

APPLICATION REPORT - PA/342008/18

Planning Committee, 1 July, 2019

Registration Date: 27/06/2018
Ward: Saint James'

Application Reference: PA/342008/18
Type of Application: Full Planning Permission

Proposal: Erection of 32 No. dwellings with associated external works.
Location: Land at Hodge Clough Road, Oldham
Case Officer: Graham Dickman

Applicant Ms Lewis
Agent : Halsall Lloyd Partnership

THE SITE

This application relates to a presently grassed parcel of land on the western side of Hodge Clough Road, opposite existing housing, and on the edge of the settlement of Sholver. The topography of the site is relatively flat with a slight 'hump' across its width. The land then drops away beyond the western boundary. Hodge Clough Road continues through the southern tip of the site, as a substandard tarmac track. Out beyond the west boundary of the site is a landfill site and vacant Greenbelt land.

Historically, the site accommodated linear blocks of houses, built around 1970. These were demolished sometime around 1992-1994. Since the mid to late 1990s the land has been used and maintained as public open space.

THE PROPOSAL

The application proposes a mix of two storey and two and half storey housing across a development of 32 semi-detached and terrace dwellings.

The scheme proposes to provide:

- 6 no. four bedroom houses,
- 13 no. three bedroom houses,
- 11 no. two bedroom houses and
- 2 no. two bedroom apartments.

The proposal includes a mixed tenure of 7no. Shared Ownership properties, 19no. Rent to Buy properties, and 6no. properties for open market sale

The majority of the properties would have enclosed private rear gardens and dedicated car-parking.

The application is accompanied by a Design and Access Statement, Planning Statement, Transport Statement, Energy Statement, Crime Impact Statement, Drainage Strategy, Tree Survey, Open Space Statement and Consultation response forms.

RELEVANT HISTORY OF THE SITE:

PA/333351/95 – Proposed residential development of 104 dwellings. Granted, 11 January 1996.

PA/032460/94 - Erection of 66 No. houses and bungalows. Granted, 6 June 1995,

RELEVANT PLANNING POLICIES & GUIDANCE

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, to the extent that development plan policies are material, planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise. This requirement is reiterated in Paragraph 2 of the National Planning Policy Framework (NPPF).

In this case the 'Development Plan' is the Joint Development Plan Document (DPD) which forms part of the Local Development Framework for Oldham. The application site is unallocated by the Proposals Map associated with this document.

The site is located within a Coal Authority Standing Advice Area, Critical Drainage Area and Surface Flooding Area (low-high susceptibility).

The following policies are relevant to the determination of this application.

Joint Development Plan Document

Core Strategies:

Policy 1 - Climate change and sustainable development;

Policy 2 - Communities;

Policy 3 - An address of choice;

Policy 5 - Promoting accessibility and sustainable transport options;

Development Management policies:

Policy 9 - Local environment;

Policy 10 - Affordable housing;

Policy 11 - Housing;

Policy 18 - Energy;

Policy 19 – Water and Flooding;

Policy 20 - Design;

Policy 21 – Protecting Natural Environmental Assets;

Policy 23 - Open spaces and sports; and,

Policy 25 - Developer Contributions

Saved UDP Policy D1.5 - Trees

CONSULTATIONS

Highway Engineer	No objection subject to a condition relating to access and car-parking.
Environmental Health	No objection. Recommend conditions.
Lead Local Flood Agency	No objection.
United Utilities	No objection. Recommend conditions regarding foul water and surface water.
Greater Manchester Ecology Unit	No objection. Recommend a condition regarding nesting birds.
Greater Manchester Police	No objection. Recommend condition to aim to achieve

REPRESENTATIONS

The proposed development has been advertised by means of a press notice, public notice erected on site, and individual consultation letters sent to neighbouring properties.

In total 265 letters of representation were submitted. This includes a petition objecting to the development with 176 signatures.

The objections received raised a number of material considerations, which are summarised below.

