

**APPLICATION REPORT – OUT/346856/21  
Planning Committee 9<sup>th</sup> November 2022**

Registration Date: 12<sup>th</sup> October 2022  
Ward: Saddleworth West & Lees

Application Reference: OUT/346856/21  
Type of Application: Outline

Proposal: Outline planning application (all matters reserved except for access, layout and landscaping) for a residential development of up to 158 dwellings with associated infrastructure. The matter of appearance is reserved for future consideration.

Location: Springhead Quarry, Cooper Street, Springhead, Oldham

Case Officer: Stephen Gill  
Applicant: Stonebreaks Ltd  
Agent: Lizzie Schofield

## **INTRODUCTION**

The application is referred to Planning Committee for determination since it is a Major development proposing the erection of more than 20 dwellings.

## **RECOMMENDATION**

It is recommended that the application is refused for the reasons set out in this report.

## **THE SITE**

The site subject of the application is located on the eastern edge of Springhead close to the A669, which is a main arterial route through Oldham. The site is enclosed by existing residential development to the northwest, southeast, and west. Cooper Street is situated to the west which is lined by residential developments and Springhead Infant School. There are also residential properties along Old Croft and Dellhide Close, which link to Cooper Street. The southern boundary of the site is defined by Springhead Congregational Church and further residential properties. Springhead Cricket Club is situated to the north, and Radcliffe Street and Stonebreaks Road are situated to the east.

The site has many different characteristics, which include the former Springhead Quarry, which is located in the south-west of the site and is identified in the Strategic Housing Land Availability Assessment 2021 (SHLAA) as brownfield land. There is also another smaller quarry to the north, which has been filled in. Public Right of Way FP203 SADD (“PRoW 203”) runs through the site, and close to the former southern quarry. Dense trees and vegetation are located to the west of PRoW 203 and within the former Quarry itself. PRoW route FP192

SADD (PRoW 192) also runs along the eastern boundary through the site to the north. The remainder of the site comprises a mixture of grassland, scrub, woodland and heath habitats.

A considerable portion of the site is designated as being within Open Protected Other Land ("OPOL") 13 (Stone Breaks) and is also designated as being within a Green Corridor. Stone Breaks Conservation Area is situated directly to the north and east of the site, and Highfield House, which is a Grade II Listed building sits to the south but is outside the red line boundary of the development site.

## **THE PROPOSAL**

The application proposes outline planning permission (all matters reserved except for access, layout and landscaping) for a residential development of up to 158 dwellings with associated infrastructure. The matters of appearance and scale is reserved for future consideration

## **RELEVANT PLANNING HISTORY**

PA/344851/20 - Outline planning permission for development of up to 200 dwellings (Use Class C3) with associated access roads, with all other matters reserved (relating to appearance, landscaping, scale and layout). withdrawn in November 2020

PA/059411/11 - Outline application for residential development including new access and scale to be considered. Landscaping, layout and appearance to be reserved. Resolution to grant permission approved at planning committee – 17 October 2012.

PA/056364/09 - Outline application for 61no. Dwellings including new access road. Access, layout and scale to be considered. Landscaping and appearance to be reserved. Application withdrawn - 5 January 2011.

LB/056365/09 - Proposed access to residential site, through curtilage of listed building. Withdrawn by applicant 5 January 2011.

PA/018868/85 - Filling of the quarry and restoration of land.

## **RELEVANT PLANNING POLICIES**

The 'Development Plan' is the Joint Development Plan Document (Local Plan) which forms part of the Local Development Framework for Oldham. The site is allocated in the Proposals Map associated with this document as [text].

As such, the following policies are relevant to the determination of this application:

### Core Strategy Policies

Local Plan Policy 1 - Climate Change and Sustainable Development;

Local Plan Policy 2 – Communities;

Local Plan Policy 3 – An Address of Choice;

Local Plan Policy 5 - Promoting Accessibility and Sustainable Transport;

Local Plan Policy 9 - Local Environment;

Local Plan Policy 10 – Affordable Housing;

Local Plan Policy 11 – Housing;  
Local Plan Policy 18 – Energy;  
Local Plan Policy 19 – Water and Flooding;  
Local Plan Policy 20 – Design;  
Local Plan Policy 21 – Protecting Natural Environmental Assets  
Local Plan Policy 22 – Protecting Open Land;  
Local Plan Policy 23 – Open Spaces and Sports; and,  
Local Plan Policy 24 – Historic Environment  
Local Plan Policy 25 – Developer Contributions

#### Saved Unitary Development Plan Policies

UDP Policy D1.5 - Trees

### **CONSULTATIONS**

Highways Engineer – Objection raised. The reasons and justification for the objection are discussed in this report

Historic England – No objection

Environmental Health – No objection subject to conditions

Spatial Planning – In summary, Spatial Planning object to the principle of developing OPOL 13 (Stone Breaks). In addition, concerns have also been raised to the potential impacts to the designated heritage assets which surround the site. The development would result in the loss of area designated as open space. Spatial Planning comments are discussed throughout the report

Education – No objection subject to a contribution of £995,651.22 towards both primary and secondary school places

Arboricultural Officer – comments to follow as part of the late list

United Utilities – No objection subject to conditions

Greater Manchester Ecology Unit - Objection raised. The reasons and justification for the objection are discussed in this report

TPM Landscape – Concerns raised in respect of potential impact of the development on the landscape and visual aspects of the development, as described in the report.

Greater Manchester Archaeology Advisory Service – No objection subject to condition

The Coal Authority – No objection

Environment Agency – Objection raised discussed in the report

Lead Local Flood Authority – No objection subject to condition

## REPRESENTATIONS

The application has been publicised by means of neighbour notification letters, site notices and a press notice. In response, 149 representations have been received raising the following (summarised) issues:

- The land is Green Belt and should be protected.
- The adoption of the OPOL Interim Position Paper, and the site's inclusion in this document strengthens the land's value.
- Parts of the land are very heavily contaminated.
- The land is a well-used area of recreational space.
- The application will eradicate the green space in Springhead.
- There are not enough schools and facilities in the area to accommodate the development.
- The submitted Landscape and Visual Impact Assessment downplays the impacts of the development.
- The development does not demonstrate any Biodiversity Net Gain.
- The previous application was refused, and this application should be refused.
- Invasive species currently inhabit the site.
- Emergency vehicles will struggle to access the site in the current layout.
- The development would cause overlooking implications for the existing residents.
- The development will cause adverse impacts to air quality.
- The PRoW routes will need to be realigned and permanently changed or at worst lost.
- The land was quarried for many years and as a result builders in the area have had serious problems with the rock below the ground on other sites.
- No CIL contribution is proposed as part of the development.
- The value of the existing properties in the immediate vicinity will be adversely impacted by the development.
- Adverse impacts to the setting of the Listed Buildings and Conservation Area.
- The consultation period given by the Council to comment on the planning application is insufficient.
- The development will adversely impact the ecology on the land, including bats, bird, deer's and badgers, and will also result in the loss of a huge number of trees and plantation.
- Impacts to traffic levels in the area, which are already very bad, this development will present additional congestion and as a result dangers to children.
- The development cannot demonstrate adequate access from all aspects of the development.
- Concerns that the Council are not listening to residents' concerns.
- Inadequate Transport Assessment submitted.
- A cumulative traffic impact assessment needs to be undertaken to consider the impacts of this development and other recent applications such as the development at Knowls Lane.
- The development will put undue pressure on all the existing local amenities, including doctors and dentists in the area.

