

Report to Planning and Licensing Committee
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Date of Meeting
Portfolio

23 November 2023
Councillor Daniel Meredith
Cabinet Member for
Regeneration & Housing
James Hughes
Public

Report Author
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Application: 22/01410/FUL	Township: Heywood	Ward: Hopwood Hall
Applicant: Trammell Crow Co Logistics (Heywood) Ltd		Agent: Gerald Eve LLP
Site Address: Department of Work and Pensions DCS Distribution Centre, Manchester Road, Heywood, OL10 2PZ		
Proposal: Redevelopment of site comprising the demolition of all existing units and erection of new storage and distribution units (Use Class B8) with ancillary office space, vehicular, pedestrian and cycle access, external yards, parking, landscaping and associated works.		

SITE LOCATION



DELEGATION

- 1.1 The application is referred to the Planning and Licensing Committee in accordance with the scheme of delegation. The proposal comprises major development and more than 10 objections have been received, contrary to the recommendation.

PROPOSAL SUMMARY

- 2.1 Planning permission is sought for the redevelopment of the application site, consisting of the demolition of all existing buildings and replacement with three new storage and distribution units (Use Class B8) with ancillary office space. In addition, pedestrian and cycle access, external yards, parking, landscaping and other associated works are proposed.

RECOMMENDATION

- 3.1 That planning permission be **GRANTED** subject to conditions.

REASON FOR RECOMMENDATION

- 4.1 The site lies to the northeast of the intersection of Manchester Road and Queen Elizabeth II Way, towards the southern edge of the settlement of Heywood. The existing brownfield (previously developed) site consists of six main buildings, with associated ancillary buildings, infrastructure, landscaping and an existing access from Manchester Road. The principle of the site being used as employment space for storage and/or distribution is already established due to its current use.
- 4.1 The proposed development would result in an existing employment site being redeveloped, providing high quality and modern distribution units that would attract and/or retain businesses within the storage and distribution sector, providing or retaining jobs within the borough and contributing to the borough's economic resilience and growth, whilst promoting Rochdale as a destination to invest in within the Greater Manchester city region.
- 4.2 Despite the scale of the facilities proposed, the layout, appearance and both the existing and proposed landscaping treatment to the site are acceptable and provide sufficient screening in addition to mitigation for visual, noise, landscape and biodiversity impacts given the context of the site within the already defined extent of an employment site, including when considering previously granted planning permission(s) for nearby housing developments.
- 4.3 No unacceptable harm has been identified in respect of residential living conditions of surrounding occupiers (current or future) either by way of visual intrusion, overshadowing, overbearing impact or through noise, lighting and disturbance, which cannot be controlled by way of suitably worded planning condition(s).

- 4.4 Overall the application proposals comprise a high quality, sustainable employment development on an existing employment site, that is supported in local, national and the emerging Places for Everyone.

PREVIOUS DEFERRAL – SEPTEMBER PLANNING COMMITTEE

This planning application was initially presented at September's Planning Committee. The application had been prepared with a recommendation for approval subject to conditions. Upon receipt of a suite of late objections close to publication and soon after publication of the committee report, the decision was made by the LPA to change the recommendation to 'deferred', with the application to be presented to planning committee at a later date. The reason this decision was taken was that further consideration of the content of late objections was required, with an additional review of all objections received to date from a specific objecting party. *Advice was also sought from the Council's legal team as well as external legal advice sought by both the applicant and the Council.*

Members are directed to the section titled 'Additional Commentary' in this Committee Report. This section has been added to provide further commentary on all objections received from the objector, as well as set out responses received from the applicant by way of amended plans, additional and/or amended reports and rebuttals received via letter and external legal advice sought by the Applicant.

SITE

The application relates to an approximately 11.1 hectare site to the northwest of the intersection of Manchester Road and Queen Elizabeth II Way. The application site currently consists of six main buildings, currently used by the Department of Work & Pensions (DWP) for document storage. As well as the six main buildings, there are several smaller associated buildings dispersed across the site, with associated landscaping, largely consisting of mown grass and trees, as well as access road and car parking areas. The site is brownfield (previously developed).

The six main buildings have eaves heights that vary from 5.7m to 10m, whilst maximum (ridge) heights vary from 7.8m to 10.1m. The buildings are generally beginning to fall into a poor state of repair. However, they are still functional and capable of use. The existing buildings provide approximately 31,900 square metres (GEA) of space.

The application site is broadly 'L' shaped, which bounds an existing suburban housing development to the north/east of the application site, between the application site and Manchester Road. Queen Elizabeth II Way and associated embankment runs along the south boundary of the site. Newhouse Academy, a secondary school, and associated playing fields are located to the north of the application site. The enlargement and alterations to the existing secondary school was granted planning permission on 14 December 2022 under application 22/01191/PSID. The land to the west of the site is currently undeveloped but forms part of the South Heywood Masterplan for which outline planning permission was granted on 31 March 2020 comprising a major mixed use scheme of housing, employment, and primary school and a new link road from J19 of the M62. The permission has been implemented insofar that the

associated link road (Queen Elizabeth II Way) has been constructed, but the majority of the land remains undeveloped.

The site is located within the Defined Urban Area in its entirety. It is within Flood Zone 1, it is not within a conservation area, and does not contain or affect the setting of any listed buildings. The site is not covered by any specific designations or associations within the Development Plan.

PROPOSAL

Following the demolition of all existing buildings and associated site clearance, including internal roads and car parking, planning permission is sought for the erection of two buildings (one detached unit – ‘Unit 3’, one semi-detached building consisting of two separate units – ‘Units 1 & 2’) for Class B8 (storage and distribution) use as defined in the Town and Country Planning (Use Classes) Order 1987 as amended, including ancillary associated office space, vehicular, cycle and pedestrian access/service roads, external yards, car and HGV parking and landscaping with other associated works. The existing access from Manchester Road is to be retained, although altered to accommodate HGVs.

Units 1 & 2 – These units would be semi-detached (Unit 1 to the east, Unit 2 to the west) and have a finished floor level of approximately 129.15 metres AOD (subject to variance of up to 0.1 metre depending on final earthworks assessment). The building would measure 117 metres in length and 71 metres in width, with additional single storey offices to the east and west elevations measuring approximately 36 metres in length and 12 metres in depth. The ground to eaves height would be 12 metres (circa 15.4 metres to ridge). The units would provide a total floor space of 8,224 square metres GIA and an additional 438 square metres of ancillary office space.

North: Between the long north elevation of the main building/single storey offices and north boundary would be car parking and associated road and a landscaping strip, consisting of a graded embankment and a 1.8 metre high timber fence between the development and existing properties. There would be approximately 20 metres between the north elevation and north boundary of the site, beyond which is the rear garden areas/rear elevations of dwellings on the south side of Bader Drive and White House Close. Currently, the existing relationship is similar in that the car parking area for the existing units is adjacent to the dwellings.

East: To the east (short) elevation of Unit 1 (and enclosed to the north by the single storey office building) would be the service yard with 3no dock doors. A footway and landscaping would separate the service yard from the access road to the site, with a landscaping buffer and SUDS pond. There would be approximately 93 metres between the east elevation and east boundary, beyond which is Manchester Road.

South: Between the south (long) elevation of the units would be a footway, service road and landscaping buffer. There would be approximately 14 metres

between the south elevation and south boundary, beyond which is Queen Elizabeth II Way and associated land around the highway.

West: Between the west (short) elevation of Unit 2 (and enclosed to the north by the single storey office building) would be the service yard with 3no dock doors. A footway would separate the service yard from a service road, with landscaping and SUDS pond and the southeast corner of Unit 3 beyond. This elevation faces into the site and is not close to any shared boundaries.

The units would be predominantly grey, with light blue and dark blue horizontal strips along the upper section of the building to provide visual breaks. Fenestration would largely be restricted to ground floor east/west elevations and to the single storey office buildings. The roof would be a double hipped roof with roof lights.

Each unit would be served by a gated service yard with access to 3no level access doors and be served jointly by a car park (40no spaces, including 4 disabled spaces, 3 EVC spaces and 3 car sharing spaces), with separate cycle and motorcycle parking.

Unit 3 – Would have a finished floor level of +129.50 metres AOD (metres (subject to variance of up to 0.1 metre depending on final earthworks assessment). The building would measure 280 metres in length and 116 metres in width. The ground to eaves height would be 15 metres (circa 17.6 metres to ridge). The unit would provide a total floor space of 32,527 square metres GIA and an additional 2,009 square metres of ancillary office space.

North: Between the north (short) elevation of the unit and north boundary would be an emergency access track and landscaping, including a SUDS pond. There would also be HGV parking to the far northwest corner of the site, to the northeast of the unit. Existing vegetation is to be retained with additional planting. There would be approximately 20 metres to 50 metres between the north elevation and north boundary, beyond which is the grounds of Newhouse Academy, a secondary school.

East: Between the east (long) elevation of the unit and the east boundary would be an emergency access track and landscaping, including a wildflower meadow. There would be approximately 28 metres and up to 50 metres between the east elevation and east boundary, beyond which are the rear boundaries of dwellings to Oldbury Close, Bader Drive and White House Close.

South: Between the south (short) elevation of the unit and the south boundary would be an access road and landscaping, including a 1:3 batter, retaining wall, vegetation, tree planting and a SUDS pond. There would be a minimum of approximately 34 metres and up to 50 metres between the south elevation and south boundary, beyond which is undeveloped land to the north of Queen Elizabeth II Way.

West: Between the west (long) elevation of the unit and west boundary would be the unit's service yard area, with 35no HGV loading docks and associated HGV

parking. The service yard will be enclosed to the west by a 5m acoustic barrier. Beyond the service yard would be a 319 space car park (including 18 disabled spaces, 15 EVC spaces). Pedestrians would access the main unit from the car park by way of staircase/lift that would then pass over the HGV entrance to the service yard (the south elevation of the bridge would be approximately 41 metres from the south boundary of the site). Beyond the car park/service yard would be landscaping, with there a minimum of 49 metres between the west elevation and up to approximately 165 metres. There is undeveloped land/fields beyond the boundary.

The unit would be predominantly dark grey, with light grey, light blue and dark blue horizontal panelling to visually break up the main colour. The east elevation would be blank, with the north and south (short elevations) also largely blank with some limited fenestration. The west elevation contains the HGV access points, with translucent panels above the bays. The office space would project 12 metres to the west of the main building and consist of aluminium framed clear glazed curtain walling.



Figure 1 – Proposed Site Layout Plan



Figure 4 – Example office elevations

RELEVANT PLANNING POLICY

The below policies are considered relevant to the proposed development sought under this application.

National Planning Policy and Guidance

National Planning Policy Framework (NPPF) – September 2023

Section 2 – Achieving Sustainable Development

Paragraph 7 - The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection.

The planning system's objectives are to ensure that three overarching, interdependent objectives are achieved. An economic objective (building a strong, responsive and competitive economy), a social objective (supporting a strong, vibrant and healthy community) and an environmental objective (protecting and enhancing the natural, built and historic environment). These objectives should be delivered through application of policies within the NPPF and the Local Plan. So that sustainable development is pursued in a positive way, at the heart of the Framework is a **presumption in favour of sustainable development**. For decision-making, this means approving development proposals that accord with an up-to-date development plan without delay.

Section 4 – Decision-making

Local Planning Authorities (LPA) should approach decisions on proposed development in a positive and creative way. The LPA shall work with applicants in a positive and proactive way to secure developments that will improve the economic, social and environmental conditions of the area they are in. Decision-

makers shall seek to approve applications for sustainable development where possible.

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions should be made as quickly as possible. LPAs shall also give weight to relevant policies in emerging plans if relevant and justified. However, in the context of the Framework and presumption of favourable development, arguments that an application is premature are unlikely to justify a refusal of planning permission, unless a development proposed is so substantial or significant that granting permission would undermine the plan-making process.

LPAs should consider whether otherwise unacceptable development could be made acceptable through the use of planning conditions and/or obligations. Planning conditions, however, should be kept to a minimum and only imposed where they meet the test of being enforceable, precise and reasonable. Pre-commencement conditions should be avoided unless there is a clear justification.

Section 6 – Building a strong, competitive economy.

Planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account local business needs and wider opportunities for development. Planning decisions should recognise and address the specific locational requirements of different sectors. This includes **local clusters for storage and distribution operations** at a variety of scales and in suitably accessible locations (Paragraph 83). In addition, decisions should recognise that development needs to be sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits opportunities to make a location more sustainable. The use of previously developed land and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist (Paragraph 85).

Section 8 – Promoting healthy and safe communities

Planning decisions should aim to achieve healthy, inclusive and safe places, such as through mixed-use developments, street layout that allow for easy pedestrian and cycle connections within and between neighbourhoods. In addition, places should be safe and accessible, so that crime and disorder and the fear of crime do not undermine the quality of life, through the use of attractive, well-designed and legible pedestrian and cycle routes which encourage the active use of public areas.

Paragraph 93 states that planning decisions should, amongst other things, ensure that established facilities and services are able to develop and modernise, retained for the benefit of the community and ensure an integrated approach to considering the location of housing, economic uses and services.

Section 9 – Promoting sustainable transport

Transport issues should be considered at the earliest stages of development proposals so that the potential impacts of development on transport networks

can be addressed. Opportunities for existing/proposed transport infrastructure and changing transport usage should be realised. For example, in relation to the scale, location or density of development that can be accommodated. Opportunities to promote walking, cycling and public transport use should be identified or pursued. The environmental impacts of traffic and transport infrastructure should also be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects. Patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places.

The planning system should actively manage patterns of growth in support of these transport objectives. Significant development should be focused on locations which are or can be made sustainable.

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’. Within this context, applications for development should give priority first to pedestrian/cycle movements, secondly to public transport. Places should be created to feel safe, secure and attractive whilst minimising conflict with pedestrians, cyclists and vehicles. In addition, places should allow for the efficient delivery of goods and access by services and emergency vehicles. Charging of plug-in and ultra-low emission vehicles in safe and accessible locations should also be designed into developments. Paragraph 110(d) goes on to say that, when assessing specific applications for development, it should be ensured that any significant impacts from the development on the transport network (including capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

All developments that will generate a significant amount of movement should be required to provide a travel plan and be supported by a transport statement/assessment so that the likely impacts of the proposal can be assessed.

Section 11 – Making effective use of land.

Planning decisions should promote an effective use of land in meeting the needs of all uses, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions. Brownfield land should be used as much as possible to achieve these objectives.

Planning decisions should encourage multiple benefits, including through mixed use schemes, to achieve environmental gains such as schemes that would create new habitat. Undeveloped land can perform functions such as habitat, flood risk mitigation, shading and carbon storage. Substantial weight should also be given to brownfield land within settlements for identified need, supporting appropriate opportunities to remediate degraded/derelict land. Decisions should promote and support development of under-utilised land and buildings, especially where land supply is constrained and available sites could be used more effectively.

Planning decisions should support development that makes efficient use of land and take into account other forms of development and the availability of land suitable for accommodating it. They should consider local market conditions and viability, the availability of infrastructure, desirability to maintain an area's character and the importance of securing well-designed and healthy places.

Section 12 – Achieving well-designed places.

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve, with good design being a key aspect of sustainable development.

Planning decisions should ensure that developments will function well and add to the quality of the area over the lifetime of the development, are visually attractive as a result of good architecture, layout and appropriate and effective use of landscaping. In addition, development should be sympathetic to local character and the surrounding built environment/landscape setting, while not discouraging appropriate innovation or change. Developments should establish a strong sense of place and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of developments whilst creating places that are safe and accessible.

Trees make an important contribution to the character and quality of urban environments and can help mitigate/adapt to climate change. Planning decisions should ensure new streets are tree lined and trees are incorporated elsewhere in developments. Existing trees should be retained wherever possible.

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design. Conversely, significant weight should be given to development which reflects local design policies and government guidance on design, taking into account any local design guidance or supplementary planning documents. Outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings should be supported.

Section 14 – Meeting the challenge of climate change, flooding, and coastal change.

The planning system should support the transition to a low carbon future in a changing climate and flood risk. It should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability, improve resilience, encourage the reuse and conversion of existing buildings and support renewable and low carbon energy and associated infrastructure.

New development should be planned in ways that avoid increased vulnerability and ensure that risks can be managed through suitable adaptation measures, including through green infrastructure. Reduction of greenhouse gas emissions should be provided for through a positive strategy through low carbon energy and heat, identifying suitable areas for renewable and low carbon energy sources and supporting infrastructure. Development should identify

opportunities for development to draw energy from decentralised, low carbon energy sources.

LPAs should expect new development to comply with development plan policies on local requirements for decentralised energy sources and take account of landform, layout, orientation, massing and landscaping to minimise energy consumption. It should be recognised that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions.

Major developments should incorporate sustainable drainage systems (SDS) unless there is clear evidence that this would be inappropriate. The systems should take account of advice from the LLFA, have appropriate minimum operational standards, have maintenance arrangements in place and, where possible, provide multifunctional benefits.

Section 15 – Conserving and enhancing the natural environment.

Planning decisions should contribute to and enhance the natural local environment by protecting and enhancing valued landscape, sites of biodiversity, geological value. They should recognise the benefits gained from natural capital and ecosystem services, including economic and other benefits, trees and woodland. Minimising impacts and providing net gains for biodiversity, including by establishing coherent ecological networks that are resilient to current and past futures should be sought. New and existing development should be prevented from contributing or being put at unacceptable risk from unacceptable levels of air, water or noise pollution or land instability. The local environment should, wherever possible, be improved.

When determining planning applications, LPAs should apply the principle that, if significant harm to biodiversity resulting from a development cannot be avoided or adequately avoided, mitigated against or as a last resort compensated for, then planning permission should be refused. Development which results in the loss of or deterioration of irreplaceable habitats should be refused unless in wholly exceptional reasons and where a suitable compensation strategy exists.

Planning decisions should ensure that a site is suitable for the proposed use, taking into account ground conditions and any risks from instability or contamination. Adequate site investigations by a competent person should inform such assessments. When a site is affected by contamination or instability, the responsibility for securing a safe development rests with the developer/landowner.

Planning decisions should ensure that new development is appropriate for the location, when taking into account likely and/or cumulative effects on pollution, health, living conditions and the natural environment, as well as the potential sensitivity of the site. Light pollution from artificial light on local amenity need also to be considered.

The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development,

the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.

DEVELOPMENT PLAN POLICIES

Adopted Rochdale Core Strategy (CS) 2016:

S01 – Strategic Objective: To deliver a more prosperous economy.

- Focus on identifying quality employment sites and areas to increase the number and range of jobs.
- Ensuring good transport accessibility to jobs and markets within and beyond Greater Manchester
- Building on the borough's assets and improving its image to attract investment.

S03 – Strategic Objective: To improve design, image and quality of place.

- Raising design quality and promoting sustainable development.
- Improving gateways into the borough and main transport corridors to improve the image of the borough.

SO4 – Strategic Objective: To promote a greener environment.

- Minimising Rochdale's contribution to climate change and mitigating and adapting to its adverse effects.
- Ensuring that development is energy efficient and contributes to carbon reduction.
- Reducing the risk of flooding through appropriate flood risk management.

SO5 – Strategic Objective: To improve accessibility and deliver sustainable transport.

- Directing development to the most accessible locations or those that can be made more accessible by public transport.
- Improving access to the public transport network.
- Ensuring new development contributes to transport improvements and the use of public and other sustainable transport.

SD1 – Delivering sustainable development.

The LPA will take a positive approach that reflects a presumption in favour of sustainable development, as contained within the NPPF. It will work pro-actively with applicants to find solutions that means proposals can be approved wherever possible, securing development that improves the economic, social and environmental conditions of the area. Planning applications that accord with the policies of the Local Plan will be approved without delay, unless material planning considerations indicate otherwise.

SP1 – Rochdale borough's role in the city region

Rochdale will contribute to the success of the Manchester city region and the North West by playing its role in the delivery of sustainable development and

investment that meets national and sub-regional objectives for employment growth by:

- Promoting the borough as an attractive location in terms of jobs, the environment and quality of life.
- Focus employment development so that it supports the overall economic growth of the sub-region.
- Strengthen transport infrastructure and strategic links to improve access to jobs within the regional centre and improve commercial links with the Northwest and West Yorkshire.

SP2 – The Spatial Strategy for the borough

In the Manchester fringe, to the south of the borough, where there is good access to existing facilities, infrastructure, the motorway corridor, public transport facilities and the wider Greater Manchester city region, the focus will be on new housing, employment and commercial development. Focus of investment, development and improvements will include economic growth corridors, areas and key corridors and gateways.

SP3/H – The Strategy for Heywood

The priorities for Heywood include promoting economic growth in South Heywood by, amongst other things, delivering new economic development on sites within the successful employment areas in the south of the town to maintain their national reputation as a high quality business location.

E2 – Increasing jobs and prosperity.

Ensure a sufficient supply of suitable land, buildings and infrastructure in the right places to support the creation and retention of successful businesses and increase the number and quality of jobs to create a more prosperous lower carbon economy, by:

- Ensuring supply of up to 210ha of highly accessible land, focused in the south of the borough, that is attractive to 21st century employment development for offices, manufacturing and distribution as well as other employment generating uses.
- Protect those existing employment zones and employment sites outside employment zones which are most suited to continued employment use.

In the south of the borough, the focus will be to deliver most new employment development and jobs. Focusing of employment development will be in specified areas, which offer high quality sites with good access to the motorway network and public transport facilities, including South Heywood employment sites.

In addition, the regeneration of major employment locations will be promoted which are suitably located for continued employment use. Low employment generating uses will be discouraged in locations where higher employment generating uses would be more appropriate.

New employment development outside designated employment areas will be supported where it supports the above strategy and is not detrimental to amenity.

E3 – Focusing on economic growth corridors and areas.

The policy sets out the aims to focus employment development on high quality sites in economic growth corridors and areas in accessible locations in the south of the borough, in order to help deliver and maximise the benefits of new investment and the potential for growth and investment, as well as provide accessible jobs for local people.

With regards to the South Heywood employment area, this will include promoting the development of key sites, including North of Hareshill Road. In addition, the policy seeks to support improvements to all existing employment areas within South Heywood to maintain and enhance the quality of employment premises, whilst maintaining the area mostly for distribution uses. The promotion of infrastructure improvements/traffic management to service new and existing development and reduce heavy goods traffic in Heywood town centre and residential areas will also be sought.

The area has been identified as a location for potential employment growth in Greater Manchester, in particular for logistics.

C6 – Improving health and wellbeing.

The policy sets out that improving the health and wellbeing of the borough's residents is a high priority, through creating an economic, physical and social environment which promotes and supports healthy lifestyles.

This is to be achieved by, amongst other things, seeking to:

- Provide better access to jobs in areas with high levels of deprivation and/or poor health,
- Seeking high quality design of buildings, streets and spaces to create neighbourhoods that are safe to use, easy to move through, adaptable and sustainable.
- Maintaining and enhancing the borough's biodiversity, natural environment and create a coherent network of green infrastructure that can help promote better health.
- Identifying and implementing measures to reduce traffic movements and congestion to reduce air and noise pollution.
- Encouraging development that promotes active living by making places more accessible by walking, cycling and public transport.

More accessible and sustainably located development and a better integrated transport system will reduce the need to travel and promote healthier lifestyles.

P1 – Improving image.

Improving the image of the borough for both residents and visitors has significant economic benefits and can attract inward investment. It is required that high quality design is achieved in all new developments, particularly in areas including key gateways, prominent sites and regeneration areas. New developments will improve the image of the borough by:

- Requiring design which is of a high standard, demonstrates innovation and originality.

- Helping to green the urban environment, by securing tree planting on sites and along streets and roads.
- Promote development and re-use of under-used land and buildings.
- Creating people-friendly, safe and vibrant public areas.

P2 – Protecting and enhancing character, landscape and heritage

This policy sets out that enhancing and protecting the borough's unique character can lead to improvements in quality of life, boost the visitor economy and boost inward investment. The considerable potential of such assets should be considered in development schemes by requiring, amongst other things, that developments

- New development should integrate successfully with key natural features of the Borough.
- New development should protect and/or open up important views
- Conserve and enhance townscape character.

P3 – Improving design of new development.

It is required that all new developments, including associated landscaping, regardless of location, adhere to high standards of design. The following design principles should be adhered to if and where relevant:

- Respecting context where it is positive and have regard to scale, density, massing, height, layout, landscape, materials and access to surrounding buildings and areas in general.
- Ensure buildings contribute positively to the townscape, are well proportioned and incorporate design measures that design out crime and ensure developments and spaces are safe to use and access (including when considering lighting).
- Provide an appropriate mix of uses
- Ensure development is easy to move through and get around, especially for pedestrians, cyclists, public transport, disabled people and emergency services.
- Ensure that intended functions of buildings and spaces are easily understood and entrances are appropriately located and visible.
- Minimise impact on the environment and help adapt to the impacts of climate change.
- Design buildings and spaces so that quality and appearance can be maintained over time.
- Reduce the monotony and visual impact of car parking areas by using substantial and well integrated landscaping.

Design and Access statements and design briefs must include demonstration of how these design principles have been taken into account in the design of development proposals.

G1 – Tackling and adapting to climate change.

Climate change is to be addressed and it is to be ensured that growth does not increase CO2 emissions by, amongst other things:

- Locating growth in areas which are likely to minimise the need for travel and which are well served by public transport, services and infrastructure.
- Expecting all development to be well connected to surrounding areas and facilities by sustainable means of transport.

G2 – Energy and new development

All new development will be expected to adhere to hierarchy to the extent that policy G2 reflects national policy, targets and requirements for that type of development.

G6 – Enhancing green infrastructure.

Enhancing green infrastructure supports local communities, housing and economic development by protecting against flooding and climate change impacts, helping to deliver quality of place and positive image by providing better quality of life through access to nature and leading to healthier lifestyles.

With regards to new development, the focus will be on incorporating green infrastructure into new development, SUDs, increasing the number of street trees, greening main roads, developing new green spaces and incorporating green roofs and walls into development. In addition, development proposals will be expected to:

- Be consistent with the overall focus for green infrastructure and wider than local value green infrastructure can have.
- Have regard to local landscape character and contribute to its conservation and enhancement.
- Avoid loss of existing trees unless suitable alternative provisions are made.
- Take opportunities to secure innovative solutions to the design of urban open space to widen potential functions, e.g. flood risk management, promoting urban wildlife or climate change adaptation.
- Not sever or impede key functions of greenspace corridors.
- Supporting new woodland and tree planting in new development and replace removed trees at a ratio of 2:1.

G7 – Increasing the value of biodiversity and geodiversity.

Increasing the value of biodiversity will protect and enhance the borough's wildlife and habitats. This will be achieved by ensuring that sites and features of biodiversity and geodiversity are given full and appropriate recognition.

It is expected that new development proposals will protect and include existing biodiversity within new developments, public realm and open spaces. Existing landscape features including ponds, trees, hedges and wooded areas shall be protected. Where there is opportunity, biodiversity should be promoted and new habitats should be created through new development using landscaping and building features wherever possible including green roofs, green walls, bat boxes, roof space nest boxes and landscaping.

G9 – Reducing the impact of pollution, contamination and land instability.

Reducing the impact of pollution will lead to a cleaner, greener and healthier borough. This can be achieved the reducing all forms of pollution, contamination and instability in the borough.

It will be ensured that new development does not have impact that leads to unacceptable increases in air, water, noise, light or any other type of pollution. In addition, any risk to surface water or ground water resources should be avoided through preventative measures. Planning conditions and/or obligations to control pollution from new development or impact of pollution on new development should be utilised.

Noise pollution, including transport noise, should be carefully considered, particularly to new developments. Measures to reduce noise from new development could include planting buffers, noise barriers, banking, placement of traffic calming measures and careful consideration of building materials and road surfaces. The relationship between residential and non-residential developments is a key consideration, and if necessary limited hours of operation will be imposed through planning conditions or obligations.

Water pollution can also result from surface water run-off and it is important for developments to incorporate run-off management measures such as SUDS.

Lighting schemes for new developments must have full regard to minimising negative impact on residential areas, the character of the area, biodiversity and the night sky.

T1 – Delivering sustainable transport.

Improvements to the Borough's transport infrastructure and the promotion of sustainable travel are necessary to meet the future access and travel choice expectations of communities and businesses, particularly for where areas where development is planned. This includes:

- Reducing the need to travel and make best use of existing transport infrastructure (roads, footways/cycleways etc.), strengthening requirements for travel plans.

T2 – Improving accessibility.

Development should offer greater access for all forms of travel. Development should be located where there is good access to public transport, backed by measures to reduce the need for travel and effective provision for cyclists, pedestrians and people with impaired mobility. Development should be appropriately located to minimise the need to travel by car. Developments will be required to satisfy the LPA's accessibility hierarchy.

DM1 – General development requirements.

All development proposals, including changes of use of land and buildings, will be expected to demonstrate, amongst other things, that they:

- Are of a high quality design and take the opportunity to enhance the quality of the area.

- Are compatible with surrounding land uses, both in terms of its impacts upon these uses and the impact of the surrounding land used upon the amenities of future residents/users
- Do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy;
- Mitigate against any impacts due to noise, air, dust, light and odour pollution, traffic generation or inadequate access, where such mitigation is identified as being necessary;
- Provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements taking into account of the proposed use and location;
- Do not have an adverse impact on health, through its impact or the effect of existing problems e.g. land contamination, or poor air quality;
- Minimise opportunities for crime against people or property
- Incorporate, where appropriate, high quality landscape schemes;
- Have considered the availability of water and wastewater infrastructure, and any need for additional capacity.

All developments will be expected to demonstrate that the relevant requirements within this policy have been taken into account

DM2 – Delivering planning contributions and infrastructure.

Development proposed within the Core Strategy must be supported by necessary infrastructure. Infrastructure includes services, utilities, roads, transport, community facilities and green infrastructure.

Developers will be required to provide/contribute towards the cost of providing any physical and social infrastructure that is needed because of proposed development, or to mitigate the impact of development, through planning obligations and agreements.

For all types of development, contributions for any infrastructure will be sought to mitigate any on site or off-site impacts, the contributions may cover:

- Off-site highways and access improvements covering all types of transport, including public transport facilities and services, cycling and walking;
- Replacing / protecting / moving biodiversity features where appropriate to address an adverse effect on a feature of biodiversity interest;
- Providing green infrastructure to mitigate the impact of development on the site and surrounding area or greenspace
- Flood protection and mitigation measures including those to address the adverse effects of surface water run-off, where a flood risk assessment shows it to be necessary; e. Mitigation or compensation against environmental impacts e.g. noise, air quality
- Delivery of energy infrastructure as part of major schemes;
- The delivery of any other infrastructure that is necessary because of, and related or connected to, the proposed development

For major developments we will seek an agreement to use local firms and labour for construction, and to make satisfactory arrangements to try to recruit

employees from within the borough. Consideration will be given to the need to ensure that schemes remain viable whilst also taking into account the need for the contributions or infrastructure required to make the scheme acceptable in planning terms.

Rochdale Unitary Development Plan (UDP) 2006:

G/D/1 Defined Urban Area

Defines the boundary of the urban area. New development, wherever possible and appropriate, should be concentrated within the urban area to support urban regeneration and to protect the countryside.

EM/7 Development and Flood Risk

Development will not be permitted in areas identified as flood plans, or other areas where development could contribute to flood risk unless appropriate flood risk assessments have been carried out verifying that the development would not result in an undue increase in the risk of flooding.

Greater Manchester Joint Minerals and Waste DPD (2013)

Supplementary Planning Documents (SPDs):

Climate Change Adaptation SPD (June 2012)

Biodiversity and Development SPD (updated 2017)

Guidelines & Standards for Residential Development SPD (2016)

EMERGING PLANNING POLICY

Places for Everyone (PfE)

The Places for Everyone Joint Development Plan is a strategic regional plan for all of the Greater Manchester Local Authorities with the exception of Stockport. It seeks to guide the largest and most strategic developments of housing and employment land across the region. This Plan will also set the housing requirements for each of the involved Local Authorities. At the time of this report, the updated schedules of main modifications and policies map changes and updated sustainability appraisal and habitat regulations assessment report referred to in IN39 have now been published on the GMCA website, prior to being considered by each of the local planning authorities.

As such, the Planning Inspectorate have stated: *"We are satisfied at this stage of the examination that all of the proposed main modifications are necessary to make the Plan sound and/or legally compliant, and would be effective in that regard (subject to any grammatical or other minor changes that we may decide are necessary). That is, however, without prejudice to our final conclusions that we will reach following consideration of responses to the public consultation to be carried out on the main modifications (see below). Reasons for the main*

modifications that we do ultimately decide are necessary will be set out in our final report.'

The Inspectors go on to confirm the document updates required for publication by the Combined Authority. They confirm that unless they consider it essential to deal with substantial issues raised in representations about the proposed main modifications, or to ensure fairness, no further hearing sessions will be held after the consultation period.

Given the advanced stage of examination and the nature of the Inspectors responses received to date, the emerging policy is afforded moderate-substantial weight in the assessment set out within this report. However this is limited with consideration to the fact that inspectors have not yet issued their full report in response to the Public Examination.

Note: The application site is not sited on land that is allocated within the 'Places for Everyone' plan.

Places for Everyone Policies

Note: The policies set out below represent emerging policy. However, as set out above, given the advanced stage of examination and the nature of the Inspector's responses received to date, moderate-substantial weight is given in the assessment set out in this report. However, this is limited in consideration.

Strategic Objective 3

States that all part of Greater Manchester should thrive and be economically productive. This will be achieved by ensuring there is adequate development land to meet employment needs, prioritising brownfield land. There should be a diverse range of employment premises, with facilitation for, amongst other things, the development of high value clusters in prime sectors, such as logistics.

Strategic Objective 5

States that a strategic objective is reducing inequalities and improving prosperity. This is to be achieved by ensuring access to employment opportunities, prioritising development in well-connected locations and strengthening the competitiveness of north Greater Manchester.

Policy JP-S 1 - Sustainable Development

Development should aim to maximise its economic, social and environmental benefits. Preference will be given to using previously-developed (brownfield) land and vacant buildings to meet development needs.