The grounds raised are as follows:

- Loss of open space
 - Proposed mitigation does not meet national recommendations (NPPF).
 - Loss of land for recreation purposes, exercise and dog walking.
 - Previous assurances that the space would be retained for public use
 - Lack of open space for over-crowded urban area
 - Alternative open space is not comparable.
 - Used everyday.
 - Loss of community asset, space for meeting friends, community events.
 - The development will result in it being unsafe for children to play out and without an area of open space. Existing play spaces already inadequate
 - Angelico Rise – not large or flat enough to engage in positive social and independent play. Area is not observable. Houses too far away to provide deterrent for bullying. History of vandalism and has been rebuilt twice.
 - Hodge Clough proposed green area (amphitheatre) - is out of site. Risk of feeling unsafe, potential bullying and opportunities for crime. It is too small for children to run and play games. Not enough space for people to exercise dogs. Area subject to periodic flooding.
 - Millennium Green is too far away and out of sight. Not a location you would go alone.
 - Adverse impact on community cohesion.
 - Mitigation measures fail to ensure the provision of appropriate quality, quantity and accessibility of open spaces to benefit the amenity of local people.
- Detriment to character of area
 - Loss of views across Oldham
- Detriment to Wildlife/ecology
 - Ecology survey provides a snap shot only.
 - Various wildlife seen – wild deer, foxes, bird life and bats.
- Social, Health and Crime impact
 - Additional housing will result in an increase in anti-social behaviour
 - Detriment to physical and mental health and wellbeing of residents
 - No evidence that people wanting a mortgage want to live in Sholver.
 - There is enough social housing
 - No benefits to the community.
 - Burden on Health and Social Services.
 - Increase in pollution.

- Impact on services
 - Existing primary schools already full/operating above capacity
 - FCHO have not demonstrated how they will manage the demand on local services.
 - Local community groups oversubscribed.
 - Detriment to water pressure.
 - Communally used bins and vermin an issue.
 - Not enough shops.
 - NPPF paragraph 71 states Local Authorities should support exception sites for first time buyers, unless demand is already met in an area. Oldham already has lots of affordable starter homes.

- Detriment to Highway Safety
 - Congestion.
 - Inadequate access for emergency vehicles.
 - Exacerbate highways issues on Cop Road/Bullcote Lane.
 - Safety risk to pedestrians (including children) and cyclists.
 - Inadequate infrastructure.
 - Inadequate space for parking.
 - Damage to road surface.
 - No traffic calming measures considered.

- Visual Amenity
 - Houses appear ugly and cheap
 - Houses not in keeping with existing housing.
 - Obstruction of existing views.
 - Disproportionate to the existing dwellings.
 - Unsuitable massing, density.

- Detriment to Residential Amenity
 - Over-looking and loss of privacy.
 - Detriment to daylight and sunlight
 - Increased noise and nuisance from extra households.
 - Disruption during development
 - Plots are cramped in comparison to existing dwellings.
 - Over-developed

- Other objections
 - Land in SHLAA, although it is not on the Brownfield register.
 - Drainage Issues - Houses currently suffer with drainage issues and extra housing will cause further stress.
 - Land unsafe to build on due to mines.
 - Inadequate dialogue with existing residents.
 - Detriment to value of property.
 - Increase in water rates.
 - NPPF paragraph 71 states Local Authorities should support exception sites for first time buyers, unless demand already met in area – 'Oldham has lots and lots of affordable starter homes'.
 - Dispute FCHO statement that there is extensively accessible open space.
 - The existing village green, situated in front of public house, is entirely encircled by roads, not over-looked by houses and offers little security. It is not safe, tranquil or pleasant for recreation, especially children.
 - The existing MUGA and children's play area are the only structured play areas and, with loss of open spaces and increased no of residents, there will be an increased strain on these facilities.

- The existing nature reserve is an unlit and isolated area that cannot be considered a safe place for recreation, especially children.
- The existing Millennium Green is an isolated area and not a safe place for recreation.

PLANNING CONSIDERATIONS

The main issues to consider are:

- Principle of Development;
- Impact on Open Space;
- Planning Balance;
- Residential Amenity
- Design and Visual Amenity;;
- Highways;
- Landscape and Ecology;
- Other Matters - Drainage; Land Contamination; Energy

Principle of Development

The assessment made in regard to the principle of development relates to the provision of housing balanced against the loss of open space. For clarity each issue has been addressed separately with the conclusion reached in the planning balance section.