- Lack of footways for pedestrians outside the site, which will increase risks of injury and accidents to adults and children.
- Lack of parking provision in Lees to accommodate the additional residents
- There are plenty of other brownfield sites in the borough to consider.
- The site itself is not a brownfield site.
- Construction vehicles will struggle to access the site, and will cause amenity issues to existing residents, and will be dangerous.
- Mental health issues as a result of a loss of green space.
- Risk to subsidence and damage to existing properties that surround the site.
- No affordable housing is proposed within the development.
- Potential increase of noise and loss of privacy.
- The proposed road width within the site is not wide enough for a two-way operation.
- The development will cause increased potential for flooding on the site, whilst drainage is also an issue, and UU assets will not be able to cope.
- No confirmation has been submitted on where the waste from the additional properties will go.
- The development will have unacceptable adverse impact on the landscape.
- The development fails to comply with NPPF paragraph 92 as it does not propose a healthy, inclusive place, with streets that allow pedestrian and cycle connections that are safe and accessible.
- The loss of OPOL would have an adverse impact on the community and should be protected.
- The proposed development represents overdevelopment on the land.
- If the development was confined to the quarry, no objections would be raised.
- The development is not needed in the area.
- The development would result in children not being able to play outside due to the increase in traffic.
- The land is not fit for the intended use.
- The proposed development will destroy everything that makes the area attractive.
- The application approved for 265 homes on Knowles Lane provides adequate levels of housing provision in the area
- Adverse impacts to trees as a substantial amount need to be removed to accommodate the layout.
- In terms of the internal layout, the cul-de-sacs proposed are at about 500 metres long, which are twice the recommended maximum of 250 metres which is an accessibility safety standard.
- The junction of Dellhide Close/Oldcroft is substandard in relation to gradient 1 in 4.7 and a radius of 11 metres and the junction to Cooper Street is also substandard with a radius of 15 metres and the approach gradient exceeding the requirement of 1 in 40 for a minimum distance of 15 metres. This results in the swept path drawing for a large vehicle showing encroachment over the footway.
- The layout of the junction at Walkers Lane has not been approved as stated and that a reduced sight line is being requested.
- The traffic flow analysis is outdated and does not take account of the current problems at the School and Nursery in Cooper Street, the existing flows in Dellhide Close, the

development now approved at Knowls Lane or the congestion already evident on Oldham Road and further afield at Clarksfield and the approach towards Oldham.

- Adverse heritage impacts to the Conservation Area and Listed Building

### Support

- Very happy that new homes will be built so our children and grandchildren can have the option of new homes.
- This development will make good use of waste land.
- The site is dangerous and should be developed to make it safer.

### Response to representations

Many of the comments raised in the representations are discussed throughout the report, however, it should be noted that in relation to comments that the site will harm the Green Belt, Members should be aware that the site is not designated as being in the Green Belt. In addition, comments that the site should be subject to Community Infrastructure Levy contributions (CIL), a CIL structure is not currently adopted by Oldham Council and therefore the development is not subject to CIL contributions.

## **PLANNING CONSIDERATIONS**

### **Principle**

#### *Housing Provision*

Oldham's housing requirement, under the nationally set Local Housing Need standard methodology calculation, was 677 homes per year as at 1 April 2021. The most recent published housing land supply position for Oldham, which covers the period 1 April 2021 – 31 March 2026, identifies a five-year supply of 2,893 homes taking into account projected clearance. This represents 85% of the dwellings required over the five-year period against the standard methodology ( $5 \times 677 = 3,385$  dwellings), not including any buffer. Given that the Council cannot therefore demonstrate a five-year housing land supply position against this national requirement, this means that Local Plan Policy 3 is out of date in terms of the distribution of housing.

However, the Places for Everyone Joint Plan (PfE) for nine of the ten Greater Manchester Authorities (including Oldham) was submitted to the Planning Inspectorate for examination in February 2022. PfE proposes a stepped housing requirement for Oldham of 352 homes per year for the first five years of the plan period (2020-2025); 680 homes per year for years 6-10 (2025-2030); and 868 homes per year for years 11-17 (2030-2037). Based on the PfE stepped housing requirement for 2021-2026 (2,088 dwellings), the 2,893 dwelling supply as at 1 April 2021 would represent 139% of the PfE requirement, i.e., not only showing a five-year supply with an appropriate buffer but a significant surplus over a five-year supply (a 39% buffer). Given that PfE has been submitted to the Planning Inspectorate for examination, it is now appropriate to give the document 'limited weight' in the decision-making process, and so this improved housing land supply position under PfE should be given weight and will be considered in the planning balance.

Furthermore, the robustness of the above housing supply has been supported by the fact that several large sites (which are also allocations under PfE) have been granted planning permission since 1 April 2021, thus confirming the deliverability of those sites and their appropriate inclusion in the five-year housing land supply.

In addition, housing delivery is increasing in the Borough. The latest Housing Delivery Test result for 2021, which was published 14<sup>th</sup> January 2022, sets out that Oldham has delivered 91% of its housing need over the past three years. This is a significant improvement on the previous years' results of 80%. As per the latest result, the Council are no longer required to identify a 20% buffer of deliverable housing land on top of the five-year supply, but only the standard 5% buffer.

Based on the above, Oldham's housing land supply position is strengthening, and this is a material consideration in determining how much weight can be afforded to housing provision in the tilted balance.

However, notwithstanding this, the Council's position is that it cannot currently demonstrate a five-year supply of deliverable housing land, when considered against the standard methodology, and paragraph 11d) of the National Planning Policy Framework ("NPPF") states that, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:

- i. The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

In assessing whether the most important policies for determining the application are 'out of date', it is for the Local Planning Authority to decide how much weight should be afforded to the 'most important policies' in the determination of the application.

In relation to NPPF paragraph 11d(i), the development is not considered to adversely impact areas or assets of particular importance as set out in footnote 7. Considering NPPF paragraph 11d(ii), a balancing exercise will need to be undertaken to determine whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.

It is important to state from the outset that for the reasons set out in this report, it is considered that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, and therefore, the principal of residential development is not considered to be acceptable in this instance.

In coming to this view, the following factors have been considered:

## **Other Protected Open Land 13 (OPOL 13 Stonebreaks)**

OPOL 13 has been assessed against the Local Green Space (“LGS”) criteria set out in the NPPF as part of the work undertaken for the Other Protected Open Land Interim Position Paper (“OPOL IPP”), which was adopted on 20<sup>th</sup> September 2021. The document states that OPOL 13 overall does meet the LGS criteria and states that:

*“The land is of local significance due to its beauty, tranquillity, historic significance and local recreational value. A small part of the site is also of local significance due to its wildlife. OPOL 13 – Stonebreaks It is also considered that a small extension to the north of the OPOL could form part of the designation”*

The OPOL IPP is a material consideration in the determination of the application. The development proposal would have an adverse impact on OPOL 13 and would essentially erode 40% (3.2 Hectares) of the OPOL. This would constitute comprehensive development in OPOL 13, and the impacts will need to be weighed up in the planning balance.