Policy JP-J 1 - Supporting Long-Term Economic Growth

There will be an emphasis on maintaining a very high level of economic diversity across the boroughs. The development of high value clusters in prime sectors such as, amongst other things, logistics, will be facilitated.

Policy JP-J 2 - Employment Sites and Premises

A diverse range of employment sites and accessible premises, including new premises, will be made available. This will offer opportunities to different kinds and types of businesses, including firms seeking to expand and large-scale inward investment, to help tackle inequalities. Existing employment areas that are important to maintaining a strong and diverse supply of sites and premises across the boroughs will be protected from redevelopment to other uses, nurtured to ensure they remain competitive and their accessibility improved where necessary. This will include both local and strategic employment areas.

Policy JP-J 4 - Industry and Warehousing Development

At least 3.3 million square metres of new, accessible, industrial and warehousing floorspace is to be provided as part of the 'Places for Everyone' plan. To achieve this, high levels of choice and flexibility in the supply of sites for 'new warehousing floorspace is to be provided. Significantly increasing the supply of high quality sites across the northern parts of Greater Manchester is to be focused on, to help increase the competitiveness of the area.

RELEVANT HISTORY

21/01298/CPE: Application for certificate of lawfulness for an existing use of storage and distribution with ancillary uses.

Granted unconditionally on 14 December 2021.

CONSULTATION RESPONSES

Summary Table – Consultee Responses

Consultee	Outcome
Coal Authority	Response received – No objection.
Lead Local Flood Authority	Response received – No objection subject to conditions.
Environmental Health	Response received – No objection, subject to conditions.
United Utilities	Response received – No objection, subject to conditions.
Environment Agency	Response Received – No objection, referred to Environmental Health

Greater Manchester Archaeology Advisory Service	Response received – No objection.
Greater Manchester Ecology Unit	Response received – No objection.
Greater Manchester Fire Service	Response received – No objection.
Greater Manchester Police	Response received – No objection.
Transport for Greater Manchester	Response received – No objection, subject to conditions.
Highways & Engineering	Response received – No objection, subject to conditions.
Environmental Protection (Contamination)	Response received – No objection, subject to conditions.
National Highways	Response received – No objection.
Street Lighting	Response received – No objection, subject to conditions.
Strategic Planning	No response received.

Note: Consultees were consulted more than once. For the purposes of clarity, the date shown is the date of the most recent and final response received.

Coal Authority – 12 June 2023

Confirmed no comment, as the application site **does not** fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. As such, there is no requirement for the Coal Authority to be consulted. However, in accordance with the agreed approach to assessing coal mining risks as part of the development management process, it will be necessary to include the Coal Authority's Standing Advice within the Decision Notice as an informative note.

Note: No change in consultation responses received 22 March 2023 or 12 June 2032.

Drainage / Lead Local Flood Authority – 08 September 2023

The consultee response received from the Local Authority's LLFA on 08/09/2023 confirmed that the response supersedes any prior drainage consultation. As such, any previous consultation is disregarded.

The drainage consultant noted that the impermeable area of the site would increase from 5.84 hectares to 8.33 hectares.

The proposed site drainage will employ existing drainage infrastructure and attenuation ponds (SUDS). It is also noted that a small proportion of the site will discharge to a highway drainage sewer. It is confirmed in the response that this matter has been discussed between drainage, the LLFA and is deemed acceptable.

It is also highlighted and understood that a debate between the applicants regarding the discharge point of foul sewer is resolved.

It is suggested that the following condition be added in the event the application is approved:

Prior to the commencement of development, updated details of the sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be based upon:

- a) Drainage Strategy drawings 21194-BGL-XX-XX-DR-C-00210 & 211 & 212 /P07 dated 3rd Aug 2023.

The information submitted shall include:-

- i. the background calculations of the Causeway flow ® or MicroDrainage® model or any other software or calculations that have been used for the drainage design.
- ii. 'for construction' drawings of the attenuation ponds, flow control devices and attenuation tanks.
- iii. details of the outlet pipe from the SW corner of the site to the highway drain manhole, including any explanation of whether this pipe is being replaced.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Prior to occupation/ use of the proposed development, the drainage scheme shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface water from the site in accordance with Policy G8 of the adopted Rochdale Core Strategy, saved Policy EM/7 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

Reason for pre-commencement condition: Drainage infrastructure will need to be implemented prior to commencement of above ground works and a scheme therefore needs to be agreed in advance of the same.

Environment Agency – Received 09 June 2023

Confirmed **no objection in principle** to the proposed development but provided the following comments:

- The development site appears to have been the subject of past industrial activity which poses a high risk of pollution to controlled waters. However, the Environment Agency is unable to provide site-specific advice relating to land contamination.

Note: Rochdale Council will also consult with Environmental Health/Environmental Protection Department for advice.

Note: No change in consultation responses received 22 March 2023 or 09 June 2023.

Environmental Health – 21 March 2023

Confirmed no objection subject to implementation of recommended mitigation measures as set out in the submitted Noise Impact Assessment.

In addition, a condition will be required ensuring that any proposed or future external plant does not exceed noise limits.

Environmental Protection – 16 March 2023

No objection, confirmed that the information submitted with the application is acceptable. However, the following condition will be required:

Prior to commencement of the development an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced and shall have been first submitted to and approved in writing by the Local Planning Authority before development commences. The report of the findings must include:

- i) a survey of the extent, scale and nature of contamination
- ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s)

The development shall thereafter be completed in full accordance with the approved recommendations.

Greater Manchester Archaeological Advisory Service (GMAAS) – 14 June 2023

The proposed development does not threaten the known or suspected archaeological heritage, and on this basis there is no reason to seek to impose any archaeological requirements upon the applicant.

Greater Manchester Ecology Unit (GMEU) – 04 January 2023

Confirmed no objection to the development.

Although the site is large, it is currently dominated by large buildings, hardstanding and formal, low-diversity landscaping. It is not currently of substantive ecological value.

No further ecology surveys need to be carried out prior to deciding the application. GMEU advised that an updated badger survey should be included in the CEMP. However, if any evidence of badgers or their setts are identified, such response and actions that need to be made can be dealt with outside of the planning process in the Wildlife and Countryside Act 1981.

No biodiversity metric has been included as part of the application. However, it is considered that the proposed landscaping would achieve a net gain in biodiversity.

No tree felling or other vegetation clearance required to facilitate the development should take place during optimum bird nesting season (March – August) unless nesting birds have been shown to be absent by a suitably qualified person

Greater Manchester Fire Service – Received 30 March 2023

Confirmed no objection, made following comments that can be added as informative notes for the applicant, should the application be approved:

The above proposal should meet Requirement B5 of Approved Document B, Volume 2: Access and facilities for the fire service.

The access road should comply with Table 15.2 of Approved Document B, Volume 2 - be a minimum width of 3.7m and capable of carrying 12.5 tonnes.

Where a building, which has a compartment of 280m² or more in area, is being erected more than 100m from an existing fire-hydrant additional hydrants should be provided as follows;

- Buildings provided with fire mains – hydrants should be provided within 90m of dry fire main inlets

- Buildings not provided with fire mains – hydrants should be provided within 90m of an entry point to the building and not more than 90m apart

If the provisions in a building vary from those in Approved Document B, sprinkler protection can sometimes be used as a compensatory feature. The provision of a sprinkler system may also result in long term savings on insurance premiums. The Fire Service strongly supports the installation of sprinkler systems as a positive measure to protect persons. The provision of a sprinkler fire suppression system would have significant benefits for the development. It would ensure that any fire would be quickly controlled and would significantly reduce any fire damage to the building. This is particularly important as business continuity following a fire as an important factor in the ongoing viability of an organisation.

It is strongly advised that you consult your insurance company to discuss the advantages of installing a sprinkler protection.

Buildings not fitted with fire mains

15.1 For small buildings (up to 2000m², with a top occupied storey that is a maximum of 11m above ground level), vehicle access for a pump appliance should be provided to whichever is the less onerous of the following.

- (a) 15% of the perimeter.
- (b) Within 45m of every point of the footprint of the building.

15.2 For all other buildings, provide vehicle access in accordance with Table 15.1.

15.3 Every elevation to which vehicle access is provided should have a door, a minimum of 750mm wide, to give access into the building. The maximum distance between doors, or between a door and the end of the elevation, is 60m (e.g. a 150m elevation would need a minimum of two doors).

Buildings fitted with fire mains

15.4 For buildings fitted with dry fire mains, both of the following apply.

- a. Access should be provided for a pumping appliance to within 18m of each fire main inlet connection point. Inlets should be on the face of the building.
- b. The fire main inlet connection point should be visible from the parking position of the appliance, and satisfy paragraph 16.10.

15.5 For buildings fitted with wet fire mains, access for a pumping appliance should comply with both of the following.

- (a) Within 18m, and within sight of, an entrance giving access to the fire main.
- (b) Within sight of the inlet to replenish the suction tank for the fire main in an emergency.

15.6 Where fire mains are provided in buildings for which Sections 16 and 17 make no provision, vehicle access may be as described in paragraphs 15.4 and 15.5, rather than Table 15.1.

Design of access routes and hardstanding

15.7 Access routes and hardstanding should comply with the guidance in Table 15.2. Requirements can only apply to the site of the works.

It may not be reasonable to upgrade the route across a site to a small building. The building control body, in consultation with the fire and rescue service, should consider options from doing no work to upgrading certain features, such as sharp bends.

15.8 Where access to an elevation is provided in accordance with Table 15.1, the following requirements should be met, depending on the building height.

- a. Buildings up to 11m, excluding small buildings (paragraph 15.1): pump appliance access should be provided adjacent to the building for the specified percentage of the total perimeter.
- b. Buildings over 11m: access routes should comply with the guidance in Diagram 15.2.

15.9 Where access is provided for high reach appliances in accordance with Table 15.1, overhead obstructions (such as cables and branches) should be avoided in the zone shown in Diagram 15.2.

15.10 Dead-end access routes longer than 20m require turning facilities, as in Diagram 15.3. Turning facilities should comply with the guidance in Table 15.2.

Provision of private hydrants

16.8 A building requires additional fire hydrants if both of the following apply.

- a. It has a compartment with an area more than 280m².
- b. It is being erected more than 100m from an existing fire hydrant.

16.9 If additional hydrants are required, these should be provided in accordance with the following.

- a. For buildings provided with fire mains – within 90m of dry fire main inlets.
- b. For buildings not provided with fire mains – hydrants should be both of the following.

- i. Within 90m of an entrance to the building.
- ii. A maximum of 90m apart.

The Fire Service strongly supports the installation of sprinkler systems as a positive measure to protect persons. All developers should positively consider the viability of installing sprinkler systems.

Greater Manchester Police (Design for Security) – 23 November 2022

No objection received. Greater Manchester Police requested the addition of a condition relating to the Crime Impact Statement. However, the condition will require amending to ensure it is precise. The applicant can apply for Secured by Design status outside the planning process.

Highways & Engineering – 04 April 2023

Consulted the latest amended Transport Assessment submitted to reflect changes in site layout. Concerns remain about the impact the proposal would have on additional traffic generated. However, the severity of the impact would not be expected to be so significant that an objection based on such impacts would be appropriate. In addition, some concerns can be reduced through the effective use of planning conditions and Section 278 Agreements. Highways raised the following comments and confirmed no overall objection to the proposed scheme:

Background

- The application site has an existing LDC for industrial use.
- There is a long established vehicular access onto Manchester Road.

Surrounding Highway Network

- The accident data provided within the TA indicates that there are no inherent safety issues on the surrounding highway network.
- The site is not considered to be within a highly sustainable location, remote from local amenities etc. as such, a full Travel Plan will be required within 6 months of occupation of the development. In addition, the LPA consider it necessary to set out a car parking management plan.

Site Entrance/Access

- The entrance to the site is to be amended to improve two-way HGV access. The applicant will be required to enter into a Section 278 Agreement for the undertaking of these works.
- The submission of a detailed junction arrangement plan will be required to be submitted for approval by LPA/Highways, prior to occupation of any of the units.
- The introduction of a Traffic Regulation Order (TRO) will be required along Manchester Road along the site frontage, to ensure it is kept clear of parking/loading to maintain good visibility and access. The TRO would run from the intersections of Queen Elizabeth II Way and Bader Drive.

On Site

- To ensure that HGVs do not obstruct Manchester Road whilst waiting to enter the site, no barriers or gates should be erected within 16.5 metres to the rear of the adopted footway to Manchester Road.

- The internal roads within the application site would not be adopted.
- Car parking on site is below the maximum parking standards. However, is acceptable. It is noted that disabled parking and EVC parking is appropriately provided.
- The site should not be occupied until all car parking, servicing and other vehicular access arrangements are available for full use.
- All parking areas, including HGV parking areas, should be kept clear of goods, products, materials, refuse storage, or similar items and the parking areas should be kept clear for their intended purpose.
- The site's servicing arrangements are acceptable and should be conditioned as appropriate.
- The provided Construction Management Plan (CMP) is acceptable.
- A Logistics Travel Plan has been requested. However, it is considered that the CMP suitably scopes what would be required within a logistics travel plan.

National Highways – Received 29 November 2022

Confirmed no objection. No additional comments made.

Street Lighting – Received 16 March 2023

Confirmed that the proposals appear acceptable in principle with regard to lighting. However, additional information is required. The additional information can be secured by way of condition and should include:

- Amended/additional plans with contour lines
- Lighting calculation reports will require more detail, including the lantern installation criteria, mounting heights and tilts detailed.
- Light source intensity should be considered, with focus on areas that share a boundary with residential properties. Light source intensity values for some residential properties at the rear windows to demonstrate that this is kept to an acceptable level.

Transport for Greater Manchester (TfGM) – Received 30 November 2022

Offered the following comments as advice:

- (I) Trip Generation and Distribution: TfGM suggests that the fact the site is not fully occupied should not be a reason not to conduct a suitable survey at the access, particularly if the current uses and floor spaces are known for the existing site. A pro rata trip rate could be determined on the basis of existing floor size/use and also the trip distribution could still be calculated from the survey at the exiting access.
- (II) Modelling: TfGM will offer further comments on modelling once a survey of the existing use is carried out and trip generation determined as described in Section I. There is no right turn pocket on Manchester Road for right turning vehicles to wait out the way of straight traffic – it is not clear whether this is currently a problem. TfGM also note that the junction

of Manchester Road/Queen Elizabeth II Way would run under MOVA control and such the predicted results of the model are likely to be pessimistic. The junction would be likely to run with lower degrees of saturation and queues than predicted.

- (III) Mitigation: There are no pedestrian crossing facilities across Manchester Road which results in pedestrians finding it difficult to cross the bus stops to and from the site. It is suggested that the development funds the provision of a pedestrian crossing facility to allow access to the site for pedestrians/cyclists to cross Manchester Road.
- (IV) Proposed Access Arrangements: The Transport Assessment confirms that existing vehicular access from Manchester Road will be retained. However, the access will be improved to allow two-way HGV movements and pedestrian footways on both sides of the access road. Drawings have been supplied to demonstrate that visibility splays in accordance with DMRB can be achieved at the access. The access should be designed to ensure provision of tactile paving and dropped crossing points. Any redundant access points which served the former site should be reinstated.

The proposed internal layout of the site will need to be designed to accommodate all parking and vehicle manoeuvres associated with the development, to ensure HGVs can enter/egress the site in forward gear. SPPs have been supplied to demonstrate that service vehicles can safely enter and exit the site. The TA also confirms that proposed parking provision is in accordance with Rochdale Council's adopted standards.

Note: TfGM refer to the Local Highway Authority to determine whether the proposed access, parking and servicing arrangements are acceptable

- (V) Traffic Regulation Orders: TfGM suggests that a review is undertaken of TROs in the vicinity of the development, with a view to introduce additional parking restrictions if deemed appropriate, as well as ensuring adequate parking restrictions remain in place. This will act to discourage pavement parking associated with the development and assist in improving the quality of surrounding public realm.
- (VI) Other: A Construction Traffic Management Plan should be required as part of the development.

Site Accessibility

- (I) Public Transportation: The nearest bus stops to the site are on Manchester Road, approximately a 5 minute walk from the centre of the application site. Bus services using these stops provide hourly services to Middleton and Heywood during the daytime. Additionally, it is observed that the southbound bus stop would benefit from an upgrade in accordance with TfGM's Design Guidelines for Bus Stops.

- (II) Active Travel: In order to encourage walking and cycling, it should be ensured that the pedestrian/cycle environment in and around the site is designed to be safe, attractive and convenient. This should include natural surveillance where possible and sufficient links to the surrounding pedestrian/cycle network.

To promote active travel and link in with the surrounding environment, the applicant should ensure the provision of continuous 2 metre wide footways throughout and surrounding the development, as well as reinstating redundant vehicular crossings that previously served the site, installing tactile paving at junctions/crossing points and renewing any substandard footways.

- (III) Cycle Parking: It is important to ensure that there are adequate infrastructure and facilities to encourage staff to travel by sustainable modes. The TA does not provide any details of cycle parking provision for the site. Cycle parking should be provided in accordance with Rochdale Council's adopted standards and where possible spaces in excess of the minimum provided.

The cycle facilities should be covered and secure, with measures such as the installation of CCTV and appropriate lighting to ensure security. Additionally, appropriate welfare facilities (shower/changing rooms/lockers) should be provided for staff to promote and encourage cycling as an alternative to car travel.

- (IV) Travel Plan: TfGM recommends that a Staff Travel Plan is produced for the development, with the objective of reducing reliance on the private car, particularly single occupancy use. The Travel Plan should be designed to raise awareness of opportunities for reducing travel by car and should feature a range of measures and initiatives promoting a choice of transport mode, and a clear monitoring regime with agreed targets.

The offer of personalised journey planning for staff is a further measure that could be included in the full Travel Plan for the site. The marketing and communication strategy should communicate the Travel Plan objectives and benefits to potential future business or commercial occupiers of the development, prior to them occupying the development. This should ensure potential business and commercial organisations are able to make informed choices and are more likely to commit to and adopt the Travel Plan.

In order to encourage sustainable journeys to mitigate the traffic impact of the development, through the Travel Plan, incentives should be offered to encourage staff to use public transport and active travel modes through measures such as concessionary bus fares, discounted cycles, journey planning etc.

Should Rochdale Council be minded to approve this application it is suggested that a condition for the development, submission, implementation and

monitoring of a Staff Travel Plan within 6 months of occupation be attached to any planning consent.

United Utilities (UU) – Received 11 September 2023

Throughout the planning application process, United Utilities were consulted a number of times. The final consultation response received from United Utilities was received 11 September 2023 and replaces all previous consultation responses received due to updated drainage information and correspondence between the applicant and United Utilities. The consultation response states:

United Utilities requests further information prior to determination of the application.

“Following our review of the proposed site layout, we have concerns regarding the proximity of proposed development to our water assets. To resolve this matter, and to avoid any unnecessary costs or delays to either the applicant or any future developer, we request the applicant submits a detailed site layout plan which overlays the proven location of the water main(s) in relation to any proposed development (including walls, fencing, parking etc.) Without this information we are unable to provide further comment and there is a risk that as the scheme progresses, the applicant, or any subsequent developer, may discover that their plans are not implementable in their existing form or that diversion of assets is required. Therefore, we strongly recommend this matter is resolved PRIOR TO DETERMINATION.”

However, United Utilities go on to state that ‘Should the Council deem this application suitable for approval we request the following condition is included in the subsequent Decision Notice to afford appropriate protective measures for this asset:

“No construction shall commence until details of the means of ensuring the water main that is laid within the site boundary is protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing. The details shall outline the potential impacts on the water main from construction activities and the impacts post completion of the development on the water main infrastructure that crosses the site and identify mitigation measures to protect and prevent any damage to the water main both during construction and post completion of the development. Any mitigation measures shall be implemented in full in accordance with the approved details.

Reason: In the interest of public health and to ensure protection of the public water supply.”

The Local Planning Authority have addressed this point with the applicant. It is agreed that, subject to the condition requested by United Utilities, the application is suitable for approval.

Drainage

United Utilities have also requested the following condition with regards to drainage:

“The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing 21194-BGL-XX-XX-DR-C-00210/00211/00212, Rev P07- Dated 03/08/2023 which was prepared by Burrows Graham.

For the avoidance of doubt no surface water will be permitted to drain directly or indirectly into the public sewer. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.”

Informative Information:

Additional informative information has been provided through the consultation response, which shall be added as informative information to any approval.

MEMBER REPRESENTATIONS

None received.

PUBLIC REPRESENTATIONS

Objection Reps	29	Support Reps	1	Neutral Reps	3
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Letters of notification were sent to approximately 280 surrounding properties and a notice was posted on Manchester Road proximate to the site entrance. In addition, a press notice (major development) was published in local press.

Letters of notification were sent to surrounding properties on three occasions (11/11/2022, 16/03/2023 and 07/06/2023).

- The first round of consultation (11/11/2022) received 1 support, 2 neutral & 13 objection representations.
- The second round of consultation (16/03/2022) received 8 objection representations.
- The third round of consultation (07/06/2023) received 1 neutral representation & 8 objection representations.

Representations Received Following 11/11/2022 Consultation

Support	Officer's Response
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No objections, the buildings are very old and for safety need a refresh. More money being spent in the area is a good thing.	No response required.
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Neutral	Officer's Response
Have nearby schemes approved/proposed by other housing developers been taken into account? Looking at the site plan there is no reference to proposed new housing or road layout & other approved developments?	Assessed in the 'Future Surrounding Development' Section of this report

Objection	Officer's Response
Concerns that the new development will result in noise pollution, particularly at unsocial hours/night-time (HGV movements, noise from workers on site etc.)	Assessed in the 'Amenity' section of the report
The location of offices, bike park, smoking shelters etc. would impact privacy of nearby residential properties.	Assessed in the 'Amenity' section of the report.
Concerns that height of buildings will result in loss of sunlight/daylight	Assessed in the 'Amenity' section of the report
Concerns that new lighting proposed on new buildings/redeveloped site will lead to light pollution impacts	Assessed in the 'Amenity' section of the report
Concern that the appearance, height and scale of the buildings will have a negative impact on the townscape/built environment	Assessed in 'Design and Visual Impact' of the report
Concerns relating to air pollution	Assessed in the 'Air Quality' section of the report.
Concerns relating to increase in congestion on new Queen Elizabeth II Way and junction with Manchester Road and could result in dangers to pedestrians and car drivers.	Assessed in the 'Highways' section of the report
Loss of trees/planting etc. on site would result in impact on nature conservation	Assessed in the 'Ecology' section of the report
Loss of the existing gatehouse would result in a loss of local history/heritage	The building(s) on the existing site are not listed and do not constitute non-designated heritage assets.
Unclear what the use of the site would be.	The description of the development specifies the use as 'Storage and Distribution (Use Class B8)

Impact caused by rats	There is no evidence that the proposed development would result in an increase in rats in the surrounding area.
Impact during construction phase (noise, pollution etc.)	This impact can be mitigated by a condition requiring a Construction & Environmental Management Plan (CEMP)
Reduction in house prices	This does not form a material planning consideration to which the local planning authority can attached more than very minor weight in the overall planning balance.
Proposals would have undue impact on the Townscape and/or be visually intrusive, particularly from residential dwellings,	Assessed in the 'Character and Appearance' section of the report
The site should be redeveloped for housing/residential development	Assessed in the 'Principle of Development' section of the report.
The 'fallback position' that has been suggested is challengeable	Assessed in the 'Fall Back' section of this report.
Potential amenity impact on users/occupiers of future development surrounding the site	Assessed in the 'Future Development' and 'Amenity' sections of this report.

ANALYSIS

Principle of Development

1. Paragraph 11 of the NPPF identifies a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with the development plan without delay. Paragraph 81 of the NPPF also requires that 'significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development'.
2. The site consists of land and buildings that have historically being used as storage by the Department of Work and Pensions, with the site becoming vacant during 2023. A Lawful Development Certificate was granted on 14 December 2021, confirming that the site's existing lawful use was Use Class B8 (Storage and Distribution) as set out in the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.
3. In planning policy terms, the site is brownfield, and located on land that is not covered by any specific designations or allocations as part of the Council's Development Plan. However, the land has been used as

employment land for a long period of time and its character and appearance is established as such.

4. The surrounding site context includes a mixture of existing suburban residential development, community uses (secondary school), and industrial estates with associated newly built link road (Queen Elizabeth II Way).
5. In addition to the above, there are a number of undeveloped parcels of land, which are associated with the South Heywood Masterplan. The South Heywood Masterplan was granted outline planning permission in March 2020 under application '16/01399/HYBR'. The proposal grants outline consent for up to 1,000 new homes, 135,460 square metres of employment floorspace, 2,500 square metres of commercial uses, a primary school and a new link from Junction 19 of the M62 motorway (completed – now known as Queen Elizabeth II Way, which is to the south of the application site).
6. The principle of the use of the site for business purposes, including storage and distribution (B8), has been established through the unconditional granting of a recent Certificate of Lawfulness application (21/01298/CPE), for the existing land and buildings to be used for storage and/or distribution.
7. The application proposes the intensification of the use of the land for the purposes of storage and distribution (B8), through the demolition of the existing buildings and associated infrastructure on site, and the erection of 3no Storage and Distribution (B8) units. The three units would be contained within two separate buildings, with associated alterations and improvements to infrastructure including service yards and car parking areas, the provision of landscaping including tree planting, wildflower meadows, Sustainable Urban Drainage (SUDs) ponds and associated works. The proposed buildings would result in the provision of approximately 40,750 square metres of distribution space (B8), as well as approximately 2,450 square metres of ancillary office space.
8. The proposal is acceptable in principle when considering Section 6 of the NPPF, which states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be given to the need to support economic growth and take into account wider opportunities for development. Paragraph 83 specifically states that local clusters for storage and distribution operations at a variety of scales and in suitably accessible locations should be welcomed. In this instance, the proposal would result in modern and upgraded storage and distribution (B8) buildings that national and international businesses can invest in, with the proposal in a highly accessible location with good access to the road and motorway network.

9. The proposal is also considered to be acceptable in principle when considering Section 11 of the NPPF, which sets out that planning decisions should promote effective use of land, subject to improving the environment and ensuring safe and healthy living conditions, which will be considered throughout this report. The NPPF states that brownfield land should be used as much as possible to achieve this overarching objective, with planning decisions ensuring the effective use of land and consideration of the availability of land and infrastructure. The proposed development would utilise existing brownfield land and contribute to the intensification of an existing employment use, in buildings more suitable than the existing buildings on site.
10. With regard to Rochdale's strategic objectives, as set out in the adopted Rochdale Core Strategy, it is considered that the proposed development would be consistent with Strategic Objective SO1 (To deliver a more prosperous economy), as the proposal would lead to a high quality employment site, retain and potentially provide additional jobs thus contributing to or maintaining employment levels and build on the Borough's assets to improve its image to attract investment. In addition, Strategic Objective SO3 (To improve design, image and quality of place) would be met through raising design quality at a key gateway into the borough. Strategic Objective SO4 (To promote a greener environment) would also be met through the development being more energy efficient due to new, high quality distribution buildings replacing outdated, less energy efficient buildings and concentrating development on existing brownfield land. The proposal would implement appropriate flood risk management measures through the provision of SUDS.
11. Policy SP1 of the adopted Rochdale Core Strategy sets out that the Rochdale Borough will contribute to the success of Manchester city region and the North West, through delivery of sustainable development that meets the objectives of employment growth. The proposal would achieve this through the provision of high quality distribution space, promoting the borough as an attractive location in terms of jobs and inward investment. In addition, Policy SP3/H (Strategy for Heywood) sets out that the delivery of new economic development on sites within the successful employment areas in the south of the borough to maintain the national reputation as a high quality business location is a priority, which the proposed development would achieve and thus is acceptable in principle.
12. Policy E2 of the adopted Rochdale Core Strategy states that the provision of a good supply of premises for employment uses is essential to ensure the creation of more and better jobs. Particularly, in the south of the borough, there will be a focus on employment development, including South Heywood employment sites. The proposed development would achieve and contribute to this aim through the provision of new high quality distribution (B8) units on existing employment land. Similarly to Policy E2, E3 states that the focus for employment development will be on high quality sites in economic growth corridors and in areas that are

accessible. South Heywood is once again highlighted as a key location, with the promotion of development that support improvements to all existing employment sites within South Heywood. This proposal will enhance and intensify an existing employment site, whilst promoting the area mainly for distribution uses whilst routing heavy goods traffic to existing and recently implemented high quality road infrastructure. As such, the principle of the development is acceptable upon consideration of these relevant policies.

13. It is also noted that the supply of this type of high quality industrial space is generally short across the North West region, with Savills recently forecasting just 6 months of the highest grade, and most in demand spaces available. The proposals would therefore provide a much needed source of employment in an appropriate location having regard to its access to labour and major transport infrastructure in an already well-established employment location.
14. In summary, it is considered that the principle of such a development is acceptable, with the proposal in accordance with Rochdale's Strategic Objectives SO1, SO3 and SO4, as set out in the adopted Rochdale Core Strategy, as well as Policies SP1, SP3/H, E2 and E3 contained therein. In addition, the proposal would be in accordance with the National Planning Policy Framework, with particular reference to Sections 2, 6 and 11.
15. The proposed development would be consistent with the strategic aims of emerging Places of Everyone in providing jobs in a sustainable location and on previously developed brownfield land. The development would provide high quality logistics buildings in northern Greater Manchester, a key strategic aim in the emerging Places for Everyone plan. Thus, the proposed development broadly aligns with the aim of the strategic plan to support long-term economic growth.

Fall Back Position

16. A fallback position, in planning terms, refers to a situation in which an existing planning permission, permitted development rights, or an existing use of a site or a combination of such, confirms the principle of what extent or nature of development is capable of being delivered on site. The fallback position of a site is capable of being considered as a material planning consideration in the overall planning balance when considering a planning application.
17. In this instance, it is a material planning consideration that the existing site and 31,900 square metres of buildings upon the site have an extant Certificate of Lawfulness confirming that the existing land and buildings can be lawfully used for Storage and Distribution (B8). The agreed lawful use has no restrictions on number of vehicle movements that could be undertaken each day, the extent of potential height and area of any outside storage, no limits on hours of operation, external lighting, and no

requirement to provide or maintain any noise attenuation or landscaping or visual screening to help mitigate against any future use of the site.

18. However, the weight such a fallback has is a material planning consideration that needs to be considered by the Local Planning Authority. The case 'Mansell v Tonbridge and Malling Borough Council [2017]' confirmed the legal considerations in determining the materiality of the 'fall back' position, which concluded amongst other things that 'the basic principle is that for a prospect to be a real prospect, it does not have to be probable or likely, a possibility will suffice'.
19. The weight of such a fall back in planning terms depends on certain factors. A 'fallback position' is a development or use which is likely to occur (a development that is already permitted or can be achieved under permitted development rights) if planning permission is refused.
20. Mansell v Tonbridge and Malling Borough Council [2017] confirmed the legal considerations in determining the materiality of the 'fall back' position, which stated that 'the basic principle is that for a prospect to be a real prospect it does not have to be probable or likely, a possibility will suffice.'
21. There must thus be a realistic possibility, and not just a theoretical possibility, prospect of the fallback position being an alternative. It is also essential that there is due comparison of the effects of a proposal against the effect of what other development could lawfully take place.
22. The proposal seeks permission to demolish a number of existing buildings, which have extant permission for continued use as Storage & Distribution (B8). It is acknowledged that the existing buildings are somewhat outdated when considering modern requirements for distribution, given their height, shape and floorplate sizes. As such, this application has been submitted to provide larger and more modern buildings to allow national and international distribution firms to both expand within the borough and relocate to the borough. However, the buildings are useable and functional albeit to a substandard level and there is a real possibility that, should planning permission be refused in this instance that due to the demand for B8 uses in this location the buildings could and would be used for Storage & Distribution (B8).
23. In conclusion, it is considered that substantial weight should be given the fallback position that exists on this application site, subject to due consideration to other material planning considerations as set out below.

Impact on Future Development

24. Newhouse Academy, a secondary school, is adjacent to the application site to the north east. The re-building of the secondary school was approved under planning application 22/01191/PSID. Once rebuilt, the nearest part of the school building(s) would be approximately 100 metres,

with the blank side (north) elevation of Unit 1 on the application site being approximately 125 metres away and screened by proposed landscaping. Given the extant use of the application site and upon due consideration of the position of the proposed school buildings and grounds, it is not expected that there would be undue impact upon current and/or future users of either the application site or educational facility (Newhouse Academy). It is of particular note that there is substantial screening through landscaping to the north boundary of the application site, minimising the overall impact through noise and visual impact in particular.

25. The application site is adjacent to land that forms part of the South Heywood Masterplan. Of particular relevance in this instance is application 16/01399/HYBR 'Part full/part outline planning application for the development of land at South Heywood, including the demolition of a number of existing on-site buildings and structures. Full consent sought for the construction of a new link road between Junction 19 of the M62 and Pilsworth Road, the widening of part of Pilsworth Road, together with associated junction improvements, landscaping, lighting and other works including the importation of material and engineering works in order to construct the link road. Outline consent (with all matters reserved for future approval except access) sought for a major mixed-use development comprising supporting residential uses comprising up to 1000 dwellings (Class C3); employment uses (Classes B2/B8) comprising up to 135,460m² Gross Internal Area(GIA); a new primary school (Class D1); Class A1/A2/A3/A5 uses comprising up to 2500m² GIA which includes no more than 499m² of A1 uses; together with associated landscaping, open space and sports pitches, drainage, ecological enhancements, cycleway and footpath linkages, infrastructure and other works ancillary thereto. (Application accompanied by an Environmental Statement)'.
26. Application 16/01399/HYBR has granted outline planning permission for various buildings and infrastructure. However, the ultimate layout and position of buildings and infrastructure is not yet established, given that this application is at outline stage only. However, outline plans show that residential development is proposed immediately adjacent to the south and east of the application site. As such, this carries some limited weight in the decision-making process of this planning application, which will be addressed and referred to where relevant in subsequent sections of this report.