Paragraph 11 of the NPPF states that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

- Approving development proposals that accord with an up-to-date development plan without delay; or
- Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (including for applications involving housing, situations where the LPA cannot demonstrate a 5 year supply of deliverable housing sites), granting permission unless:
 - The application of policies in this framework that protect areas of assets of particular importance provides a clear reason for refusing the development proposed; or
 - Any adverse impacts of doing so would **significantly and demonstrably outweigh the benefits**, when assessed against the policies in this framework as a whole

This position is backed up within DPD Policy 3 which sets out the Council's approach for managing the release of housing land. It states that planning applications for residential development, in whole or as part of a mixed-use scheme, will be permitted where:

- a) The site is allocated for residential development or mixed-use and has come forward in line with the council's approach to phasing, reflecting the residential distribution described within the policy (indicates 60% within East and West Oldham);
Or
- b) The site is allocated for residential development or mixed-use and has come forward prematurely from the phasing set out in the Site Allocations DPD and does not undermine other national and local guidance and policies; and

- i) A deliverable five-year supply of housing land cannot be demonstrated; or
- ii) It contributes to the delivery of the borough's regeneration priorities; or
- iii) It contributes to the delivery of affordable housing that meets the local affordable housing needs.

As such, a residential scheme such as this one, on a non-allocated sites has to be considered favourably where it meets the three criteria listed under b) above or it is for a small development, comprising a change of use or conversion or not identified in the Council's Strategic Housing Land Availability Assessment (SHLAA).

These three criteria are considered in turn below:

5 Year Housing Land Supply Position

The SHLAA identifies a baseline housing land supply of 10,838 dwellings, increasing to 11,233 when taking into account the small sites and clearance allowances. The Government has introduced a standardised methodology for assessing local housing need (LHN), based on household projections with an adjustment to take account of affordability. For Oldham, Local Housing Need (LHN) has recently changed to 692 homes per year.

The 2018 SHLAA shows the Council in the last 5 years has 351, 562, 276, 357 and 313 net completions. As such, it is clear that it is not delivering the number of houses it requires. Furthermore, there is no evidence to support the view that the Council has a 5 year housing land supply at the time of writing.

Moreover, it is also noted that the Housing Delivery Test 2018 measurements produced by the Ministry of Housing, Communities and Local Government illustrates that Oldham's performance in relation to housing delivery is that it has provided 64% of the total number of houses required throughout the borough (899 dwellings were delivered short of the 1394 dwellings required).

In light of the above, it is clear that the presumption in favour of sustainable development applies in Oldham and is therefore a material factor in the determination of this proposal. Subsequently officers attach significant weight to this within the planning balance. Moreover, it means that the Council can only refuse an application for housing in such cases if there are significant and demonstrable factors which outweigh the benefits of such additional housing.

Additionally, weight must be given to the numerous economic and social benefits that new housing brings with it including;

- new direct and indirect jobs,
- resources for public services,
- affordable housing,
- open space,
- investment,
- spending in the local area, amongst other things.

The proposal involves the provision of new residential properties within an existing residential area which is served by local services such as schools, community buildings, play parks, shops and public transport links. It is therefore a sustainable location. In this context the application seeks to develop a mixed tenure housing scheme comprising a mix of two, three and four bedroom family homes, with split tenure across 'Rent to Buy' and 'Shared Ownership' properties.

Shared Ownership offers the chance to buy a share of your home (between 25% and 75% of the home's value) and pay rent on the remaining share.

Rent to Buy is a new product that the Government is supporting to enable home ownership for those working but struggling to purchase their own home. Rent to Buy is described by the Homes England as homes which are '*let to working households at an intermediate rent to give them the opportunity to save for a deposit to buy their first home*'

Overall, officers consider that the development would result in the provision of much needed housing numbers at a time when currently assessed housing delivery falls short at the figure of 64% provision. Furthermore, the site is identified as sustainable in terms of its location and access to existing services. When taken against the backdrop of the presumption in favour of sustainable development as outlined within the NPPF, this proposed housing development has significant weight to support it in light of its clear economic and social benefits and the fact that it clearly helps to meet housing needs in an area that has produced just 243 dwellings in the last ten year to house its residents.