In establishing how much weight should be afforded to the extensive erosion of the OPOL, Local Plan Policy 22 is relevant, and it must be established how much weight can be afforded to the Policy in this assessment. Given that the Council cannot demonstrate a 5-year housing land supply and Local Plan Policy 22 is a policy that restricts the delivery of housing, it should be considered as being out of date in this respect. However, that does not mean that ‘no weight’ should be given to the Policy in the planning balance. It has been established through the Courts in other cases that it is in the decision-maker’s planning judgement as to what weight should be afforded to relevant restrictive policies. However, a logical approach to take would be to give less weight to restrictive policies if the shortfall in the housing land supply is larger and more weight if the shortfall is small.

In coming to a view on what weight should be given to Local Plan Policy 22 in the balancing exercise, the strength of the housing land supply position is a factor. The housing land supply position is improving in Oldham and has now increased to 85% of that which would be required against the standard methodology as at 1 April 2021. This would improve to 139% against the stepped PfE requirement. In addition, deliverability has improved and so, given the status of PfE now that it has been submitted for examination, it is appropriate to give this improving housing land supply position at least ‘limited weight’ in the balancing exercise.

When all the above factors are considered together, it is therefore a reasonable planning judgement to elevate the weight given to Local Plan Policy 22 from ‘limited’ to ‘moderate’, whilst also reducing the weight given to the provision for housing from ‘significant’ to ‘moderate’. This is considered justified given the overall improvement in the housing land supply position and deliverability and the status of PfE, and the fact that the OPOL that the site lies within is considered worthy of continued protection under the OPOL IPP and is not proposed as an allocation for development under PfE.

With the above considered, the development can now be assessed against Local Plan Policy 22. Based on the criteria set out in Local Plan Policy 22, the development fails to accord with



the Policy. Local Plan Policy 22 does allow for small-scale or ancillary development located close to existing buildings within the OPOL, which does not affect the openness, local distinctiveness or visual amenity of the OPOL, taking into account its cumulative impact. The development is not small scale or ancillary and will in part harm the distinctiveness, by extensively eroding the quality of an OPOL that meets LGS criteria. Overall, the development results in the loss of 40% of OPOL 13 and this does not comply with Local Plan Policy 22, and this does not weigh in favour of the development in the planning balance.

### **Green Corridor**

Parts of the site is also designated as being within a Green Corridor, specifically between Cooper Street and Stonebreaks Road. Local Plan Policy 6 is relevant and states that development proposals where appropriate must:

- a. promote and enhance the borough's Green Infrastructure network. This currently consists of nature conservation sites, strategic recreation routes, green corridors and links, canals and open spaces which are defined below; and
- b. make a positive contribution to Green Infrastructure assets and its functions in priority areas identified in the Greater Manchester Green Infrastructure Framework and elsewhere where there are deficiencies in quantity, quality, accessibility and functionality.

Policy 21 is also relevant and states that development proposals must protect and maximise opportunities for Green Infrastructure at or near to the site; and maintain, extend or link existing green corridors and links, including strategic recreational routes, where appropriate.

The application encroaches into the Green Corridor, and Spatial Planning have concluded that, by the very nature of the encroachment, it does not protect the Green Corridor. Greater Manchester Ecology Unit have also reviewed the potential impacts to the Green Corridor, and it is in their view that the proposed scale of development will compromise the functioning of the Green Corridor. Therefore, it cannot be concluded that the development would enhance the green infrastructure network, and this does not weigh in favour of the development.

### **Previously Developed Land**

As stated above, part of the site in which the proposed development sits is Previously Developed Land ("PDL"). According to the Council's most up-to-date Brownfield Register, this amounts to 2.33 hectares of land, which according to the applicant's planning statement is 29% of the site. The applicant goes further and states that, following a detailed study of the extent of quarried land at the site, the level of PDL is actually more than what is acknowledged in the Brownfield Land Register and concludes this to be 2.9 hectares (37% of the application site). The PDL is concentrated mainly to the south and southwest of the site, with a small amount situated to the north.

The extent of the PDL mainly falls outside of the OPOL designation and to the south of the site, where the main quarry was previously situated. The Local Planning Authority would have no objection to the principle of residential development on the parcel of land that sits outside of the OPOL designation, which is identified as PDL in the Council's Brownfield Land Register.

As set out in the NPPF and Local Plan Policy 6, the Council will support the redevelopment of brownfield sites and will seek to redevelop these for housing first. The Local Planning Authority's view on this is reinforced by the fact that outline planning permission was granted for residential development on this portion of the site under planning reference PA/059411/11. However, the applicant states that the cost of redeveloping the former quarry area is substantial and cannot be done without the wider redevelopment of the site, which is designated as OPOL. It should be noted that no financial evidence has been submitted to substantiate this.

The applicant's asserts that a greater level of PDL is present on the site than what is stated in the Brownfield Land Register, and some of these areas are within the OPOL designation. However, even if this was the case, and the applicant's assertions are correct, it does not automatically mean that the value of these areas within the OPOL should be downgraded in terms of their contribution to the OPOL's value. The Council's assessment of the OPOL and whether the land meets the criteria of the LGS is carried out holistically and not on a piecemeal basis. If the land was assessed on a piecemeal basis, it could inevitably result in piecemeal erosion of OPOL throughout the borough.

Therefore, it is considered that whilst residential development may be acceptable in principle for the PDL land that sits outside the OPOL, for any PDL land that sits within the OPOL, the redevelopment of this land for residential development needs to be weighed against the harm to the OPOL, and it is considered for the reasons given above that the benefits of residential development do not outweigh the harm to the OPOL.

### **Open Space**

The site is identified as natural / semi-natural open space within the Open Space Study, and the development would involve a net loss of 6.3 acres of designated open space. The surrounding area has been identified in the Open Space Study as being sufficient in accessibility and quantity for four typologies of open space; however, there are deficiencies in accessibility for provision for children and provision for young people. There are also deficiencies in quality for amenity greenspace, provision for children, provision for young people, outdoor sports facilities and natural/ semi-natural open space. The area is sufficient in standards for Parks and Gardens.

Local Plan Policy 23 states that the development of a site that is currently or was most recently used as open space or for sport or recreation 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;

- g. a replacement facility which is at least equivalent in terms of usefulness, attractiveness, quality and accessibility, and where appropriate quantity, to existing and future users is provided by the developer on another site prior to the development commencing; or
- h. if replacement on another site is neither practicable nor desirable, an agreed contribution is made by the developer to the Council for new provision or the improvement of existing open space or outdoor sport and recreation facilities

and its maintenance within an appropriate distance from the site, or within the site; or

- i. a mixture of both g) and h)

The applicant would need to satisfy the loss of open space as per the above through providing either a replacement facility or an agreed contribution to new or existing provision elsewhere or a mixture of the two.