Design and Visual Impact

General Design

27. Policy DM1 of the adopted Rochdale Core Strategy, amongst other things, requires that all development proposals effectively demonstrate that they would not adversely affect the amenity of residents or users through visual intrusion or overbearing impact. Policy P3 requires that all

new developments, including associated landscaping, have regard to scale, density, massing and height of surrounding buildings and areas in general. Buildings should be well proportioned and contribute positively to the townscape. Meanwhile, Paragraph 130 of the National Planning Policy Framework sets out that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

28. The proposed Storage and Distribution (Class B8), by nature of their intended use and function, are relatively utilitarian and functional in design. By virtue of the demands and requirements of large, modern firms that operate within the competitive storage and distribution sector, the floor areas of the units and size of the structures are larger than existing units on site, which are to be demolished. Despite their large size and functional appearance, the proposed buildings have been designed to somewhat mitigate their visual impact. External walls will consist of composite cladding panels, which will vary in colour and include decorative horizontal strips of varying colours (shades of blue). The colours have been selected to blend somewhat with the sky to minimise the visual impact and reduce the degree the units will stand out when viewed in context with clouds/the sky. It is of note that the lower sections of the building will largely only be visible from within the site, or be obscured from landscaping and regraded embankments from outside the application site. The proposed office areas will feature aluminium framed clear glazed curtain walls and fenestration, aluminium being a relatively high quality material compared to lower quality UPVC. To ensure that the highest quality of materials and good architecture are achieved, a condition will be added requiring samples/full materials specification prior to any above ground works (excluding demolition and associated site clearance).
29. It is considered that the proposed Storage and Distribution (Class B8) units are acceptable with regards to their external appearance and design (subject to condition requiring samples and full material specification), representing good architecture and appropriate in their scale and density, with appropriate landscaping and materials proposed to soften the appearance of the large buildings and allow for appropriate integration into the local setting and townscape.

Cladding panel – horizontally laid RAL 5010-KYANITE	
Cladding panel – horizontally laid AZURITE BLUE GREEN	
Cladding panel – horizontal Laid RAL 7035- MOONSTONE	
Cladding panel – horizontally and vertically laid RAL 7012 - BASALT GREY	
Translucent polycarbonate panels OPAL WHITE	
Aluminium framed clear glazed curtain wall with brise Soleil RAL 7012 - BASALT GREY	
Dock doors, Level access doors and External doors RAL 7012 - BASALT GREY	

Figure 5 – Example Materials

Unit 1 & 2

30. Units 1 and 2 are to be located to the southeast of the application site and would be visible from vantage points along Queen Elizabeth II Way and from the rear elevations of dwellings along the south side of Bader Drive and White House Close, as well as some visibility from Manchester Road. Units 1 & 2 will be constructed in the position of existing units, with the existing units having a maximum height of 8.65 metres and which are sited approximately 23 metres from the shared boundary with the rear boundary of dwellings to Bader Drive/Whitehouse Close. The proposed Units 1 & 2 will have a eaves height of 12 metres and a maximum height of 15.5 metres to ridge height. The units will be positioned approximately 23 metres from the shared boundary, similar to the existing distance between the existing units and rear boundary of the dwellings. To mitigate the inevitable increased visual impact the larger units will have on the occupiers of these dwellings, substantial interventions are proposed along the north boundary, which will include a wider landscaped strip and regraded embankment, that will increase the density and width of landscaping and planting between the dwellings and the distribution units. A 1.8 metre high timber fence is also proposed between the development and existing properties. However, in comparison to the proposed landscaping, it is accepted that this fencing would have limited impact on reducing the visual impact.

31. Given the proposed siting, scale and height of Units 1 & 2, it is not considered that occupiers of any other nearby users or occupiers of

buildings would be unduly impacted through visual impact or overbearing impact.

32. In this instance, it is acknowledged that the proposed buildings to replace existing buildings on site are larger in terms of their floor areas and taller than existing buildings. However, this is balanced against the fact that the proposed buildings are modern and consist of higher quality external materials that go some way in improving the appearance of the buildings and reducing the visual impact of the building somewhat. It is also a material planning consideration that the existing, somewhat dilapidated units, are currently readily visible from the rear elevation of dwellings along the south side of Bader Drive and White House Close of Nonetheless, for residents living proximate to the development site, the proposed buildings, by virtue of their scale and height, would have greater impact than the existing, smaller buildings that will be demolished.

33. To counteract the impact this proposal would have upon in terms of visual impact and/or overbearing impact to the occupiers of dwellings on the south side of Bader Drive and White House Close, the applicant proposes significant screening by way of increased and reinforced areas of landscaping and a regraded embankment between the application site and the affected dwellings. In addition, the proposed Units would include design features, including light blue and dark blue horizontal panelling at higher levels to break up the physical and visual massing of the building. To ensure that such landscaping remains in place and successfully grows, a condition can be imposed to any approval ensuring the ongoing maintenance of such landscaping for a specified period to ensure the landscaping is well implemented and acts to significantly screen the building to a degree from view, mitigating the impact on occupiers of the affected dwellings.

34. Upon consideration of the area surrounding Units 1 & 2, it is not considered that any other users or occupiers of buildings proximate to the site would be unduly impacted by the proposed units.

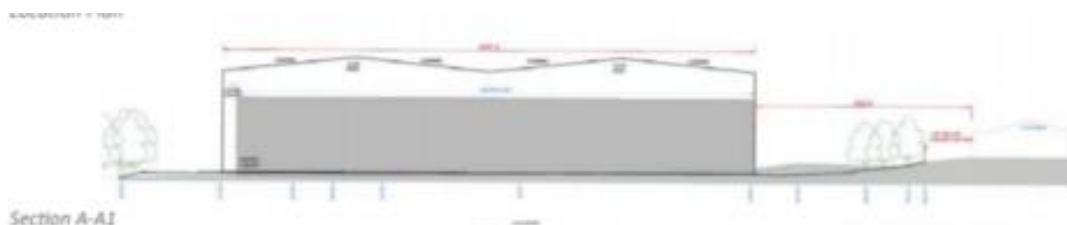


Figure 6 – Extract from submitted TVIA, showing existing and proposed arrangement of Unit 1 & 2 compared to dwelling(s) to the north, with proposed landscaping.

Unit 3

35. Unit 3 is to be located in the eastern section of the site, with the unit generally being visible from vantage points surrounding the application

site including Newhouse Academy secondary school to the north, the rear of dwellings on the west side of Oldbury Close, Bader Drive and White House Close, as well as Queen Elizabeth II Way to the south. In addition, the unit would be visible from dwellings with outline planning consent to the south and west of the application site.

36. The proposed unit would have a maximum height of 17.6 metres. The unit would be proximate to, with due consideration to the visual impact and whether any overbearing impact would result, to the occupiers of existing and future development. Existing units to be demolished, which are sited in a similar position as the proposed unit, have a maximum height varying between 6 metres and 10.1 metres.

37. To the south, the proposed unit (short elevation) would be approximately 39 metres from the site boundary, beyond which is undeveloped land. Extant outline planning permission is in place for residential dwellings on the land beyond the boundary. As such, it is appropriate to consider how the proposed unit will affect the outlook of those future occupiers. However, as the final layout and siting of dwellings has not been formalised, and only an indicative housing layout exists this dilutes the certainty of the final form of the residential development. Nonetheless, the applicant has submitted a TVIA which takes account of the indicative residential layout which relies upon approximate 10 metre rear gardens up to the shared boundary with the application site. This would appear to be a reasonable and proportionate approach in the absence of a finally approved plan of the dwellings. The broad position of the rear elevation of the proposed dwellings, assuming a 10m rearward projection, would be approximately 50 metres from the side (south) elevation of Unit 3. Between the rear elevation and the unit, there will be significant areas of landscaping, including significant planting and a 1:3 gradient 'batter' (definition: a receding slope of a wall, structure or earthwork), with the wall adjacent to the internal access road within the site (for clarity, currently, the existing relationship between the undeveloped land and application site is relatively sparser tree planting with little difference in land levels) Notwithstanding that the final siting and layout of dwellings has not yet been established, the significant landscaping and batter proposed would significantly reduce any visual impact from the rear elevation of boundaries to the south of the site, whilst acknowledging there would be some impact. The mitigation measures proposed, along with separation distance and design/appearance of the units would nonetheless be acceptable on balance.

38. Similarly, to the west of the application site, dwellings are proposed. However, the dwellings proposed have only been consented outline. As such, the final layout/siting of dwellings has not been formalised and the situation reflects the above. This somewhat reduces the weight afforded to this outline development. Nonetheless, the applicant has addressed, again, similarly to the above, these dwellings assuming they will have rear gardens of broadly 10 metres, with the rear boundaries of dwellings directly adjacent to the application site. The rear elevation of dwellings

would be approximately 60 metres from the long west elevation of Unit 3. Between the dwellings and Unit would be an area of landscaping, a 5 metre high green screen acoustic barrier and HGV parking/loading area. Given the separation distance and, again, acknowledging some impact, it is considered that the separation distance combined with mitigation measures would result in an acceptable impact upon the occupiers of future dwellings in terms of visual impact, with no undue overbearing impact expected.

39. The east elevation of Unit 3 will run adjacent to the east boundary of the application site, which is shared with the rear boundary of dwellings on the west side of Oldbury Close, Bader Drive and White House Close. The rear elevation of the dwellings most proximate to the side (long) elevation of the Unit are those on the west side of Oldbury Close, at approximately 45 metres. At this distance, it is acknowledged that there will be impact upon the occupiers of these dwellings by way of visual impact and outlook. However, it is of note that these dwellings currently look out onto a 10m-high existing unit. Although the proposed unit's eaves height would be higher at approximately 16.4 metres, extensive additional landscaping, including tree planting and a wildflower meadow and emergency access road (not to be used aside from in the event of an emergency) will significantly obscure the proposed unit from view, suitably reducing the impacts with regards to visual impact and/or overbearing impact to an acceptable level, particularly when accounting for the existing relationship between dwellings and the existing unit. Again, whilst acknowledging some impact to the occupiers of dwellings to the west side of Oldbury Close, Bader Drive and White House Close, such impacts have been reasonably and suitably mitigated and are acceptable on balance.
40. The existing secondary school to the north of the site is in the process of being rebuilt, with the proposed school building(s) being approximately 100 metres from the side (north) short elevation of Unit 3. Given the function of the building (education), separation distance and proposed landscaping along the north boundary of the application site, it is not expected that the users of the educational facility would be unduly impacted by way of visual impact or overbearing impact.
41. In summary, it is acknowledged that the larger Storage and Distribution (B8) units proposed will result in somewhat greater impact than the existing, smaller units that exist on site and are to be demolished. To mitigate such impacts, the applicant proposed substantial landscaping, including tree planting along all boundaries, fencing on some boundaries, and hard engineering in the form of regrading of embankments and provision of batters. The proposed steps to mitigate the visual impact are considered to be acceptable on balance, contributing to appropriate mitigation to reduce the overall visual impact and reducing any overbearingness such development may have on the current and/or future occupiers of nearby dwellings and users of other buildings. On balance, the proposal is found to be consistent with adopted Rochdale

Core Strategy policies DM1, P1 and P3, as well as the National Planning Policy Framework, with regards to visual impact.



Figure 7 – Extract from submitted TVIA, showing existing and proposed arrangement of Unit 3 compared to dwelling(s) as proposed to the south of the site, with proposed re-profiled embankments and landscaping. Note: The siting of dwelling(s) is indicative, dwelling(s) are approved in outline, with final layout TBC.



Figure 8 – Extract from submitted TVIA, showing existing and proposed arrangement of Unit 3 compared to dwelling(s) as proposed to the west of the site, with proposed landscaping/tree planting, 5m high acoustic barrier beyond landscaping. Note: The siting of dwelling(s) is indicative, dwelling(s) are approved in outline, with final layout TBC.

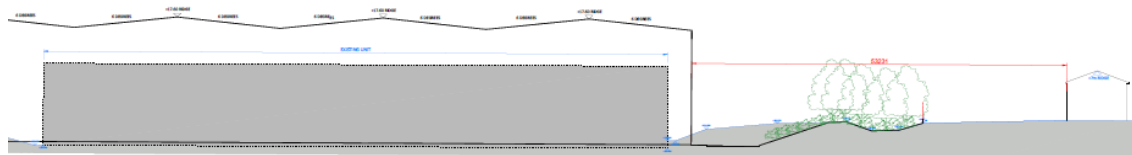


Figure 9 – Extract from submitted 'Proposed Site Sections', showing existing and proposed arrangement of Unit 3 compared dwelling(s) on the west side of Oldbury Close to the east of the site, with proposed landscaping/tree planting.

Residential Amenity

Noise Generation

42. The proposed application, by virtue of the scale of development and proposed use, is likely to be a generator of noise that has the potential to impact the amenity of occupiers of nearby dwellings and buildings.
43. Paragraph 185 of the National Planning Policy Framework sets out that impacts from new development should be mitigated against, including any impacts due to noise.

44. Policy G9 of the adopted Rochdale Core Strategy sets out that noise pollution, including transport noise, should be carefully considered, particularly to new developments. Measures to reduce noise from new development could include planting buffers, noise barriers, banking, placement of traffic calming measures and careful consideration of building materials and road surfaces. Policy DM1 goes on to say that potential negative amenity impacts to surrounding occupiers, including noise, should be mitigated against. Policy C6 additionally sets out that measures to reduce noise pollution should be identified and implemented.
45. In support of the proposals, the applicant has submitted a Noise Impact Assessment. The submitted Noise Impact Assessment concluded that the main source of noise for a development of this type would be noise generated by HGVs manoeuvring and loading/unloading, as well as associated plant equipment.
46. Noise emissions from HGV activity in particular has the potential for adverse impact when considering the nearest existing receptors, including when considering some adjacent land parcels which have outline approval for residential development. Upon carrying out noise assessments, it was concluded that there would be a requirement for acoustic barriers to ensure that noise emissions remain acceptable to nearby noise receptors. The acoustic barrier locations are demonstrated on the submitted 'Proposed Site Plan'. Whilst the principle of the acoustic barriers is accepted, further information will be required as to their appearance and materiality. This can be achieved by way of imposing a materials condition to include the acoustic barriers.

Noise – Car Park

47. The proposal includes the creation of 2no car parking areas to serve the proposed units. Unit 1 & 2 will have a car park to the south of dwellings along the south side of Bader Drive and White House Close. The proposed car parking area will include 40no parking spaces. It is noteworthy that there is an existing car park in the same location serving existing units on the application site. However, it is reasonable to assume that there would be at least some intensity in the use of the proposed car parking area over and above the current situation.
48. To mitigate against potential noise generation from users of the car park and their vehicles, additional landscaping is proposed along the north boundary of the application site, between the car parking area and dwellings to the north of the site. In addition, a 1.8 metre high fence and additional regarding of the embankment along the boundary is proposed. The proposed mitigation measures are acceptable and would be expected to result in an acceptable level of ambient noise.

49. To further ensure that the users of the proposed car parking areas are sensitive to nearby residential dwellings, particularly during the night time, a condition will be added to any approval requiring a full travel plan, which will include information on the best practice use of the car parking facilities, with users/employees of the application site made aware of the sensitivity of nearby residential dwellings to noise, with a 'best practice' use of the car parking facilities set out. An additional section in the travel plan will be required specifically for HGV drivers that access/egress from the site and move around on the site's access roads, with due consideration to nearby residential dwellings. Information as to best practice behaviour will be expected, including but not limited to operation of the vehicles (no idling, use of horns/alarms, high beam etc.).

Noise – Service Yards & HGV (Heavy Goods Vehicle) Movements

50. The submitted Noise Impact Assessment sets out in Section 2.3 the methodology to be applied to assessing and rating noise associated with industrial and commercial sound. This assessment criteria includes assessing the sound from loading and unloading materials, as well as mobile vehicles that is intrinsic to the overall sound emanating from premises and/or processes involved in using such premises.
51. Due assessment using appropriate equipment has been undertaken at locations proximate to both existing residential dwellings to the north of the site, and the indicative outline location of future dwellings to the south and east of the site.
52. Part 4.12 of the submitted Noise Assessment Report concludes that the proposed development, with regards to HGV movements, would result in adverse impact to the occupiers of nearby dwellings for both daytime and night-time periods. As such, there would be a requirement for additional mitigation to reduce such noise impact with regard to HGV movements, including loading/unloading, to a suitable level and to avoid undue amenity impacts.
53. Part 5 of the submitted Noise Assessment Report sets out the required mitigation measures in order to reduce such noise impact from HGV movements, loading and unloading. The recommendation within the report sets out the requirement for an extent of 3 metre high acoustic barriers to the far southeast of the application site, between the service yard to Unit 1 and dwellings to the north, to the south side of Bader Drive. In addition, 5m high acoustic fencing/walls is recommended along the south and west sides of the service yard serving Unit 3. With these mitigation measures implemented, predicted noise levels from HGV movements would achieve reduced noise levels that would be acceptable, resulting in no undue impact to the existing and/or future occupiers of surrounding residential dwellings. Plans have been submitted that demonstrate that such acoustic barriers shall be installed as recommended to appropriately mitigate against any undue noise impacts associated with HGV movements and/or loading/unloading. In

the case of the south elevation of Unit 3, no barrier has been installed. However, the proposed wall and associated batter would be expected to achieve appropriate noise mitigation.

Table 5.1: Predicted Noise Levels from HGV movements with Mitigation

Assessment Location	Predicted Specific Noise Level (dB LAeq,T)	Predicted Rating Level (dB LAeq,T)	Background (day/night) (dB LA90,T)	Difference (day/night)
AL1	39	42	50 / 46	-8 / -4
AL2	39	42	42 / 40	0 / +2
AL3	31	34	42 / 40	-8 / -6
AL4	34	37	42 / 40	-5 / -3
AL5	43	47	50 / 46	-3 / +1

Figure 10 – Predicted noise levels from HGV movements with mitigation as recommended in the Noise Impact Assessment.



Figure 11 – Map showing position of 'Assessment Locations'.

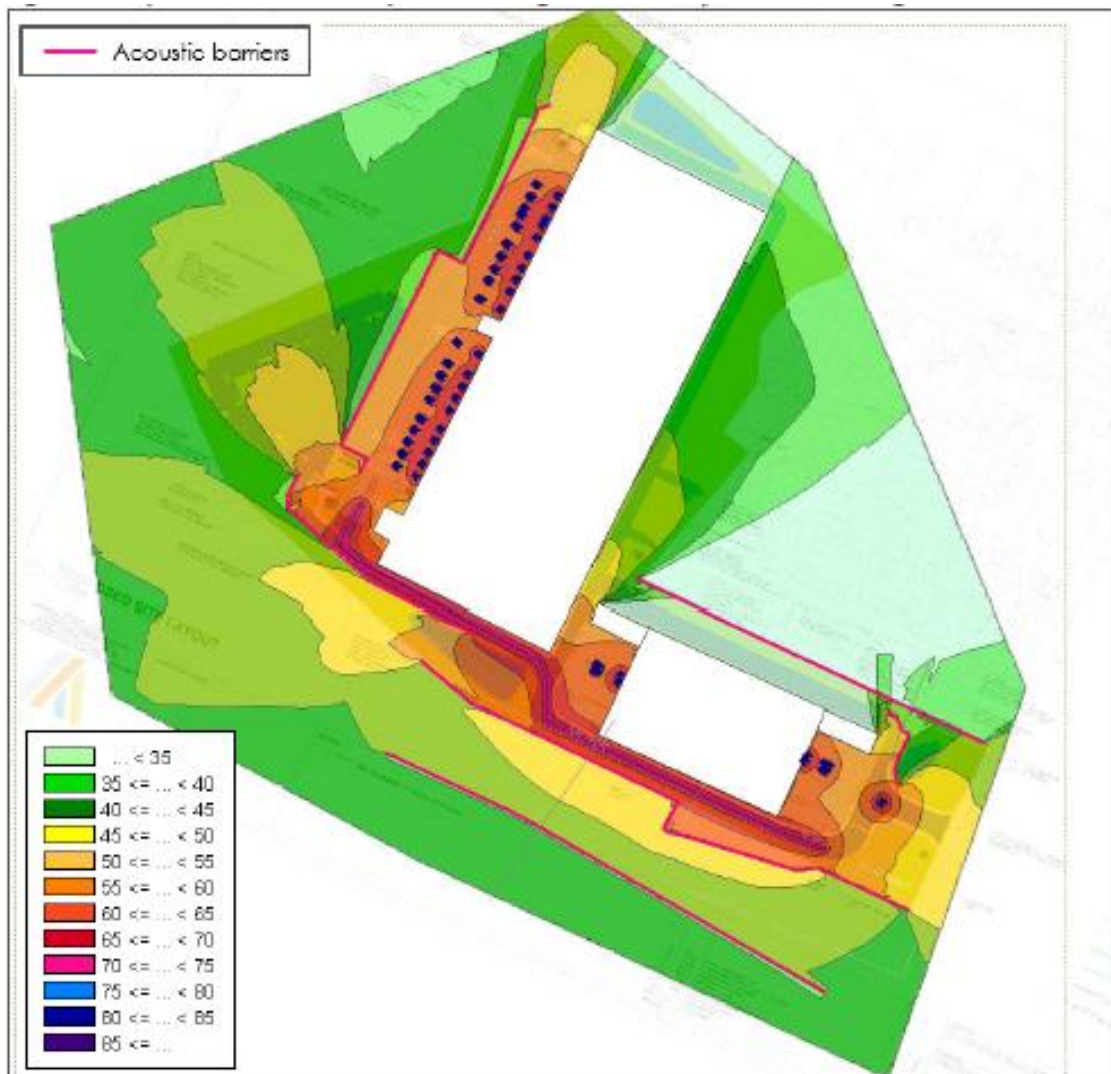


Figure 12 – Map showing expected noise impacts demonstrated by a thematic map. The map shows that, subject to appropriate acoustic barriers, no undue impact through noise would be expected upon the existing or future occupiers of surrounding dwellings.

Noise – External Plant

54. The final position of fixed plant has not been concluded at this stage of the application. As such, it is not possible to know exactly what plant equipment will be used and where it will be sited. In the absence of this detail, it is prudent that a condition be imposed that limits the noise of plant equipment as appropriate to ensure no undue impact upon existing/future occupiers of residential dwellings. This information is set out in Section 4.13 to 4.17 of the submitted Noise Assessment Report.

Light

55. Adopted Rochdale Core Strategy Policy DM1 requires that new development mitigates against any impacts due to light [pollution]. Policy G9 goes on to say that development should not result in an undue increase in impact due to unacceptable lighting. The provision of suitable lighting is required, as per Policy P3, to ensure safe use and access of

development. Paragraph 185 states that planning decisions should, amongst other things, limit the impact of light pollution from artificial light on local amenity.

56. The application has been submitted supported by an External Lighting Report prepared by Synergy Building Services. The report comprehensively details the proposed lighting across the application site. Section 3 of the report sets out the proposed lighting units/scheme, with Part 4 providing detailed lighting calculation results.
57. The LPA's street lighting consultant was duly consulted on the proposed lighting scheme. The lighting consultant confirmed no objection to the proposed scheme. However, requested the provision of additional information to ensure that light pollution and any potential impact upon the occupiers of nearby dwellings is acceptable. The required information can be secured by way of a pre-occupation condition.
58. The proposal is acceptable, subject to additional information by way of a suitable planning condition, in terms of proposed lighting and light pollution, in accordance with Policies DM1 and G9 of the adopted Rochdale Core Strategy and Paragraph 185 of the NPPF.

Odour

59. Adopted Core Strategy Policy DM1 requires that all development mitigates against the undue impact that may be caused by odours. Given the type of development and proposed end use (Storage and Distribution – B8), it is not expected that odours would be caused and the proposal is thus acceptable in this regard, in accordance with Core Strategy Policy DM1.

Air Quality

60. Core Strategy Policies DM1 and G9 states that all forms of pollution will be reduced by focusing on measures that reduce air pollution in Air Quality Management Areas, and other areas where pollution levels are unacceptable, particularly around motorways and main roads.
61. The site is not located within an Air Quality Management Area. However, section of the M62 and surrounding road network lie within the Greater Manchester Air Quality Management Area. The principle of industrial uses with respect to air quality impacts of transport associated with the use has previously been assessed as acceptable. Additional specialised plant which may be required for more specific uses and give rise to additional air quality impacts would require a separate planning consent. Matters relating to dust through the construction phase of development can be dealt with through a Construction Environmental Management Plan (CEMP).

62. Subject to a condition requiring that the development is carried out in accordance with the recommendations of the Air Quality Assessment and the submitted Construction Environmental Management Plan, the development will not result in an unacceptable impact on air quality and therefore complies with Core Strategy policies G9 and DM1, as well as the NPPF.

Summary

63. The proposed development, by virtue of its scale and proposed end use, is likely to result in impact to the amenity of existing and future occupiers. However, through due consultation with relevant consultees and through the provision of suitably scoped supporting reports and documents, it is considered that such potential amenity impacts have been robustly and appropriately mitigated against. As such, subject to a verification condition that confirms that noise in particular meets the predicted standards as set out in the submitted Noise Impact Assessment, the proposal is acceptable with regards to residential amenity. As such, the proposal accords with adopted Core Strategy Policies DM1 and G9, as well as the National Planning Policy Framework in this regard.

Highways

64. Policy T2 of the adopted Core Strategy seeks to improve accessibility by locating development where good access to public transport is available or can be provided and in all circumstances, prioritises the safety, accessibility and amenity of those who live or have a business in the area. Policy DM1 also states that all development proposals should provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements taking into account of the proposed use and location. Paragraph 111 of the National Planning Policy Framework 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.
65. The application is supported by a Transport Statement, which found that the development would generate 94 and 116 two-way vehicle trips during the weekday morning and evening peak hours respectively. Of these, 38 and 44 would be HGV trips respectively. It is of note that these figures are based on the redevelopment of the application site, and not simply residual increase over the existing use.
66. The Local Highway Authority were duly consulted on the proposals, with the basis of their analysis and consultation response based on the contents of the submitted Transport Statement (as revised March 2023), which was found to be acceptable in terms of its scope and findings.
67. The application site is an existing employment site in South Heywood. The site is considered to be in a highly accessible location in terms of

access to the local strategic road network, with benefits from the newly constructed link road (Queen Elizabeth II Way) and good access to the national motorway network, providing access to the Manchester City Region, Northern England conurbations and beyond.

68. It is noted that the entrance to the application site from Manchester Road is to be improved, so as to better accommodate two-way HGV access. The applicant is aware of the necessity to enter into a Section 278 Agreement with the Local Highway Authority for the implementation of such highway improvements. Notwithstanding the details demonstrated on submitted plans, it is deemed necessary both by the Local Highway Authority and the Local Planning Authority that the submission of a detailed junction arrangement plan is submitted for approval, prior to first occupation of the proposed development. The scope of the improvements that may be sought or required as part of the junction improvements will be clarified and implemented prior to first occupation of the application site.
69. In addition to the above, a Traffic Regulation Order (TRO) will be required, to ensure that parking restrictions are implemented along the west side of Manchester Road, between the intersections of Manchester Road/Queen Elizabeth II Way and Manchester Road/Bader Drive (along the east boundary of the application site). This is necessary to ensure that parking along this stretch of road is avoided to maintain a good standard of visibility and access to/from the application site.
70. More generally, measures are recommended including a condition limiting any gates within 16.5 metres of the access of the application site. However, the Local Planning Authority considers it prudent to restrict any gating or portioning of the approved internal highway layout to avoid any instances of HGVs backing up onto the highway outside of the site, particularly during busy periods.
71. The Local Planning Authority note that the proposed parking provision would fall below the maximum standard as set out in the Council Standards, set out within Appendix 5 of the Core Strategy. Whilst accepted, it is noted that the application site is not in a particularly accessible part of the borough. To mitigate against this and to encourage active travel, the application site will include cycle parking and onsite showers to encourage cycling. In addition, it will be a requirement by way of a planning condition to require a full travel plan is submitted within 6 months of occupation, with details on how users/employees of the site can access the site more sustainably.
72. No objection has been received from the Highways Authority subject to recommended conditions, which have been reviewed by the Local Planning Authority and the applicant and have been accepted. As such, in light of the above, the proposed development is considered to be acceptable in terms of highways, parking and access and compliant with

adopted Rochdale Core Strategy policies DM1 and T2 of the National Planning Policy Framework in this regard.

Ecology & Trees

73. Paragraph 131 of the NPPF states that trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Paragraph 174 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity, providing net gains where possible, and contributing to the Government's commitment to halt decline. Policy G6 of the adopted Core Strategy expects development proposals affecting green infrastructure to avoid the loss of existing features such as trees unless suitable alternative provision is made or they have limited value. Core Strategy policy G7 requires that no development should result in a net loss of biodiversity and geodiversity interest in the borough and overall development in the borough should result in a net gain.
74. The NPPF requires that applications should conserve and enhance biodiversity, minimise impacts and recognise the benefits of ecosystems. The impacts on nature conservation interests are also protected by separate legislation including the Natural Environment and Rural Communities Act, which requires Local Authorities to have regard to nature conservation and article 10 of the Habitats Directive, which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity.
75. The application has been submitted with the support of both an Arboricultural Impact Assessment (AIA), an Ecological Impact Assessment (EIA) and a Landscape Masterplan. These documents have been reviewed by the Local Planning Authority and Greater Manchester Ecology Unit (GMEU). GMEU offered no objection to the proposal with regards to the submitted plans and information. GMEU also confirmed that, based on the ecology surveys carried out, no further surveys would be required to be undertaken before deciding the application.
76. In terms of ecology and site habitats, the site largely consists of habitats of low or very low distinctiveness, including areas of built development and modified grassland. These two habitat types occupy the vast majority of the site and remain under intensive management, offering minimal ecological value. A single pocket of bramble bush has developed on the site and is a common local habitat type, not considered to be locally rare. Areas of woodland and urban trees are interspersed throughout the site, particularly along site boundaries. In addition, a single small pond has been identified.
77. It is determined that there would be a requirement to ensure that no loss of biodiversity results as part of the proposed development, in line with

relevant Core Strategy Policies and the NPPF. Part 7 of the submitted Ecological Impact Assessment have identified that the proposals would lead to an overall net gain of +21.74% in habitat provision.

78. It is acknowledged that there would be some shortfall identified in terms of specific habitat types, with a small amount of pond habitat lost. (SUDS basins would be created. However, as these systems would only be expected to be temporarily filled with water, they are not considered ponds). In addition, there would be some loss of tree cover within the site due to the removal of trees to make way for the larger proposed units. However, this would be effectively mitigated through the planting of a large number of trees, shrubs and wildflower meadows surrounding the site along boundaries.
79. Subject to conditions ensuring the proposed landscape planning is carried out in accordance with approved plans, suitably maintained over a defined period and ensuring appropriate steps are taken to avoid any disturbance of nesting birds, it is considered that the development is acceptable in respect to biodiversity and would therefore accord with Core Strategy policies G6 and G7 and the NPPF.

Drainage

80. Section 14 of the NPPF requires that due consideration is made to flood risk throughout the planning process. Policy SO4 of the adopted Rochdale Core Strategy, as a strategic objective, requires that the risk of flooding is reduced through appropriate flood risk management. Policy G6 goes on to state that opportunities must be made to promote appropriate flood risk management when deciding planning applications. Saved Unitary Development plan Policy EM/7 states that development will not be permitted where development could contribute to increased flood risk.
81. The site is within Flood Zone 1, having a less than 1 in 1,000 annual probability of flooding. A Flood Risk Assessment and a Sustainable Drainage Statement have been submitted. The submitted documentation has been reviewed by both United Utilities and the Lead Local Flood Authority (LLFA). The proposed drainage systems, including the provision of Sustainable Urban Drainage Systems (SUDS) to appropriately reduce water runoff, as proposed, have been accepted in principle.
82. United Utilities (UU) have requested and stated their preference that additional information be provided prior to determination with regards to the proximity of the development to UU's water assets. The primary reason for providing the information upfront is set out as to avoid costs or delays to the applicant and/or future developers. It is understood that the intended developer of the site is the applicant. As such, the Local Planning Authority has addressed United Utilities concerns with the applicant. The applicant understands that proceeding without providing this information is done so at the applicant's own risk. United Utilities,

whilst preferring the information to be provided prior to determination, do not object to the application progressing to determination stage subject to a pre-commencement condition. The Local Planning Authority is aware of extensive communication that the applicant has had with United Utilities.

83. The Lead Local Flood Authority (LLFA) have requested additional information is provided with regards to the proposed attenuation ponds and outflow pipes. Whilst accepted, the trigger for the information to be provided is to be amended to allow for demolition and associated site clearance.

84. Additional conditions are to be imposed with regards to completing the development in accordance with the approved 'Foul & Surface Water Drainage Design'. Additional information has been provided by United Utilities to be added in the form of an informative note.

85. Subject to additional information provided that can be secured by way of imposing suitable planning conditions, the proposal is acceptable with regards to drainage and flood risk, in accordance with Section 14 of the NPPF and Policies SO4 and G6 of the adopted Rochdale Core Strategy, as well as saved Unitary Development Plan policy EM/7.

Land Contamination

86. Paragraph 174 of the NPPF states that planning policies and decisions should prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Core Strategy Policy G9 states that the Council will ensure that any risks arising from contaminated land or land instability are identified, and that any appropriate actions to address these risks are taken, prior to development taking place.

87. A Geo-environmental Site Investigation document has been prepared and provided in support of the submitted planning application. The prepared report was duly shared with the Local Authority's Environmental Protection lead, with it confirmed that the report provided is acceptable. However, as set out in the submitted report, further work is recommended and a suitably scoped planning condition is required. The planning condition requested is a pre-commencement condition. However, the condition is to be re-worded to allow for demolition and associated site clearance work to take place.

CONCLUSION

88. The principle of the proposed development is considered appropriate on an existing employment site. The development will support employment opportunities through the delivery of three warehousing units across two buildings. The existence of a realistic and possible fallback position of a

B8 use is a matter which attracts significant weight in the overall planning balance, weighing heavily in favour of the proposal.

89. Moving on to more detailed matters, it is clear that there is some local concern about the scale of the facility and the impact it may have on existing and future living residential living conditions and the potential disruption of the highway network. However, officers are satisfied that the layout, design measures, acoustic and landscaping treatment and highway requirements are sufficient to weigh in favour of the proposal in the overall planning balance.