Delivery of the borough's regeneration priorities

The site is currently owned by Oldham Council and it is intended that the site can be disposed of via a transfer to First Choice Homes (FCHO). In 2014, FCHO and OMBC began the process of developing a joint vision to transform Sholver and a memorandum of understanding (MoU) between each organisation was agreed and signed outlining a shared vision for co-operative neighbourhood leadership between both parties as part of a 10 year Plan For Sholver and a masterplan was developed for Sholver in 2009 as part of the Housing Market Renewal Initiative.

As a result of this cooperation, FCHO have invested approximately £10 million in Sholver with a future plan to invest a further £13 million over the coming years. This capital outlay, alongside the agreed MoU which exists between the Council and FCHO, clearly illustrates that this development will contribute to the delivery of the borough's regeneration priorities for Sholver and once more this issue weighs in favour of the scheme within the planning balance.

Delivery of Affordable Housing

The proposal includes the provision 32 units made up of two, three and four bedroom properties comprising a mix of 7no. shared Ownership and 19no. rent to buy properties with 6no houses for open market sale.

Oldham's Strategic Housing Market Assessment reported that '*the availability of affordable housing within the borough has dramatically reduced as a result of a reduction in*

council-owned stock, an increasing buy-to-let market, house price inflation, demographic changes and the poor quality of much of the private housing sector.' Much of the social rented housing provision has also effectively been restricted to replacing properties lost through clearance. This position has been further exacerbated by the rise in house prices which has restricted access into the local housing market for many families.

In this context, it is considered that substantial weight can be attributed to the merits of this scheme. The development will provide 26no residential units which are affordable in terms of tenure and this will provide much needed opportunities for local people to secure long term, sustainable residences. Although it is recognised that there are negative impacts resultant of this proposal in terms of the loss of open space, the positive aspects related to the provision of affordable housing still weighs positively within the planning balance.

Impact on Open Space

The application site forms public open space which is currently accessible and used by the local community. The land was laid out as public open space in the 1990s and has subsequently been managed as such. The provision of the public open space was in connection with the housing development built at the same time. Specifically in 1995 and 1996 the Council entered into a Section 106 agreement, with the agreement that the application site was to be provided as public open space in connection with the housing accommodation provided at the time of the associated planning consent.

The Strategic Planning Policy Team has advised that Hodge Clough and the surrounding area, has reasonable accessibility to open space. However, the area is deficient in both quantity and quality open space provision.

Paragraph 97 of NPPF states that existing open space should not be built on unless:

- 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.

DPD Policy 23 of the Local Plan reinforces this position and states that the development of a site that is currently used as open space will be permitted provided it can be demonstrated the development brings substantial benefits to the community that would outweigh the harm resulting from the loss of open space: and either

- i) A replacement facility which is at least equivalent in terms of usefulness, attractiveness, quality and accessibility, and where appropriate quantity is provided on another site prior to the development commencing;
- ii) If replacement is neither practicable nor desirable, an agreed contribution is made for new provision or improve existing open space and maintenance and is within an appropriate distance from the site.
- iii) A mixture of both

Policy 23 requires residential developments to contribute towards the provision of new or enhanced open space. The first preference is on site open space. However, where on site provision is not feasible or desirable, the Strategic Planning Team have calculated that the provision of an off site open contribution for this site which would provide a total of 89 bedrooms would amount to £194,592.27 which includes the laying out cost - £106,994.91 and cost of maintenance for 12 years £87,597.36.

The applicant's proposals to address the loss of open space and enhancement of existing open spaces on both this site is as follows.

Proposed provisions of upgraded open space

- Provision of on-site open space at Hodge Clough Road - Costs £50,000

The proposal at Hodge Clough open space uses a natural design approach for incidental play and recreation. The existing site falls steeply from east to west with an average slope of 1:10. The design aims to create three level, useable terraces falling at 1:50, each retained by a stone-faced batter that emerges from the landform to a maximum height of up to 1.5m.

Terraces are achieved through use of clean excavated material from the housing site, capped with salvaged clean topsoil. The terraces are orientated to take advantage of the broad panoramic views to the west/ southwest. The design seeks to enhance the existing desire lines passing through the site, connecting the existing and new housing areas to the wider landscape and established footpath network.