To consider the loss of open space as part of the development, the applicant is proposing 8.5 acres of on-site open space provision (43% of the site). A typologies plan has also been submitted, which sets out how the open space will be delivered on the site. The typologies plan indicates that a landscaped green corridor (3.3 acres) would be created through the site. Provision for children and young people would be created in the form of a play area / woodland play, which would account for (1.3 acres), amenity green space and natural and semi natural open space would also be created through the site (2.1 Acres) in total.

In addition to this, the Open Space Typologies Overview plan sets out that a financial contribution could also be given to Springhead Cricket Club to improve their existing facilities.

The Spatial Planning Team have reviewed the open space proposals and are supportive of these. They contribute to addressing the identified shortfalls (set out above) in the area, and this, in conjunction with a contribution, would satisfy the loss of existing open space on the site.

Separately to the loss of open space, given that the scheme is major residential development, there is also a separate requirement to contribute to the provision for new, additional open space through either on site provision or, if this is not practicable, a financial contribution. In identifying suitable additional provision, it is important to look at any surpluses and deficiencies in the area, which have been set out earlier. Spatial Planning have concluded that the typologies proposed are very beneficial, and the cost of this would be substantial. Therefore, it is considered that provision proposed as set out above would also be acceptable in the context of the requirement to provide open provision as part of a major residential development.

The offer of a contribution towards the cricket club would be welcomed, and this would need to be calculated on the basis of how many bedrooms would be provided in the scheme, and this is discussed in the contributions section of this report

Therefore, on that basis and on balance, the development is considered to comply with Local Plan Policy 23 and the application does demonstrate some clear benefits in terms of the open space typologies proposed and the fact that they contribute to addressing shortfalls in the area. This element does weigh in favour of the development.

## Visual Impact

The applicant has submitted a Landscape and Visual Impact (LVIA) undertaken by Plincke, which considers the viewpoints that surround the site and how the development could impact these.

TPM Landscape ("TPM") have reviewed the information submitted on behalf of the Council and conclude that the impact of the development on the site boundaries (notably the access off Cooper Street, the northern boundary at the interface with the cricket ground / Stonebreaks Conservation Area and the eastern edge along Stonebreaks Road) are considered higher than currently assessed by the applicants LVIA.

### Landscape Assessment Summary

According to TPM, the site is located within National Character Area 54 ("NCA54") Manchester Pennine Fringe. Plincke's LVIA assessment considers the development to be insignificant in scale within NCA54.

TPM state that the GM Landscape Character and Sensitivity Assessment provides an overall sensitivity to the Landscape Character Type 'Pennine foothills'. It states that for a 2-3 storey housing development the sensitivity is described as 'medium'. However, areas of steep and/or complex landform, distinct hills and prominent ridgelines would be of a higher sensitivity. TPM consider the development does sit on a prominent ridgeline with a complex landform.

The site also sits within Landscape Character Area 28 ("LCA 28") (Rochdale and Oldham South Pennine Foothills). Characteristics including the central ridgeline will have a high sensitivity / susceptibility to change. The applicant's assessment states that *'proposed development will result in the loss of open land, most notably to the eastern edge of the site.'* The assessment follows by stating *'in accordance with the Greater Manchester character and Sensitivity Assessment the sensitivity to change in the landscape is high, but the scale of the change is low/medium as it is not affecting all of the site.'*

TPM disagree with this, given that the majority of the site would be developed with the exception of steep side escarpments.

Furthermore, works near to or on the embankments will require some form of retaining element to support the new levels, and the applicant's assessment considers the site to have a 'medium' susceptibility to change. TPM disagree with this assertion. TPM conclude that given the sites OPOL designation and the prominence of the site on the surrounding landscape, TPM consider the susceptibility of the site to be higher than medium.

In summary, TPM consider that the development will alter the ridgeline character, given the sites visibility from the surrounding landscape.

### TPM's comments on Masterplan / Site Layout

The access road from Cooper Street will result in the loss of mature trees, regrading of levels, loss of the stone wall and implementation of a retaining wall, which will change the appearance

of the street scene considerably. The proximity of the development to the northern boundary and limited space for meaningful mitigation means that development will be visible from the cricket ground, the Public Right of Way within the Conservation Area and from elevated residential properties in the north. The eastern edge between the proposed development and Stonebreaks Road will result in back gardens interfacing with the road. This will require a retaining element on fence line to define this edge. It is not clear from the information provided what this treatment will look like or how high, however, TPM consider that this would create a weak edge to the development. The comments from TPM on how the eastern edge of the site would be treated are noted, however, the appearance and height of any potential retaining structures and fencing would be agreed as part of any reserved matters, if the development was considered acceptable.

TPM state that there will be considerable tree loss due to the proposed regrading of levels and supporting retaining walls. In addition, TPM consider that the site masterplan / layout does not pick up on the removal of trees that would be necessary to the north / northeast of Highfield House due to the regrading works.

Part of the development is set within the basin of the quarry and is contained by the quarry walls. TPM note that significant regrading works, and vegetation removal is required to form the access road into the quarry. The same type of work is required to link Cooper Street to the eastern side of the masterplan.

TPM do not consider the proposed access be an attractive entrance to the development due to the need for engineered embankments, retaining walls to support the levels and substantial mature tree loss. The severity of the subsequent new levels (1:2 gradient in places) limits the potential for new tree planting. TPM also consider that there are also some inconsistencies in the submitted plans in relation to retained trees. The planting plan drawings indicate existing trees retained to the site access off Cooper Street where significant regrading works are required. It is not considered that the mitigation measures proposed will suitably mitigate against the loss of trees in this location.

The existing Public Right of Way (192) located off Cooper Street is steep in its current form. The submitted planting plans indicate existing trees will be retained alongside PRow 192 which will not be possible due to the regrading works associated with the new access. The masterplan indicates a line of new trees to the southern side of the path, which practically will be difficult to achieve given the severity of the levels. The road connection into the site from Dellhide Close will result in some tree loss due to the need to build up levels to create the access road.

TPM state that three of the key objectives set out in the Landscape Strategy section of the LVIA (section 6.2) states the following in relation to the proposals:

- *Ensure that the picturesque setting the valley provides to the Stonebreaks Conservation Area is retained.*
- *Development in this area should not interfere with the distinct visual character of the valley, with views funnelled along key routes, the brook, and important views in and out, and;*

*- Create appropriate edges to the site allowing development to suitably blend in with the existing landscape character through the use of sympathetic materials and by sensitive planting and screening.*

The proposed layout indicates properties located close to the northern boundary and adjacent cricket field. The existing trees located along the northern boundary comprises self-set scrub vegetation which is likely to be removed as a result of development. The proximity of built form to the northern boundary means that space is limited for any meaningful tree buffer to minimise the impact of the built form on the views from the cricket ground, PRoW within the Conservation Area and properties beyond in the north (notably Huddersfield Road), therefore, TPM consider this to be a weak interface.

Since the initial comments have been received from TPM, the applicant's consultant has made efforts to address the concerns raised and have submitted a revised LVIA. TPM have reviewed the updated information and conclude that there are still inconsistencies within the updated LVIA and TPM are of the view that the level of harm identified from the development in the updated LVIA is being underplayed. TPM state that the assessment of the viewpoints within the updated LVIA are not reflected in the conclusions of the report.

