

APPLICATION REPORT - PA/342030/18

Planning Committee, 1 July, 2019

Registration Date: 20/07/2018
Ward: Saint James'

Application Reference: PA/342030/18
Type of Application: Full Planning Permission

Proposal: Erection of 27 no. dwellinghouses with associated external works.
Location: Land at Pearly Bank, Sholver, Oldham
Case Officer: Graham Dickman

Applicant Ms Lewis
Agent : Halsall Lloyd Partnership

THE SITE

Currently the site is a grassed area, with a number of existing young trees currently located on the eastern section of the site. The western part of the site has a number of larger, more mature trees present.

The application site is located on areas of open space identified in the Council's Open Space Study (the eastern section being on Pearly Bank Amenity Green Space and the northern section on Pearly Bank Natural/Semi-natural space).

Historically the site accommodated linear blocks of houses, built around 1970. These were demolished sometime around in the 1990s.

The topography of the eastern section of the site is relatively flat. Land then drops away beyond the eastern boundary.

THE PROPOSAL

The application has been amended and now proposes a two storey/two and half storey housing development of 27no. semi-detached and terrace dwellings.

The application originally proposed 32no. units with 5no. units set on the parcel of open space located on the north western side of the application site. These units have since been removed and a detailed landscaping plan now shows this area as open for public, use populated with park benches, a gritstone foot path, kissing gate and tree planting.

The scheme proposes to provide:

- 4 two bed 3 person units
- 9 three bed 4 person units
- 5 four bed 5 person units
- 4 three storey, four bed 5 person units
- 5 three bed 4 person units

The proposal is for 27 units comprising a mix of Shared Ownership and Rent to Buy.

The properties would have enclosed private rear gardens and dedicated car-parking for 2no vehicles.

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 Feed back forms.

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. Recommend a condition regarding access and car-parking.
Environmental Health	No objection. Recommend conditions regarding land contamination and waste facilities.
LLFA	This site will need a full drainage investigation and also an FRA. Although it is in floodzone 1, there are features in this area that could give drainage issues. The outstanding matters in this case could be managed

Greater Manchester Ecology Unit	through the provision of a condition. No objection. Recommend conditions, regarding protection of nesting birds, lighting, managing invasive species and providing biodiversity enhancements. An informative regarding legal protection is also recommended.
Greater Manchester Police Architectural Liaison Unit United Utilities Asset Protection	No objection. Recommend condition to aim to achieve recommendations with CIS. Recommend conditions regarding foul and surface water discharge and Sustainable Drainage Systems.
Trees Officer	No objection subject to conditions to ensure replacement planting and replanting trees to another site. This condition seeks to mitigate the tree loss necessary to accommodate the development.

REPRESENTATIONS

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

Two periods of consultation were undertaken on the 1 August 2018 (when the application was initially validated) and 15 November 2018 (on the submission of additional information regarding open space).

In total 225 letters of objection were submitted raising a number of materials considerations, which are summarised below.

22 objection letters were received between 5 July 2018 to 24 July 2018 before the application was validated. 127 objection letters were received following the initial consultation.

1 letter of support was received

- Loss of open space
 - *Proposed mitigation does not meet national recommendations.*
 - *Loss of flat open land used for recreation purposes, exercise, dog walks, picnics, horse riders, community events and wildlife observed (including deer, bird song)*
 - *We assured previously green spaces would be retained.*
 - *Lack of open space for over-crowded urban area*
 - *Alternative open space no comparable - Fulwood Nature Reserve is remote and over grown.*
 - *Detriment to pleasantness of area.*
 - *Loss of community asset / space for meeting friends / community events.*
 - *It will result in an area of open space being unsafe for children to play out since it is not over-looked.*
- Detriment to Wildlife/ecology
 - *Survey not valid as only a snap shot.*
 - *A section of the land is in the nature reserve.*
 - *Various wildlife seen – wild deer, foxes, birdlife and bats.*
- Social, Health and Crime impact
 - *Detriment to physical and mental health and wellbeing of residents.*
 - *Degenerate area.*
 - *Increase density will increase crime*