The proposals included the planting of a wild flower garden and level alterations with footpaths, proposed bulb and whip planting along with the provisions of new footpaths. The level alterations include three tiered levels with the intention to make the site more accessible. The open space statement states 'these enhancement works will rejuvenate an area of underutilised open space.'

- Provision of Pocket Park on Angelico Rise – Costs £85,000

The proposal at Angelico Rise aims integrate play opportunities that complement the more natural design approach proposed for Hodge Clough open space. The design includes sculptural landform to enhance the distant west-facing views across the valley. Play opportunities are integrated into the new landform, including glacial boulders as stepping stones and for climbing, a dry 'stream bed' with 'fallen tree' to climb cross. A gritstone path goes through the space, crossing a timber 'bridge' and on to the lookout point. New tree planting will provide an enclosure whilst shrub planting will include scented species with architectural foliage. Entrances are framed by low stone walls and stone piers, each with a wayfinding marker post.

- Additional tree planting of 70 trees across the Sholver Estate. – Costs £18,000

No further detail has been provided by FCHO in relation to the tree planting. Officers are however satisfied that the tree planting can be secured via the S106 procedure

Proposed Maintenance

- Long term maintenance for over 30 years – Costs £175,000

These mitigating measures equate to an outlay of £328,000. This exceeds the contribution requirement made by Strategic Planning Team of £194,592.27 and as such weighs in favour of the scheme.

Planning Balance

It is clear that the development of this site will result in the loss of a parcel of land which contributes to the available public open space in this part of Oldham. For a positive determination to be reached, the LPA needs to be satisfied that the mitigation measures

proposed by the applicant, alongside the recognised public benefits which accrue from the scheme, outweigh this loss. Issues relating to the existing provision of open space in proximity to the site also form part of the planning balance.

Positives associated with the scheme

In this instance, officers consider that there are a number of positive features associated with this proposal that weigh in favour of the application.

The main positive relates to the provision of 32no dwellings which will contribute to the Boroughs Housing Delivery figures. As noted within the report, there is a presumption in favour of sustainable development and where the Council cannot demonstrate a sufficient 5-year supply, approval of sustainable schemes should not be delayed. OMBC has achieved a housing delivery figure of 64% and in this context the NPPF is clear that the presumption in favour of sustainable development shall come into force. As such, the delivery of additional housing numbers in a sustainable location is given substantial positive weight in this assessment.

Adding further weight in favour of the scheme is the issue of affordability. This development will secure improvements in the quality and range of family housing, through the introduction of 2, 3 and 4 bed properties that will help to attract families to live in Oldham, whilst the tenure mix of open market sale and affordable dwellings will free up existing affordable housing stock and will assist households in accessing the property ladder where they may otherwise struggle to do so. The provision of affordable housing is a recognised priority within Oldham and, as this proposal would bring in 26 affordable units, officers attach substantial weight to this element of the scheme.

An additional merit of the scheme relates to the economic benefits associated with the provision of housing. The construction process, and subsequent maintenance of the buildings, generates income for local businesses whilst those residing within the development would bring increased spending both within Sholver and across Oldham. These financial benefits accrue over time and officers therefore attach positive weight to this within the planning balance.

The monetary investment provided by the applicant on this scheme represents an appropriate financial outlay with the benefits of this investment securing long lasting improvements to the surrounding open space. This outlay will result in on-site enhancements whilst upgrading surrounding open space provision and officers therefore reasonably conclude that the caveats contained within DPD Policy 23 can, in part, be achieved.

Further positive weight is attached to the recognition that there are numerous existing open spaces which exist within Sholver. In strategic terms the loss of this site to housing will have a marginal impact on the Council's overall supply of unprotected open space within the Borough, given that there is already a more than adequate supply such space within Sholver. As such, although the loss is to a degree regrettable, when the wider context of the site is taken into account, this loss is clearly well within tolerable limits given the relative abundance of areas already contributing to local provision.

Furthermore, the erection and occupation of the proposed developments will have substantial economic, social and environmental benefits. These include the provision of direct and indirect jobs for those involved in the construction industry within the Borough alongside the economic benefits associated with family spending on local goods and services. From an environmental standpoint, the development would also lessen the demand to build on OPOL within the Borough and on the Green Belt, adding further positive weight.