The final statement in the applicants LVIA concludes that's the development is:

*'A well-planned development therefore that considers the visual amenity of nearby receptors would not result in any unacceptable effects on landscape character or visual amenity.'*

The assessments made on both landscape and visual receptors in the applicants LVIA do not reflect this statement as Moderate and Moderate-Major Adverse effects are identified throughout the applicants LVIA. It is accepted by TPM that the proposed mitigation measures will over time reduce the impact of the development on the site, however, TPM consider the level of harm to be higher than the assessment concludes.

Overall, the applicants LVIA acknowledges that there will be landscape and visual harm to the site as a result of the development, however the level of harm does not appear to be consistent within the applicant's submission. Notwithstanding this, it is clear that the development will cause moderate – major adverse effects, and whilst landscaping mitigation is proposed and will soften the impacts of the development over time, the level of impact cannot be considered to weigh in favour of the development in the planning balance.

## **Landscape & Ecology**

The applicant has submitted a substantial amount of information in relation to landscaping and ecology. In terms of the landscaping proposals (in summary), a woodland themed open space is proposed to the northeast of the site. In addition, a small-scale play zone is proposed within some woodland planting at the northern tip of the site, and a landscape buffer is also proposed on the western boundary of the site. There is a proposal to retain and enhance the existing woodland and introduce some native trees and shrubs at the south end of the site. As part of the landscaping, the applicants are proposing to retain a substantial amount of dry heath and

acid grassland through the centre of the site, mostly in the area of the former quarry, and there will be large areas of retained semi-improved grassland mostly concentrated on the eastern and western boundaries of the site, with some parcels contained in the north and south areas.

In terms of ecology, the applicant has submitted an Ecological Impact Assessment undertaken by Dunelm Ecology. Greater Manchester Ecology Unit ("GMEU") have reviewed the information submitted and conclude that the information submitted is acceptable for the purposes of assessing the planning application. However, notwithstanding this, GMEU do not support the planning application in its current format.

The site does not carry any statutory nature conservation designations, however, as set out above, a large portion of the site is designated as being within OPOL 13, because it provides habitats for biodiversity. GMEU state that the site supports a diverse range of habitat types, including Priority Habitats: lowland dry acid grassland, dry heath, semi-natural broad-leaved woodland and possible open mosaic habitats on previously developed land, alongside a range of other semi-natural habitats, which form a valuable local habitat mosaic.

GMEU conclude that efforts have been made by the applicant to retain the most important habitat areas and to make them a feature of the site, and GMEU also acknowledge the new landscaping (including tree and shrub planting and ornamental planting). However, the losses of semi-natural habitats to the scheme are substantial, and it is considered that the habitats that would be retained as part of the development will be fragmented, isolated and subject to high levels of public disturbance.

The site provides a foraging resource for bats and nesting and foraging habitat for birds, including five red list bird species and seven Priority bird species. Given the substantive losses to semi-natural habitats which the development will cause, and the fragmentation, disturbance and isolation of retained habitats, this local resource for bats and birds is likely to be significantly eroded by the development. According to GMEU, limited compensation has been offered for this harm. Suggestions for replacing bat roosting and bird nesting are presented in the Ecology report (para. 6.2.3) but replacing nesting and roosting opportunities will be of limited value if the much of the semi-natural habitat has been removed.

Since GMEU have raised concerns about the application, the applicant has made considerable efforts to try and address the comments raised, and as a result they have made some amendments to the layout. This enabled the applicant to retain more of the Dry Heath and Acid Grasslands, the planting schedules were also updated to account for new areas of ecology retention, and the tree planting was also reviewed, to ensure the tree species were native selections.

However, despite the applicant's efforts to reduce the impacts of the proposals on biodiversity, the biodiversity net losses would still result in on-site losses of 25.57 units, which is significant, and that loss is with the mitigation in place. GMEU consider the site to be a strategically important site adjoining and linking areas of wider open countryside, which will be compromised by the development.

GMEU state that off-site habitat compensation could in theory be sought through a substantial financial contribution, which is currently estimated to be at £11,000 per unit lost (25.57 units

lost, meaning a financial contribution potentially in excess of £280,000). However, no detailed proposals were ever put forward for where or how any off-site provisions would be delivered. This raised uncertainties with GMEU about whether such extensive habitat creation of the right type could be provided elsewhere in the Borough as compensation.

Overall, GMEU are of the view that the development would erode the OPOL designation to an unacceptable level. Even with the landscaping and overall mitigation proposed, the development would still result in significant habitat losses and habitat fragmentation. The landscaping and planting proposed does not mitigate effectively for the losses, and even if a substantial financial contribution was agreed in conjunction with the on-site mitigation, GMEU are uncertain as to whether the right area could be identified given the substantial level of habitat losses. Therefore, it is considered that the development fails to comply with Local Plan Policies 21 and 22 and NPPF section 15 and this does not weigh in favour of the development in the planning balance.

## **Layout**

As stated above TPM have concerns in relation to the site layout. In addition, the impacts of the layout on both landscape character and ecology have also been discussed above and have been found not to weigh in favour of the development. The biodiversity net loss is substantial because of the layout, and it has already been concluded that the proposal is considered to be overdevelopment of the site for the reasons set out above. This section will provide a general assessment of the overall layout.

Residential amenity is a key consideration, especially for the existing residents that surround the site. Separation distances are a key factor in establishing whether residential amenity of existing and future residents would be adversely impacted. It is generally accepted that to achieve good amenity levels in accordance with Local Plan Policy 9, the separation standards to achieve is 21m distance between facing habitable room windows and 10-12m between habitable room windows to non-habitable room windows / blank gable.

Appearance and scale are matters reserved for future consideration, however the applicant has submitted a typology plan reference 2373-MG-PL-A-700-07 Revision 1, which gives an understanding of the proposed tenure type for the development, which is as follows:

- 18 x 1 bedroom
- 28 x 2 bedroom
- 65 x 3 bedroom
- 35 x 4 bedroom
- 12 x 5 bedroom

In the case of this application, the site levels play a crucial role when considering separation distances and amenity. The applicant has submitted a site section document as part of the application, which show the relationship of the development at various points throughout the site, including the relationship between the proposed and existing properties that surround the site. Section 2-2 shows the relationship between the properties proposed on the eastern boundary of the site and those that back on to the site from The Meadows. From the section details it is clear that the proposed properties sit higher than those that exist at the Meadows,



however, there would be approximately a 40m distance between the existing and proposed properties as well as a retained group of mature trees. Given the distance and the effective buffer, these separation distances would be considered acceptable. Section 4-4 shows a similar relationship between the eastern boundary of the site and Stonebreaks Conservation Area, which sits at a significantly lower level at a distance of approximately 95m from the development.

Section 1-1 gives us a clear understanding of the level differences within the site, specifically between the properties to the east and those proposed within the quarry. Given the level changes within the site, there would be no adverse impacts in terms of amenity distances as the properties would not be visible to each other at this point within the site. Section 7-7 provides us with context of the level differences between the properties north of the quarry and the properties proposed within the quarry. Given the substantial level differences, residential amenity will not be a factor in this area.

