENTIAL AMENITY

- 11.1 The adopted Residential Design Guide (RDG) requires 21 metres to be retained between corresponding elevations of properties of the same height that contain habitable rooms, reducing to 14 metres where properties face each other across a highway. A separation distance of 14 metres is also required to be retained where an elevation with an opening serving a habitable room and a corresponding blank elevation.
- 11.2 The RDG also requires a separation distance of 14 metres where developments faces each other across a highway. An additional 3 metres should be added to these distances for each

additional storey where buildings are taller than two storeys in height. Policy RD5 does include a caveat that variations from these standards may be applied to infill plots, where existing spacing between buildings should be taken into account.

- 11.3 The proposed development would be three storeys in height but would include habitable room windows in the roof space. It is considered reasonable to assess this proposal as the development of an infill site and it is the case that development extending to the back of the footway forms the predominant character of development along Stamford Road.
- 11.4 However, the separation distance between the front elevation of the proposed development and the corresponding elevation of 90-94 Stamford Road is just below 9 metres, which is at least 8 metres short of the distance required by the RDG. Given the limited nature of the separation distance to be retained and the fact that the properties on the opposite side of Stamford Road are only two storeys in height, it is considered that the proposal would result in harmful overlooking and an overbearing impact on the amenity of those neighbouring properties.
- 11.5 The applicant has provided further information during the course of the application in relation to the relationship between the proposed development and the properties on George Street, to the south of the site. One of the properties that backs on to the southern boundary of the site (no. 9 George Street) is a residential dwelling.
- 11.6 The section plans submitted by the applicant indicate that the eastern portion of the proposed development would be at a level where only the upper section of the roof of the scheme would be visible over the height of the treatment on the common boundary with that neighbouring property, due to the substantial change in levels between the sites. This would prevent direct opportunities for significant overlooking into the rear garden of no.9 George Street.
- 11.7 Whilst the height of the development would increase from east to west, the degree of land level change ensures that opportunities for clearer overlooking across the common boundary would be sufficiently oblique to prevent an adverse impact on the residential amenity of that neighbouring property.
- 11.8 The other buildings that back on to the southern boundary of the site are in use as a doctors surgery and a public house. Given the nature of those established uses, it is considered that the proposed development would not result in an adverse impact on the amenity of those neighbouring properties.
- 11.9 The property to the west of the site (on the junction of Stamford Road and Stamford Street) is a three storey building which has an established use as a restaurant. The western gable elevation of the proposed development would not include any openings and would be separated from the main corresponding elevation of that neighbouring property by the stairwell and year yard associated with that building. Given this situation and the established use of that building that is situated in a densely developed edge of centre location, it is considered that the proposed development would not result in an adverse impact on the amenity of that neighbouring property.
- 11.10 The gable end elevation of the neighbouring property to the east of the site is currently screened by mature trees on the eastern edge of the application site. Given this situation and the fact that the corresponding gable elevation of the proposed building would not contain any openings and would be set off the common boundary by the width of two car parking spaces, it is considered that the proposals would not result in harm to the amenity of that neighbouring property.
- 11.11 Following the above assessment, it is considered that the scale of the proposed development and the opportunities for direct overlooking into the habitable room windows of the properties

on the opposite side of Stamford Road (to the north of the site) would have an overbearing impact on the residential amenity of those neighbouring properties.