90. Overall the proposal delivers a B8 employment use on an existing established B8 employment site. A similar relationship as proposed between residents and the DWP's use has long existed. The applicant has had regard to the impact of the proposal on existing residents and the indicative position of future residents. A series of mitigation measures will minimise the impact of the proposal to such a level it is not considered it will unduly or adversely affect the reasonable enjoyment of the homes of residents. The proposal is therefore broadly compliant with the aims of the NPPF, the adopted Core Strategy and the emerging Place for Everyone.

ADDITIONAL COMMENTARY

91. In this section, committee members will be provided with commentary on objections received, responses from the applicant and commentary on how the LPA considered each point. Members will also be directed to the main body of the report, where each point of objection had been considered. Members are reassured that each point of objection was considered. However, to increase clarity in the decision-making processes and provide context given the previous deferral, the LPA considers it reasonable and necessary to add this section to the Committee Report.

Objection Received from Avison Young (on behalf of objector) – Dated 30 November 2022

92. This letter sets out a preliminary objection to the application, with the letter confirming that a comprehensive objection is being prepared. The letter sets out that the objector has interest in land to the south and west of the application site. The objector raises concern that the development as proposed would have adverse impacts on neighbouring land. The letter summarises the points of objection that will be covered in a subsequent comprehensive objection that the LPA should expect in the near future. The letter sets out the following (non-exhaustive) list that the LPA should expect the comprehensive objection to cover, as below:

- Flawed Fallback Position
- Inaccurate Information
- Impact on Highways

- Scale, Massing and Height
- Noise Impacts
- Trees
- Sunlight Assessment
- Rochdale Council's Duty of Care

93. As the objector confirms that the points of objection are to be set out in more comprehensive detail in subsequent correspondence, no further review of this correspondence will be set out here.

Legal Opinion Received from Applicant – Dated 19 December 2022

94. A legal opinion regarding the objection received dated 30 November 2022 was submitted by the applicant. Legal opinions submitted by the applicant provide commentary and justification for the approach the applicant has taken. However, the LPA have determined the scheme on the basis of its own review of the submitted application documents.

Objection Received from Avison Young (on behalf of objector) – Received 13 January 2023

95. A substantial letter of objection was received, dated 13 January 2023, which sets out a number of points of objection. This letter forms the comprehensive objection as referred to in the letter received from Avison Young dated 30 November 2022.

96. 'Fall Back Position': The objector confirms that they dispute the 'fall back position'. The existence, or lack thereof, of a fall back position relating to B8 (Storage and Distribution) Use on the application site, has been given due consideration in the 'Fall Back Position' of this Report.

97. 'Highways': The objection received includes a Highways Technical Note (HTN) prepared by Focus Transport Planning. The HTN raised concerns with the applicant's Transport Assessment prepared by BWB. This correspondence was duly shared with the Council's Highways & Engineering department and with TfGM. Highways issues are addressed in this Report in the 'Highways' Section.

98. 'Design Matters and Inaccuracies with Information': The objector has indicated that the indicative layout of the housing development proposals (as approved in outline) to the south and west of the application site is not accurately demonstrated. As such, the objector states that impacts upon future residents of these houses (namely, visual impact and occupier amenity) cannot be appropriately assessed. Further to the assessment set out in Section 'Impact on Future Development' in this Report, it is reiterated that it is not considered reasonable to add more than limited weight to an application that is currently approved in outline. The layout of housing to development as approved in outline to the south and west of the site has been considered and referred throughout the report, with

regards to neighbour amenity to future residents. As surrounding proposed development is approved in outline, it is not considered that the applicant has misrepresented future development to such a degree that it is not possible to duly assess the submitted application effectively and reach a robust planning decision based on relevant material planning considerations.

99. 'Privacy and Overlooking of Neighbouring Properties': The objector raises concerns that the proposed link bridge between proposed parking areas and Unit 3, towards the southwest corner of the application site, would result in unacceptable overlooking towards the siting of proposed future residential dwellings. The position of the link bridge is not expressly mentioned in the committee report. However, the link bridge as proposed would be approximately 50 metres from the south boundary of the application site. As such, as already set out in the 'Noise and Visual Impact' Section of this report, no undue impact by way of overlooking is expected, including upon residents of future development.
100. 'Visual Impact': The objector raises concerns that the proposal would result in significant visual impact upon the surrounding area, without suitable mitigation to reduce any potential impacts. This concern has been addressed in Section 'Design and Visual Impact'.
101. 'Noise': Concerns have been raised by the objector that the proposed development would result in unacceptable noise impacts upon the occupiers of nearby sensitive receptors, including occupiers of existing residential dwellings and the occupiers of future dwellings. The objector also sets out that the Noise Impact Assessment submitted by the applicant in support of the application does not adequately address noise issues, through omissions or errors. The applicant provided a Technical Review of Noise Assessment prepared by E3P. The document was duly shared with the LPA's Environmental Health Officer, with their response set out in the Report. Concerns relating to noise generation are set out in this Report under 'Neighbour Amenity', with sub-sections covering noise generated by noise generation, noise generation from car parking areas, noise from service yards/HGVs and noise from external plant.
102. 'Trees': The objector raises concerns that there are a number of trees proposed to be removed to enable the proposed development. Impact upon trees is considered in Section 'Ecology & Trees' in this Report. In addition, Greater Manchester Ecology Unit (GMEU) were consulted on the proposals, with no objection received, as set out in the Report. Proposed condition 25 to be imposed in the event the application is approved as recommended includes provision that proposed landscaping will be implemented as approved, with any landscaping that dies within a five year period etc. being replaced.
103. 'Sunlight Assessment': The object has raised concerns with regards to potential impact on future occupiers through loss of daylight/sunlight. It is of note that this concern was not expressly addressed in the original

committee report. However, the planning officer has carefully reviewed this objection and the plans and documents provided. It is noteworthy that additional objection(s) to be addressed subsequently and additional plans and documents will be relevant. As such, further commentary on this point will be covered. The LPA wishes to reiterate that, despite the fact that this point of objection was not expressly covered in September's committee report, the LPA is confident that this point alone would not have jeopardised the planning balance and ultimate recommendation.

104. 'Topographical Survey': The objector raises that a document appears to be unavailable (Sheet 4 of 5 of the submitted Topographical Survey). This point is not referenced further in subsequent objections and it is understood that this administration error was rectified, with no impact on the planning balance or due consideration of the planning application caused.
105. 'South Heywood Masterplan': The objection makes reference to the South Heywood Masterplan, in the capacity that the South Heywood Masterplan is subject to an approved Design Code. The objection states that the South Heywood development should be protected from insensitive design. Whilst included in the objection, it is not considered that any specific point of objection is included within the commentary.
106. 'Northern Gateway': The Northern Gateway, a proposed strategic allocation within Places for Everyone, was referenced in the submitted objection in the capacity that the proposed development could result in highways impacts that would jeopardise delivery of this proposed strategic allocation. As 'Places for Everyone' has not yet been fully adopted and no planning permission has been submitted in relation to the strategic allocation, it was not considered appropriate to give any weight to this emerging allocation.

Correspondence Received from Applicant – Rebuttal Note to Noise Objection Dated 10 February 2023

107. The comprehensive objection received from the objector was shared with the applicant. Initial correspondence was received by way of a Rebuttal Note dated 10 February 2023, which was prepared by BWB, the applicant's noise consultants. The rebuttal note was shared with the LPA's Environmental Health Officer. Impacts by way of noise are addressed in the Report, under the 'Neighbour Amenity' Section and related subsections therein.

Amended Plans and Documents Received from Applicant – Dated 14 March 2023

108. The applicant is understood to have completed a comprehensive review of the objection received, as well as considered concerns raised or issues that had been identified by the appointed planning officer. The applicant subsequently submitted a suite of amended plans and documents, or

provide additional information, in an effort to address the issues and concerns raised, requiring further review by the LPA. The amended and/or new documents and plans included:

- Amendments to proposed 'Unit 3', reducing the length by 13.05m to the south, resulting in Unit 3 being set back from existing units and achieving a separation distance of approximately 47 metres from the closest future residential property.
- Amendments to proposed Unit 3 to increase the width by 2 metres to the west to compensate for loss of floorspace to the south.
- Increase to the width and height of the proposed landscaped bund to the south, increasing the scale and amount of landscaping to be applied.

109. Alteration to the orientation of Unit 3, so as to increase separation distances between Unit 3 and the 'pinch point' along the western boundary.

110. In addition to the submitted plans having been altered to address concerns raised both through objection and by the appointed planning officer, a suite of revised or additional documents were submitted in support of the application, these include:

- Amended proposed Landscape Masterplan including Planting Plan
- Proposed Levels
- Proposed Earthworks Volumes
- Air Quality Assessment
- Arboricultural Implications Assessment (including Tree Survey)
- Daylight and Sunlight Statement
- Design and Access Statement
- Ecological Statement (including Protected Species Surveys)
- Energy and Climate Change Adaptation Statement
- Flood Risk Assessment and Drainage Strategy
- Lighting Assessment
- Landscape Visual Assessment
- Noise Impact Assessment
- Socio-Economic Assessment
- Transport Statement
- Framework Travel Plan

Legal Opinion Received from Applicant – Dated 19 March 2023

111. An additional legal opinion regarding objections was received from the applicant on 19 March 2023. As previously mentioned, whilst the submission of legal opinions provides additional commentary and

justification as to the approach the applicant has taken, the LPA have determined the scheme on the basis of its own review of the submitted application documents.

Objection Received from Avison Young (on behalf of objector) – Received 26 April 2023

112. Further to previous objections received and in response to amended plans, as well as additional documents provided by the applicant to address concerns raised by the LPA and the objectors, a subsequent substantial objection was received on 26 April 2023. The objection includes concerns raised as below
113. 'Design Matters and Inaccuracies in Information': Concerns have been raised that the indicative locations of proposed residential development, as approved in outline adjacent to the application site, are not accurately sited on the plans and documents submitted by the applicant. As previously addressed, as the proposed housing development has been approved in outline, with only indicative plans indicated, the final layout of housing has not yet been established and thus cannot be truly demonstrated on submitted plans. Nonetheless, the objector states that proposed dwellings to the south and west of the application site, with gardens that have a shared common boundary, may be closer to Unit 3 in particular than shown by the applicant. As such, information and documents prepared by the applicant, including the Landscape and Visual Impact Assessment, Lighting Plans, Air Quality Report and Noise Report may be inaccurate.
114. It is noteworthy that the applicant has indicated in their submitted supporting documents and letters that there would be approximately 47 metres between the rear elevations of dwellings as proposed to the south of the application site, whereas the submitted drawings as contained within the objection to the proposal shows a separation distance of 57 metres, assuming a back garden length of 15.9 metres. There is therefore some discrepancy between the measurements of the applicant's submitted drawings and what was written in submitted letters. The objector has then submitted an additional annotation 'Figure 4' in the objection, that shows a distance of 47 metres between the rear elevation of a dwelling as approved in outline and the south elevation of the proposed warehouse, which also shows the proposed bund and landscaping. There is evidently difficulty in assessing the exact distance between the proposed Unit 3 and dwellings, as the dwellings are approved in outline with no final point. It is also noteworthy that a 10 metre garden to a new build dwelling would be substandard when considering the minimum distance standard of 10.5 metres between upper floor window and directly facing boundary of the curtilage as set out in Rochdale's adopted Residential Design SPD. However, as dwellings are approved in outline with no reserved matters confirming siting of dwellings, it is not possible to reach an exact figure as to the separation distance. However, again, as already stated, assuming a

minimum separation distance of 47 metres with a 10 metre garden, the distance is considered acceptable with no significant impact upon the amenity of future occupiers of nearby residential development as a result of the siting and scale of the proposed development, further reduced through extensive mitigation by way of a bund and landscaping.

115. 'Scale, Massing and Height': The objector sets out that the proposed massing, height and scale of the proposed units are excessive when considering future occupiers of residential dwellings proximate to the site, as approved in outline. The appointed planning officer is confident that such concerns have been adequately addressed in Section 'Neighbour Amenity' and 'Design and Visual Impact' of this report. Furthermore, analysis in this additional commentary section of the report has addressed these concerns.
116. 'Building Height Comparison': The objector draws comparisons to nearby Storage and Distribution Units that have been recently constructed or approved elsewhere in Rochdale. W The application must be decided on its own planning merits. As such, further consideration to other units elsewhere in the Borough have no weight to the decision making process and analysis of impacts to this planning application.
117. 'Landscaping and Visual Impact': The objector states that it is necessary for the Landscape and Visual Impact Assessment to be redone, due to discrepancies and/or disagreement between parties as to the exact position of residential dwellings as approved in outline. However, as addressed, the final siting and thus separation distance between dwellings approved in outline and the proposed development is not quantifiable. However, a minimum distance of 47 metres accompanied by the proposed mitigation, would not be expected to result in undue impact upon the living conditions of future occupiers of nearby dwellings, as further assessed in the 'Neighbour Amenity' and 'Design and Visual Impact' Sections of this Report.
118. The objector comments on the proposed landscaping and planting plans and refers to the fact that some existing landscaping will be removed during construction of the proposed development. The LPA has assessed proposed landscaping proposals and finds these to be acceptable. Further assessment on landscaping is set out in the 'Ecology and Trees' Section of this report. Landscaping and the relevance this has to future development is also referenced in the 'Impact on Future Development' Section of this Report, as well as the 'Design and Visual Impact' Section of this Report.
119. 'Privacy and Overlooking of Neighbouring Properties': The objector has commented on potential overlooking from the proposed link bridge connecting Unit 3 and its associated car parking area. This point has previously been addressed in this 'Additional Commentary' Section of this Report.

120. 'Noise': The objector raises further objections to noise, accompanied by a Noise Technical Review prepared by E3P. This document and objection were duly shared with the LPA's Environmental Health team. Concerns relating to noise are addressed in Section 'Neighbour Amenity' of this Report.
121. 'Trees': The objector has commented on impacts to existing trees and the number of trees that require removal as part of the application. This concern has been addressed in the 'Trees' Section of this Report and previously in this 'Additional Commentary' Section of this Report.
122. 'Daylight and Sunlight Assessment': The objector has raised points of concern with the submitted Daylight & Sunlight Assessment. Upon review by the LPA, the findings of the Daylight & Sunlight Assessment are found to be acceptable. No significant impact by way of loss of daylight and/or sunlight are expected as a result of the proposed development. The applicant references the fact that proposed landscaping may result in shadowing. However, it is of note that the closest dwellings (a minimum of 47 metres to the south of the proposed building) would be north facing. As such, when considering the path of the sun, landscaping would not cast shadows over the dwelling. Whilst the Daylight & Sunlight Assessment is a supporting document with due consideration made to the document, the LPA nonetheless reaches the conclusion that the proposed development would not result in unacceptable overshadowing or loss of light to the future occupiers of future indicative residential development to the south of the application site. Furthermore, any low or moderate impact can be addressed in a reserved matters application when the final layout of dwellings is agreed.
123. 'External Lighting Assessment': The External Lighting Assessment was duly shared with the LPA's Lighting Consultant. The Lighting Consultant confirmed no objection to the proposals. This concern is also addressed in Section 'Neighbour Amenity' Section of this Report, under the subheading 'Light'.
124. 'South Heywood Masterplan': The objector again refers to the South Heywood Masterplan, referring to the approved Design Code and the need to protect the Masterplan from insensitive design/uses. Points of concern raised regarding design are addressed in the 'Design and Visual Impact' Section of this Report. With regard to the reference to 'insensitive use', the South Heywood Masterplan itself proposes extensive B8 (Storage and Industrial) Use within the Masterplan. It is also addressed in Section 'Fall Back Position' that the existing B8 use on the application site is already implemented

Objection Received from Avison Young (on behalf of objector) – Dated 04 May 2023

125. A further objection was received from the objector dated 04 May 2023. This objection raises a new point of objection as below:

126. '24 Hour Operation': Concerns relating to operational noise generation, including HGV movements, is addressed in this Report within the Section titled 'Residential Amenity'. In addition, the LPA's Environmental Health Officer was consulted on the proposals with no objection to the proposed scheme raised, subject to condition.

Amended Plans and Documents Received from Applicant – Dated 06 June 2023

127. Amended plans and updated technical documents were received due to minor amendments proposed to the site layout, consisting of:

- Addition of 2 metre high retaining wall to the south of Unit 3 and associated amendments to the bund
- Tweaks to the design of attenuation ponds to the north and south of the site, resulting in an increase in the total area of attenuation ponds.

128. In order to ensure that all submitted reports and documents that support the application address these amendments, the following documents were updated. However, conclusions contained therein remain unchanged:

- Landscape Masterplan
- Planting Plans
- Finished Floor Levels/Site Levels
- Earthworks
- Arboricultural Impact Assessment
- Design & Access Statement
- Ecology including Biodiversity Net Gain (BNG)
- Drainage
- Landscape Visual Impact Assessment
- Noise Impact Assessment

129. In addition, a Lighting Assessment was prepared to demonstrate updated lighting information and to ensure no unacceptable impact to surrounding occupiers (including future occupiers of dwellings approved in outline proximate to the application site) would result.

130. The submitted updated plans and documents were accepted, with re-consultations completed where necessary.

Objection Received from Avison Young (on behalf of objector) – Received 07 June 2023

131. A further objection was received from the objector dated 07 June 2023. This objection raised points of objection as below:

132. 'Selection of Verified Viewpoints/Methodology/Accuracy: The objector highlighted that the Landscape and Visual Impact Assessment (LVIA) does not include viewpoints from certain locations that the objector. The objector has provided additional viewpoints and information in support of their objection. The LPA has accepted the LVIA provided by the applicant, with impact relating to visual impact addressed in Section 'Design and Visual Impact' of this Report. It is also acknowledged that the proposal would have some impact on the visual/townscape of the surrounding area. However, such impacts are not considered or expected to be so significant to warrant refusal of the application.

Transport Technical Note prepared by BWB – Received from Applicant dated 14 June 2023

133. The applicant has provided a Transport Technical Note, produced in response to concerns raised by the objector and with regards to the objector's submitted supporting information, including transport modelling and simulations. The Transport Technical Note refutes issues raised by the objector's modelling etc. The information was duly shared with the LPA's Highways & Engineering Officers. No objection was raised and highways issues are addressed in this Report in the Section titled 'Highways'.

Objection Received from Avison Young (on behalf of objector) – Dated 29 June 2023

134. A further objection was received from the objector dated 29 June 2023, in response to amended plans and updated documents having been issued by the applicant on 06 June 2023. The objector raised the following comments:
135. 'Review of Amendments to the Scheme': The objector lists what they note are the amendments to the proposed scheme, including the formation of the 2 metre reinforced retaining wall to the base of the bund, associated alterations to the bund (including 0.2 metre increase in height), increase in capacity of attenuation basins of 11.4% and associated reshaping of attenuation basin banking, inclusion of a retaining wall to base of acoustic mitigation walls and amended reports.
136. The objections go on to provide some commentary on potential impact to future occupiers of residential dwellings to the south of the application site, as approved in outline. In addition, the objection states that the 11.4% increase in capacity of attenuation basins may result in there being less space for planting across the development site. Concerns relating to impact on residential amenity, including future occupiers of dwellings approved in outline, are addressed in this report under Section 'Design & Visual Impact' and 'Residential Amenity'. The proposals would have no notable impact on the landscaping scheme as proposed. However, concerns relating to landscaping are addressed in this Report under Sections 'Ecology and Trees' and 'Design & Visual Impact'. No

objections were received from Greater Manchester Ecology Unit (GMEU) or the LPA's Environmental Health Officer as a result of proposed alterations.

Objection Received from Avison Young (on behalf of objector) – Received 21 July 2023

137. An additional objection was received via email on 21 July 2023, relating to concerns regarding noise generation and impacts. The objection was supported by a Noise Impact Assessment prepared by E3P. The noise comments were duly reviewed and shared with the LPA's Environmental Health Officer and the applicant. Impacts relating to noise generation are duly addressed in this Report under Section 'Residential Amenity'.

Ryder Landscape Report – Commissioned by LPA – Received August 2023

138. Concerns had been raised that the submitted LVIA and thus assessment of potential landscape and visual impact issues had not been adequately assessed, due to shortcomings or omissions in the LVIA. As a result, the LPA appointed Ryder Landscape, an independent qualified landscape architecture firm, to consider the suitability of the submitted LVIA and the conclusions reached. Some concerns were raised which were addressed and rectified in the submitted LVIA. Following amendments to the LVIA, Ryder Landscape concluded that the LVIA was sufficiently robust for the LPA to rely upon to reach a conclusion and determine the planning application with regards to landscape and visual impact. However, did comment that there may be amenity issues that would require further consideration but clearly acknowledged these sort of amenity issues, lay outside the matters of which a landscape assessment could have regard.

Legal Opinion Received from Applicant – Dated 04 August 2023

139. A further legal opinion regarding objections was received from the applicant on 04 August 2023. As mentioned previously in this Report, whilst submitted legal opinions provide commentary and justification for the approach taken by the applicant, the LPA has determined the scheme on the basis of its own review of the submitted application documents.

Objection received directly from objector – Dated 21 September 2023

140. Soon after the publication of the Committee Report, recommending that Members approve the proposed development subject to conditions, the objector sent a letter in objection to the Officer's recommendation. The objection did not raise any new points of objection to the scheme itself. However, raised a number of points as set out below:
141. 'Misrepresentation of Formal Objections Regarding Technical Matters': The objector questioned whether the numerous objections provided both by the objector and through Avison Young, as well as supporting documents, had been fully taken into consideration. The LPA duly

considered the proposed development and took into account objections received, as well as considering supporting information and sharing objections with the applicant where required. The LPA is confident that the appropriate amount of consideration has been given to all objections, with material planning considerations raised appropriately addressed within the committee report as published in September 2023. Where any shortcomings have been identified in the published committee report, this additional Section 'Additional Commentary' has been provided to detail how and where objections were considered, with additional commentary provided for the clarity of committee Members.

142. 'Withholding Information': The objector highlights that they disagree with the weight afford to development approved in outline, which forms part of the South Heywood Masterplan. The objector states that the developer of parts of the South Heywood Masterplan have previously written to the Council with regards to the deliverability of the South Heywood Masterplan. However, this review of previously submitted objections does not identify a planning objection submitted to the LPA where this point was raised. The South Heywood Masterplan has been mentioned in passing in submitted letters only in relation to the South Heywood Masterplan Design Code and the impact the proposed development may have on the Masterplan area by virtue of its design and relationship. The objector highlights that impact on the South Heywood Masterplan should have been considered in more detail. Please see Section 'South Heywood Masterplan'.
143. 'Misleading and Inaccurate Information': The objector references their previous objections and supporting information that has been provided with regards to design. The LPA is confident that they duly considered objections raised by all objectors, with amended plans and documents or clarification provided by the applicant as and where appropriate. The objection suggests that there are significant misleading, inaccurate and illegible information within the Committee Report. However, no examples have been provided.
144. 'Summary of Next Steps': The objector shares their opinion that the application should be deferred to a later planning committee, as the objector does not believe their objections have been given due weight in the decision making process. The LPA, in the abundance of caution, took the view that if the objector has asserted that serious issues and errors have been made, the LPA should defer Members from making a decision until any issues as raised by the objector have been considered.

Objection received from Jones Lang LaSalle (JLL) (On behalf of objector) – Dated 26 September 2023

145. JLL provided a written objection with supporting information relating to visual impact the proposed development would have on the surrounding area and/or townscape. This concern has been duly assessed in this Report in Section 'Design & Visual Impact'

146. JLL have provided commentary on marketing of future dwellings that form part of the South Heywood Masterplan, that have been approved in outline, should the development as proposed be approved. This concern has not been considered in more detail, as the marketing of unbuilt houses proximate to the proposed development does not form a material planning consideration. Potential impacts on the amenity of future occupiers of future dwellings as approved in outline proximate to the site have been duly considered, with due weight afforded to such impacts, in Sections 'Design and Visual Impact' and 'Residential Amenity' of this Report.

Objection Received from Objector (directly) – Dated 27 September 2023

147. An additional objection was received directly from the objector, dated 27 September 2023. This objection raised new points of objection that had not previously been raised during the course of assessing the application, having come to light post publication of the Committee Report as published (and as remains unchanged). The objection raises the concern that the LPA's decision to afford 'some weight' to future development surrounding the application site is set out within Section 'Impact on Future Development' of this Report. However, for the clarity of Members and transparency, the additional objection raises the following comments:
148. 'Impact on the Delivery of Phase 4 of South Heywood Masterplan (330 Homes)': The objector sets out that Phase 4 of the South Heywood Masterplan, which includes land adjacent to the application site to the south and east, there will be impact on the future homes that are proposed to be developed on this land. The applicant comments that the development may affect future house prices of proposed future 'Higher Value Housing' in this part of the South Heywood Masterplan. However, it is the opinion of the LPA that very little weight can be given to house prices during the assessment of a planning application, even less so when the house prices that may be affected form part of a future development that has not yet been subject to a reserved matters application. Nonetheless, despite the degree of weight afforded to this specific point of objection, concerns regarding design and development have been addressed in relevant sections of this Report. As such, it is not considered that this point of objection change the weight that the LPA has afforded to future development over and above that already addressed in Section 'Impact on Future Development' within this Report. The objection does raise concerns regarding amenity of future occupiers of the future dwellings as referred to. However, the LPA is satisfied that suitable weight has been given to these concerns, as addressed in Sections 'Design and Visual Impact' and 'Residential Amenity' Sections of this Report.
149. 'Impact on Viability of South Heywood Masterplan': Further to the objector setting out potential impacts to marketability or house prices of future development proposals, as above, the objector goes on to set out

the benefits the South Heywood Masterplan will have with regards to providing housing, employment and associated infrastructure. The LPA does not dispute these benefits. The objector sets out that the South Heywood Masterplan would require 1000 homes to be built to reach the status of a 'balanced position' in terms of viability. Although the objector has not raised this concern as part of their suite of planning objections to date, the LPA has considered their comments.

150. The LPA have carefully considered and reviewed submitted plans and supporting information provided by the applicant, duly consulting with internal and external (including statutory consultees). No objections have been received from consultees, although consultees have recommended conditions be imposed in the event the application has proposed as reasonable and necessary. In addition, objections received, including a large suite of objections from one objector supported with supporting documents, have also been reviewed and shared with the applicant where necessary. Throughout the assessment of this application, potential impact upon the occupiers of existing residential development to the north/east of the application site, as well as the future occupiers of dwellings approved in outline to the south and west of the site, have been considered. The LPA finds that there would be some amenity impact upon the occupiers of existing and future residential development that would need to be mitigated against. The applicant and LPA have worked together extensively, with significant mitigation proposed as part of the proposed development including extensive landscaping, bunding, physical noise mitigation measures and conditions proposed that would result in a development that would not have undue impact upon the residential amenity of existing or future occupiers.
151. The LPA has considered the impact the proposed development would have on future occupiers of development approved in outline. The LPA is not able to consider whether the preference of future homebuyers or occupiers of nearby future development may be swayed or impacted (and to what degree it would be impossible to quantify) as a direct result of the proposed development. The LPA have reached a finely balanced conclusion, taking into account the existing use of the site, potential for the existing buildings to be occupied by B8 uses without any new mitigation, which could have a harmful affect upon residential amenity beyond which the LPA or other regulatory services could control and the fact that the proposed residential development has not been subject to a reserved matters application so the layout of housing proposed has not been agreed with the LPA. The objector has suggested that approving the application may result in impact on the marketability of future housing, then suggests that the housing could not be delivered on Phase 4 which would render the entirety of the South Heywood Masterplan undeliverable. The LPA cannot speculate on a chain of events such as the one suggested by the objector taking place. However, the LPA can consider material planning considerations, such as amenity of existing and future occupiers. The LPA is confident that the appropriate amount of weight has been given and impacts have been addressed and mitigated

against responsibility and reasonably. The assessment of such impacts has been addressed in this Report.

152. 'Impact on Section 106 Contributions': Legal agreements relating to previously approved development, such as South Heywood Masterplan, do not form a material planning consideration to the assessment of the application as proposed, which must be decided on its own merits and with due consideration to material planning considerations that arise from the assessment of the planning application to hand. The objector's statements on S106 contributions are tied directly to the chain of events speculated on in previous parts of the objection letter. Impacts on the residential amenity of future occupiers, a material planning consideration, has been addressed in Sections 'Design and Visual Impact' and 'Residential Amenity' of this Report. The marketability of house prices/levels of profit achievable for a developer of land, whilst relevant to the objector, involve a level of speculation upon which the Local Planning Authority cannot place significant weight as a material planning consideration, as the claim is not sufficiently evidenced. Impact on future development has been addressed in Section 'Impact on Future Development' of this Report.
153. 'Affordable Housing': The objector makes reference to reserved matters applications on previous phases of land, which are not directly adjacent to the application and have not been considered as part of this planning application. The objector states that there has been difficulty providing affordable housing on previous phases and, as such, no affordable housing has been delivered. The objector refers briefly to 'conversations' they have been having with third parties about delivering affordable housing on 'future phases'. The objector then speculates that the approval of this planning application would result in the loss of 330 homes and puts at risk affordable housing. The LPA has carefully considered these comments and do not consider that the comments represent a material planning consideration to which any significant weight can be applied in the overall planning balance to the assessment of the planning application as submitted. The comments are speculation and reference informal conversations and regarding points not directly related to this planning application.
154. 'Summary': The objector sets out that they believe applying no more than some weight to the future development is not appropriate. However, the LPA has, following due assessment of the application, remains confident that the amount of weight afforded to impacts on future development, as set out in Section 'Impact on Future Development' of this Report, is appropriate. The LPA is sympathetic to the objector and the perceived or actual impacts the approval of this application may have on profit levels or marketing techniques of future development. However, such concerns are speculation and opinions and cannot result in the LPA given material weight to factors and variables that are not fundamentally material planning considerations upon which significant weight can be attached in the planning balance. The LPA does find that impact on existing and

future occupiers of residential development is a material planning consideration that significant weight should be given, with this view taken even though surrounding future development has been approved only in outline at this stage. However, these considerations have been carefully assessed in Sections 'Design and Visual Impact' and 'Residential Amenity', with no significant impact identified and appropriate mitigation provided where some impact has been identified. As such, impact on future development (including South Heywood Masterplan), remains as set out in Section 'Impact on Future Development' of this Report, with the LPA satisfied with its approach and the material weight given as been justified and appropriate.

Objection Received from Avison Young (on behalf of objector) – Dated 11 October 2023.

155. An additional objection was received. This objection sets out previous objections that have been received and summarises the main points of objection, which highlight concerns relating to:

- Landscape and Visual Impact
- Highways
- Noise
- Approach/Weight given to South Heywood Masterplan

156. The LPA considers this objection a summary of previous objections, with no new or additional information raised.

Noise Impact Assessment Prepared by E3P on Behalf of Objector – Dated 12 October 2023

157. An additional Noise Impact Assessment prepared on behalf of the objector was provided to the LPA. This Assessment was shared with the Council's Environmental Health Officer for review and comment. Additional consultation responses are set out below in section 'Additional Consultee Responses Received'.

Letter Received from Planning Agent on Behalf of Applicant – Dated 20 October 2023

158. A letter was received from the planning agent (Gerald Eve) on behalf of the applicant. The letter briefly sets out the main points of objection that the objector raised in their letter dated 11 October 2023, as below:

- Design and Visual Impact – Assessed and comprehensively considered in Paragraphs 27 – 41 of the Planning Committee Report.
- Highways – Assessed and comprehensively considered in the 'Highways' Section of the Planning Committee Report. No objection from Highways received.

- Noise – Assessed and comprehensively considered in the ‘Noise’ Sections of this Planning Committee Report. No objection from Environmental Health received.

Additional Consultation Responses Received.

159. For the avoidance of doubt and due to the objections received, it was considered necessary for the LPA to re-consult with Highways and Environmental Health. The following final consultation responses were received, copied as received for full clarity for Members.

Highways Consultation Response – October 2023

160. The Highways & Engineering team forwarded their previous ‘final comments’ as prepared and sent on 11 September 2023, as below:

“We have now completed our final comments on this application.

Having now reviewed the latest submissions and comments on the above application we can now summarise our comments on this application.

When considering the overall traffic impact of the development the access onto Manchester Road from this site is long established and the site itself has an existing Lawful Development Certificate for industrial use. Our assessment was made on the additional traffic impact that the development would have over and above what currently exists. At this stage we would say that this impact, would not warrant a sustainable reason for refusal of this application.

There have been some concerns expressed regarding the obstruction of north bound traffic when HGVs right turning from the site cannot enter the queue at the existing signals. We believe that there are some improvements that could be made to this junction that are likely to mitigate this potential infrequent obstruction. These improvements could include;

- *The introduction of a yellow box junction around the site entrance*
- *The introduction of traffic islands within Manchester Road*
- *Additional road marking and signage*
- *The introduction of Traffic Regulation Orders around the junction.*

An approved junction design could be delivered via planning condition and the works could be delivered via a s278 Agreement between the applicant and the Council. We have also requested some planning conditions to improve access arrangements and these include;

- *A condition requiring any gates to be set back an appropriate distance from the highway*
- *The production of a Logistics and Travel Plan for approval*

161. The LPA do not consider that the re-submitted consultation response from Highways & Engineering requires any additional consideration, as the consultation response confirming no objection to the proposed scheme, subject to the imposing of suitable and necessary conditions, is a re-submission of a previous consultation response with no changes.

Environmental Health Consultation Response – November 2023

162. Various additional documentation and supporting reports have been received post publication of the Planning Committee Report. The below is the most up to date response received from Environmental Health, which duly takes into account the late-submitted information:

“I have now reviewed the technical note submitted by BWB on behalf of Trammel Crow Company regarding the Heywood Stores Site. I am in agreement with their findings and accept that the level difference in measured background noise between BWB and E3P is negligible and within an expected tolerance, this is also acknowledged by E3P. The only outlier is likely a result of a change in traffic flow on the M62 during maintenance work. Given the location of the new homes it has to be understood that the noise climate they are entering is one dominated by road traffic noise from the highway and motorway network and that of HGV and industry, regardless of mitigation these will be the dominant noise sources and will be audible to varying degrees though the day and week.