Section 8-8 is a section through the site from the northern tip to the access road to the south, this section gives us an understanding of the level change between the north being higher and south being considerably lower, it also demonstrates how much lower the development within the quarry would sit.

The proposed layout in terms of amenity would not impact the existing properties on Cooper Street as the properties are well set back. In addition, properties on the western boundary will remain largely unaffected by the development in terms of separation distances.

In terms of separation distances within the site, the following are some examples: the distance between plot 24 & 29 public street side is in excess of 21m. The distance between plots 16 & 18 is in excess of 11m gable side, the distance between plots 84 and 102 is over 15m gable side, the distance between the properties on the western boundary and existing properties that face into the site at that point is over 27m which is acceptable. These plots are situated to the south and middle of the site. However, to the north some of the separation distances are considered substandard, specifically between plots 122, 123, 124 & 125

In addition to the inadequate separation distances in some parts of the layout, the Highways Engineer also concludes that some of the internal roads within the layout do not meet the standards required for adoption, and some of the highway and driveway gradients and driveway positions require amendment. This is because it appears that, in some instances, drivers will be required to drive along footways to access driveways. The Highways Engineer states that a drawing has not been provided that shows that the driveway gradients work with the proposed highway gradient.

In conclusion, for the reasons set out earlier in the report, TPM have concerns in respect of the layout, GMEU also conclude that the layout will have adverse impacts to biodiversity and constitutes over development of the site, and in addition to this the Highways Engineer also has concerns. Therefore, for the reasons set out in this report, the development constitutes over development of the site, and fails to comply with Local Plan Policies 5, 9, 21 and 22 and this does not weigh in favour of the development in the planning balance.

## **Access & Highways**

Local Plan Policy 5 states that Local Planning Authority will ensure the safety of pedestrians, cyclists and other vulnerable road users by ensuring appropriate highway safety measures and schemes are implemented as part of development proposals. Local Plan Policy 9 states that the Council will ensure development minimises traffic levels and does not harm the safety of road users.

NPPF paragraph 111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The Highways Engineer has reviewed the details submitted and, following extensive discussions with the applicant, the Highways Engineer does not support the planning application.

In relation to the proposed access to the site, this would be taken directly from Cooper Street, and also via Old Croft and Dell Hide Close. There is no objection to the specifications of either access point from the Highways Engineer.

A Transport Assessment was submitted with the application in support of the application, which assessed the potential sustainable modes of travel to and from the site, and the likely impact on the local highway network. It is concluded that there is likely to be 85 additional two-way movements during the morning peak period and 86 during the evening peak period. The Highways Engineer concludes that there would not be a reasonable basis to refuse the application based on the additional traffic generation estimated for the development. Therefore, no objections are raised to the development in respect of the cumulative impacts to the existing road network.

However, the Highways Engineer has concerns in respect of the geometry of the existing highway network, specifically on Cooper Street. Cooper Street does not have footways of standard widths on either side or a carriageway which allows two running lanes, and as a result pedestrian access is considered to be poor. The Highway Engineer has serious concerns that the poor geometry of Cooper Street in conjunction with the intensification of traffic generation that could result from the development on Cooper Street has the potential to cause severe highway safety concerns for vulnerable highway users such as pedestrians and cyclists.

To consider this, the applicant did submit some potential improvement schemes on Cooper Street, which included the following:

1. An uncontrolled pedestrian dropped crossing, with tactile paving to the north of the proposed site access as demonstrated on plan reference SCP/18594/D01;
2. An uncontrolled pedestrian dropped crossing, with tactile paving to the north of the proposed site access, with a raised table to calm traffic speeds; or

3. An uncontrolled pedestrian dropped crossing, with tactile paving to the north of the proposed site access, with a kerb build-out to widen the footway locally

The Highways Engineer concludes that none of the above improvement proposals alleviate their concerns, and this is because even with the improvements in place, visibility for pedestrians / road users would still be very poor and restricted, and this is not considered to be acceptable.

The Highway Engineer also has serious concerns in respect of construction management, as no information has been submitted in respect of construction traffic, and how this will be safely managed. It is noted that in normal circumstances this could be appropriately conditioned, however, the highways engineer cannot foresee how construction could be undertaken safely.

Overall, the Highway Engineer considers that the increased levels of traffic, the potential for Cooper Street to be utilised by traffic a lot more as a result of the development, the geometry of Cooper Street and the poor pedestrian access all, cumulatively, mean that the development would result in unacceptable adverse impacts to highway safety and this fails to comply with Local Plan Policies 5 & 9 and NPPF paragraph 111, and this does not weigh in favour of the development in the planning balance.

### **Public Rights of Way**

As set out earlier in the report, two PRoW routes run through the site, including PRoW 203, which runs roughly central through the site, before linking into other PRoW routes to the south end of the site. This PRoW route is maintained as part of the development, and within the submitted Landscape and Open Strategy it states that this footpath will be upgraded, and at the steepest section of the path, both steps and a feature curved graded path will be introduced. However no specific specifications of the proposed improvement work have been submitted at this stage The PRoW Officer does object to these upgrades in principle, subject to being able to review and agree the specification of any upgrades. The requirement for this information could be secured by way of condition if the development was considered acceptable.

PRoW 192 also runs along the eastern boundary of the site and also runs centrally through the site to the north. This route would need to be diverted to accommodate the layout, and the PRoW Officer does not object to the principle of this. The PRoW Officer also stated that that appropriate waymarking signage would be required along all the routes affected by the development, and a scheme for this could also be secured by way of condition, if the development was considered acceptable.

Based on the above, it is considered that the development would affect the PRoW routes that run through the site, but there are no objections in principle to the changes. However, more information would be required to fully agree any changes, and this could be secured by way of condition.

## **Affordable Housing**

As set out above, the development qualifies for affordable housing provision. Changes to the National Planning Policy Framework in July 2021 now require that planning obligations should be applied to developments of 10 dwellings or more on the basis that obligations should only be required for 'major' developments. Currently, Local Plan Policy 10 refers to the trigger for affordable housing as being 15 dwellings, however, in line with the requirements of the NPPF, the trigger point has been reduced to 10 dwellings. This change has been secured through an Interim Planning Position Paper which was agreed at Cabinet in January 2022. In addition, the Interim Position Paper also secured the expected affordable housing tenure split, which is 25% First Homes, 25% other intermediate tenure, 50% social/ affordable rent.

Local Plan Policy 10 states that the current target for affordable housing provision is for 7.5% of the total development sales value to go towards the delivery of affordable housing. The applicant is proposing 20% on site affordable housing and has agreed for this to be split as the affordable Housing IPP states (25% First Homes, 25% other intermediate tenure, 50% social/ affordable rent.). In terms of whether it meets the policy requirement, no information has been submitted, which demonstrates that the provision proposed is 7.5% or more of the total development sales value.

However, the NPPF states that 10% of dwellings on larger sites should be made available for affordable home ownership, and in addition, the Housing Needs Assessment 2019 ("HNA 2019") identifies that there is a net imbalance of 203 affordable dwellings across the borough. Therefore, given the criteria set out in the NPPF and HNA 2019, the affordable housing provision is considered to be a benefit of the scheme.