12.0 HIGHWAY SAFETY

- 12.1 The scheme proposes 6 car parking spaces to serve the development. Each of the townhouses would be served by integral garages that would provide 1 car parking space per property, with 2 car parking spaces shown external to the building at the eastern end of the development.
- 12.2 Policy RD8 of the Residential Design Guide requires 2 car parking spaces per 2 and 3 bedroom unit and 3 spaces for units of 4 or more bedrooms and the scheme would therefore fall some way below those standards.
- 12.3 The concerns expressed by objectors in relation to the level of parking provision proposed to serve the development are noted. The site is however in a sustainable location, within a 15 minute walk of Mossley railway station, with regular bus services to and from Ashton and Oldham operating along Stamford Road within a shorter walk of the site. A range of services and facilities, including a foodstore and the public open space at Mossley Park are within reasonable walking distance of the site.
- 12.4 Given these factors it is considered that proposal could achieved the definition of sustainable development as set out in the NPPF despite the deficit against the locally defined car parking standards. Details of secured cycle storage provision could be secured by condition had the scheme been considered acceptable in all other regards, to further mitigate any harm arising from the deficit in car parking provision against the locally adopted standards.
- 12.5 Both TfGM and the Local Highway Authority have raised concerns regarding the highway safety implications associated with the access of the proposed parking spaces that would serve the garages within the houses that form part of the development. The proposed spaces would require either performing a manoeuvre in the narrow highway on Stamford Road (adjacent to the traffic light controlled junction of Stamford Road and Stamford Street) to reverse into the spaces, or reversing out of the spaces into the highway.
- 12.6 The conflict with traffic within the highway associated with either scenario is considered to result in a highway safety hazard. A development of fewer, smaller units on the site would result in fewer trips than the current proposal. Such an alternative scheme would also allow space for the provision of a level of cycle parking provision within the site that could further reduce the number of car parking spaces required to serve such a development in this location. This would reduce the level of conflict created by the current proposals. Such an option has been explored with the applicant, the outcome of which has been a request to determine the application on the basis of the plans originally submitted.
- 12.7 Despite the close proximity of regular public transport services, the inclusion of townhouses within the development is considered to render a situation where no car parking is provided to serve the development is not a realistic proposition, given the reasonable assumption that these would provide accommodation for families. As such, it is considered that the removal of all car parking provision from the development as proposed would not alleviate the highway safety concerns identified above.
- 12.8 Following the above assessment, it is considered that the proposals would result in a detrimental impact on highway safety. In accordance with the contents of paragraph 109 of the NPPF, planning permission should therefore be refused.

13.0 ECOLOGY AND TREES

- 13.1 Comments by objectors to the application regarding the ecological value of the site are noted. The site is not designated either nationally or locally as a site of biodiversity value. Following the submission of an Arboricultural Impact Assessment, the Tree Officer has raised no objections to the scheme, concluding that the trees to be removed to facilitate the development are not of any amenity value or condition to warrant retention.
- 13.2 A condition requiring the submission and approval of biodiversity enhancements to serve the development could have been attached to a planning permission, had the scheme been considered acceptable in all other regards. As such, it is considered that a refusal of planning permission on the grounds of impact on ecology and/or trees could not be substantiated at appeal.

14.0 FLOOD RISK/DRAINAGE

- 14.1 The applicant has submitted a Flood Risk Assessment and Drainage Strategy. The site is in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. The applicant has provided further details of the surface water run off rates and details of an indicative drainage strategy for the site, to satisfy the initial concerns of the LLFA. United Utilities has not raised any objections to the proposals, subject to the imposition of conditions requiring surface and foul water to be drained from the site via different mechanisms and the submission and approval of a sustainable surface water drainage strategy prior to the commencement of development. It is considered that this further information could have been appropriately dealt with by condition, had the scheme been considered acceptable in all other regards.