The redevelopment of the Heywood Stores site will greatly improve the acoustic performance of the building material, introduce strong mitigation measures and will allow the setting of conditions to protect existing and future noise sensitive receptors.

As such this section has no objections in principle to the proposal and would recommend the following conditions:

- *The cumulative effect of all external plant and noise breakout from the development does not exceed the lowest background sound levels (LA90) at the nearest noise sensitive locations –*
 - *50 dB during the daytime and 46 dB during the night-time at the nearest noise sensitive receptors to the south and southwest of the site.*
 - *42 dB during the daytime and 40 dB during the night-time at the nearest noise sensitive receptors to the north and east of the site.*
- *The mitigation measures detailed in section 5 of the submitted noise impact assessment are implemented in full, upon completion evidence of this is submitted.*
- *Upon completion of the development a validation report is undertaken to ensure the mitigation is controlling the noise from the site to the required levels”*

163. Upon re-consultation, the Environmental Health (EH) Officer confirms that there is no objection to the proposed scheme. The EH has been provided with additional noise objections and rebuttals from the applicant, as

referred to in their consultation response. A suitably scoped condition relating to noise generation has been imposed. The LPA are of the opinion that requiring additional validation post-completion of the proposed scheme would be unnecessary, as the submitted supporting information demonstrates that such mitigation measures regarding noise would be acceptable. Any noise complaints post-completion of the development would be addressed outside the planning process directly with EH, who may themselves require noise validation.

Summary of Additional Commentary Section

164. To summarise this 'Additional Commentary' Section of the Report, the LPA confirms that all objections received from all parties have been comprehensively considered, with the above commentary section providing Members with enhanced detail and insight into the decision making process and chronological order of events during the consideration of this application. The LPA consider the conclusion as set out in Paragraphs 88-90 of this Report to stand, with the recommendation to grant planning permission, subject to conditions remaining.

RECOMMENDATION

It is recommended that the Planning and Licensing Committee resolves to **GRANT planning permission** subject to the following conditions.

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

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. This permission relates to the following plans and documents:-

- Site Location Plan (Drawing 21157-ASA-00-ZZ.ZZ-D-A-0001 Revision P1 dated 25 July 2022)
- Proposed Site Plan (Drawing 21157 - ASA - 00 - ZZ.ZZ - D - A - 0003 Revision P13 dated 04 November 2022)
- Proposed Demolition Plan (Drawing 21157 - ASA - 00 - ZZ.ZZ - D - A - 0006 Revision P1 dated 11 October 2022)
- Proposed Elevations Units 1 & 2 (Drawing 21157 - ASA - 00 - EL.ZZ - D - A - 0013 Revision P8 dated 02 August 2022)
- Proposed Ground Floor Plan Units 1 & 2 (Drawing 21157 - ASA - 00 - ZZ.GF - D - A - 0010 Revision P6 dated 02 August 2022)
- Proposed First Floor Plan Units 1 & 2 (Drawing 21157 - ASA - 00 - ZZ.01 - D - A - 0011 Revision P7 dated 02 August 2022)
- Proposed Roof Plan Units 1 & 2 (Drawing 21157 - ASA - 00 - ZZ.RT - D - A - 0012 Revision P7 dated 02 August 2022)

- Proposed Elevations Unit 3 (Drawing 21157 - ASA - 00 - EL.ZZ - D - A - 0025 Revision P7 dated 02 August 2022)
- Proposed Ground Floor Plan Unit 3 (Drawing 21157 - ASA - 00 - ZZ.GF - D - A - 0020 Revision P4 dated 02 August 2022)
- Proposed First Floor Plan Unit 3 (Drawing 21157 - ASA - 00 - ZZ.01 - D - A - 0021 Revision P4 dated 02 August 2022)
- Proposed Second Floor Plan Unit 3 (Drawing 21157 - ASA - 00 - ZZ.02 - D - A - 0022 Revision P4 dated 02 August 2022)
- Proposed Third Floor Plan Unit 3 (Drawing 21157 - ASA - 00 - ZZ.03 - D - A - 0023 Revision P4 dated 02 August 2022)
- Proposed Roof Plan Unit 3 (Drawing 21157 - ASA - 00 - ZZ.RT - D - A - 0024 Revision P5 dated 02 August 2022)
- Proposed Bridge Link and Stair Tower Unit 3 (Drawing 21157 - ASA - 00 - EX.ZZ - D - A - 0027 Revision P3 dated 06 October 2022)
- Proposed Levels (Drawing 21194-BGL-XX-XX-DR-C-00200 Revision P21 dated 16 February 2022)
- Proposed Building Sections Units 1 & 2 (Drawing 21157 - ASA - 00 - ZZ.ZZ - D - A - 0014 Revision P7 dated 02 August 2022)
- Proposed Building Sections Unit 3 (Drawing 21157 - ASA - 00 - ZZ.ZZ - D - A - 0026 Revision P5 dated 02 August 2022)
- Proposed Site Sections 1 of 2 (Drawing 21157 - ASA - 00 - ZZ.ZZ - D - A - 0004 Revision P12 dated 25 July 2022)
- Proposed Site Sections 2 of 2 (Drawing 21157 - ASA - 00 - ZZ.ZZ - D - A - 0005 Revision P14 dated 25 July 2022)
- Proposed Earthworks Volumes (Drawing 21194-BGL-XX-XX-DR-C-00201 Revision P16 dated 16 February 2022)
- Proposed Demolition Plan (Drawing 21157 - ASA - 00 - ZZ.ZZ - D - A - 0006_ Revision P1 dated 11 October 2022)
- Proposed Fencing Plan (Drawing 21157 - ASA - 00 - EX.00 - D - A - 0030 Revision P9 dated 06 October 2022)
- Landscape Masterplan (Drawing 101 Revision R dated 29 June 2022)
- Planting Plans 1 to 8 inclusive (Drawing Numbers 201 – 208, Revision I, dated 14 October 2022)
- Proposed Gatehouse Unit 3 (Drawing 21157 - ASA - 00 - EX.YD - D - A - 0028 Revision P2 dated 06 October 2022)
- Proposed Bin Store Details (Drawing 21157-ASA-00-EX.00-D-A-0033 Revision P3 dated 06 October 2022)
- Proposed Cycle Shelters (Drawing 21157 - ASA - 90 - EX.ZZ - D - A - 9005 Revision P3 dated 22 December 2022)
- Proposed Battery Energy Storage Containers (Drawing 21157-ASA-00-EX.00-D-A-0034 Revision P3 dated 10 January 2023)
- Proposed Sprinkler Tanks and Pump House Unit 3 (Drawing 21157 - ASA - 00 - EX.00 - D - A - 0029 Revision P2 dated 06 October 2022)

- Proposed Site Access – Junction Visibility Splays (Drawing MRR-BWB-GEN-XX-RP-TR-101 Revision P1 dated 14 July 2022)
- Proposed Fencing Details (Drawing 21157-ASA-00-EX.00-D-A-0032 Revision P1 dated 06 October 2022)
- Tree Protection Plan and Protective Fencing Details prepared by Brooks Ecological (Drawing DR-6197-02.03)
- Ecological Impact Assessment (Reference ER-6197-02D, Version D dated 20 October 2022)
- Arboricultural Impact Assessment inc. Tree Survey (Reference AR-6197-02.03, as revised June 2023)
- Noise Impact Assessment prepared by BWB Consulting Limited (Reference 220785 dated June 2023)
- External Lighting Report prepared by Synergy Building Services ('Proposed Redevelopment of the former DWP site, Heywood, Issue 6 dated April 2023)
- Construction Management Plan & Site Waste Management Plan prepared by KAM Project Consultants ('Heywood Stores, Manchester Road, dated August 2022)
- Flood Risk Assessment and Drainage Strategy (Reference 21194-BGL-XX-XX-RP-D-00001 Version 7 dated 06 June 2023)
- Framework Travel Plan (Reference MRR-BWB-GEN-XX-RP-TR-004_P04)

And the development shall be carried out in accordance with these drawings and/or documents as relevant or required and hereby approved.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Core Strategy and the National Planning Policy Framework

3. No clearance of trees and shrubs in preparation for (or during the course of) development shall take place during the bird nesting season (March - August inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority which provides for the protection of nesting birds during the period of works on site.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with policy G7 of the adopted Rochdale Core Strategy, the

National Planning Policy Framework and the provisions of the Wildlife and Countryside Act 1981 (as amended).

4. No development shall take place until all trees that are to be retained within or adjacent to the site are enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area and in accordance with Policies G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Trees are required to be protected prior to any works taking place as ground works can unduly threaten the well-being of the tree.

5. No development shall take place until details of the means of ensuring the water main that is laid within the site boundary is protected from damage as a result of the development shall be submitted to and approved by the Local Planning Authority in writing. The details shall outline the potential impacts on the water main from construction activities and the impacts post completion of the development on the water main infrastructure that crosses the site and identify mitigation measures to protect and prevent any damage to the water main both during construction and post completion of the development. Any mitigation measures shall be implemented in full in accordance with the approved details.

Reason: In the interest of public health and to ensure protection of the public water supply.

Reason for pre-commencement condition: Protection of United Utilities water assets will need to be ensured prior to commencement of works and a scheme therefore needs to be agreed in advance of the same.

6. No development shall take place (excluding demolition and associated site clearance as demonstrated on approved plan 'Proposed Demolition Plan (Drawing 0006 Revision P1)', updated details of the sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be based upon approved drainage strategy:

- a) Drainage Strategy drawings 21194-BGL-XX-XX-DR-C-00210 & 211 & 212 /P07 dated 3rd Aug 2023.

The updated details information submitted shall include:-

- i. the background calculations of the Causeway flow ® or MicroDrainage® model or any other software or calculations that have been used for the drainage design.
- ii. 'for construction' drawings of the attenuation ponds, flow control devices and attenuation tanks.
- iii. details of the outlet pipe from the SW corner of the site to the highway drain manhole, including any explanation of whether this pipe is being replaced.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Prior to occupation/ use of the proposed development, the drainage scheme shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface water from the site in accordance with Policy G8 of the adopted Rochdale Core Strategy, saved Policy EM/7 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

Reason for pre-commencement condition: Drainage infrastructure will need to be implemented prior to commencement of above ground works and a scheme therefore needs to be agreed in advance of the same.

7. No development shall take place until (excluding demolition and associated site clearance as shown in approved plan 'Proposed Demolition Plan (Drawing 0006 Revision P1)' an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced and shall have been first submitted to and approved in writing by the Local Planning Authority. The reports of the findings shall include:
- (i) A survey of the extent, scale and nature of contamination
 - (ii) An assessment of the potential risks to:
 - Human health

- Property (existing and proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes.
- Adjoining land
- Groundwater and surface water
- Ecological systems
- Archaeological sites and ancient monuments

(iii) Where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) shall be submitted to and approved by the Local Planning Authority.

The development shall thereafter be completed in full accordance with the approved recommendations.

Reason: To prevent pollution of the natural environment and to ensure the safe development of the site in the interests of the amenity of future users in accordance with Policies G8 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Any contamination on or within the land needs to be identified and a suitable remediation plan agreed prior to commencement of above ground works and a scheme therefore needs to be agreed in advance of the same.

8. No development shall take place with regards to importation of material onto the site, including for the creation of bunds/batters and/or re-profiling of embankments, until a Materials Management Plan (MMP) shall be submitted to and approved in writing by the Local Planning Authority. The MMP shall include:

- Details of the volumes and types of material proposed to be imported or reused on site
- Details of the proposed source(s) of the imported or reused material
- Details of the chemical testing for ALL material to be undertaken before placement onto the site
- Include the result of the chemical testing which must show the material is suitable for use of the development
- Include confirmation of the chain of evidence to be kept during the material movement, including material importation and removal from and to the development

All works shall be undertaken in accordance with the approved document

Reason: To ensure that no unsuitable material is brought onto the site and in accordance with Policy G9 of the adopted Rochdale Core Strategy.

9. Notwithstanding any description of materials in the application no above ground construction works (excluding demolition and associated site clearance as shown on approved plan 'Proposed Demolition Plan (Drawing 0006 Revision P1)' shall take place until samples and / or full specification of materials to be used externally on:

- External elevations of Units 1 & 2
- External elevations of Unit 3
- Elevations of Gatehouse(s)
- Elevations of the proposed Acoustic Barriers
- Elevations of the proposed battery storage containers

Have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policy DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

10. (a) Prior to occupation of any part of the development hereby approved, a detailed junction arrangement plan developed in accordance with the approved 'Site Access' (Drawing MRR-BWB-GEN-XX-RP-TR-101 Revision P1) regarding to the proposed site access with Manchester Road shall be submitted to and approved in writing by the Local Planning Authority.

(b) Prior to occupation of any part of the development hereby approved, a verification report confirming the implementation of the detailed junction arrangement plan (as required in Condition 7(i)) shall be submitted to and approved in writing by the Local Planning Authority

Reason: To ensure highway safety and to encourage the safe access/egress of vehicles to and from the application site and in order to comply with policy T2 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

11. No part of the development hereby permitted shall be occupied until such time as the bicycle parking facilities as shown on approved drawing

'Cycle Shelters' 'Drawing 9005 Revision P3' have been installed as per the approved details and made available for use. The bicycle parking facilities shall be retained as such thereafter.

Reason: In order to ensure that the development encourages people to travel to the site by sustainable modes of transport, in accordance with policies T1 and T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

12. No part of the development hereby permitted shall be occupied until such time that the car parking areas, service yard, refuse stores and manoeuvring areas for each building are constructed and marked out in accordance with the approved details shown on the approved Site Plan and Fencing Detail plan and shall be made available for and retained thereafter for their intended purpose at all times.

Reason: In order to ensure there is adequate provision for vehicles to be parked clear of the highway, to ensure appropriate surface treatment of hardstanding areas and to ensure the suitable disposal of surface water in order to comply with policy T2 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

13. No part of the development hereby permitted shall be occupied until such time that a scheme for the installation of electric vehicle charging points for those space illustrated on the Approved Site Plan (Ref: 21157-ASA-00-ZZ.ZZ-D-A-0003 (SP-P13) with a minimum power rating of 7Kw, universal sockets and at least mode 3 or equivalent, shall be submitted to and approved in writing by the Local Planning Authority. The approved car charge point scheme shall be implemented prior to occupation of each unit.

Reason: In the interests of air quality management in accordance with Core Strategy Policy T2 and the National Planning Policy Framework

14. No part of the development hereby permitted shall be occupied until such time that the measures set out in Section 5 of the Noise Impact Assessment (ref 220785 dated June 2023) and as demonstrated on the Approved Site Plan (Ref: 21157-ASA-00-ZZ.ZZ-D-A-0003_(SP-P13) shall be installed. The approved measures shall be retained in good working order for the lifetime of the development hereby approved.

Reason: To ensure that the development does not result in undue amenity impacts to the existing or future occupiers/users of surrounding dwellings/buildings, in accordance with Policies DM1, G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

15. No part of the development hereby permitted shall be occupied (notwithstanding those details contained within Section 3 of the approved 'External Lighting Report' ('Proposed Redevelopment of the former DWP site, Heywood, Issue 6) until such time that details of any external lighting to be installed on the building or within the site are submitted to and approved in writing by the Local Planning Authority. Such details shall include its position and height on the building or site and its luminance, angle of installation and any hoods to be fixed to the lights. Only lighting as approved shall be installed on the site in accordance with the terms of any such approval. The information submitted shall include:

- Plan including contour lines
- Detail of the lantern installation criteria, mounting heights and tilts
- Light source intensity details
- Source intensity values of lighting from residential properties' rear windows facing the application site.

Reason: To ensure that any lighting to be installed on the site does not cause a nuisance to surrounding occupiers in accordance with policies P3, G9 and DM1 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

16. No part of the development hereby permitted shall be occupied until the general fencing, security fencing and acoustic fencing as indicated on the approved 'Proposed Fencing Plan' reference '0030 Revision P9' has been erected in accordance with the approved details. The structures shall thereafter be retained.

Reason: In the interests of amenity and in compliance with policies P3, G9 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

17. No part of the development hereby permitted shall be occupied until the Traffic Regulation Order (TRO) for the restriction of on street parking along the west side of Manchester Road between the intersections of Queen Elizabeth II Way and Bader Drive has been implemented.

Reason: In the interests of highway safety and the provision of safe and adequate parking, in accordance with Core Strategy Policies T1 and T2 and the NPPF.

18. Within 6 months of first occupation of each unit, a full Travel Plan, adhering to the aims, processes, measures and targets of the approved Framework Travel Plan (MRR-BWB-GEN-XX-RP-TR-004_P04), shall be

submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall contain:

- firm measures for promoting a choice of transport mode;
- specific measures to manage staff car parking
- a commitment to increase the provision of cycle parking should the uptake in cycle travel increase;
- Monitoring procedures and mechanisms to ensure that the Plan remains effective and is reviewed within a framework approved by the Local Planning Authority.
- Car park management strategy
- Additional information and instructions for HGV drivers, including but not limited to access/egress arrangements from the site, behaviour on site including avoiding use of horns, high beam lights, reversing warning alarms etc.

The development shall thereafter be occupied in accordance with the approved Travel Plan, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure that the development encourages people to travel to the site by sustainable modes of transport, minimise the risk of traffic conflicts, to ensure that the site will be provided with sufficient off-street car parking and to reduce amenity impacts caused by HGV noise/lights in accordance with policies T1, T2, G6 and DM1 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

19. The construction of the development hereby approved, including associated demolition, shall be carried out in complete accordance with the approved Construction Management Plan & Waste Management Plan (ref: 'Heywood Stores, Manchester Road' and dated October 2022)

Reason: In order to ensure that appropriate measures are put in place to limit noise, nuisance and disturbance to the occupiers of neighbouring dwellings and to protect the adjacent habitats during the construction of the development in accordance with policies G7, G9 and P3 of the adopted Rochdale Core Strategy, and the requirements of the National Planning Policy Framework.

20. No gates or fencing shall be erected on the proposed on site access road within 16.5 metres of the west edge of Manchester Road at any time, including during the demolition or construction phase.

Reason: In order to ensure highway safety and avoid the stacking of HGVs or other vehicles on Manchester Road, in accordance with policy T1 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

21. No goods, materials, waste products or containers shall be stored on land outside the buildings at any time

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity, in accordance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

22. No fixed plant shall be installed on the external fabric of the building or elsewhere within the site unless a scheme has first been submitted to and approved in writing by the Local Planning Authority. The approved plant shall be installed in accordance with the approved details and maintained thereafter.

Reason: To safeguard the amenities of residents in order to comply with the requirements of Policies G9 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

23. Noise levels from fixed plant shall not exceed 50 dB(A) Leq,1hr between 0700 and 2300 hours and 46 dB(A) Leq,15mins at any other time as measured at the façade of any noise sensitive property

Reason: In the interest of residential amenity and in accordance with Policies G9 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

24. The development hereby approved shall be carried out in complete accordance with the Management Plans as set out in the approved report 'Invasive Species Survey and Management Plan (reference 'R-EE-6197-01)

Reason: In the interest of residential amenity and to avoid contamination of any land with invasive species as identified on site.

25. The landscaping works shall be carried out in accordance with the approved scheme as set out in the approved 'Landscape Masterplan (Drawing 101 Revision R dated 29 June 2022) and the details shown on approved Planting Plans (Drawing nos. 201I to 208I inclusive)

All planting, seeding or turfing comprised within the approved scheme of landscaping shall be carried out no later than the first planting and seeding seasons following the development hereby approved being first brought into use and any trees or plants which, within a period of 5 years from the completion of the landscaping die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In order to achieve a satisfactory level of landscaping in accordance with policies DM1, G6, G7 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.



Planning and Licensing Committee

Meeting information

Date and time of meeting: Thursday, 23 November 2023 at 6.00 pm

Venue: Hollingworth ABC, First Floor, Number One Riverside, Smith Street, Rochdale, OL16 1XU

Agenda items

12. Late Report (Pages 2 - 286) – Item 6

To consider additional information concerning today's agenda items

Committee Members

Councillors S. Ahmed (Chair), Bamford, Beswick, Burke, S. Emmott, Hussain, Malcolm, Mir, O'Neill, Aiza Rashid, Rush, Sheerin, A. Smith, Winkler and Zaheer

Contact information

Contact: Fabiola Fuschi, Senior Governance and Committees Officers

Phone: 01706 924872

Email: Governance.Committees@Rochdale.Gov.UK

www.rochdale.gov.uk

Agenda Item 12

Planning and Licensing Committee

Further Update Report – 23rd November 2023

AGENDA ITEM 6 – 22/01410/FUL – Department of Work and Pensions DCS Distribution Centre, Manchester Road, Heywood, OL10 2PZ

Additional representation from Russell Homes

Multiple additional representations were received on the evening of Wednesday 23rd November 2023. These include a technical report examining viability issues which is in excess of 250 pages and a separate submission raising a number of issues relating to various alleged inaccuracies and failures of the Council to accord with lawful process or procedures. The various submissions are published in full and attached to this update report.

Response from the applicant, Trammel Crow to the additional representation

The applicant has provided a legal opinion in relation to the Council's view that they should have regard to the late representations submitted by Russell Homes. That legal view is published in full and attached to this update report.

Officer response

The Council's view is there is insufficient time for officer's to evaluate and examine the submissions made by Russell Homes and/or procure any professional advice which may be required in order to ensure that all material considerations have been given appropriate weight and considered in the overall planning balance.

With regard to the legal opinion submitted by Trammel Crow the Council's legal officer does not agree with that advice. Officers remain of the view that regard should be given to the late representations. Given the challenging timescale to review the matters raised in the objection prior to the Planning Committee it is recommended that this item be **deferred**.

Our Ref: 04B813157/RS/LS

Your Ref: 22/01410/FUL

22 November 2023

Mandy Lewis
Rochdale Borough Council
Floor 3
Number One Riverside
Smith Street
Rochdale
OL16 1XU

Dear Mandy,

**PLANNING APPLICATION REFERENCE 22/01410/FUL (TRAMMELL CROW COMPNY –
HEYWOOD STORES, MANCHESTER ROAD)**

Further to our latest correspondence on the above, namely our summary letter dated 11th October 2023, I am writing, on behalf of Russell Homes, to provide further submission in relation to the impacts that the above application will have on the wider South Heywood Masterplan.

Impact of the wider South Heywood Masterplan

As previously advised, it is our position, given that the South Heywood Masterplan area has planning permission and is an emerging allocation within the Places for Everyone Plan, which is at an advanced stage (main modifications) full weight should be attributed to any harm that the proposed development may cause on future residents and the wider delivery of the masterplan.

As evidenced in our previous objection, the proposed development would result in significant adverse impacts on the residential amenity of future occupiers of the South Heywood Masterplan, by virtue of noise and landscape and visual impacts.

With specific reference to the noise impacts, it is noted that E3P's noise assessment (previously issued on 18/10/2023 but enclosed for ease of reference) confirmed that the proposed development would require the inclusion of a significant noise buffer on the South Heywood phase 4 land (Hareshill Road North), for them to demonstrate appropriate/acceptable noise levels at reserved matters stage. This would therefore mean that a large area of the approved residential land would need to be removed, reducing the overall net developable area by circa 5.3 acres.

With reference to landscape and visual impacts, it is noted that our previously objections have noted our position that the proposed development would result in significant adverse impact on landscape features of the site and also the visual amenity of future residents. As evidenced from the enclosed Market Assessment, prepared by JLL, it is clear that the dominance of the building

across the site; the conflicting character; and the intensity of operations directly facing the proposed housing, all means that the marketability of phase 4 is affected, with JLL conclusion that sales revenues will be noticeably reduced by 8%.

As evidenced by the enclosed Financial Viability Appraisal (FVA), prepared by Knight Frank, the above impacts will result in viability concerns, in connection with the delivery of phase 4 and also have knock on affects for the whole of the South Heywood Development.

Turning firstly to phase 4, the enclosed FVA has run a number of scenarios to take account for the loss of net developable area and reduction in sales values, both in isolation and in tandem. As summarised below, the only viable scenario is the baseline scenario, with all other scenarios resulting in a significant viability deficit:

- Scenario 2 (reduction in sales values only), results in a viability deficit of **-£4,891,000**
- Scenario 3 (reduction in net developable area only), results in a viability deficit of **-£3,431,000**
- Scenario 4 (reduction in sales values and new developable area), results in a viability deficit of **-£7,401,000**

It has therefore been demonstrated that the only viable option is scenario 1, which is the baseline without any implications. Given the significant viability deficits with the other scenarios, it is clear that Phase 4 of the approved South Heywood Masterplan would not be deliverable if the proposed development at Heywood Stores is approved in its current form. This would result in the loss of up to 330 residential homes that are currently approved and deliverable, in accordance with local plan policy requirements and the emerging allocation in Places for Everyone.

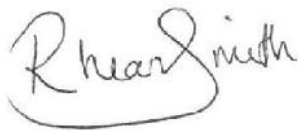
Turning to the wider implications that the loss of phase 4 would have to the delivery of the wider South Heywood Masterplan and associated S106 obligations, the following is highlighted:

- The triggers currently set out in the S106 for the school and playing pitches would not be met, which would result in the loss of these key facilities.
- There would be a deficit in the link road contributions that could not be recouped from the development.
- Bus service contributions would be undermined, and without subsidies the bus service cannot operate. Inversely, the loss of households from this phase with the associated loss of bus patronage will reduce the feasibility of the service further increasing the need for subsidy.
- Reconsideration of the local centre size and uses would need to be undertaken given the reduction in patronage.
- Reconsideration of the ManCo would be required as the service charge is based on 1,000 homes.

Based on the above and enclosed evidence, it is clear that the proposed development raises a significant conflict with the policy aspirations for the delivery of the South Heywood masterplan and the potential harm caused thereby to delivery. It is our position that the conflict with the emerging development plan proposal for South Heywood are matters, which should be given significant weight in the balance against the Trammel Crow proposal.

We would respectfully request that the above and enclosed information is considered in your assessment of the proposed development. Should you require any further details or have any queries on the information above, please do not hesitate to contact me. I look forward to hearing from you.

Yours sincerely,



Rhian Smith
Associate Director
+44 0161 956 4081
rhian.smith@avisonyoung.com
For and on behalf of Avison Young (UK) Limited

Enc.

Knight Frank Viability Impact Statement

26 September 2023

Dan Kershaw
Russell Homes
13 Westpoint Enterprise Park,
Clarence Avenue,
Trafford Park,
Manchester,
M17 1QS

Dear Dan,

RE: Heywood Stores (Trammell Crow Company) Application - Ref 22/01410/FUL & South Heywood Planning Application 16/01399/HYBR (Russell Homes)

I refer to the above and our recent conversation regarding the proposed planning application by Trammell Crow.

By way of background, Jones Lang LaSalle acted for Russell Homes during the marketing of the first housing phase of the South Heywood scheme (16/01399/HYBR), on land to the south of the new link road. This 156 unit phase was sold to Bellway in June 2022.

Accordingly, you have asked my opinion on the Heywood Stores proposals informed by our earlier agency and disposal advice following planning approval in March 2020 together with a high level market assessment.

South Heywood Urban Extension

This 320-acre urban extension to South Heywood will create new local jobs, improve accessibility to the M62 motorway and provide a range of new family homes and community facilities. The 15-year South Heywood Masterplan involves the creation of a new 2.2km link road from Junction 19 of the M62 motorway to the employment areas off Pilsworth Road. This was opened in November 2022. The masterplan will also provide up to 1,000 new family homes, including affordable houses, a new primary school, a new village retail centre, improved public transport provision, extensive public open space across the 130-hectare site and secures investments for enhanced local sports facilities.



Illustrative Masterplan

Jones Lang LaSalle Limited
Landmark, St Peter's Square
1 Oxford Street, Manchester
M1 4PB

T +44 7816 871658
E John.lafferty@jll.com
W jll.com

Proposed Applicant's Scheme

I understand that an application has been submitted to deliver up to 43,198m² (464,979 Sq Ft) of B8 employment space split across 3 units that adjoin the South Heywood site (Application - Ref 22/01410/FUL Heywood Stores). This is in the form of two smaller units with a shared party wall (**Units 1 and 2**) which have a finished floor level of approximately 129.2 metres. The ground to ridge height would be 15.4 metres.

The units would provide a total floor space of 8,224 square metres GIA and an additional 438 square metres of ancillary office space. The third unit (**Unit 3**) would have a finished floor level of 129.5 metres and the building would measure 280 metres in length and 116 metres in width. The ground to ridge height would be 17.6 metres and an eaves height generally of 16.3m. The unit would provide a total floor space of 32,527 square metres GIA and an additional 2,009 square metres of ancillary office space. It would have 35 dock access loading bays fronting west onto the approved housing scheme of the neighbouring South Heywood project.



Proposed Site Layout – drwg 21557-ASA-00-ZZ.ZZ-D-A-0003_(S3-P13)

Visual Impact

The proposed buildings are significantly larger than the existing buildings on the site which have an average height that varies between 6m-10m to ridge above ground level. However, I understand from the Application that the ground levels on the site are being raised by a further 3m, compounding the impact of the larger buildings will have on adjacent premises.

We have reviewed the LVIA prepared by Barnes Walker on behalf of Russell Homes and the independently prepared Accurate Visual Representation (AVR) visualisations of the proposed Trammell Crow development prepared by Robert Lockhart Consultants.

The views illustrate what the proposed building massing will look like when viewed from the South Heywood site to the south and west.

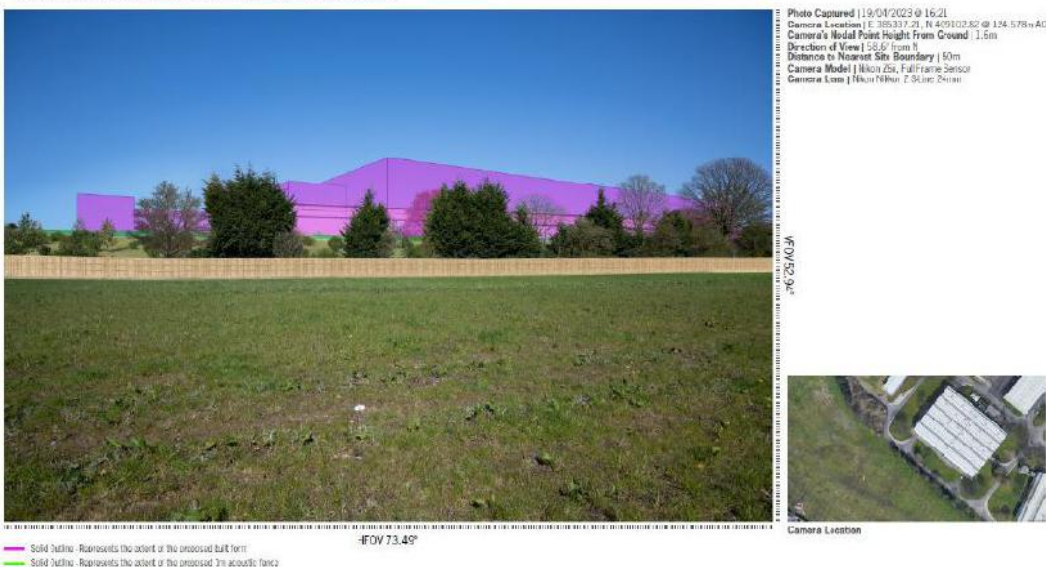
Existing Building

Viewpoint 12 | Baseline Photograph



Proposed Building

Viewpoint 12 | Proposed Development | Type 3 | AVR Level 1



Viewpoint 12 | Proposed Development | Type 3 | Illustrative Finishes



Photo Captured | 19/04/2023 @ 16:21
 Camera Location | E 385337.21, N 409102.82 @ 124.578m AGL
 Camera's Nodal Point Height From Ground | 1.6m
 Direction of View | 58.6° from N
 Distance to Nearest Site Boundary | 50m
 Camera Model | Nikon Z5ii, Full Frame Sensor
 Camera Lens | Nikon Nikkor Z S-Line 24mm

VFOV 52.94°



Camera Location

HFOV 73.45°

— Solid Outline - Represents the extent of the proposed 1m acoustic fence

Existing Building

Viewpoint 15 | Baseline Photograph



Photo Captured | 19/04/2023 @ 17:15
 Camera Location | E 384988.46, N 409186.16 @ 128.847m AGL
 Camera's Nodal Point Height From Ground | 1.6m
 Direction of View | 89° from N
 Distance to Nearest Site Boundary | 307m
 Camera Model | Nikon Z5ii, Full Frame Sensor
 Camera Lens | Nikon Nikkor Z S-Line 50mm

VFOV 26.89°



Camera Location

HFOV 39.5°

Proposed Building

Viewpoint 15 | Proposed Development | Type 3 | AVR Level 1



Viewpoint 15 | Proposed Development | Type 3 | Illustrative Finishes



Market Assessment on the South Heywood Scheme

The South Heywood project is intended to create a high-quality place with community infrastructure, including, but not limited to; a new link road, a primary school, local centre, sports pitches, public open spaces, quality homes, employment and public transport.

The proposed houses are to be built on a garden suburb style with landscaping and open space being integral components of the scheme. The mix will consist of new larger homes and the accompanying design code sets out how this will be achieved.

Demand from house builders has been based around the high-quality design set out at the masterplan stage and the levels of social and environmental infrastructure that is being proposed.

The South Heywood Phasing Plan Drawing / Rev: SP(90)119 / G shows the Hareshill Road North phase (Phase 4) delivering 330 homes and the illustrative masterplan for this phase (4846_SP(90)57 / C) shows housing directly adjacent to the boundary of the Heywood Stores site.

The proposed Heywood Stores warehouse application Ref 22/01410/FUL will have a significant impact on the neighbouring phases to the south and the west. Specifically Phase 6 (Hareshill Road 61 units); Phase 5 (Hareshill Central 101 units) and Phase 4 (Hareshill Road North 330 Units).

The proximity of the proposed Heywood Stores scheme to Phase 4 (Hareshill Road North 330 Units) will have the most significant impact. The proposed buildings will be visible from the link road and the site entrance, as the detailed verified images clearly show. This large industrial warehouse is not compatible with a high value housing scheme. It will create real and perceived operational issues associated with the light and noise from HGV's accessing the loading bays that front out onto the residential site.