## **Heritage**

Local Plan Policy 24 is relevant when assessing heritage matters along with NPPF section 16.

In terms of heritage, the site contains part of the curtilage of a Grade II Listed Building called Highfield House, which is located to the southwest side of the site. The Grade II listed Stoneleigh is situated directly adjacent. In addition to the northeast of the site is Stone Breaks Conservation Area, and there are seven Listed Buildings within the Conservation Area, five of which lie adjacent to the site. These include the following:

- 17th century houses at 7 and 9 Stone Breaks Road;
- 18th century houses, The Nook and 11 Stone Breaks Road; and
- The 17th century Manor House

The northeast corner of the site outlined in red as part of this planning application is within the Stone Breaks Conservation Area designation, however, this area is left undisturbed by the development and no residential development is proposed in this area of the site.

The applicant has submitted a detailed Heritage Statement with the application, which considers the impact on the curtilage of Highfield House as well as impact on the setting of several listed buildings located within the vicinity of the site. Assessment has also been made

in relation to potential impact on the character and appearance of the Stone Breaks Conservation Area, part of which lies within the application site.

The assessment concludes that the that the proposed scheme will not have a material adverse impact on identified designated heritage assets, and in the worst case it could be concluded that the development would cause a low level of less than substantial harm.

The Conservation Officer has reviewed the application and does not disagree with the findings of the submitted Heritage Statement. The Conservation Officer concludes that the development would introduce a level of harm to the setting of Highfield House through the widening of the access, which would remove part of the wall and mature trees. Although this would result in less than substantial harm, this would be considered as low-level harm that does not seriously affect the significance of the designated heritage asset.

The Conservation Officer also states that the existing topography is expected to prevent any visibility of the proposed development within the application site from within the Conservation Area. Proposed extensive planting and landscaping will also act as screening, however, if the application was to be supported, the Conservation Officer would expect a condition to be included to ensure that extensive planting and landscaping along the north-eastern boundaries was implemented.

Given that a low level of harm has been identified, in accordance with NPPF Paragraph 202, the public benefits of the scheme must be assessed against the harm. These include the following:

1. A strong contribution of housing provision towards the Borough's housing land supply position;
2. The development is making provision for 20% affordable housing on site; and
3. The typologies of open space provision proposed helps to address the open space typology shortfalls in the area.

Whilst the public benefits identified above are not considered to outweigh the harm of the scheme overall, they are considered to outweigh the low level of harm identified in relation to heritage. Therefore, the development complies with Local Plan Policy 24 and NPPF section 16.

### **Viability & S106 Contributions**

Given the scale of the proposed development, in normal circumstances, contributions would be sought for affordable housing and open space at the very least in accordance with the relevant Local Plan Policies. Therefore, if the application was to be granted, the following contributions would be required if the application was approved:

- **Education** - contribution of £995,651.22 required for both primary and secondary school places.
- **Affordable Housing** – On site Provision is proposed, the split and details of which would be secured via a s.106 contribution

- **Open Space** – This would be based on the number of bedrooms being created within the development
- **Biodiversity – loss of 25.57 units lost = contribution of £280,000 needed**

No information has been submitted with application to suggest that the above contributions are not viable.

### **Energy**

Local Plan Policy 18 is relevant in relation to energy and requires a 15% reduction in CO<sub>2</sub> emissions as set out in Part L 2013 Building Regulations. No Energy Statement has been submitted with the applicant to demonstrate the development's compliance with Local Plan Policy 18. However, it is considered that if the application was to be granted, this element could be appropriately conditioned.

### **Drainage**

Local Plan Policy 19 states that the Council will ensure development does not result in unacceptable flood risk or drainage problems by directing development away from areas at risk of flooding.

According to the Environment Agency Flood Maps, the whole site is in Flood Zone 1 (having the lowest risk of flooding). The Council expects that proposals for all new development will use Sustainable Urban Drainage Systems in accordance with the Surface Water Drainage Hierarchy.

United Utilities and the Lead Local Flood Authority have both been consulted on the application, and whilst neither have an objection to the development in principle (subject to condition), no drainage details have been submitted with the application. Therefore, the imposition of a suitably worded pre-commencement condition would be required to ensure a drainage scheme is appropriately designed and implemented. With the imposition of such a condition the development would comply with NPPF Section 14 and Local Plan Policy 19.

### **Ground Conditions**

NPPF paragraphs 178 and 179 and Local Plan Policies 7, 8 and 9 are relevant, which seek to ensure that a site is suitable for its use, taking account of ground conditions, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation.

The Environmental Health team has advised that having reviewed the application and the site history, there are no objections to the proposal subject to conditions requiring a landfill gas investigation and contaminated land assessment is submitted before development commences on site.

The Environment Agency have also reviewed the application and in its current format they raise an objection. This is because the previous use of parts of the site as areas for the licensed deposit of waste materials present a risk of contamination that could be mobilised during construction, and this could present a risk to controlled waters. Controlled waters are particularly sensitive within the site, because of its location upon a secondary aquifer. This objection could be overcome if the applicant submitted a preliminary risk assessment, which includes a desk study, conceptual model and a fuller, initial risk assessment.

Whilst the Environment Agency's objection is noted, this could be overcome with the submission of additional information, and therefore, this would not form a reason for refusal in this instance.

## **CONCLUSION**

### Balancing Exercise

In weighing up the assessment of the application, regard must be given to NPPF paragraph 11 (as referenced earlier in this report) and the Council's lack of a 5-year housing land supply. As a consequence, the '*tilted balance*' and presumption in favour of sustainable development set out in NPPF paragraph 11 is triggered. Given that NPPF paragraph 11 is triggered, the relevant matters now need to be balanced together to determine whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits in accordance with NPPF Paragraph 11d (ii).

There are several material planning considerations which must be weighed up in the assessment. The following matters are considered in the planning balance:

The matters in favour of the application include:

1. A strong contribution of housing provision towards the Borough's housing land supply position;
2. The development is making provision for 20% affordable housing on site; and
3. The typologies of open space provision proposed helps to address the open space typology shortfalls in the area.

Overall, these benefits are given 'moderate weight' in favour of the application. The housing land supply position and deliverability is continually improving, and the shortfall is closing. In addition, now that PfE has been submitted to the Planning Inspectorate for examination, this is now also given 'limited weight'. With all those matters considered, there is now a justification for reducing the weight given to housing provision. Therefore, the provision for housing is given 'moderate weight' in favour of the development.

In terms of the open space provision, in normal circumstances, this would not be considered a benefit, as this would be viewed as replacing the existing open space provision lost as part of the development at the site. However, following a discussion with Spatial Planning, it is considered that, because of the typologies being proposed, and the fact that they help address some key typology shortfalls, it is justified in this instance to classify the proposals as a benefit.