Financial benefits associated with the proposal relate to the provision of an additional New Homes Bonus revenue and Council Tax receipts, both of which are vital to ensure Council services are funded properly. For 2016/2017, OMBC received £1,600,995 for new housing (408 including 63 empty homes brought back into use) and 77 units classed as affordable at £350 additional premium per unit. It is anticipated that both schemes combined will generate £771,392 in tax revenue including £72,285 in council tax revenue.

Negatives associated with the scheme

On approach to the site it is clear that the character of this area is linked to the open space provision along this side of Hodge Clough Road. During officer site visits, it was noted that dog walkers and pedestrians utilised this area of open space. As such, the public benefit of this parcel of land is given weight by officers. The main bulk of the objections received against the proposal relate in part to the loss of the area, and officers also note that the Local Plan does seek to encourage development on brownfield sites in the first instance. As such, officers have given weight to the negatives associated with development on this parcel of open land and this weighs against the scheme.

Conclusion

Whilst the guidance in the NPPF and Oldham's adopted development management policies seek to direct the majority of new residential development towards previously developed land, this does not preclude development sites such as Hodge Clough.

There is a significant benefit arising from the developments for residential development to meet identified need for affordable family housing in accordance with the requirements of the Framework and the site is located in a particularly sustainable location, with good access to public transport as well as local services and amenities. Overall, it is considered that the economic and social benefits associated with the proposed developments significantly outweigh the impact of the loss of the open space.

With reference to the planning merits of this proposal, officers recognise that the proposal will make a significant contribution towards new affordable family housing in the local area at a mix which responds directly to locally identified need. The scheme will see housing development in a highly sustainable location, within walking distance to a range of key facilities and the proposals will support the continued vibrancy and vitality of services within the Sholver area;

Economically the proposal will support the creation of jobs both directly and indirectly through the local supply chain from the purchase of local goods and services and it is considered that the scheme would constitute a vital element of the regeneration efforts made by both FCHO and the Council to invest in the area.

It is therefore considered that the development proposal, in conjunction with the wider Sholver environmental improvements, will provide an opportunity to create a more vibrant and cohesive environment for residents living in Sholver, and although the level of new open space proposed on and off site does not necessarily compensate for the loss of this parcel of public open space, the benefits of the scheme overall outweigh the harm caused by the proposal. As such, the development accords with the requirements of NPPF Paragraph 97 and Core Strategy Policy 23.

Residential Amenity

Policy 9 of the LDF-DPD requires that development does not cause significant harm to the amenity of existing and future neighbouring occupants or users through impacts on privacy, safety and security, noise, pollution, the visual appearance of an area, access to daylight or other nuisances.

The properties are a mix of semi-detached and a block of short terraces and some properties are two and half stories high. There would be 22.5 and 30m between the front elevation of the proposed and existing properties on the opposite side of Hodge Cough Road. It is also noted the Hodge Cough properties are at a higher level.

81 Hodge Clough is adjacent to the northern site boundary and the proposed properties would have a similar building line and would not project further than the existing neighbouring properties rear elevation. The resulting relationship with the neighbouring properties in terms of residential amenity would be acceptable.

The scheme's layout, scale and design does not pose any significant amenity issues to existing and future residents, given there are adequate distances between properties. It is acknowledged that the outlook from the properties will significantly change. However, the loss of such views is not a material planning consideration and no material loss of light, increased overlooking or material increase in the perception of enclosure would occur.

Design and Visual Amenity

In terms of design, DPD Policy 9 'Local Environment and Policy 20 'Design' recognises the contribution that high quality design can make to regeneration and sustainable development.

The size and scale of the properties are appropriate in the context of the area. The site layout, garden provision, street design and landscaping generally respond to the existing character. The design and materials are traditional in nature. However, they do consist of a more contemporary palette of materials and features which will provide interest. Overall, the design is considered positive.

Criterion iv. of Policy 9 states the council will ensure development will not have a significant, adverse impact on visual amenity of the surrounding area, including local landscape and townscape. The scale, layout and massing of these units is also considered appropriate, given that the scheme would mirror the form and layout of the dwellings set across the road from the site, and whilst there is some loss of open space, a development of this nature would neatly fit on the edge of this settlement. When viewed from further afield, the development would appear as a natural terminus of the estate and would not result in an unwarranted, out of scale or alien feature.