A scheme of this nature, will operate 24 hours a day, seven days a week, and should not be proposed and built out this close to a sensitive receptor such residential use. The proposed warehouses are vast and imposing, which will impact on the general visual amenity of housing on this site. With 35 HGV loading bays facing onto the site this would adversely impact the amenity of new housing, and would create visual, highways and noise issues that cannot be mitigated against.

The scale, massing and operation of the proposed development is not contextual and would dominate and dwarf existing and proposed housing. I understand that technical consultants acting on behalf of the Council, have also raised major issues with the scale, massing and height of development and its impact on the area.

Summary

The size of the proposed Heywood Stores building leads to a greater height and massing, and thus a more harmful visual impact. The size also directly correlates to operational intensity with the activity and impact facing out onto the approved Phase 4 housing scheme.

There will be both a perceived and real impact from the proposed Heywood Stores application. The buildings will be visible from the link road highway and the entrance to the Phase 4 site. This will be particularly worse for residential units which back on to the site.

Matters around noise, highways and design/visual impact will prejudice sales and homeowner demand.

Yours sincerely



John Lafferty
Director - Planning & Development

Viability Impact Statement

Land at Hareshill Road North, South Heywood

Prepared on behalf of Russell Homes UK Limited
Report date: 16 November 2023

Russell Homes UK Limited

For the attention of Mr Thomas Relph
Russell Homes UK Limited

13 Westpoint Enterprise Park,
Clarence Avenue,
Trafford Park,
Manchester, M17 1QS

Email: trelph@russellhomes.com

Tel: +44 161 868 4326.

Date of issue: 16 November 2023

Dear Sirs

Land at Hareshill Road North, South Heywood - Viability/Deliverability Impact Statement October 2023

Further to your instructions, this viability impact statement is prepared to demonstrate the impact the Heywood stores planning application Ref 22/01410/FUL on the Hareshill Road North residential phase of the approved South Heywood masterplan.

Signed for and on behalf of Knight Frank LLP

A handwritten signature in black ink, reading "C. Harrison".

Chris Harrison MRICS

RICS Registered Valuer

Partner, Residential Development & Investment,
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Appendices

	Noise Impact Assessment by E3P October 2023
	Market Impact Response from Jones Lang LaSalle November 2023
	Baseline Viability Appraisal by Knight Frank LLP
	Scenario 2 Viability Appraisal by Knight Frank LLP
	Scenario 3 Viability Appraisal by Knight Frank LLP
	Scenario 4 Viability Appraisal by Knight Frank LLP
	Hybrid Planning Permission 16/01399/HYBR Committee Report

1. Introduction and Purpose

1.1 This Viability/Deliverability Impact Statement (herein referred to the 'Statement') sets out the impact that the proposed Heywood Stores planning application (Application Ref. 22/01410/FUL) will have upon the viability and future deliverability of the Hareshill Road North development parcel (herein referred to as 'HRN'), and the wider approved South Heywood Development (Application Ref. 16/01399/HYBR). It is supported by evidence from:

- Appendix 1: Noise Impact Assessment by E3P October 2023
- Appendix 2: Market Impact Response from Jones Lang LaSalle November 2023
- Appendix 3: Baseline Viability Appraisal by Knight Frank LLP
- Appendix 4: Scenario 2 Viability Appraisal by Knight Frank LLP
- Appendix 5: Scenario 3 Viability Appraisal by Knight Frank LLP
- Appendix 6: Scenario 4 Viability Appraisal by Knight Frank LLP
- Appendix 7: Hybrid Planning Permission 16/01399/HYBR Committee Report

2. Background

South Heywood Development

- 2.1 Russell Homes are currently delivering the first phases of the South Heywood scheme which was approved for planning in March 2020 (16/01399/HYBR).
- 2.2 This 320-acre urban extension to South Heywood will create new local jobs, improve accessibility to the M62 motorway and provide a range of new family homes and community facilities. The South Heywood Masterplan involves the creation of a link road from Junction 19 of the M62 motorway to the employment areas off Pilsworth Road. This was opened in November 2022. The masterplan will also provide up to 1,000 new family homes, including affordable houses, a new primary school, a new local retail centre, improved public transport provision, extensive public open space across the 130-hectare site and secure investments for enhanced local sports facilities.
- 2.3 As part of the Very Special Circumstances justified in releasing this former Green Belt site for development, a Design Code was prepared which raised the urban and architectural design expectations of the site, and required the provision of 4 and 5 bedroom homes. This was something that Rochdale Council were keen to pursue, in order to ensure a transformational development comes forward, which offers a housing quality, mix and profile to compete with other Boroughs.
- 2.4 The approved South Heywood Phasing Plan (Appendix 1) shows the HRN residential development parcel being 330 dwellings. This equates to a net development area of approximately 26.54 acres and a density of 12.4 units/acre.

Heywood Stores Application

- 2.5 The proposed Heywood Stores application (Ref: 22/01410/FUL) is for:
“Redevelopment of site comprising the demolition of all existing units and erection of new storage and distribution units (Use Class B8) with ancillary office space, vehicular, pedestrian and cycle access, external yards, parking, landscaping and associated works.”
- 2.6 For clarity, the Heywood Stores Site abuts the eastern edge of HRN.
- 2.7 This Statement specifically consider impacts of noise (refer to Appendix 1) and visual impact/operations of the development upon the sale and marketability of HRN (refer to Appendix 2).

Noise Impact upon HRN

- 2.8 Russell Homes have submitted objections on noise to the Council. These raised concerns with the submitted noise report prepared by BWB on behalf of the applicant and identified a number of flaws within the applicant's noise assessment, which were not picked up by the EHO consultee comments.

- 2.9 More recently, a noise assessment model (October 2023) has been prepared by E3P, on behalf of Russell Homes, and accompanies this Statement at Appendix 1. This demonstrates that Russell Homes' previous concerns are founded as the Trammel Crow proposals will result in unacceptable noise impacts. A summary of the key matters in the report is provided below:
- E3P undertook its own background noise survey in May 2023, and found that the background noise levels to be lower than those stipulated by BWB (Trammel Crow's noise consultant), by as much as 1-5dB.
 - This E3P Noise Impact Assessment model is informed by the Heywood Stores' Application parameters.
 - The E3P Assessment shows that proposed noise levels exceed levels deemed acceptable at the housing receptors.
 - The degree of adverse noise encroachment into the Russells' approved housing site and existing housing, is stark. As demonstrated at Figures 1 and 2, large swathes of the west and southern boundaries of the Russell Homes' site are impacted.
 - The proposed mitigation measures have been evidenced to be insufficient for day and night time noise.
 - Noise from the site would have an unacceptable adverse impact at existing and proposed receptors.
 - Fundamental changes to the design of the application will be required, such is the limited protection the noise mitigation provides to housing receptors.
 - If the application was approved in its current form, then it would be physically impossible for Russells' approved housing to achieve acceptable noise standards.
 - Large areas of the Russells' site would be undeliverable, with large numbers of housing being lost.
- 2.10 Reference should be made to this E3P Report.
- 2.11 These adverse impacts are to such an extent that they would render some of the adjacent South Heywood scheme undevelopable for the approved residential use. The plans below show the impact.

Plan 1: show the original Illustrative Masterplan that formed part of the Hybrid Application 16/01399/HYBR



Plan 2: shows the noise model and the extent of unacceptable noise impact, which cannot be mitigated from within the Russell Homes site.



Plan 3: the revised illustrative masterplan, and extent of non-developable area (green shaded area), resulting in the loss of a minimum of 66 units.



- 2.12 As shown above, following E3P's robust noise assessment, and based upon the current proposals for Trammel Crow's Heywood Stores site, this development would mean the loss of approximately 5.3 acres of developable land the HRN development parcel.
- 2.13 The loss of 5.3 acres of developable land will result in a minimum loss of 66 units from this part of the Masterplan. This is based upon the average densities of 12.4 units per acre, already being adopted as part of the consented Reserved matters applications at Hareshill Road (Russell Homes) Anwyl (Manchester Road East) and Bellway (Manchester Road West). These densities are what the Council considers is acceptable.
- 2.14 The Heywood Stores development would mean the loss of a minimum of 66 units as a result of Noise Impact; therefore, this means that Russell Homes would only be able to deliver a quantum of 264 units.

Impact on HRN Sales

- 2.15 In addition to the noise impact on HRN, there are also Sales and Market considerations. Should the Heywood Stores application be approved at the proposed floor levels and building heights being proposed, then this would result in a significant adverse impact upon the HRN development parcel.
- 2.16 Not only this, but HRN will be sandwiched between two logistics areas, with Axis Point to the West and Heywood Stores to the East. Whilst this was always the case, the intensity and scale of the Heywood Stores development proposals would substantially increase from what is currently operating the landscape screening would be lessened; and the development's scale, height and massing would be substantially greater. This would create a development that is out of scale with the local area, being more prominent.

This would significantly undermine the residential character and sense of place being sought by Russell Homes on this part of the South Heywood masterplan, where a new residential neighbourhood has been approved by the Council.

- 2.17 The verified views below and overleaf, demonstrate the long and medium views of the development across the site. View 12 is close to the entrance of the site, some 50m from the site boundary.

Viewpoint 12 | Proposed Development | Type 3 | Illustrative Finishes



HFOV 73.49°

Viewpoint 15 | Proposed Development | Type 3 | Illustrative Finishes



- 2.18 The dominance of the building across the site; the conflicting character; and the intensity of operations directly facing the proposed housing, all means that the marketability of HRN is affected, with sales revenues being noticeably reduced. This view, is supported by an independent national agent Jones Lang LeSalle (JLL) (See Appendix 2), who confirm that the likely impact on overall open market sale values of the proposed dwellings at HRN, could be up to 10% due to the negative impact of the Trammel Crow development.
- 2.19 JLL and Knight Frank both conclude that without the impairment of the Trammel Crow Development, open market sale values would be in the order of £325 psf (blended across the entire scheme). The 8% impairment to values as a consequence of the Trammel Crow development reduces the blended open market sales value to £300 per sq.ft.
- 2.20 Therefore, should the Heywood Stores Application be approved, there will be an impact upon the sales revenue and sales rates, even before taking into account the lost homes due to the noise impact, covered above.
- 2.21 In line with the RICS Professional Statement 'Financial Viability in Planning- Conduct and Reporting (1st Edition 2019), we provide below an executive summary showing the results of the Financial Viability Assessment (FVA).
- 2.22 This Executive summary is a brief overview of our FVA and must not be relied upon in isolation. It is intended to be read in conjunction with the whole report and is subject to any assumptions, caveats and comments stated within the body of this report.

3. Baseline Viability Position

- 3.1 In accordance with the signed Section 106 for the South Heywood Development, all residential reserved matters approvals require a Financial Viability Appraisal (FVA) to be submitted to demonstrate whether or not affordable housing can be delivered for that specific Reserved Matter Approval.
- 3.2 Knight Frank LLP have been instructed to provide Financial Viability Appraisals for the first 3 Reserved Matters Approvals submitted by Russell Homes and approved by the Council.
- 3.3 As part of the approval of the first 3 Reserved Matters approvals, key principles of the FVAs were approved and agreed. These were:
- Benchmark Land Value of £400,000 per acre; and,
 - Developers Profit at 20% of GDV
- 3.4 Taking the above principles as agreed, for the HRN development phase, the Benchmark Land Value is £400,000 multiplied by the Net Acreage for this parcel, which is 26.54 Acres. This creates a benchmark land value of £10,616,000.
- 3.5 As set out above, HRN is anticipated to deliver 330 Dwellings at 12.4 units per acre, in alignment with the approved phasing plan. The HRN viability baseline appraisal (Appendix 3) includes all abnormal costs, Section 106 contribution, the latest RICS Build Costs and agreed percentage to all other fees (professional, legal, etc) and an agreed developer profit of 20% to create a land value of £10,680,000 at £402,400 per acre.
- 3.6 This rate is therefore above the agreed benchmark land value of £400,000 per acre. and demonstrates that HRN is a viable and deliverable development parcel.

4. Impact on HRN's Viability

4.1 Any impact on the quantum of development will have a significant impact upon the viability and deliverability of HRN. To highlight this impact, we have run three viability positions (at Appendix 4, 5 and 6) to show the significant impact on viability/deliverability to reflect the loss of value and units as a consequence of the Trammel Crow development (the position reflects the noise and sales impacts already noted earlier in this statement).

4.2 For completeness, please see overleaf a summary table of the each of the viability positions.

Table 1: HRN Viability Summary

Viability Appraisal	Land Value	Viability Deficit	Viable
Benchmark Land Value based at 26.54 Net Acres	£10,616,000	-	-
Baseline Scenario 330 units at £325 per sq ft	£10,680,000	£64,000	Yes
Scenario 2 330 units at £300 per sq ft	£5,725,000	-£4,891,000	No
Scenario 3 264 units at £325 per sq ft	£7,185,000	-£3,431,000	No
Scenario 4 264 units at £300 per sq ft	£3,215,000	-£7,401,000	No

4.3 The below sets out how each viability appraisal has been reached.

- Scenario 2: The impact of reducing the sale values by 8% from a blend of £325 per sq.ft to £300 per sq.ft reduces the residual land value to **-£4,891,000**. (See Appendix 4)
- Scenario 3: When applying the loss of 66 units to this specific phase principally due to the loss of developable area as a result of noise impact constraints. This is does not include the loss in sales revenue and the inclusion of additional landscaping mitigation required to address the Heywood Stores proposal, this creates a deficit position against the agreed benchmark land value of **-£3,431,000**. (See Appendix 5).
- Scenario 4: When applying the loss of 66 units, and a reduction in sales revenue (from £325 per sq ft to £300 per sq ft in accordance with the 8% value impairment) and sales rates, and the conclusion of additional landscaping mitigation then the viability deficit increases further to **-£7,401,000**. (See Appendix 6).

4.4 Any of the above land values are below what a reasonable landowner would expect as a reasonable return and as such would not release their land for development. Not only this, but no developer would pursue a development at such deficits, the land cannot be sold on this basis, nor can it be developed as such margins.

- 4.5 The consequence of this is a loss of much needed housing on this one particular phase could have wider impact on the overall deliverability of the South Heywood masterplan. Therefore, in summary based on the above evidence of noise impact and loss in sales revenue HRN would not be viable and could not be delivered.

5. Impact Upon the Wider South Heywood Masterplan's Viability

- 5.1 The above evidence demonstrates that the Heywood Stores proposal would impact the developable area of the HRN development parcel to the extent that this Phase would prove unviable and therefore undeliverable. This would have a significant cascading effect on the viability of the entire remaining delivery of the South Heywood masterplan.
- 5.2 Whilst the loss of 66 units in one phase may be perceived to be a minor loss against the wider approved 1,000 units, this statement demonstrates that by reducing the number of plots on the HRN phase from 330 to 264 renders the entire development phase as unviable and undeliverable. The subsequent effect is the impact of a 330 unit loss against the 1,000 unit approved masterplan which will threaten the deliverability of wider South Heywood masterplan.
- 5.3 To confirm this cascading effect, as part of the FVA discussions to support the South Heywood development (16/01399/HYBR), the Council undertake a Sensitivity analysis around the quantum of development, at the time the application was determined. The Council's Independent Expert and Officer agreed with and which fundamentally informed the overall level of housing to be approved.
- 1,100 units – Viability surplus
 - 1,000 units – Balanced Position
 - 900 units – viability deficit
 - 700 units – viability deficit
 - 500 units – viability deficit
- 5.4 This sensitivity analysis and viability position was noted and presented to members in the Council's Officers Committee Report which states:
- 5.5 "A number of viability assessments and sensitivity checks have been submitted to demonstrate that a maximum of 1000 houses are needed to provide the shortfall in the funding for the construction of the proposed highway."
- 5.6 As can be seen from the above, any loss of units has a significant impact on the wider South Heywood Development. Therefore, the loss of the HRN development parcel has significant implications on the viability of the wider development and significant restricting of the planning obligations approved would need to be undertaken to ensure the development remains viable.
- 5.7 This would mean the loss of key social infrastructure contributions towards Education, Play Space, Formal Pitches and social amenities that were due to be delivered in the Local Centre Area. It would also result in a shortfall in the link road S106 financial contributions.

6. Conclusion

- 6.1 The wider South Heywood Development was approved on very finely balanced position of viability, and approved by the Council on this basis, following scrutiny by the Council's Independent experts and Officers.
- 6.2 Since 2020, Russell Homes in collaboration with the Council and other stakeholders have already delivered the key strategic link road, started to deliver the first tranche of high-quality homes (with 338 homes approved through Reserved Matters), and key service infrastructure.
- 6.3 The impact on sales and development quantum, of the Heywood Stores Application, renders the HRN development phase undeliverable and unviable. This has been robustly evidenced, using a benchmark position previously scrutinised and agreed by the Council, together with evidence from Knight Frank and Jones Lang-LaSalle. This unequivocally shows that the viability impact would be stark. It has been presented that in turn this would undermine the whole of the South Heywood masterplan, resulting in the loss of the new primary school, sports pitches and other open spaces, whilst also undermining the ability to deliver the Malmanagement Company and size of local centre currently envisaged. There would also be a shortfall in the link road financial contribution.
- 6.4 In short, the Heywood Store application puts the delivery of the South Heywood Scheme at risk as it significantly compromises the delivery of the HRN phase from a viability and deliverability position.

Appendix 1 Noise Impact Assessment by E3P October 2023

Ref: 50-767-R3-3
Date: 12th October 2023

Gary Lynch
RUSSELL HOMES (UK) LTD
13 Westpoint Enterprise Park
Clarence Avenue
Trafford Park
Manchester
M17 1QS

BY Email

Dear Gary,

NOISE IMPACT ASSESSMENT

22/01410/FUL TRAMMEL CROW COMPANY – HEYWOOD STORES

1. EXECUTIVE SUMMARY

Russell Homes have raised a number of concerns to the Council over the last several months, with regards noise; and note that noise consultee comments pre-date the objections previously made.

In response, Russells have instructed E3P to prepare this Noise Impact Assessment, to model the impacts of the proposed Trammel Crow development, on surrounding housing receptors, should the application be approved in its current form.

This makes for compelling reading and highlights that Russells were indeed absolutely resolute in having these concerns. The principal outputs of note, include:

-  E3P undertook its own background noise survey in May 2023, and found that the background noise levels to be lower than those stipulated by BWB (Trammel Crow's noise consultant) , by as much as by 1-5dB.
-  This latest E3P Technical Noise Impact Assessment model is informed by the Heywood Stores' Application parameters.
-  The E3P Assessment shows that proposed noise levels exceed levels deemed acceptable at the housing receptors.
-  The degree of adverse noise encroachment into the Russells' approved housing site and existing housing, is stark. As demonstrated at Figures 1 and 2, large swathes of the west and southern boundaries of the Russells site are impacted.

Noise Impact Assessment

Trammel Crow Company – Heywood Store 22/01410/FUL

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-  The proposed mitigation measures have been evidenced to be insufficient for day and night time noise.
-  Noise from the site would have an unacceptable adverse impact at existing and proposed receptors.
-  Fundamental changes to the design of the application will be required, such is the limited protection the noise mitigation provides to housing receptors.
-  If the application was approved in its current form, then it would be physically impossible for Russells' approved housing to achieve acceptable noise standards.
-  Large areas of the Russells site would be undeliverable, with large numbers of housing being lost.
-  For these reasons, there are strong technical noise grounds to refuse application 22/01410/FUL.

2. BACKGROUND & OBJECTIVES

E3P have previously completed a technical review of the Noise Assessment works completed for and accompanying the planning application for the redevelopment of site comprising the demolition of all existing units and erection of new storage and distribution units (Use Class B8) with ancillary office space, vehicular, pedestrian and cycle access, external yards, parking, landscaping and associated works on land at the Heywood Store site off Manchester Road in Heywood OL10 2PZ. An objection has been lodged by Russell Homes (UK) Ltd against this application (22/01410/FUL) and that this technical document will be submitted to support this.

The following provides a list of objections which cover noise, which have been issued to the Council by Russell Homes:

- ✿ Letter dated 13th January 2023 - raised concerns in regard to the fallback position, Highways, Design Matters, Design Inaccuracies, Privacy and Overlooking, Visual Impact, Noise and Landscaping.
- ✿ Letter dated 26th April 2023 - raised concerns in regard to Design, LVIA, Privacy and Overlooking, Noise, Trees, Daylight & Sunlight and External Lighting.
- ✿ Letter dated 4th May 2023 - raised concerns regarding proposed operating hours.
- ✿ Letter dated 21st July 2023 - raised further concerns in regard to noise impacts.

The above were accompanied by E3P Technical Documents as follows:

- ✿ Technical Review of Noise Assessment (50-767-R1-5) dated 6th July 2023.
- ✿ Baseline Noise Survey (50-767-R2-3) dated 18th July 2023.

E3P note that the Council's Environmental Health Officers (Noise) consultee comments pre-date these objections listed. Accordingly, Russells have raised concerns with Planning Officers that these objections have not been considered by the EHO.

Russells and previous Planning Officers have sought confirmation from the EHO on the above, but without a response. As such, E3P have prepared this Technical Note to demonstrate the impact of the development on Russells approved housing, should App 22/01410/FUL be approved.

This technical document reviewed the information submitted as part of the application, specifically in relation to noise. The following documents have been reviewed:

- ✿ Noise Impact Assessment dated October 2022 and produced by BWB.
- ✿ Transport Assessment dated October 2022 and produced by BWB.
- ✿ Proposed Site Plan (21157-ASA-00-ZZ.ZZ-D-A-0003_(S3-P7)) dated 14th October 2022.
- ✿ Existing and Proposed Site Sections 2 of 2 (21157-ASA-00-ZZ.ZZ-D-A-0005_(S3-P6)) dated 7th October 2022.

Since the initial review, E3P understand that the application has been amended and an updated Noise Impact Assessment has been submitted, as follows:

- ✿ Noise Impact Assessment dated 14th March 2023 and produced by BWB.

Noise Impact Assessment

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E3P have reviewed the updated Noise Impact Assessment above and can confirm no material change to the assessment or report itself. Accordingly, all findings within the E3P Technical Note are considered valid.

Multiple points of note were raised in the assessment of noise and its potential impact on existing and proposed receptors and whether the worst-case operation of the site had been undertaken. As such, E3P have conducted a BS142 noise impact assessment for the proposed Trammel Crow Site upon existing and proposed receptors with allowance for the omissions in the BWB report and lack of worst-case assessment. As such, E3P have made reasonable assumptions and drawn on the information used by BWB and provided by the client.

It has been undertaken by Lee Faulkner, Associate Director at E3P, who holds the Post Graduate Diploma in Acoustics and Noise Control and is a full member of the Institute of Acoustics (MIOA) and the Institute of Environmental Science (MIEnvSci). I have over 12 years' experience in the measurement and assessment of noise and vibration for various clients, sites, and applications.

3. ASSESSMENT METHODOLOGY

3.1. BS 4142: 2014+A1:2019 'METHODS FOR RATING AND ASSESSING INDUSTRIAL AND COMMERCIAL SOUND'

This standard describes methods for rating and assessing sound of an industrial or commercial nature which includes:

- ✿ Sound from industrial and manufacturing processes.
- ✿ Sound from fixed installations which comprise mechanical and electrical plant and equipment.
- ✿ Sound from the loading and unloading of goods and materials at industrial and / or commercial premises; and
- ✿ Sound from mobile plant and vehicles that is an intrinsic part of the overall sound emanating from processes or premises, such as that from forklift trucks, or that from train or ship movements on or around an industrial or commercial Site.

The procedure detailed in the standard compares the measured or predicted specific noise level from any of the above with the background sound level at a residential dwelling. The measured background sound level at a receptor should be reliable and should not necessarily ascertain a lowest measured background sound level, but rather to quantify what is typical.

The specific noise level also acknowledges the reference time intervals depending upon whether the noise source operates during daytime (1-hour) or night-time (15-minute) periods.

There are several 'penalties' which can be attributed to the specific sound level depending upon the 'acoustic features' of the sound level under investigation as follows:

Tonality

- ✿ +2 dB: where the tonality is just perceptible.
- ✿ +4 dB: where the tonality is clearly perceptible; and
- ✿ +6 dB: where the tonality is highly perceptible.

Impulsivity

- ✿ +3 dB: where the impulsivity is just perceptible.
- ✿ +6 dB: where the impulsivity is clearly perceptible; and
- ✿ +9 dB: where the impulsivity is highly perceptible.

Intermittency

- ✿ +3dB: where the intermittency is readily distinctive against the acoustic environment.

In addition to the above, there is a penalty for 'other sound characteristics' of +3 dB where a sound exhibits characteristics that are neither tonal nor impulsive, though are readily distinctive against the acoustic environment. BS 4142 goes on to state that the rating level is equal to the specific sound level if there are no such features present or expected to be present.

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Assessment of the rating level relative to the background sound level can yield the following commentary:

-  Typically, the greater this difference (between the rating level and the background sound level), the greater the magnitude of impact.
-  A difference of around +10 dB or more is likely to be an indication of a significant adverse impact, depending on the context.
-  A difference of around +5 dB is likely to be an indication of an adverse impact, depending on the context; and
-  The lower the rating level is relative to the measured background sound level, the less likely it is that the specific sound source will have an adverse impact. Where the rating level does not exceed the background sound level, this is an indication of the specific sound source having a low impact.

It is common that a Local Planning Authority (LPA) will specify their own criterion and, where this is the case, this criterion will usually take precedence over a simple comparison of the rating level against the background sound level.

4. BASELINE NOISE LEVELS

In light of queries raised on the BWB survey results, E3P have conducted a full weekday and weekend background and ambient sound survey, between Thursday 29th June and Monday 3rd July 2023, in a position representative of the proposed residential receptors along the proposed southern, south western and western boundaries. The results and discussion of which is shown in the Technical Note produced by E3P (50-797-R2-3).

Table 3.1 below compares the measured values with BWB.

TABLE 3.1 COMPARISON OF E3P AND BWB MEASURED VALUES

DATE	ASSESSMENT PERIOD	E3P AVERAGE MEASURED BACKGROUND SOUND LEVEL, $L_{A90,T}$ (dB)	BWB AVERAGE MEASURED BACKGROUND SOUND LEVEL, $L_{A90,T}$ (dB)	DIFFERENCE, +/- (dB)
Thursday	Day	46	No data	-
	Night	45	46	-1
Friday	Day	52	54	-2
	Night	46	48	-2
Saturday	Day	50	50	0
	Night	43	48	-5
Sunday	Day	50	53	-3
	Night	46	49	-3

As can be seen, all periods measured by E3P, except Saturday day, resulted in a lower measured background sound level by between 1 and 5 dB. A difference of up to 2 dB is likely to be expected with differing conditions, however, anything more than that would suggest a change in sources, adverse weather at the time of the survey or other factors.

Furthermore, when assessing potential commercial sound, receptors to the south of Trammel Crow, bounding the site are subject to higher background sound levels. However, this is based on an unobstructed line of sight to the Link Road. Once constructed, the client's housing plots, which back on to the Trammel Crow Heywood Stores Site, particularly the rear gardens and rear facades facing Trammel Crow would be subject to lower background sound levels than measured here as the houses would create a barrier to noise from the link road.

As such, the measured values to the north have been applied to all receptors, specifically 42 dB during the day and 40 dB during the night to replicate fully shielded facades and gardens from road traffic sound. At these distances, as measured, the main background sound source will be the M62 which is equidistant for all plots.

5. NOISE IMPACT ASSESSMENT

This assessment has made assumptions on the sources of sound relating to the development, based on information within the BWB report and E3Ps experience, to predict the noise level impact on the existing closest residential dwellings during the daytime and night-time periods. At this stage, it is assumed that all units will operate 24/7. No operator has been linked to the operation of the site, and thus the type and intensity of the B8 logistic use is unknown. Accordingly, a worst-case operational positions can only be applied to this assessment and by the EHO/Rochdale Council Planning Officers.

With regard to assumptions for the assessment, the following has been considered for the full planning application aspects:

- ✿ Ground elevations have been taken as existing by way of a 2 m grid Digital Terrain Model (DTM) which contains public sector information licensed under the Open Government License v3.0.
- ✿ The daytime period has been assessed between the hours of 07:00 to 23:00. For the assessment, BS 4142:2014+A1:2019 has been used to determine the likelihood of adverse impact within the garden areas over a reference time period of 1 hour.
- ✿ The night-time period has been assessed between the hours of 23:00 and 07:00 for a reference time period of 15 minutes.
- ✿ All proposed mitigation measures, as noted in the BWB report and on barrier details on drawings, are included in the model as the baseline scenario.
- ✿ 100% Bay utilisation during the day and night is assumed as there are no planning conditions restricting activity.
- ✿ All HGV parking bays utilised during the day and night.
- ✿ 50% utilisation of the car park during the day in an hour and during the night in 15 minutes.
- ✿ HGV movements on the road are as per BWB assumptions which equates to 1 HGV movement along the road every minute during the day and during the night.
- ✿ Noise breakout from the façades of the proposed units has been input into the model as vertical area sources; and
- ✿ No soft ground attenuation has been applied.

At this stage, the exact noise sources for the proposed development are not known. As such, the only viable sources that can be modelled, in addition to the proposed HGV loading and unloading activities are breakout noise and car park usage.

With regards to B8 usage, this is generally industrial in nature and there could be any noise source associated with this, but all operations not assessed here or advised upon would be internal only. Given that a minimum sound reduction of 31 dB is expected for a typical industrial building facade and that it is highly unlikely that internal operations at any unit would exceed 80 dB inside, external noise levels at the facades are expected to be, at most, 43 dB radiating from the façade itself. Roller shutter entrances are assumed to be open with a vertical area source sound power level of 74 dB. A simple equation of Sound pressure level outside = Sound pressure level inside – Sound Reduction Index (SRI) of building envelope – 6 dB for diffuse field to free-field correction.

For the BS 4142:2014+A1:2019 assessments, penalties are applied to the specific sound level in order to provide the rating level. These penalties relate to the acoustic features of the sound source. Upon review of the BWB report, only a 3 dB correction was applied to the sources. E3P would argue that reverse alarms to the loading bays and parking spaces would have just perceptible tones at + 2 dB. As such, this is applied to the relevant areas with +3 dB applied to the loading activities. Accordingly, the output from the noise model is the Rating Level.

5.1. DAYTIME ASSESSMENT

Table 4.1 details the resultant rating level at each receptor, output from the model. The grid noise map can be seen in Figure 1 of Appendix I.

As discussed, the lowest average background sound level is applied, in this case 42 dB, to all receptors. This informs a worst-case assessment. Levels correspond to worst case garden noise levels.

For AL2 and AL5 for the proposed receptor locations, noise levels along the respective boundaries are used rather than a single point.

TABLE 4.1 BS 4142:2014+A1:2019 ASSESSMENT – DAYTIME – WITH MITIGATION

RECEPTOR	CALCULATED RATING LEVEL, $L_{A,r}$ (dB)	BACKGROUND SOUND LEVEL, $L_{A90,1hr}$ (dB)	CRITERION, $L_{A,r} = L_{A90}$ (dB)	DIFFERENCE +/- (dB)
AL1	41	42	42	-1
AL2	44-46	42	42	+2 to +4
AL3	45	42	42	+3
AL4	46	42	42	+4
AL5	41-43	42	42	-1 to +1

Table 4.1 indicates that the predicted rating level exceeds the background sound levels at all but AL1. This is in direct contrast to the outcome of the BWB assessment which found no exceedance at any receptor.

As such, the proposed mitigation measures are not considered sufficient and noise from the site would have an unacceptable adverse impact at existing and proposed receptors. The noise encroachment on existing and proposed housing is clear to see at Figure 1 below.

This could lead to complaints by residents, particularly at existing receptors, or the loss of units and redesign of the Russells site potentially rendering their development unviable. Russells would not be able to mitigate against such noise source (nor should they). Instead, all noise mitigation must form part of the application (22/01410/FUL). This cannot currently be demonstrated by application contrary to the BWB assessment.

5.2. NIGHT-TIME ASSESSMENT

Table 4.1 details the resultant rating level at each receptor, output from the model. The grid noise map can be seen in Figure 1.

As discussed, the lowest average background sound level is applied, in this case 42 dB, to all receptors. This informs a worst-case assessment. Levels correspond to worst case garden noise levels.

For AL2 and AL5 for the proposed receptor locations, noise levels along the respective boundaries are used rather than a single point.

TABLE 4.2 BS 4142:2014+A1:2019 ASSESSMENT – NIGHT-TIME – WITH MITIGATION

RECEPTOR	CALCULATED RATING LEVEL, $L_{A,r}$ (dB)	BACKGROUND SOUND LEVEL, $L_{A90,15mins}$ (dB)	CRITERION, $L_{A,r} = L_{A90}$ (dB)	DIFFERENCE +/- (dB)
AL1	37	40	40	-3
AL2	44-48	40	40	+4 to +8
AL3	43	40	40	+3
AL4	44	40	40	+4
AL5	40-45	40	40	0 to +5

Table 4.2 indicates that the predicted rating level exceeds the background sound levels at all but AL1. This is in direct contrast to the outcome of the BWB assessment which found no exceedance at any receptor.

As such, the proposed mitigation measures are not considered sufficient and noise from the site would have an unacceptable adverse impact at existing and proposed receptors.

This could lead to complaints by residents, particularly at existing receptors, or the loss of units and redesign of the Russells site potentially rendering their development unviable.

This is particularly pertinent at night when residents can be disturbed whilst asleep. Indeed, internal noise levels at the worst-affected receptors could be up to 32 dB inside with windows open which exceeds the 30 dB criterion given in BS 8233.

[illegible]

Client:
Russell Homes

Rating Level,
LA,r (dB)

... <= 42.0

42.0 < ...

Noise Map Objects

-  Point Source
-  Line Source
-  vert. Area Source
-  Road
-  Parking Lot
-  Building
-  Barrier
-  Building Evaluation
-  Calculation Area



Project Engineer: L Faulkner
Date: 12/10/2023

Figure 2 - Night-time Grid Noise Map - Calculation at 4m above ground level



6. CONCLUSION

As shown in the assessments allowing for all reasonable noise sources at the development, the proposed development, even with considerable mitigation, results in an adverse impact at existing and proposed receptors during daytime and night-time periods.