- *FCHO have not demonstrated how they will manage the demand on local services.*
- *There is enough social housing*
- *Doctors cannot support the new homes.*
- *No benefits to the community.*
- *Burden on social services.*
- *Increase in pollution.*

- **Impact on services**
 - *Existing primary schools already full/operating above capacity*
 - *Local community groups oversubscribed.*
 - *Existing low water pressure.*
 - *Communally used bins and vermin are an issue.*
 - *Not enough shops.*

- **Highway Safety**
 - *Congestion.*
 - *Inadequate access for emergency vehicles.*
 - *Exacerbate issues on Cop Road/Bullcote Lane.*
 - *Safety risk to pedestrians (including children) and cyclists.*
 - *Inadequate infrastructure.*
 - *Inadequate space for parking.*

- **Visual Amenity**
 - *Houses appear ugly and cheap*
 - *Houses will not be in keeping with the existing estate*
 - *Loss of existing views.*

- **Residential Amenity**
 - *Over-looking and detriment to privacy.*
 - *Detrimental to daylight and sunlight*
 - *Overbearing.*
 - *Obstruction of views.*
 - *Increased noise and nuisance from extra households.*
 - *Disruption during development*
 - *Plots are cramped in comparison to existing dwellings.*
 - *Development too close to existing park and MUGA / nuisance and noise from the park.*

- **Other Matters**
 - **Rebuild/regenerate elsewhere in the borough**
 - **Drainage Issues - Houses currently suffer with drainage issues and extra housing will cause further drainage stress.**
 - **Land unsafe to build on due to mines.**
 - **Inadequate dialogue with existing residents.**
 - **Detriment to value of property.**
 - **Increase in water rates**

76 objection letters were received following the re-consultation which was undertaken due to additional information regarding open space provision and mitigation being received. The previous comments were reiterated.

PLANNING CONSIDERATIONS

The main issues to consider are:

- Principle of Development
- Green Belt;
- Impact on Open Space;
- Planning Balance;
- Residential Amenity;
- Design and Visual Amenity;
- Highways;
- Trees, Landscape and Ecology;
- Drainage;
- Other Matters - 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. An assessment is also made against the impact of the scheme upon the adjoining Green Belt. For clarity each issue has been addressed separately with the conclusion reached in the planning balance section.

The Provision of Housing

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 the Policy 3 of the Local Plan 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 years 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 the tenure provided as '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.

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 the 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 par 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 is for 27 units made up of two, three and four bedroom properties comprising a mix of Shared Ownership and Rent to Buy.

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.

Green Belt

The proposed site contains a small section of Green Belt to the northern boundary which is adjacent to Pearly Bank farm tract and a field boundary. Policy 22 states development in the Green Belt will be permitted provided it does not conflict with the national policies on Green Belt. The advice contained within the National Planning Policy Framework 2018 (NPPF) states the fundamental aim is to prevent urban sprawl by keeping land permanently open; the essential characteristics of the Green Belt are their openness and their permanence.

The building line of the proposed housing ends at the Green Belt boundary, with the land designated as Green Belt to remain open. The proposal will not conflict with the purposes of the Green Belt in this circumstance.

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 offsite open contribution for this site which would provide a total of 101 bedrooms would amount to £204,510.

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

- Fullwood Nature Reserve – Costs £50,000

The existing pathway which links Bottom Sholver to Millennium Green is in poor condition. FCHO propose to repair and reinstate this pathway for the local community. Works include repairing and reinstating the existing steps, cutting back all overgrown shrubs and bushes and widening the existing path and resurfacing.

- Provision of on-site open space at Pearly Bank – Costs £30,000

To include enhancements to existing native tree / shrub area, reinstatement of path, realignment to improve sight lines and reinstatement of grass. FCHO will also improve the existing pathway which leads from the site into Fulwood Nature Reserve. Overgrown shrubs and bushes to be trimmed.

For information, FCHO amended the submission and this area of open space was extended to incorporate the entire north western corner of the development site. This has been achieved via the removal of the 5no dwellings set at this part of the site with the open space now extending up to the northern boundary.

- 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. However, officers are 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 £273,000. This exceeds the contribution requirement made by Strategic Planning Team of £204,510.86 and as such weighs in favour of the scheme.