Objection has been raised against this proposal which has centred upon the perceived disproportionate scale of the dwellings. Officers note that some of the dwellings provide accommodation within the roof space and dormer windows give the appearance of a 3 storey building. However, this objection is not supported by officers given that all of the proposed buildings are clearly two storey in height, and although dormer windows are shown, this is neither uncommon within a traditional street scene nor does it give an overbearing appearance at ground level. The eaves and pitch heights are appropriate for this location whilst the vernacular of these dwellings matches those of the surrounding buildings and in all regards, this scheme would be considered as an appropriate addition to this part of Sholver.

Officers therefore consider that the development of the site will not have an adverse impact on the visual amenity of the local landscape and townscape and therefore accord with the

provisions of Policy 9.

Highways

The scheme includes parking and access to be provided for each residential unit. The Highways Officer has recommended a condition to require access and parking to be provided prior to the occupation of the proposed dwellings.

The Local Highway Authority has assessed the scheme in terms of the potential impact on highway safety.

A Transport Statement was submitted with this application and it revealed that the expected level of traffic generation will be low, at an expected seventeen two way trips during each peak period.

On this basis, the level of traffic generation will not have a significant impact on the local highway network to the detriment of highway safety. Therefore no objections are raised to planning permission being granted for highway safety reasons.'

There is no evidence to justify a conclusion that the scale of development proposed would result in an adverse impact on the highway network.

Landscape and Ecology

DPD Policy 21 'Protecting Natural Environmental Assets' requires new developments proposals, where appropriate, to protect, conserve and enhance biodiversity, legally protected species and their habitats. Paragraph 170 of the NPPF states local planning authorities should aim to conserve and enhance biodiversity.

Policy 6 states development proposals must promote and enhance the borough's Green Infrastructure network. This is reinforced in Policy 21 which states that proposals must protect and maximise opportunities for green infrastructure, maintain green corridors and protect aquatic environment.

A number of concerns have been raised by objectors in regard to the ecology of the site. The Greater Manchester Ecology Unit (GMEU) has assessed the submitted Phase 1 Ecological Survey & Appraisal Report and considers it to be acceptable. GMEU advises that the site has limited ecological value as it is largely closely mown grassland. GMEU recommended a number of conditions to protect and enhance wildlife.

The proposal is acceptable in terms of ecology, subject to conditions to be recommended to ensure necessary re-planting and ecological mitigation.

A Section 106 legal agreement will be required in order to secure the implementation of the off-site works which relate to Hodge Clough POS and Angelico Rise. This agreement will cover the implementation of these works, alongside the ongoing maintenance plans for each location.

Officers did not request a financial contribution to be made by the applicant in lieu of off site open space provision as it is considered that a scheme which proposes a 100% affordable housing project would not be financially viable.

Other Matters

Drainage

DPD Policy 19 seeks to direct development away from areas at risk of flooding and encourages the use of sustainable drainage systems (SUDS) in new development. Criterion (b) of the policy states that developments must '*minimise the impact of development on surface water run-off. The allowable discharge rates must be agreed with the council for all developments, which must where possible be achieved through the implementation of SUDS*'. The NPPF identifies that development should ensure that developments do not increase flood risk elsewhere.

In this respect, conditions are attached to require the submission of an appropriate drainage strategy to ensure that the post-development surface water discharge complies with DPD Policy 19 and the NPPF.

Energy

DPD Policy 18 requires all developments over 1000sqm to reduce energy emissions in line with the targets based on reductions over and above Part L of the Building Regulations 2010 or 2013. The submitted Energy Statement states that the project will follow the principles of the 'zero carbon hierarchy'. However, details of how this will be achieved, in accordance of the Policy 18, are required to be provided. The requirement for a detailed scheme could be managed through the provision of a condition.

Land contamination

The Council's Environmental Health Officer has recommended conditions requiring contaminated land and landfill gas investigations before any development of the proposed building takes place. These matters could be conditioned accordingly.