For existing receptors, only additional on-site mitigation would be possible in order to control noise levels to an acceptable level. However, considering the additional reduction of 4 dB needed at ground and first floor levels, the mitigation would need to be significant and likely unviable at a boundary close to residential receptors.

With regards to proposed receptors, the implementation of additional measures on site is even more constrained given the already sizeable and visually obtrusive measures proposed. Indeed, the 5 m high barrier at the service yard would bring the resultant source level to that height so any measures at the residential development would be eclipsed by this and rendered ineffective. Indeed, an additional model was run with the primary barrier increased from 5 m to 6 m and the benefit was zero to minimal as the barriers currently proposed are likely reducing noise levels as far as practicable possible.

Figures 1 and 2, show the significant noise encroachment into the approved Russell Homes site. without appropriate mitigation, Russells would have to remove large areas of approved housing, as it would be physically impossible for them to achieve acceptable noise standards across their development. Fundamentally, Russells should not have to mitigate any adverse noise levels generated by this proposed development. All mitigation should be employed within the demise of the Heywood Stores Application site. Fundamental changes to the design and mitigation of the Trammel Crow application is required.

It is deemed that noise from the Trammel Crow Site, in its current form, could not be suitably mitigated in order to achieve acceptable levels of noise at existing and/or proposed receptors. Indeed, background sound levels are expected to be exceeded at most receptors surrounding the site, day and night, and internal noise levels at night are exceeded for the closest existing and proposed receptors, potentially leading to sleep disturbance from the activities on site.

For the reasons set out in this Noise Impact Assessment, there are strong technical noise grounds to refuse the Trammel Crow application.

I trust the report is clear and concise but please do not hesitate to contact me should you require further information. Russells have requested feedback from the EHO (noise) for several months. Russells would require confirmation that the EHO have been provided with this and previous objections on noise. Any consultee response from the EHO should provide a response to each of these points.

Yours sincerely,
For and on behalf of E3P Ltd

Lee Faulkner
Associate Director



LEE FAULKNER

Curriculum Vitae

POSITION

Associate Director

QUALIFICATIONS

BSc (Hons), PGDip

PROFESSIONAL MEMBERSHIPS

Member of the Institute of Acoustics (MIOA)

AREAS OF EXPERTISE

Environmental Noise Surveys and Assessment

Noise and Vibration Assessments in accordance with British Standards

3D Noise Modelling

Noise and Vibration Environmental Impact Assessments

Construction Noise and Vibration

Sound Verification Testing

PROFILE

Mr Lee Faulkner is an Associate Director at E3P. His current role involves management of the Acoustic Division at E3P including Noise and Vibration Assessments and Reporting for multiple projects. Lee has over 12 years' experience in the industry and has worked on a multitude of differing projects and sites.

Lee has extensive experience of complex environmental noise assessments, providing detailed and tailored advice on a site-by-site basis that is not only in accordance with the relevant standards but also a cost-effective solution for the client.

Lee has extensive experience in the calculation of complex noise levels across various sites such as those constrained by transportation sources, commercial, industrial and entertainment noise. Noise Modelling of various projects, including residential developments and the Esso Refinery, using SoundPLAN and CadnaA.

SELECTED PROJECT EXPERIENCE

Residential Development, Kinross

Noise and Vibration Chapter for the wider EIA. Construction and Operational Noise and Vibration Impacts were assessed for existing and proposed receptors. Key noise sources consisted of existing road traffic and commercial premises and proposed skate park and sports fields. The proximity of the M8 was particularly constraining. The Chapter addressed construction noise and vibration impacts upon existing receptors and existing noise upon the proposed receptors. Mitigation measures included for acoustic barriers, higher spec glazing and alternative ventilation.

Residential Development, Longsight

Noise Impact Assessment in support of the planning application for a residential development on a parcel of land in a residential location near to a speedway track and sports centre. Included specification of acoustic glazing and also acoustic barrier height to protect future residents from road traffic noise and leisure noise.

Noise Modelling of Noise at Work Levels for Esso Refinery, Fawley

Esso, Fawley required noise measurements to be taken at a total of 11 blocks for the operations at their Fawley Refinery. This meant a high number of noise measurements were taken due to the scale of the area. The results of the noise survey were used to create contour noise graphics using 3D Noise Modelling in order to determine the noise levels across each block.

NOISE AND VIBRATION ES CHAPTER FOR LEISURE DEVELOPMENT

Noise and Vibration monitoring was required in order to provide baseline conditions across the Site. A Noise and Vibration ES Chapter was provided which addressed construction noise and vibration, construction generated traffic, rail noise and vibration and proposed impacts such as new leisure facilities and fixed plant items. The assessment overcame issues with rail noise for very closely situated receptor by way of an earth bund.

SOUND VERIFICATION TESTING, SHEFFIELD

Sound Testing in order to verify the effectiveness of the installed glazing and alternative ventilation applied to a residential scheme, following the recommendations of a Noise Impact Assessment. Noise Surveys were undertaken over an entire 48-hour period in a dwelling for each phase and showed compliance with the necessary criteria given in the British Standard

NEW SUPERMARKET, SHIPLEY

Noise Impact Assessment in support of a planning application for a new supermarket in Shipley including a Café Retail Unit. Assessed for noise associated with the delivery yard, fan units and the petrol filling station associated with the development. Lee advised on the acoustic fence locations and heights and to ensure no exceedance of the applicable criterion.

NOISE AT WORK ASSESSMENT, YORKSHIRE

Atlas Steel Structures required a Noise at Work Assessment for their daytime and night-time shifts to accompany their annual risk assessment. The Noise at Work Survey comprised the use of personal dose badges and spot measurements to quantify the noise levels across the factory floor. The Noise at Work Assessment advised that existing hearing protection was overprotecting, and so alternative protection was recommended.

Appendix 2 Market Impact Response from Jones Lang LaSalle November 2023

Ryan Holland

From: Lafferty, John <John.Lafferty@jll.com>
Sent: 22 November 2023 16:12
To: Daniel Kershaw
Cc: Kenyon, Mabel
Subject: Heywood Desktop Valuation Report
Attachments: Hareshill Road North South Heywood - Desktop Valuation Report with Appendix.pdf

EXTERNAL EMAIL - Do not reply, click links or open attachments unless you recognise the sender and know the content is safe. If suspicious, please report to the Help Desk Team.

Dan,

I refer your instructions for JLL to undertake a desktop valuation report for the site at South Heywood and duly attach on behalf of my colleagues James Lockwood and Mabel Kenyon.

I have reviewed the report but thought I would add some further thoughts of my own from a market perspective as follows.

There is considerable new build sales evidence around Heywood, the subject site is well located and will expect to deliver comparable values to the Anwyl and Bellway phases on South Heywood. I don't consider that these phases are any more attractive than the subject site and this is reflected in the attached valuation.

The attached illustrates the rate we believe Russells will achieve for a two storey 3 bedroom detached property will be between £320psf and £330 psf with similar values for 4 bedroom detached 2 storey properties. For the 2.5 storey houses this will be reduced with an average price achieved or around £290 psf. For semi-detached houses this will be reduced also.

It is important to note 3-4 house builders across the South Heywood project alone will be competing within the market at any one time. Housebuilders will compete on price, quality and design of the houses and the housing scheme. If one phase is compromised it will inevitably result in that phase having to work harder and provide incentives to address these shortfalls.

I believe that the Hareshill Road North site will be impacted by the employment unit constructed under Planning Application Ref 22/01410/FUL. The visual impact, operational impact and negative perception surrounding the proximity of housing to this large unit will inevitably prejudice sales. Discounts will likely be required to ensure this phase remains competitive with the neighbouring phases, and the rate of sales will inevitably be reduced.

Based on my experience of the housing market and knowledge of sales values in this area I believe that discounts to sale values could be as much as 10% of the equivalent price on the neighbouring phases, albeit we have shown examples in the attached, with a range of reductions, specific to the house type and size and the adverse factors created by the Heywood Stores proposals. Moreover, the rate of sales of the units could feasibly be diminished to around, say, two thirds of the rate of sales of houses on the neighbouring phases.

Feel free to give Mabel or I a call should you wish to discuss any aspect

Thanks & regards

John

John Lafferty

Director - Land & Development

JLL

Landmark St Peters Square 1 Oxford Street | Manchester | M1 4PB

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Value and Risk Advisory

Valuation report

Client: Russell Homes

Property: Land at Hareshill Road North, South Heywood

Date:

November 2023

Daniel Kershaw
Russell Homes
13 Westpoint Enterprise Park
Clarence Avenue
Trafford Park
Manchester
M17 1QS

Your ref	Your ref
Our ref	MK/MAN/South Heywood
Direct line	0161 238 6291
Mabel.Kenyon@jll.com	

21 November 2023

Dear Daniel

Terms of Reference

Instructions

Thank you for your instructions dated 21 November 2023 to provide a “desktop” report and valuation of the above property for internal purposes. Our terms of engagement are attached in Appendix 1. Our valuation has been prepared in accordance with the current UK national supplement (the RICS Red Book) on the basis of Market Value as defined in the attached in Appendix 2. We have acted as External valuers.

This report and valuation has been prepared in accordance with, and is subject to, our General Terms and Conditions of Business and our General Principles Adopted in the Preparation of Valuations and Reports, both of which are attached to the rear of this letter.

Please note that the limited nature of our instruction, due diligence and the assumptions means that our advice to you is less certain than would normally be the case, and, as agreed, this report and should not be distributed to any other party.

We do not have a conflict of interest in providing you with this advice. We have previously provided details of any pertinent prior involvement.

This advice has been prepared by Mabel Kenyon MRICS, Director and has been cross-checked by James Lockwood MRICS, Director. We confirm that both surveyors are RICS Registered Valuers and have the knowledge, skills and understanding to provide this advice.

No allowances have been made for any expenses of realisation, or taxes (including VAT) which might arise in the event of a disposal and the property has been considered free and clear of all mortgages and other charges which may be secured thereon.

Reliance

This report is confidential to the party to whom it is addressed. We have not agreed to extend reliance to any other party. If any other party is or becomes entitled to rely upon this report all relying parties shall be bound by the same liability exclusions and limitations, and our liability shall be no greater as a result of extending reliance to additional parties.



Our total liability in respect of this Report shall not exceed £5,000,000. Please note the exclusions and limitations of liability in our General Terms and Conditions of Business agreed between us.

Scope and Limitations

This is a “desktop” appraisal and in providing this “desktop” advice, we have been wholly reliant on the information provided to us and we have not checked the accuracy of this information. We have not inspected the property, nor have we made sufficient enquiries or undertaken other due diligence to enable us to provide reliable valuation advice. Valuations undertaken without an inspection are inherently less reliable than those with a full inspection and this valuation has been undertaken on the assumption that there is nothing that would be discovered upon inspection that would have an adverse effect upon our opinion of value. Consequently, whilst we have undertaken our due diligence carefully and professionally, less certainty –and a higher degree of caution –should be attached to our valuation than would normally be the case.

In accordance with your instructions, we have relied upon information provided to us and have not sought to verify any such information. In particular, we have been provided with, and we have relied upon:

- Schedule of accommodation provided by Russell Homes

We have not undertaken any form of condition or site survey and have assumed:

- the property is free from defects, contamination, deleterious materials and is in good condition commensurate with its age and past and present uses.
- the property complies with all current legislation and byelaws.

Basis of Valuation

We confirm that our valuation and report has been prepared in accordance with the current UK national supplement published by the RICS (the RICS Red Book) on the basis of Market Value as defined in Appendix 1. We have acted as external valuers.

Market Value: The estimated amount for which an asset or liability should exchange on the valuation date between a willing buyer and a willing seller in an arm’s length transaction, after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion.

The report is subject to, and should be read in conjunction with, the attached General Terms and Conditions of Business and our General Principles Adopted in the Preparation of Valuations and Reports which are attached in Appendix 1.

Special Assumptions

We have made the Special Assumption that the properties are complete as at the Valuation Date.

Valuation Date

21 November 2023.

The Property

South Heywood is a 320-acre urban extension to Heywood consisting of a 2.2km link road from Junction 19 of the M62 motorway to the employment areas off Pilsworth Road. The wider site will provide up to 1,000 new family homes, including affordable houses, a new primary school, a new village retail centre, improved public transport provision, extensive public open space across the 130- hectare site and secures investments for enhanced local sports facilities.

The Property is the largest residential development parcel of the South Heywood project, extending to approximately 30 acres in size. The Property is referred to as Hareshill Road North on the approved Phasing Plan for the project



(Appendix 2). The Phasing Plan establishes that the Hareshill Road North development will deliver 330 houses and work will begin in January 2027.

The land is greenfield in nature with a farmhouse along the western boundary having been recently demolished. The topography is generally flat, although there is general gentle slope, falling west to east, towards the Heywood Stores Site. The Property has limited defining features. A hedgerow runs through and around the site. Mature landscaping exists at the north and east boundary.

Access is to be obtained from the new link road to the south.

Views across the site are clearly visible to the north, east and west. Low level employment buildings are located along the eastern boundary at Heywood Stores. A high level distribution building is located along the western boundary. Housing is located along the northern boundary.

We understand that a planning application is currently pending for further industrial warehouse development to the immediate east, which will be situated close to the Property boundary.

We have relied on the information provided with regards to the proposed mix of house types, which we summarise below:

Type	Description	Garage	Beds	Size (sq ft)
Harper	Semi Detached	N/A	3	832
Talbot	Detached	Integral Single	3	994
Roberts	Semi Detached	N/A	3	1,109
Worrall	Detached	Integral Single	4	1,129
Cromwell	Detached	N/A	4	1,133
Bower	3 Storey Semi	Detached Single	4	1,297
Kenyon	Detached	integral Single	4	1,332
Renshaw	3 Storey Detached	Detached Single	3	1,501
Eccleston	Detached	Detached Single	3	1,465
Millward	Detached	Integral Double	4	1,695

RICS property measurement (incorporating International Property Measurement Standards) 2nd edition, January 2018, requires us to report IPMS measurements in the report for this property. You have not instructed us to measure the property and as IPMS areas are not available to us and the principal market and comparables are assessed on a Net Sales Area (NSA) basis, we have relied upon the areas provided by you which we assume have been measured on the basis of the Royal Institution of Chartered Surveyors' (RICS) Code of Measuring Practice (6th edition).

Specification

We have assumed that the properties would be built to a good specification in line with other volume house builder products in the area.

We have assumed that all properties would be sold with an NHBC or equivalent 10 year warranty.

Tenure

We understand that the interest held is freehold.

We have not been provided with a Report on Title. We have assumed that there are no unusual, problematic or onerous covenants, easements or restrictions and that the property has good marketable title.



We have assumed that the completed house units will be sold on individual freehold titles.

Tenancies

Our Valuation is provided on the assumption of full Vacant Possession of the completed properties.

Local Market Overview

The site presents an attractive housing opportunity that will be of interest to large and mid-sized housebuilders. The neighbouring employment buildings will not be an encumbrance to the development. These buildings are low in scale to the east with average building heights of between 6-10m that are set back from the boundary. To the west the buildings are larger but these have a finished floor level some 4-5m lower than the development plateau of the Property. The western boundary buildings have no operational space that is directed towards the Property and are separated by wide landscape bunds.

Post Covid, macro-economic inflationary factors have resulted in a reduction in disposable household income and a rise in interest rates during the second half of 2022 and throughout 2023. Increased costs of borrowing and increased household expenditure, has impacted the housing market. These factors are expected to continue throughout 2024 but are anticipated to ease in 2025.

Market Conditions

Transactions across markets and sectors remain low, for a variety of reasons. The full implications of wars in the Middle East and Ukraine are unknown. Instability in these regions and beyond may compound already difficult real estate market conditions. This is likely to be exacerbated when coupled with inflationary pressures and other factors impacting the global economy, including the cost and availability of debt. The combination heightens the potential for volatility and quick changes in consumer and investor behaviours.

In recognition of the potential for market conditions to change rapidly, we highlight the critical importance of the valuation date and confirm the conclusions in our report are valid at that date only and advise you to keep the valuation under regular review.

The development market especially faces challenges that are influencing the costs of construction and construction programmes. These issues, together with the risk of developer and/or contractor insolvency and a limited skilled labour force, risk causing increased volatility in land value and development project viability.

For the avoidance of doubt, due to the functioning nature of the market, our valuation is NOT reported as being subject to 'material valuation uncertainty' as defined by VPS 3 and VPGA 10 of the RICS Valuation – Global Standards.

Comparable Evidence

The most appropriate approach to assess the value of new housing is by way of the comparable method of valuation. There are three new build housing sites within the vicinity of the Property that provide good comparable evidence of new housing values that can be used as a benchmark.

These are the two existing sites at South Heywood and sites to the north of Middleton. We have selected the Bellway and Anwyl Homes sites at South Heywood and the Taylor Wimpey site at Langley, Middleton.

The Taylor Wimpey site at Langley is on the northern fringe of Middleton but its proximity to J19 of the M62 motorway and given the similar values between Middleton and Heywood we feel that this provides further comparable sales evidence within the area.



Bellway Homes – Hopwood Meadows, South Heywood

This site is the first phase of the South Heywood project (referred to as “Manchester Road East” on the approved Phasing Plan).

Once complete the development will provide a total of 156No. 3-, 4-, and 5-bedroom homes. The development has been marketed since December 2022 and to date, 14No. reservations have been agreed, reflecting a reservation rate of 1.3 units per month. They advise that there has been interest in houstypes across the board with no stronger demand towards any end of the range offered.

The table below shows a summary of the prices they are advertising:

Type	Description	Garage	Beds	Size ft	sq	Gross Asking Price	Incentive	Net Asking Price	£psf
Taylor Plus	Semi Detached	N/A	3	842		£289,995	£14,500	£275,495	£327
Thespian	Semi Detached	N/A	3	902		£314,995	£15,750	£299,245	£332
Mason	Detached	Detached Single	3	1,050		£362,995	£18,150	£344,845	£328
Farrier	Detached	Integral Single	4	1,172		£399,995	£20,000	£379,995	£324
Scrivener	Detached	Attached Single	4	1,197		£414,995	£20,750	£394,245	£329
Lorimer	Detached	Detached Single	4	1,554		£499,995	£25,000	£474,995	£306
Hawthorne	3 storey	Detached Single	5	1,635		£484,995	£24,250	£460,745	£282
Average:									£318

Bellway are offering incentives and discounts which include a 5% deposit, £1,000 per month for up to 24 months (depending on the plot), and part exchange on buyers existing properties. The asking prices range from £296 to £349 psf, but when the discounts and incentives are factored in these asking prices reduce to £278 – £328 psf.

Anwyl Homes, Whittle Brook Park, South Heywood

This site is the second phase of the South Heywood project (Manchester Road West on the approved Phasing Plan). It comprises a development of 120No. new build houses, approximately 0.7 miles to the north east of the subject site, further along Manchester Road, on the Heywood side of the M62.

The proposed dwellings comprise semi-detached and detached houses ranging from 3 – 5 bedrooms and from 925 to 1,796 sq ft with associated garaging and parking. The focus at the site is on large, detached units, with 57% of all of the units being detached house types. There is no requirement for the Borrower to provide Affordable Housing on site, thus all units are to be sold on the Open Market. The development incorporates energy-efficient construction methods, which include PV panels and Air Source Heat Pumps as standard features. Also within the development plan are areas planned for green space, acoustic bunds, footpath corridors, and an attenuation pond.

The table below shows a summary of the prices they are currently marketing:

Type	Description	Garage	Beds	Size ft	sq	Gross Asking Price	Incentive	Net Asking Price	£psf
Altham	Semi-Detached	N/A	3	925		£299,995	£12,000	£287,995	£311
Edgeworth	2.5 storey Semi Detached	N/A	3	1,210		£349,995	£14,000	£335,995	£278
Crawford	Detached	Integral Single	3	1,096		£359,995	£14,400	£345,595	£315

Dallton	Detached	N/A	3	1,112	£369,995	£14,800	£355,195	£319
Higham	Detached	Detached Single	4	1,244	£399,995	£16,000	£383,995	£309
Newburgh	Detached	Detached Single	4	1,447	£474,995	£19,000	£455,995	£315
Tatham	Detached	Detached Single	4	1,510	£494,995	£19,800	£475,195	£315

Average: £309

The first release of units had been marketed since May 2023. Anwyl Homes have sold 4 to date, with prices ranging from £289 psf - £332 psf. They are due to open their show homes in late November 2023.

They are offering incentives including £11,000 deposits, flooring and turf. We have assumed that these equate to circa 4% of the gross asking prices.

Taylor Wimpey – East Hollinsfield, Hollin Lane, Middleton

West and East Hollinsfield comprise two phases of a development by Taylor Wimpey located in nearby Middleton. Whilst not in the same immediate area as the subject site, the East and West Hollinsfield development are of a similar distance to the motorway. Both locations benefit from good commuter links as well as access to countryside and we therefore believe that they are fairly comparable.

The first phase 'West Hollinsfield' comprised 103No. 3- and 4-bedroom homes all of which were sold on the Open Market. This phase is fully sold out and the homes were finished to a good specification, similar to that proposed for the subject properties. From speaking with the sales representative, we understand the site has been popular with a range of purchasers including first time buyers, families and downsizers. We have been provided with the following sales prices which were achieved on this phase in 2022 from which we note achieved prices were much higher on a rate per square foot for the smaller units, with a range of £40psf between the smallest to the largest unit on site and an overall average of £301 psf:

House Type	Beds	Style	Size (Sq ft)	Achieved Price	Price (£psf)
Gosford	3	Semi-Detached	866	£276,995	£320
Aldenham	3	Detached	967	£309,995	£321
Lydford	4	Detached	1,099	£330,995	£301
Kentdale	4	Detached	1,222	£349,995	£286
Downham	4	Detached	1,244	£346,995	£279
Average:					£301

Taylor Wimpey are currently marketing the second phase 'East Hollinsfield', which is located directly adjacent to the above and once complete will comprise a further 90No. 3- and 4-bedroom homes. The current asking prices at the site are as follows:

Type	Description	Garage	Beds	Size sq ft	Gross Asking Price	Incentive	Net Asking Price	£psf
Dadford	Terrace	N/A	3	753	£255,995	£12,800	£243,195	£323
Flatford	Semi-Detached	N/A	3	866	£275,995	£13,800	£262,195	£303
Milldale	Terrace	Parking Space	3	869	£274,995	£13,750	£261,245	£301
Gosford	Semi-Detached	N/A	3	866	£284,995	£14,250	£270,745	£313
Aldenham	Detached	Integral Single	3	967	£329,995	£16,500	£313,495	£324
Teasdale	Detached	Single	4	1,290	£403,995	£20,200	£383,795	£298

Type	Description	Garage	Beds	Size sq ft	Gross Asking Price	Incentive	Net Asking Price	£psf
Average:								£310

Taylor Wimpey are offering 5% incentive plus fees on all plots, which we have taken into account in the above analysis.

Valuation

You have requested we provide an opinion of Market Value (as defined in the current RICS Valuation – Global Standards, incorporating the IVS, and the RICS Valuation – Global Standards 2017 – UK national supplement) for each of the proposed house types at the development, on the Special Assumption that the units are completed as at the date of valuation.

In arriving at our opinions of value we have considered a range of recent comparable evidence and applied the comparative method of valuation. We have applied a net value to each of the units and would anticipate marketing prices above these values to allow a level of negotiation and incentive allowance. Our opinion of value is an average and we consider there may be some adjustments for plot specific characteristics such as aspect, outlook and plot size. We have not however considered the pending planning application for further industrial warehouse development to the immediate east of the Property given this is yet to be approved and any potential impact on the individual plots nearby has not been taken into account.

Having regard to the foregoing, we are of the opinion, on a non-reliance basis, that the average Market Values of the individual freehold interests in the respective house types, on the Special Assumption that they are completed as at the Valuation Date, are:-

Type	Description	Garage	Beds	Size (sq ft)	Av. Market Value	£psf
Harper	Semi Detached	N/A	3	832	£258,000	£310
Talbot	Detached	Integral Single	3	994	£330,000	£332
Roberts	Semi Detached	N/A	3	1,109	£345,000	£311
Worrall	Detached	Integral Single	4	1,129	£370,000	£328
Cromwell	Detached	N/A	4	1,133	£360,000	£318
Bower	3 Storey Semi	Detached Single	4	1,297	£375,000	£289
Kenyon	Detached	Integral Single	4	1,332	£440,000	£330
Renshaw	3 Storey Detached	Detached Single	3	1,501	£465,000	£310
Eccleston	Detached	Detached Single	3	1,465	£470,000	£321
Millward	Detached	Integral Double	4	1,695	£500,000	£295

Confidentiality and Publication

Finally, and in accordance with our normal practice we confirm that the Report is confidential to the party to whom it is addressed for the specific purpose to which it refers. No responsibility whatsoever is accepted to any third party and neither the whole of the Report, nor any part, nor references thereto, may be published in any document, statement or circular, nor in any communication with third parties without our prior written approval of the form and context in which it will appear.

We trust that the contents of this letter meet your requirements but, should you have any queries, please do not hesitate contact us.



Yours sincerely,

A handwritten signature in black ink that reads "M Kenyon .".

Mabel Kenyon

Director

For and on behalf of

Jones Lang LaSalle Limited

A handwritten signature in black ink that reads "J Lockwood".

James Lockwood

Director

For and on behalf of

Jones Lang LaSalle Limited

Appendices

Appendix 1.....General Terms and Conditions

Appendix 1.....General Principles

Appendix 1.....Definition of Market Value

Appendix 2.....South Heywood Phasing Plan

General Principles

Adopted in the preparation of Valuations and Reports

These General Principles should be read in conjunction with JLL's General Terms and Conditions of Business except insofar as this may be in conflict with other contractual arrangements.

1 RICS Valuation - Global Standards (effective 31 January 2020)

All work is carried out in accordance with the Professional Standards, Valuation Technical and Performance Standards and Valuation Applications contained in the current RICS Valuation – Global Standards published by the Royal Institution of Chartered Surveyors and the RICS Valuation – Global Standards 2017 – UK national supplement as applicable (“the RICS Red Book”), by valuers who conform to the requirements thereof. Our valuations may be subject to monitoring by the RICS. The valuations are undertaken by currently Registered RICS Valuers.

2 Valuation Basis:

Our reports state the purpose of the valuation and, unless otherwise noted, the basis of valuation is as defined in “the RICS Red Book”. The full definition of the basis, which we have adopted, is set out in our report and appended to these General Principles.

3 Assumptions and Special Assumptions:

Where we make an ‘assumption’ or ‘special assumption’ in arriving at our valuations, we define these terms in accordance with “the RICS Red Book” as follows:

Assumption: A supposition taken to be true.

Special Assumption: An assumption that either assumes facts that differ from the actual facts existing at the valuation date, or that would not be made by a typical market participant in a transaction on the valuation date.

We will not take steps to verify any assumptions.

4 Disposal Costs Taxation and Other Liabilities:

No allowances are made for any expenses of realisation, or for taxation, which might arise in the event of a disposal. All property is considered as if free and clear of all mortgages or other charges, which may be secured thereon. However, we take into account purchaser's costs in investment valuations in accordance with market conventions.

No allowance is made for the possible impact of potential legislation which is under consideration.

Valuations are prepared and expressed exclusive of VAT payments, unless otherwise stated.

5 Sources of Information:

Where we have been provided with information by the client, or its agents, we assume that it is correct and complete and is up to date and can be relied upon. We assume that no information that has a material effect on our valuations has been withheld.

In respect of valuations for loan security purposes, commissioned by a lending institution, we may also rely on information provided to us by the Borrower or its advisors. In such cases, we have similarly assumed that all information is correct, complete, up-to-date and can be relied upon and that no pertinent information has been withheld.

6 Title and Tenancy Information:

We do not normally read leases or documents of title. We assume, unless informed to the contrary, that each property has a good and marketable title, that all documentation is satisfactorily drawn and that there are no encumbrances, restrictions, easements or other outgoings of an onerous nature, which would have a material effect on the value of the interest under consideration, nor material litigation pending. Where we have been provided with documentation we recommend that reliance should not be placed on our interpretation without verification by your lawyers. We have assumed that all information provided by the client, or its agents, is correct, up to date and can be relied upon.

7 Tenants:

Although we reflect our general understanding of a tenant's status in our valuations i.e. the market's general perception of their creditworthiness, enquiries as to the financial standing of actual or prospective tenants are not normally made unless specifically requested. Where properties are valued with the benefit of lettings, it is therefore assumed, unless we are informed otherwise, that the tenants are capable of meeting their financial obligations under the lease and that there are no arrears of rent or undisclosed breaches of covenant.

8 Measurements/Floor Areas:

All measurement is carried out in accordance with either the International Property Measurement Standards (IPMS) or the Code of Measuring Practice (6th Edition) issued by the Royal Institution of Chartered Surveyors, except where we specifically state that we have relied on another source. The areas adopted are purely for the purpose of assisting us in forming an opinion of capital value. They should not be relied upon for other purposes nor used by other parties without our written authorisation.

Where floor areas have been provided to us, we have relied upon these and have assumed that they have been properly measured in accordance with the International Property Measurement Standards (IPMS) or the Code of Measuring Practice referred to above.

9 Site Areas:

Site areas are generally calculated using proprietary digital mapping software and are based on the site boundaries indicated to us either at the time of our inspection, or on plans supplied to us. No responsibility is accepted if the wrong boundaries are indicated to us.

10 Estimated Rental Values:

Our assessment of rental values is formed purely for the purposes of assisting in the formation of an opinion of capital value and is generally on the basis of Market Rent, as defined in "the RICS Red Book". Where circumstances dictate that it is necessary to utilise a different rental value in our capital valuation, we will generally set out the reasons for this in our report. Such a figure does not necessarily represent the amount that might be agreed by negotiation, or determined by an Expert, Arbitrator or Court, at rent review or lease renewal or the figure that might be obtained if the property or unit were being let on the open market.

11 Town Planning, Acts of Parliament and Other Statutory Regulations:

Information on town planning is, wherever possible, obtained either verbally from local planning authority officers or publicly available electronic or other sources. It is obtained purely to assist us in forming an opinion of capital value and should not be relied upon for other purposes. If reliance is required we recommend that verification be obtained from lawyers that:

- i the position is correctly stated in our report;
- ii the property is not adversely affected by any other decisions made, or conditions prescribed, by public authorities; and
- iii that there are no outstanding statutory notices.

Our valuations are prepared on the basis that the premises (and any works thereto) comply with all relevant statutory and EC regulations, including fire regulations, access and use by disabled persons, control and remedial measures for asbestos in the workplace, the Energy Performance of Buildings Directive and any applicable bye laws. All buildings are assumed to have Energy Performance Certificates.

Our valuation does not take into account any rights, obligations or liabilities, whether prospective or accrued, under the Defective Premises Act 1972, or the Health and Safety at Work etc. Act 1974.

12 Structural Surveys:

Unless expressly instructed, we do not carry out a structural survey, nor do we test the services and we, therefore, do not give any assurance that any property is free from defect. We seek to reflect in our valuations any readily apparent defects or items of disrepair, which we note during our inspection, or costs of repair which are brought to our attention. Otherwise, we assume that each building is structurally sound and that there are no structural, latent or other material defects. Unless stated otherwise in our reports we assume any tenants are fully responsible for the repair of their demise either directly or through a service charge.

13 Modern Methods of Construction (MMC)

If the subject property falls within the category of Modern Methods of Construction as defined by MHCLG (MMC), and we are not aware or made aware during the valuation process, we shall not be liable for any resulting loss or lending decision. We assume that any MMC properties have appropriate BOPAS accreditation or equivalent.

14 Deleterious Materials:

We do not normally carry out or commission investigations on site to ascertain whether any building was constructed or altered using deleterious materials or techniques (including, by way of example high alumina cement concrete, woodwool as permanent shuttering, calcium chloride or asbestos). Unless we are otherwise informed, our valuations are on the basis that no such materials or techniques have been used.

15 Site Conditions:

We do not normally carry out or commission investigations on site in order to determine the suitability of ground conditions and services for the purposes for which they are, or are intended to be, put; nor do we undertake archaeological, ecological or environmental surveys. Unless we are otherwise informed, our valuations are on the basis that these aspects are satisfactory and that, where development is contemplated, no extraordinary expenses, delays or restrictions will be incurred during the construction period due to these matters.

16 Environmental Contamination:

Unless expressly instructed, we do not carry out or commission site surveys or environmental assessments, or investigate historical records, to establish whether any land or premises are, or have been, contaminated. Therefore, unless advised to the contrary, our valuations are carried out on the basis that properties are not affected by environmental contamination. However, should our site inspection and further reasonable enquiries during the preparation of the valuation lead us to believe that the land is likely to be contaminated we will discuss our concerns with you.

17 Insurance:

Unless expressly advised to the contrary we assume that appropriate cover is and will continue to be available on commercially acceptable terms. In particular, we will have regard to the following:

Composite Panels

Insurance cover, for buildings incorporating certain types of composite panel may only be available subject to limitation, for additional premium, or unavailable. Information as to the type of panel used is not normally available. Accordingly, our opinions of value make no allowance for the risk that insurance cover for any property may not be available, or may only be available on onerous terms.

Terrorism

Our valuations have been made on the basis that the properties are insured against risks of loss or damage including damage caused by acts of Terrorism as defined by the Terrorism Act 2000. We have assumed that the insurer, with whom cover has been placed, is reinsured by the Government backed insurer, Pool Reinsurance Company Limited.

Flood and Rising Water Table

Our valuations have been made on the assumption that the properties are insured against damage by flood and rising water table. Unless stated to the contrary our opinions of value make no allowance for the risk that insurance cover for any property may not be available, or may only be available on onerous terms.

18 Outstanding Debts:

In the case of property where construction works are in hand, or have recently been completed, we do not normally make allowance for any liability already incurred, but not yet discharged, in respect of completed works, or obligations in favour of contractors, subcontractors or any members of the professional or design team.