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.

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 27no 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 Shared Ownership and Rent to Buy 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 27 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. 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 Pearly Bank. 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 Pearly Bank.

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 block of short terraces and some properties are two and half stories high. There would be 25m between the front elevations of the proposed and existing properties on the opposite side of Pearly Bank and between proposed properties. The proposed proximity to the open space to be retained would be similar to existing properties distances and not considered to create an amenity issue. The resulting relationship with the neighbouring properties in terms of residential amenity would be acceptable.

The schemes layout and design does not pose any significant amenity issues to existing and future residents.

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 features.

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 consequently it accords with the provisions of Policy 9.

The Greater Manchester Police Architectural Liaison Unit have advised they are satisfied with the scheme, subject to a condition to require development to aim to accord with the Crime Impact Assessment (CIA) recommendations and 'Secure by Design Standards'.

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. Its comments are as follows:

'Parking provision for the new dwellings is considered acceptable, with fifty one driveway parking spaces being provided. The geometry and layout of the highway will provide adequate additional on street parking if required by visitors or residents. I am satisfied that the level of parking provision proposed will not result in additional demand for on street

parking on the surrounding highway network.

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.

It is not considered that this level of traffic generation will have a significant impact on the local highway network to the detriment of highway safety. The Highways Authority therefore does not object to planning permission being granted for highway safety reasons.'

The concerns of objectors have been noted. However, given the Traffic Sections comments, the impact on highway is considered acceptable, subject to conditions.

Trees, Landscape and Ecology

Policy 21 'Protecting Natural Environmental Assets' requires new development 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 boroughs Green Infrastructure network. This is reinforced in Policy 21 which states 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 (Sensible Ecological Survey Solutions, June 2018) and considers it to be acceptable and advise that the site has limited ecological value as it is largely closely mown grassland. In regard to ecology GMEU recommended a number of conditions to protect and enhance wildlife.

However, in terms of the open space it is noted the ecology and wildlife visiting the site add to the value of the assets/function of the open space. This is further considered within the '*Open space – provision and loss*' section within the report

Policy D1.5 Protection of Trees on Development Sites (Saved UDP policy) requires replacement tree provision where trees are proposed to be lost to accommodate development. The proposal details replacement planting and replanting trees to another site.

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

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 could be 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.

The Flood Risk Assessment submitted does not include an adequate drainage investigation and, whilst the area is floodzone 1, there are features that could give drainage issues. The 'Lead Local Flood Authority' have advised that a full drainage investigation is required and drainage plans need to be assessed and that these outstanding matters could be managed through the provision of a condition should the application be approved.

Other Matters

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.

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.

Conclusions

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 affordable dwellings, alongside the upgrades made to Fullwood Nature reserve and the on site open space, plus the ongoing maintenance weigh significantly in favour of approval. 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, taking the above matters into consideration, it is concluded that the proposal complies with the provisions of the NPPF and DPD Policies 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 Fullwood Nature Reserve and Pearly Bank
 - c) ensuring the provision of the tree planting scheme across the Sholver Estate
2. To delegate authority to the Head of Planning & 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 – D: Location Plan
02 – A: Existing Site Plan
04 - J: Proposed Site Layout
05 – C: Planting Plan
10 – C: House Type A
10.1- B:House Type A
11 – C: House Type B1
11.1- A: House Type B1 – Elevations and Roof Plan
11.2 – A: House Type B2
11.3 – A: House Type B2- Elevations and Roof Plan
13 – B: House Type D
13.1- B:House Type D- Elevations and Roof Plan
14 - B: House Type E
14.1 – A: House Type E- Elevations and Roof Plan
15 – Fullwood Nature Reserve Open Space
16 – Fullwood Nature Reserve Visualisation
17 – Millennium Green Trail
18 – Millennium Green Visualisation
20 – C: Proposed Pearly Bank Long Street Elevation
30 – A 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 the local planning authority and agreed in writing. 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**