The matters not in favour of the application:

1. The development would erode 40% of OPOL 13 and would result in the comprehensive development in the OPOL designation.
2. The layout proposed will cause substantial habitat and biodiversity net gain losses that cannot be mitigated appropriately through on-site mitigation.
3. The development in some parts will cause moderate – major adverse effects in terms of land and visual.
4. The development will adversely impact the Green Corridor as set out in this report.
5. The Highway Engineer concludes that Cooper Street has the potential to be utilised by traffic a lot more frequently because of the development. The increase in traffic in conjunction with the geometry and the poor pedestrian access at Cooper Street, means that the development would result in unacceptable adverse impacts to highway safety for pedestrians.

As stated above, there is now greater weight being applied to Local Plan Policy 22, given the improvement in the housing land supply position. OPOL 13 meets the LGS criteria in the NPPF and is considered to have local significance due to its beauty, tranquility, wildlife, recreational value and historic significance. Whilst the application only relates to a part of the OPOL, the severe erosion of this will adversely impact the overall significance of the designation.

In addition to the above, the layout is considered to be an overdevelopment of the site, and the biodiversity net gain losses and impacts on biodiversity generally across the site as a result of the layout are considered to be significant. TPM also conclude that the landscape and visual impacts of the development will cause from moderate – major adverse impacts, and whilst mitigation will help address these impacts over time, the impacts do not weigh in favor of the development

Overall, when taking all those matters together as a whole, these are given ‘substantial weight’ in the planning balance for the reasons given above and throughout the report. Therefore, it is considered that the adverse impacts of granting planning permission in this instance would significantly and demonstrably outweigh the benefits and therefore the presumption in favour of sustainable development is not triggered and for the reasons set out in the report, it is recommended that planning permission should be refused.

## **RECOMMENDATION**

Refuse planning permission for the following reasons:

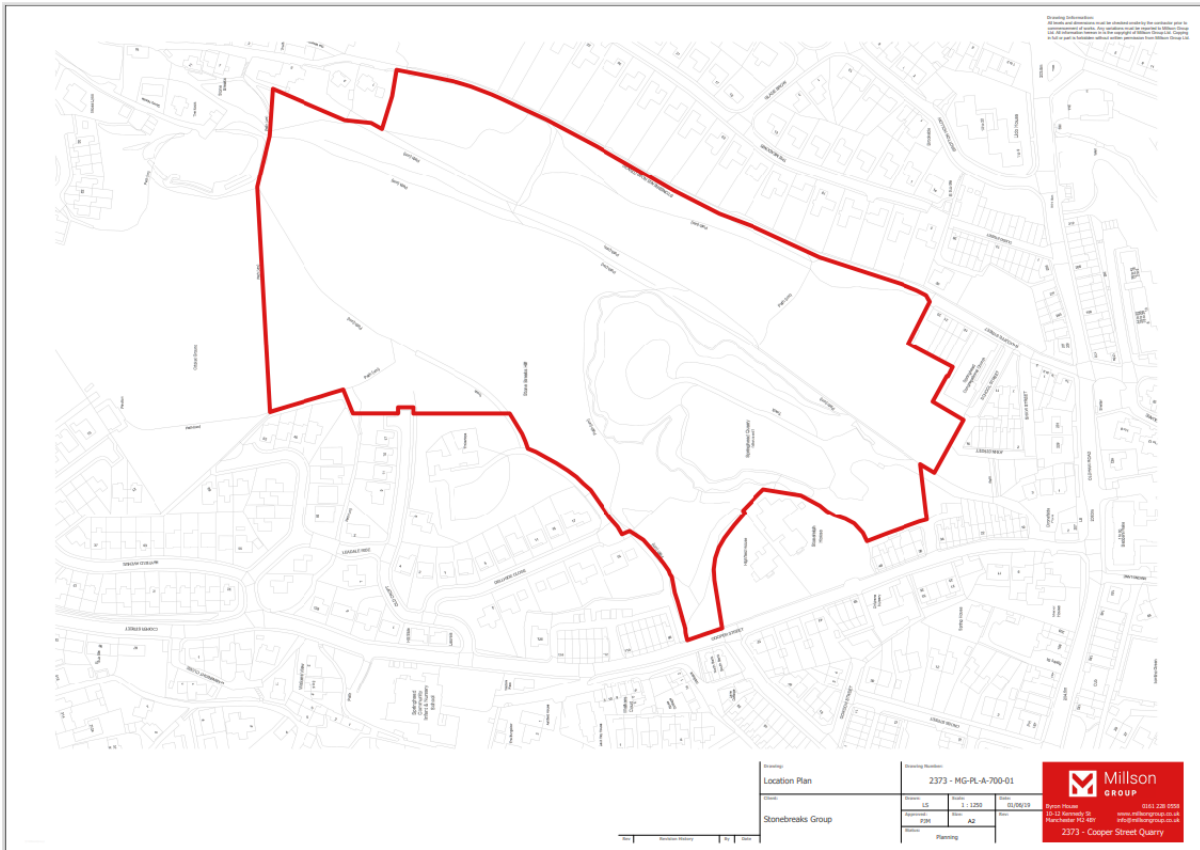
1. The development would result in the incremental erosion of an area designated as being part of Open Protected Other Land 11, which is identified in the Open Protected Open Land Interim Position Paper overall as having local significance due its beauty, tranquillity, wildlife, recreational value and historic significance. The benefits of the scheme are not considered to significantly and demonstrably outweigh the harm, and



it is considered that the development fails to comply with Oldham Local Plan Policy 22 and section 15 of the NPPF 2021.

2. The proposed layout represents overdevelopment, and as a result will cause significant habitat losses, habitat fragmentation and biodiversity net gain losses that cannot be mitigated through the applicants' current mitigation proposals. The habitat and biodiversity net losses would have an unacceptable and substantial adverse impact to the ecological value of the site and, as a result, the development fails to comply with Oldham Local Plan Policies 21 and 22 and section 15 of the NPPF 2021.
3. The layout and number of dwellings proposed will increase the level of traffic that uses Cooper Street, Springhead. Given the geometry of Cooper Street and poor pedestrian access also at Cooper Street together mean that the development will increase the potential of conflicts between car users and pedestrians, which is considered unacceptable in terms of highway safety. Therefore, the development fails to comply with Policies 5 and 9 of the Oldham Local Plan and Paragraphs 110 and 111 of the NPPF (2021).

# SITE LOCATION PLAN (NOT TO SCALE):



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<p>Client  <b>Location Plan</b></p> <p>Client  <b>Stonebreaks Group</b></p>	<p>Planning Number  <b>2373 - MG-PL-A-700-01</b></p> <table border="1"> <tr> <td>Version</td> <td>Date</td> <td>Author</td> </tr> <tr> <td>LS</td> <td>11/2023</td> <td>ML/2023/19</td> </tr> <tr> <td>23M</td> <td>A2</td> <td></td> </tr> <tr> <td colspan="3">Planning</td> </tr> </table>	Version	Date	Author	LS	11/2023	ML/2023/19	23M	A2		Planning			<p><b>Millson GROUP</b></p> <p>Byron House        10-12 Avenue 16        Manchester M12 4BP        2373 - Cooper Street Quarry</p> <p>0161 228 0500        info@millsongroup.co.uk        info@millsongroup.co.uk</p>
Version	Date	Author												
LS	11/2023	ML/2023/19												
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