15.0 OTHER MATTERS

- 15.1 The condition recommended by the Environmental Health Officer in relation to bin storage details, a scheme for soundproofing of the accommodation to preserve the amenity of future occupiers and the restricting of the hours of work during the construction phase of the development could have been appropriately dealt with by condition, had the scheme been considered acceptable in all other regards.
- 15.2 A condition requiring further investigation into sources of potentially contaminated land on the site and any necessary remediation could have been dealt with by condition, had the scheme been considered acceptable in all other regards.
- 15.3 Whilst the comments of the Designing Out Crime Officer are noted, it is considered that a condition could have been imposed on a planning permission requiring details of the specific crime reduction measures to be installed within the development, had the scheme been considered acceptable in all other regards.
- 15.4 In relation to developer contributions, any requirements in this regard must satisfy the following tests (as stated in paragraph 56 of the NPPF):
- a) Necessary to make the development acceptable in planning terms;
 - b) Directly related to the development; and
 - c) Fairly and reasonably related in scale and kind to the development.
- 15.5 Given the scale of the proposed development, the scheme would be required to contribute to the provision of open space within the local area, in accordance with policy H5 of the adopted UDP. Policy H6 requires financial contributions from developments of this scale towards education and other community facilities where current facilities do not have the capacity to meet the additional population of a proposed development. Policy T13 requires

development to provide contributions towards schemes to improve transport infrastructure, where this is required to mitigate the impact of the development.

- 15.6 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 latest version of the NPPF came into force in February 2019. 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.
- 15.7 Given that the NPPF is significantly more recent than the UDP policy and that the Council has an up to date evidence base to require a level of affordable housing provision at 15% across developments of the scale proposed, this scheme would be required to make such provision.
- 15.8 All of the aforementioned contributions could be secured through a Section 106 Agreement, had the scheme been considered acceptable in all other regards.
- 15.9 The site is located within an area identified as being at high risk in relation to land stability issues caused by coal mining legacy. This matter is covered in the report submitted with the planning application. The information provided in support of the application identifies the need for further investigation. The Coal Authority concurs with this conclusion and recommends that a condition to this effect should be imposed on any planning permission granted.

16.0 CONCLUSION

- 16.1 The site is situated in a sustainable location for housing and as such the principle of development is considered to be acceptable. However, for the reasons detailed in the main body of this report, the scale and design of the development are considered to be detrimental to the prevailing character of the surrounding area, the residential amenity of neighbouring residents and highway safety.
- 16.2 The proposals are therefore considered to be contrary to the aims and objectives of policies C1, H10 and T1 of the Tameside UDP, policy RD5 of the Residential Design Guide SPD and section 12 of the NPPF.

RECOMMENDATION

Refuse planning permission for the following reasons:

1. In the opinion of the Local Planning Authority, the proposed development would be of a scale and design that would be detrimental to the character of the surrounding area. The variation in the widths of each bay of the building results in an inconsistency to the principal elevation of the development. This element of the design, along with the height of the scheme and the inclusion of dormer windows on the principal elevation are factors which are considered to contrast negatively with the simple, regular character and two storey scale of the properties that face the site on the opposite side of Stamford Road. The proposal are therefore considered to be contrary to policies H10 and C1 of the Tameside UDP and the NPPF.
2. In the opinion of the Local Planning Authority, the proposed development would result in a detrimental impact on the residential amenity of the properties on the northern side of Stamford Road, given the fact that the building would be three storeys in height and would

include habitable room windows in the roofspace. The separation distance between the front elevation of the proposed development and the corresponding elevation of 90-94 Stamford Road is just below 9 metres. Given the limited nature of the separation distance to be retained and the fact that the properties on the opposite side of Stamford Road are only two storeys in height, it is considered that the proposal would result in harmful overlooking and an overbearing impact on the amenity of those neighbouring properties. The proposal are therefore considered to be contrary to policies H10 of the Tameside UDP, policy RD5 of the Residential Design Guide SPD and the NPPF.

3. In the opinion of the Local Planning Authority, the proposed development would result in a detrimental impact on highway safety, due to the necessary movements within Stamford Road associated with the garages within the houses that form part of the development. Access to the proposed garages would require either performing a manoeuvre in the narrow highway on Stamford Road (adjacent to the traffic light controlled junction of Stamford Road and Stamford Street) to reverse into the spaces, or reversing out of the spaces into the highway. The conflict with traffic within the highway associated with either scenario is considered to result in a highway safety hazard. In accordance with the contents of paragraph 109 of the NPPF, planning permission should therefore be refused.