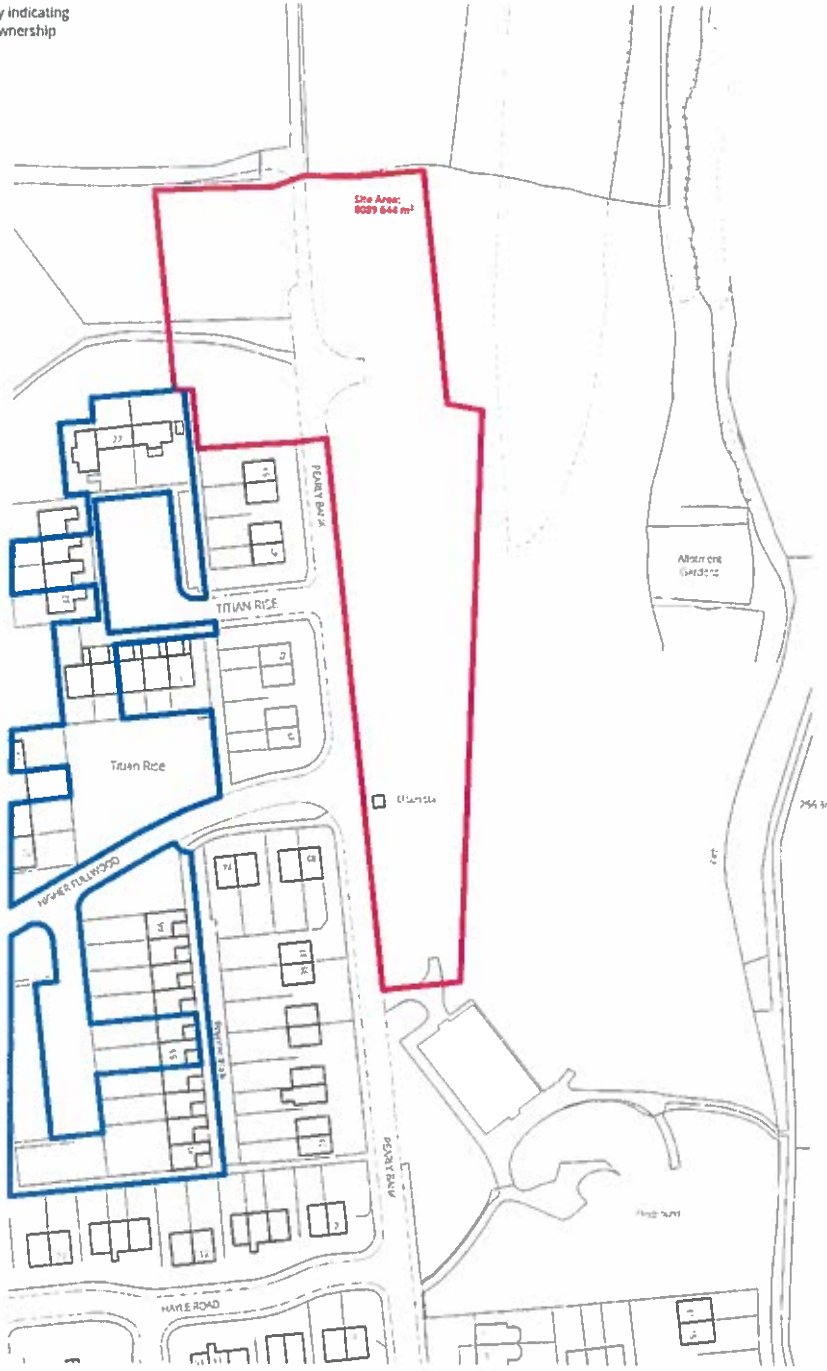
North



0 10m 50m

Key

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



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Drawing Title

Location Plan
 Project
Pearly Bank, Sholver
 Client
FCHO
 Scale & A3 Date Drawn Check
1:1250 30.10.17 RsN BH
 Job Number Dwg. No. - Revision Status
2829 01 - D - PLANNING

Rev.	Date	Description	ReN	Drm.
D	02.07.18	Red line amended on western boundary	ReN	
C	27.06.18	Planning issue	SB	
B	08.06.18	Red line amended to include 'green square'	ReN	
A	25.04.18	Red line boundary fixed	ReN	



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