Conclusion

Although the proposal would result in the loss of a parcel of land designated and used as public open space, the mitigating factors which are relevant to this application are considered enough to outweigh the harm caused. The provision of 32no. dwellings, 26 of which will be affordable, alongside the provision of an additional pocket park, the remodelling and replanting of Hodge Clough and the ongoing maintenance weigh significantly in favour of approval and officers consider that on balance, an approval is warranted in this instance. The scheme will bring demonstrable benefits in terms of housing provision, financial contributions, both direct to the Council and via local spend, whilst ensuring that locally available public open space is upgraded and maintained in the long term.

As such, officers consider that the proposal would result in a sustainable form of development and taking the above matters into consideration, it is concluded that the proposal complies with the provisions of the NPPF and LDF-Joint DPD Policy 1, 3 9 and 23. As such, the application is recommended for approval.

RECOMMENDATION

It is recommended that Committee resolves:

1. To grant planning permission subject to the following conditions and to the completion of a Section 106 agreement in respect of;

- a) ensuring the provision and retention of the 26no affordable dwellings
- b) ensuring the provision of the upgrades made to Hodge Clough and Angelico Park

c) ensuring the provision of the tree planting scheme across the Sholver Estate

2. To delegate authority to the Head of Planning and Development Management to issue the decision notice upon satisfactory completion of the legal agreement.

1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission.

Reason - To comply with the provisions of the Town & Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be fully implemented in accordance with the approved plans and specifications which are referenced as follows

01 – E: Location Plan
02 – C: Existing Site Plan
04 - G: Proposed Site Layout
05 – A: Planting Plan
10 – B: House Type A
11 – B: House Type B
12 - B: House Type D
13 – B: House Type F
14 - Hodge Clough Open Space
15 - Hodge Clough Open Space Visualisation
16 - Angelico Rise Open Space
17 - Angelico Rise Open Space Visualisation
20 - B: Hodge Clough Road Street Elevation
30 – B: Proposed Site Sections
91- A: Proposed Street Scene

Reason - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.

3. No dwelling shall be brought into use unless and until the access and car parking space for that dwelling has been provided in accordance with the approved plan Ref: Dwg No.28298 04 Rev F. The details of construction, levels and drainage shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development. Thereafter the parking spaces shall not be used for any purpose other than the parking and manoeuvring of vehicles.

Reason - To ensure that adequate off-street parking facilities are provided and remain available for the development so that parking does not take place on the highway to the detriment of highway safety.

4. No removal of or works to any trees or shrubs shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason - To ensure that the proposal has limited impacts upon the wider ecology of the site and its environs

5. No development shall commence unless and until a site investigation and assessment in relation to the landfill gas risk has been carried out and the consultant's report and recommendations have been submitted to and approved in writing by the Local Planning Authority. Written approval from the Local Planning Authority will be required for any necessary programmed remedial measures and, on receipt of a satisfactory completion report, to discharge the condition.

Reason - In order to protect public safety, because the site is located within 250m of a former landfill site.

6. Prior to the commencement of any development, 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 and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public combined sewerage system either directly or indirectly.

Foul and surface water shall be drained on separate systems and the development shall be completed in accordance with the approved details.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

7. 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.

Reason - To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

8. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the local planning authority. Thereafter any trees or shrubs which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the development shall be replaced in the next planting season with others of a similar size, number and species to comply with the approved plan unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure that the landscaping scheme is carried out and protected in the interests of visual amenity and to safeguard the future appearance of the area.

..... **Case Officer**

..... **Date**

..... **Planning Officer**

..... **Date**

North



0 10m 50m



Key

- Red Line Boundary indicating application site area
- Blue Line Boundary indicating nearby applicant ownership

Site Area:
7376 m²

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Address
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Drawing Title

Location Plan

Project
Hodge Clough Road, Shalver

Client
FCHO

Scale & A3

Job Number
2828

Date
30.10.17

Drawn
RsN

Check
BH

Rev No - Revision
01 - C

Status
PLANNING

Rev	Date	Description	Drawn	Check
C	22.06.18	Planning Application Issue	RsN	
B	20.06.18	Blue line boundary included	SB	
A	25.04.18	Red line boundary fixed	RsN	

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