19 Confidentiality and Third Party Liability:

Our Valuations and Reports are confidential to the party to whom they are addressed and for the specific purpose to which they refer, and no responsibility whatsoever is accepted to any third parties. Neither the whole, nor any part, nor reference thereto, may be published in any document, statement or circular, or in any communication with third parties, without our prior written approval of the form and context in which it will appear.

20 Statement of Valuation Approach:

We are required to make a statement of our valuation approach. The following provides a generic summary of our approach.

The majority of institutional portfolios comprise income producing properties. We usually value such properties adopting the investment approach where we apply a capitalisation rate, as a multiplier, against the current and, if any, reversionary income streams. Following market practice we construct our valuations adopting hardcore methodology where the reversions are generated from regular short term uplifts of market rent. We would normally apply a term and reversion approach where the next event is one which fundamentally changes the nature of the income or characteristics of the investment. Where there is an actual exposure or a risk thereto of irrecoverable costs, including those of achieving a letting, an allowance is reflected in the valuation.

Vacant buildings, in addition to the above methodology, may also be valued and analysed on a comparison method with other capital value transactions where applicable.

Where land is held for development we adopt the comparison method when there is good evidence, and/or the residual method, particularly on more complex and bespoke proposals.

There are situations in valuations for accounts where we include in our valuation properties which are owner-occupied. These are valued on the basis of existing use value, thereby assuming the premises are vacant and will be required for the continuance of the existing business. Such valuations ignore any higher value that might exist from an alternative use.

21 Capital Expenditure Requirement:

Where buildings are undergoing works, such as refurbishment or repairs, or where developments are in progress, we have relied upon cost information supplied to us by the client or their appointed specialist advisors.

22 Goodwill, Fixtures and Fittings:

Unless otherwise stated our valuation excludes any additional value attributable to goodwill, or to fixtures and fittings which are only of value, in situ, to the present occupier.

23 Plant and Machinery:

No allowance has been made for any plant, machinery or equipment unless it forms an integral part of the building and would normally be included in a sale of the building.

24 Services:

We do not normally carry out or commission investigations into the capacity or condition of services. Therefore we assume that the services, and any associated controls or software, are in working order and free from defect. We also assume that the services are of sufficient capacity to meet current and future needs.

25 Land and Building Apportionments:

When instructed, we will provide apportionments between land and buildings for depreciation purposes only. Such apportionments are not valuations and should not be used for any other purpose unless specified in the report.

26 Portfolio Valuations:

In respect of valuations of portfolios of properties, our overall valuation is an aggregate of the individual values of each individual property. The valuation assumes, therefore, that each property would be marketed as an individual property and not as part of a portfolio. Consequently no portfolio premium or discount has been reflected and any consequence of marketing a range of individual properties together has also not been reflected in our valuations. However, if adjoining or complementary properties might achieve a higher value by being marketed together (known as “prudent lotting”), we have reported the higher value that would emerge.

27 Rating:

Any information regarding rating has generally been obtained from the Valuation Office website. We will not investigate whether any rating assessment is a fair assessment or considered the likelihood of an appeal being successful.

27 Plans and Maps:

All plans and maps included in our report are strictly for identification purposes only, and, whilst believed to be correct, are not guaranteed and must not form part of any contract. All are published under licence and may include mapping data from Ordnance Survey © Crown Copyright. All rights are reserved.

General Terms and Conditions of Business for Valuations

1. AGREEMENT

1.1. These Terms together with any Engagement set out the terms on which JLL will provide the Services to the Client. Each of the provisions provided in the Agreement are severable and distinct from the others.

1.2. The Engagement shall prevail to the extent of any conflict between the Terms, and the Engagement. The Agreement supersedes any previous arrangement concerning its subject matter. Unless the Parties agree otherwise, these Terms shall apply to any future instructions from the Client, although such instructions may be subject to a separate Engagement.

2. INTERPRETATION

The following definitions and rules of interpretation apply in these Terms:

2.1. Definitions

“Affiliates” includes in relation to either Party each and any subsidiary or holding company of that Party and each and any subsidiary of a holding company of that Party and any business entity from time to time controlling, controlled by, or under common control with, that Party, and **“holding company”** means a holding company as defined in section 1159 of the Companies Act 2006 or a parent undertaking as defined in section 1162 and schedule 7 of the Companies Act 2006, and **“subsidiary”** means a subsidiary as defined in section 1159 of the Companies Act 2006 or a subsidiary undertaking as defined in section 1162 and schedule 7 of the Companies Act 2006;

“Agreement” means any Engagement and these Terms together;

“Client” means the Party who enters into the Agreement with JLL;

“Data Protection Legislation” shall mean GDPR, Data Protection Act 2018. and any national laws, regulations and secondary legislation implementing or supplementing GDPR in force in the United Kingdom from time to time;

“Engagement” means the agreement, letter of engagement or engagement agreement or email and any schedules/appendices sent to the Client by JLL (or agreed in writing) which sets out details of the Services to be provided to the Client pursuant to the Agreement;

“GDPR” means the General Data Protection Regulation ((EU) 2016/679) retained as law in the United Kingdom by s.3 of the European Union (Withdrawal) Act 2018 and in this Agreement: “controller”, “processor”, “data subject”, “personal data”, “personal data breach”, “supervisory authority”, and

“processing” shall have the meaning set out in the GDPR, and references to “personal data” shall in addition mean personal data related to the Agreement.

“Insolvent” means in relation to:

- (a) a company (including any body corporate), that it:
 - (i) is unable to pay its debts as they fall due;
 - (ii) becomes or is deemed insolvent;
 - (iii) has a notice of intention to appoint an administrator filed at Court in respect of it, has an administrator appointed over, or has an administration order in relation to it, or has appointed a receiver or an administrative receiver over, or an encumbrancer takes possession of or sells the whole or part of its undertaking, assets, rights or revenue;
 - (iv) passes a resolution for its winding up or a court of competent jurisdiction makes an order for it to be wound up or dissolved or it is otherwise dissolved (other than a voluntary winding up solely for the purpose of a solvent amalgamation or reconstruction); or
 - (v) enters into an arrangement, compromise or composition in satisfaction of its debts with its creditors or any class of them or takes steps to obtain a moratorium or making an application to a court of competent jurisdiction for protection of its creditors;
- (b) a partnership, that it is dissolved by reason of the bankruptcy of one or more of its partners;
- (c) an individual, that they are bankrupt; or
- (d) a Party based outside England and Wales, that it is considered insolvent by the laws applicable to that Party;

“JLL” means Jones Lang LaSalle Limited of 30 Warwick Street London W1B 5NH registered in England and Wales with company number 01188567 and/or any Affiliate of JLL that provides the Services to the Client;

“Materials” means all materials, equipment, documents and other property of JLL made available to the Client by JLL in carrying out the Services;

“Party” means either the Client or JLL (as the context requires) and **“Parties”** shall mean both of them;

“Services” means the Services set out in the Engagement or as otherwise agreed in writing between the Parties;

“Terms” means these terms and conditions.

2.2. Unless the context otherwise requires, words in the singular shall include the plural and, in the plural, shall include the singular.

2.3. A reference to a statute or statutory provision is a reference to it as it is in force as at the date of the Agreement and shall include all subordinate legislation made as at the date of the Agreement under that statute or statutory provision.

2.4. A reference to writing or written unless otherwise specified herein includes email.

2.5. Any words following the terms including, include, in particular or any similar expression shall be construed as illustrative and shall not limit the sense of the words preceding those terms.

2.6. Headings are for convenience only and do not affect the interpretation of this Agreement.

3. SERVICES

3.1. JLL shall provide the Services using reasonable care and skill.

3.2. JLL has no obligation to provide any services other than the Services and has no obligation to provide nor any liability for:

- a) an opinion on the price of a property (unless specifically agreed in writing);
- b) any advice regarding the condition of a property (unless specifically agreed in writing);
- c) the security or management of a property unless specifically instructed to arrange it;
- d) the safety of any third party entering any premises; or
- e) the management or payment of any third party suppliers.

3.3. Where the Parties have agreed that JLL shall carry out estate agency business, JLL shall (i) report in writing all offers it receives regarding the relevant property; and (ii) comply with its obligations under the Estate Agents Act 1979 and regulations made under that Act together with any other similar laws and regulations.

3.4. Where agreed in writing JLL shall use reasonable endeavours to meet any performance dates. JLL shall not be responsible for any failure to meet performance dates due to

causes outside its reasonable control and time shall not be of the essence for the performance of the Services.

3.5. JLL shall have the right to make any changes to the Services which are necessary to comply with any applicable law, regulation, safety or public health requirement, or any applicable government guidance which do not materially affect the nature or quality of the Services and JLL shall notify the Client in any such event.

3.6. Without prejudice to clause 9.2(b), JLL will take all appropriate steps to identify, prevent or manage a conflict of interest that may arise in the course of business. In the event that an actual or potential conflict of interest is identified, JLL will recommend a course of action.

4. CLIENT OBLIGATIONS

4.1. The Client shall:

- a) immediately notify JLL if any details or requirements set out in the Engagement are incomplete or inaccurate;
- b) co-operate with JLL in all matters relating to the Services;
- c) provide JLL, its employees, agents, consultants and subcontractors, with access to the relevant property as reasonably required by JLL to provide the Services; and
- d) obtain and maintain all necessary licences, permissions and consents which may be required by the Client before the date on which the Services are to start.

4.2. The Client shall promptly provide JLL with such information and materials as it may reasonably require in order to supply the Services and warrants that:

- a) such information is complete and accurate and was obtained and prepared in accordance with all applicable laws;
- b) it shall ensure that where the information and material include representations or descriptions of a property, that such information and material contain no misrepresentation or false impression;
- c) where the Client will advertise a property under JLL's logo, that such advertisement (including its content and context in which it will appear) is approved in writing by JLL prior to its publication; and

d) it shall immediately notify JLL on becoming aware of any changes or issues that may render inaccurate any information or material provided to JLL.

4.3. In the event of any act or omission by the Client in breach of the Agreement or failure by the Client to perform any relevant obligation (Client Default):

a) JLL shall without limiting its other rights or remedies have the right to suspend performance of the Services until the Client remedies the Client Default, and to rely on the Client to relieve JLL from the performance of any of its obligations to the extent the Client Default prevents or delays JLL's performance of any of its obligations; and

b) JLL shall not be liable for any costs or losses sustained or incurred by the Client arising directly or indirectly from the Client Default.

4.4. The Client is responsible for effecting and maintaining adequate property and public liability insurance in relation to its activities and any relevant properties owned or occupied by it and shall be responsible for the safety of any person entering the relevant properties.

4.5 Where the Client constitutes more than one legal person, the liability of such persons shall be joint and several.

5. PAYMENTS

5.1. Whenever possible, the fees and expenses (if known) for the Services shall be as set out in the Engagement. Where fees and expenses for the Services are not specified in writing, JLL shall be entitled to the fee specified by the Royal Institution of Chartered Surveyors (RICS) or if there is none specified, by any other applicable professional body chosen by JLL (acting in a reasonably commercial manner) or, if none is specified, a fair and reasonable fee by reference to time spent delivering the Services; and reimbursement of any expenses properly incurred by JLL on the Client's behalf.

5.2. All amounts payable by the Client under the Agreement are exclusive of value added tax (VAT) or similar taxes which the Client shall pay at the applicable rate.

5.3. In consideration of the provision of the Services, the Client shall pay each invoice submitted by JLL in accordance with the Agreement within 28 days from the date of invoice.

5.4. If the Client fails to settle any payment due to JLL under the Agreement by the due date for payment, then JLL reserves the right to charge late payment interest after the due date on the overdue amount at the rate of 4 per cent per annum above the

Bank of England's official bank rate from time to time. Such interest shall accrue on a daily basis from the due date until actual payment of the overdue amount, whether before or after judgment. The Client shall pay the interest together with the overdue amount.

5.5. If the Agreement is terminated prior to the Services being completed, JLL shall, without limitation to its other rights and remedies under this Agreement or at law, be entitled to receive from the Client a reasonable fee proportionate to the part of the Services performed to the date of termination.

6. INTELLECTUAL PROPERTY RIGHTS

6.1. JLL retains all copyright (and all other intellectual property rights) in all materials, reports, systems and other deliverables which it produces or develops for the purposes of this Agreement, or which it uses in the provision of the Services. For this purpose **"intellectual property rights"** means patents, utility models, rights to inventions, copyright and related rights, trademarks and service marks, trade names and domain names, trade secrets, rights in get-up, goodwill and the right to sue for passing off or unfair competition, rights in designs, rights in computer software, database rights, rights to preserve the confidentiality of information (including know-how and trade secrets) and any other intellectual property rights, including all applications for (and rights to apply for and be granted), renewals or extensions of, and rights to claim priority from, such rights and all similar or equivalent rights or forms of protection which subsist or will subsist, now or in the future, in any part of the world.

6.2. The Client shall have an irrevocable, royalty-free, non-exclusive licence to use the Materials for the purposes for which they are prepared by JLL, subject to JLL having received full payment for the Services in accordance with the Agreement. Such licence shall be capable of sub-licence by the Client to its employees, agents and subcontractors and shall survive termination. No third party has any right to use any such Materials without JLL's specific consent. JLL shall not be liable for the use of any Material for any purpose other than that for which JLL provided it to the Client.

6.3 Nothing in this clause 6 shall affect the Client's intellectual property rights that pre-exist the Services. The Client shall grant to JLL an irrevocable, royalty-free, non-exclusive, sub-licensable licence to use such pre-existing intellectual property rights for the purpose of carrying out the Services.

7. CONFIDENTIALITY

7.1 Except where disclosure is required by law, each party and that party's Affiliates must maintain the confidentiality of the other party's information and must not disclose any information

received in confidence from the other party for a period of three years (or any longer period if so required by law) after termination or expiry of this Agreement.

7.2 Where JLL delivers services to or is approached to deliver services to another party JLL shall not be required to use or disclose to the Client any information known to JLL, which is confidential to another party.

8. LIABILITY

8.1. a) JLL shall under no circumstances whatsoever be liable, whether in contract, tort (including negligence), breach of statutory duty, or otherwise, for any loss of profit, loss of revenue or loss of anticipated savings, or for any indirect, special or consequential loss arising out of or in connection with the Agreement and/or the Services;

b) JLL's total liability in respect of all losses arising out of or in connection with the Agreement and/or the Services, whether in contract, tort (including negligence), breach of statutory duty, or otherwise, shall not exceed £5 million; and

c) nothing in the Agreement limits any liability which cannot legally be limited, including but not limited to, liability for: death or personal injury caused by negligence; or fraud or fraudulent misrepresentation.

8.2. JLL shall have no liability for the consequences, including delay in or failure to provide the Services:

a) due to any failure by the Client or any representative or agent of the Client to provide information or other material that JLL reasonably requires promptly, or where that information or material provided is inaccurate or incomplete;

b) to the extent that the Client or someone on the Client's behalf for whom JLL is not responsible is responsible, and where JLL is one of the parties liable in conjunction with others, JLL's liability shall be limited to the share of loss reasonably attributable to JLL on the assumption that all other parties pay the share of loss attributable to them (whether or not they do); or

c) due to any failure by the Client or any representative or agent of the Client to follow JLL's advice or recommendations.

8.3. JLL owes no duty of care and has no liability to anyone but the Client unless specifically agreed in writing by JLL.

9. TERMINATION

9.1. Without limiting its other rights or remedies, either Party may terminate the Agreement by giving the other Party 28 days' written notice.

9.2. Without limiting its other rights or remedies, either Party may terminate the Agreement with immediate effect by giving written notice to the other Party if:

a) the other Party commits a material breach of the Agreement and (if such a breach is remediable) fails to remedy that breach within 14 days of that Party being notified in writing to do so;

b) a conflict of interest arises which prevents JLL continuing to act for the Client; or

c) the other Party becomes Insolvent.

9.3. Without limiting its other rights or remedies, JLL may suspend provision of the Services under the Agreement or any other contract between the Client and JLL if the Client becomes Insolvent, or JLL reasonably believes that the Client is about to become Insolvent, or if the Client fails to pay any amount due under the Agreement on the due date for payment.

9.4. On termination of the Agreement for any reason:

a) the Client shall immediately pay to JLL all of JLL's outstanding unpaid invoices and interest and, in respect of Services supplied but for which no invoice has been submitted and associated expenses, JLL shall submit an invoice, which shall be payable by the Client immediately on receipt;

b) the Client shall return any Materials which have not been fully paid for;

c) JLL may, to comply with legal, regulatory or professional requirements, keep one copy of all Material which is what was supplied by or on behalf of the Client in relation to the Services;

d) the accrued rights, remedies, obligations and liabilities of the Parties as at expiry or termination shall be unaffected, including the right to claim damages in respect of any breach of the Agreement which existed at or before the date of termination or expiry; and

e) clauses which expressly or by implication survive termination shall continue in full force and effect.

9.5. JLL may destroy any hard copy and electronic files it has in its possession after six years from the earlier of completion of the Services or termination of the Agreement.

10. DATA PROTECTION

10.1. JLL (including third parties as described in our Privacy Statement available at www.jll.co.uk) may process in hard copy and/or in electronic form, personal data regarding the Client, its officers and any other individuals connected with the Client ('Client Contacts'). It may also verify the identity of Client Contacts including carrying out checks with third parties such as financial probity, anti-money laundering or sanctions-checking agencies. To facilitate compliance with money laundering regulations and avoid duplication of due diligence, the Client acknowledges that JLL may share Client contacts' personal data with such third party agencies and JLL Affiliates.

10.2 Unless the Agreement and factual arrangements dictate otherwise, as between the Parties for the purposes of the Agreement, the Client is deemed to be the controller and JLL is deemed to be the processor. The Client will ensure that any transfer of personal data to JLL (and any sub-processors under clause 10.11) complies with the Data Protection Legislation. In providing the Services, JLL in its role as processor shall comply with the Data Protection Legislation as it relates to data processors. Nothing within the Agreement relieves either Party of its own direct responsibilities and liabilities under the Data Protection Legislation.

10.3 JLL shall not process personal data other than in relation to the documented instructions of the Client, unless it is required to process the personal data by any law to which it is subject. In such a case JLL shall inform the Client of that legal requirement before complying with it, unless that law prohibits JLL from doing so.

10.4 JLL shall ensure that it and any third party with access to the personal data has appropriate technical and organisational security measures in place, to guard against the unauthorised or unlawful processing of personal data and against the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, the personal data. Upon a written request, JLL shall provide to the Client a general description of the security measures it has adopted.

10.5 JLL shall take reasonable steps to ensure any person that has access to personal data is made aware of their responsibilities, and subject to enforceable duties of confidentiality.

10.6 JLL shall notify the Client without undue delay if it:

10.6.1 receives a request for access from an individual, or a request relating to any of the other individuals' rights available under the Data Protection Legislation, in respect of personal data;

10.6.2 receives any enquiry or complaint from a data subject, supervisory authority or third party regarding the processing of the personal data; and

10.6.3 becomes aware of a personal data breach affecting personal data, unless the breach is unlikely to result in a risk to the rights and freedoms of data subjects.

10.7 JLL shall assist and provide all information reasonably requested in writing by the Client in relation to data protection impact assessments or 'prior consultation' with supervisory authorities or matters under clause 10.6.

10.8 JLL shall maintain all the records and information necessary to demonstrate its compliance with the requirements set out in this clause 10.

10.9 JLL shall allow the Client (or its appointed auditor) to audit JLL's compliance with this clause 10. The Client agrees to give reasonable notice of any audit, to undertake any audit during normal business hours, to take steps to minimise disruption to JLL's business, and not exercise this right of audit more than once every year unless instructed otherwise by a supervisory authority.

10.10 JLL shall, upon receipt of a written request, from the Client delete or return all personal data at the end of the provision of the Services. JLL may retain copies of the personal data in accordance with any legal or regulatory requirements, or any guidance that has been issued in relation to deletion or retention by a supervisory authority.

10.11 JLL shall only engage a sub-processor where:

10.11.1 the Client has agreed in writing to the engagement of the sub-processor; or

10.11.2 the sub-processor is an Affiliate of JLL or a service provider engaged by JLL to support the infrastructure and administration of its business (with details maintained at <http://www.jll.co.uk/sub-processors>).

10.12 JLL shall ensure that any arrangements between JLL and a sub-processor are governed by a written contract including terms which offer at least the same level of protection for personal data as those set out in this clause. Where JLL intends to engage a new sub-processor under 10.11.2 and the Client objects, then the Client may choose to terminate the Services in accordance with clause 9.

10.13 In accordance with clause 12.1, JLL shall remain liable for the acts and omissions of its sub-processors.

10.14 JLL shall only transfer personal data outside the UK and European Economic Area where it has ensured the transfer complies with the Data Protection Legislation.

11. FORCE MAJEURE

11.1. Neither Party shall be liable to the other Party as a result of any delay or failure to perform its obligations under the Agreement as a result of any event beyond the reasonable control of either Party including strikes, lock-outs or other industrial disputes (whether involving the workforce of JLL or any other party), failure of a utility service or transport network, act of God, war, riot, civil commotion, malicious damage, an international, national or regional emergency has been declared, a period of quarantine recommended or imposed by any applicable government, epidemic, pandemic, public health emergency, compliance with any law or governmental order, rule, regulation or direction, accident, breakdown of plant or machinery, fire, flood, storm or default of suppliers or subcontractors.

11.2. If such an event prevents either Party from performing any of their obligations under the Agreement for a period of more than four weeks, the affected Party shall, without limiting their other rights or remedies, have the right to terminate the Agreement immediately by giving written notice to the Party.

11.3. This clause does not apply to the payment of fees or expenses due to JLL by the Client.

12. GENERAL

12.1. **Subcontracting.** JLL may subcontract or deal in any other manner with all or any of its rights or obligations under the Agreement to any third party or agent provided that:

- (i) where JLL subcontracts or delegates its obligations at the specific request of the Client, JLL shall have no liability for the acts or omissions of the third party or agent; and
- (ii) otherwise, JLL shall remain liable for the acts or omissions of the third party or agent, unless the Client agrees to rely only on the third party or agent, such agreement not to be unreasonably withheld.

12.2. **Notices.** a) Any notice or other communication, including the service of any proceedings or other documents in any legal action given to a Party under or in connection with the Agreement shall be in writing, addressed to that Party at its registered office (if it is a company) or its principal place of business (in any other

case) or such other address as that Party may have specified to the other Party in writing in accordance with this clause, and shall be delivered personally or sent by pre-paid first class post or commercial courier. Any notice or other communication sent to a Party located in a different country to the sending Party must be sent by commercial courier;

- b) A notice or other communication shall be deemed to have been received: if delivered personally, when left at the address referred to in clause 12.2.a); if sent by pre-paid first class post at 9.00 am on the second business day after posting; or if sent by commercial courier, on the date and at the time that the courier's delivery receipt is signed. For this purpose, a business day means a day (other than a Saturday or Sunday) on which banks are open for business in London.

12.3. **Severance.** a) If any provision or part-provision of the Agreement is or becomes invalid, illegal or unenforceable, it shall be deemed modified to the minimum extent necessary to make it valid, legal and enforceable. If such modification is not possible, the relevant provision or part-provision shall be deemed deleted. Any modification to or deletion of a provision or part-provision under this clause shall not affect the validity and enforceability of the rest of the Agreement;

- b) If any provision or part-provision of the Agreement is invalid, illegal or unenforceable, the Parties shall negotiate in good faith to amend such provision so that, as amended, it is legal, valid and enforceable, and, to the greatest extent possible, achieves the intended commercial result of the original provision.

12.4. **Waiver.** A waiver of any right under the Agreement or law is only effective if it is in writing and shall not be deemed to be a waiver of any subsequent breach or default. No failure or delay by a Party in exercising any right or remedy provided under the Agreement or by law shall constitute a waiver of that or any other right or remedy, nor shall it prevent or restrict its further exercise of that or any other right or remedy. No single or partial exercise of such right or remedy shall prevent or restrict the further exercise of that or any other right or remedy.

12.5. **No Partnership or Agency.** Nothing in the Agreement is intended to, or shall be deemed to, establish any partnership or joint venture between the Parties, nor constitute either Party the agent of the other for any purpose. Neither Party shall have authority to act as agent for, or to bind, the other Party in any way.

12.6. **Third parties.** Subject to clause 12.8, a person who is not a Party to the Agreement shall not have any rights to enforce the Agreement unless specifically agreed in writing.

12.7. **Variation.** Except as set out in these Terms, no variation of the Agreement, including the introduction of any additional terms and conditions, shall be effective unless it is agreed in writing and signed by both Parties. Unless otherwise expressly agreed, variation of these Terms does not require the consent of any third party (whether any employee referred to in clause 12.8 or otherwise).

12.8. **Protection of Employees.** Save in respect of fraud or criminal conduct no employee of JLL or any Affiliate has any personal liability to the Client nor to anyone representing the Client. Neither the Client nor anyone representing the Client may make a claim or bring proceedings against an employee or former employee personally. Any such employee of JLL is entitled to enforce this provision pursuant to the Contracts (Rights of Third Parties) Act 1999.

12.9. **Directors.** Some employees of JLL have the title of “director”. The Client acknowledges that this does not mean they hold the office of director for the purposes of the Companies Act 2006. Rather, it means that they hold a senior role as an employee of JLL.

12.10. **Complaints.** JLL’s complaints procedure is available on request.

12.11. **Publicity.** Neither Party may publicise or issue any specific information to the media about the Services or the Agreement’s subject matter without the consent of the other.

12.12. **Criminal Activity.** To comply with the law and professional rules on suspected criminal activity JLL is required to verify the identity of its clients and understand their business. Upon request, the Client will promptly provide to JLL evidence of the Client’s identity, management or ownership. Where JLL is required by law to obtain similar evidence for another party to a transaction, the Client will provide all reasonable assistance to obtain such evidence. JLL may also need to provide such evidence to another party’s agents and the Client consents to the release of such information. If a Party fails to provide such evidence the transaction and Services may not be able to proceed. JLL is required by law to report to the appropriate authorities any knowledge or suspicion of money laundering or terrorist financing. JLL may be unable to inform the Client of any disclosure and may have to stop the Services for a period of time without explanation.

12.13. **Anti-bribery and corruption.** Both parties shall comply with all applicable laws, statutes, regulations, relating to

anti-bribery and anti-corruption including but not limited to the Bribery Act 2010.

12.14. **RICS.** JLL is regulated by RICS for the provision of surveying services and agrees to uphold the RICS Rules of Conduct for Firms and all other applicable mandatory professional practice requirements of RICS, which can be found at www.rics.org. As a RICS regulated firm JLL has committed to cooperate with RICS to ensure compliance with its standards. JLL’s nominated RICS contact is Luis Campbell, Head of Compliance: emeacompliance@eu.jll.com.

12.16. **Governing Law.** The Agreement and any disputes arising from it (including non-contractual claims and disputes) are governed by English Law.

12.17. **Jurisdiction.** Each Party irrevocably agrees that the English courts shall have exclusive jurisdiction over any dispute or claim arising out of or in connection with this agreement or its subject matter or formation (including non-contractual disputes or claims).

12.17. **Language.** These Terms are provided in English and JLL will communicate with the Client in English.

12.18. **Survival.** Clauses 5 to 10 shall survive termination of the Agreement.

Market Value

Definition and Interpretive Commentary reproduced from the current RICS Valuation – Global Standards, VPS 4 and IVS Framework

1.1 Market Value

1.1.1 The definition of *Market Value* as defined in IVS 104 paragraph 30.1 is:

The estimated amount for which an asset or liability should exchange on the valuation date between a willing buyer and a willing seller in an arm's length transaction, after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion.

1.1.2 *Market value* is a basis of *value* that is internationally recognised and has a long-established definition. It describes an exchange between parties that are unconnected and are operating freely in the marketplace and represents the figure that would appear in a hypothetical contract of sale, or equivalent legal document, at the *valuation date*, reflecting all those factors that would be taken into account in framing their bids by market participants at large and reflecting the highest and best use of the asset. The highest and best use of an asset is the use of an asset that maximises its productivity and that is possible, legally permissible and financially feasible – fuller treatment of this particular premise of value can be found at section 140 of IVS 104.

1.1.3 It ignores any price distortions caused by *special value* (an amount that reflects particular attributes of an asset that are only of value to a *special purchaser*) or *marriage value*. It represents the price that would most likely be achievable for an asset across a wide range of circumstances. *Market rent* applies similar criteria for estimating a recurring payment rather than a capital sum.

1.1.4 In applying *market value*, regard must also be had to the requirement that the valuation amount reflects the actual market state and circumstances as of the effective *valuation date*. The full conceptual framework for *market value* can be found at paragraph 30.2 of IVS 104.

1.1.5 Notwithstanding the disregard of *special value*, where the price offered by prospective buyers generally in the market would reflect an expectation of a change in the circumstances of the asset in the future, the impact of that expectation is reflected in *market value*. Examples of where the expectation of additional value being created or obtained in the future may have an impact on the *market value* include:

- the prospect of development where there is no current permission for that development and
- the prospect of marriage value arising from merger with another property or asset, or interests within the same property or asset, at a future date.

1.1.6 The impact on value arising by use of an *assumption* or *special assumption* should not be confused with the additional value that might be attributed to an asset by a *special purchaser*.

1.1.7 In some jurisdictions a *basis of value* described as 'highest and best use' is adopted and this may either be defined by statute or established by common practice in individual countries or states.

IVS Framework

30.2 The definition of *Market Value* shall be applied in accordance with the following conceptual framework:

(a) “the estimated amount”

refers to a price expressed in terms of money payable for the *asset* in an arm’s length market transaction. *Market Value* is the most probable price reasonably obtainable in the market on the valuation date in keeping with the market value definition. It is the best price reasonably obtainable by the seller and the most advantageous price reasonably obtainable by the buyer. This estimate specifically excludes an estimated price inflated or deflated by special terms or circumstances such as atypical financing, sale and leaseback arrangements, special considerations or concessions granted by anyone associated with the sale, or any element of value available only to a specific owner or purchaser;

(b) “an asset or liability should exchange”

refers to the fact that the value of an asset or liability is an estimated amount rather than a predetermined amount or actual sale price. It is the price in a transaction that meets all the elements of the Market Value definition at the valuation date;

(c) “on the valuation date”

requires that the value is time-specific as of a given date. Because markets and market conditions *may* change, the estimated value *may* be incorrect or inappropriate at another time. The valuation amount will reflect the market state and circumstances as at the *valuation date*, not those at any other date;

(d) “between a willing buyer”

refers to one who is motivated, but not compelled to buy. This buyer is neither over eager nor determined to buy at any price. This buyer is also one who purchases in accordance with the realities of the current market and with current market expectations, rather than in relation to an imaginary or hypothetical market that cannot be demonstrated or anticipated to exist. The assumed buyer would not pay a higher price than the market requires. The present owner is included among those who constitute “the market”;

(e) “and a willing seller”

is neither an over eager nor a forced seller prepared to sell at any price, nor one prepared to hold out for a price not considered reasonable in the current market. The willing seller is motivated to sell the asset at market terms for the best price attainable in the open market after proper marketing, whatever that price *may* be. The factual circumstances of the actual owner are not a part of this consideration because the willing seller is a hypothetical owner;

(f) “in an arm’s length transaction”

is one between parties who do not have a particular or special relationship, eg parent and subsidiary companies or landlord and tenant that *may* make the price level uncharacteristic of the market or inflated. The Market Value transaction is presumed to be between unrelated parties, each acting independently;

(g) “after proper marketing”

means that the *asset* has been exposed to the market in the most appropriate manner to effect its disposal at the best price reasonably obtainable in accordance with the Market Value definition. The method of sale is deemed to be that most appropriate to obtain the best price in the market to which the seller has access. The length of exposure time is not a fixed period but will vary according to the type of asset and market conditions. The only criterion is that *there must* have been sufficient time to allow the asset to be brought to the attention of an adequate number of market *participants*. The exposure period occurs prior to the valuation date;

(h) “where the parties had each acted knowledgeably, prudently”

presumes that both the willing buyer and the willing seller are reasonably informed about the nature and characteristics of the *asset*, its actual and potential uses, and the state of the market as of the valuation date. Each is further presumed to use that knowledge prudently to seek the price that is most favourable for their respective positions in the transaction. Prudence is assessed by referring to the state of the market at the valuation date, not with benefit of hindsight at some later date. For example, it is not necessarily imprudent for a seller to sell *assets* in a market with falling prices at a price that is lower than previous market levels. In such cases, as is true for other exchanges in markets with changing prices, the prudent buyer or seller will act in accordance with the best market information available at the time;

(i) “and without compulsion”

establishes that each party is motivated to undertake the transaction, but neither is forced or unduly coerced to complete it.

- 30.3 The concept of Market Value presumes a price negotiated in an open and competitive market where the *participants* are acting freely. The market for an asset could be an international market or a local market. The market could consist of numerous buyers and sellers, or could be one characterised by a limited number of market *participants*. The market in which the asset is presumed exposed for sale is the one in which the *asset* notionally being exchanged is normally exchanged.
- 30.4 The Market Value of an *asset* will reflect its highest and best use. The highest and best use is the use of an *asset* that maximises its potential and that is possible, legally permissible and financially feasible. The highest and best use *maybe* for continuation of an *asset's* existing use or for some alternative use. This is determined by the use that a market *participant* would have in mind for the *asset* when formulating the price that it would be willing to bid.
- 30.5 The nature and source of the valuation inputs *must* be consistent with the basis of value, which in turn *must* have regard to the *valuation purpose*. For example, various approaches and methods *maybe* used to arrive at an opinion of value providing they use market-derived data. The market approach will, by definition, use market-derived inputs. To indicate Market Value, the income approach should be applied, using inputs and assumptions that would be adopted by participants. To indicate Market Value using the cost approach, the cost of an asset of equal utility and the appropriate depreciation should be determined by analysis of market-based costs and depreciation.
- 30.6 The data available and the circumstances relating to the market for the *asset* being valued *must* determine which valuation method or methods are most relevant and appropriate. If based on appropriately analysed market-derived data, each approach or method used *should* provide an indication of Market Value.
- 30.7 Market Value does not reflect attributes of an *asset* that are of value to a specific owner or purchaser that are not available to other buyers in the market. Such advantages *may* relate to the physical, geographic, economic or legal characteristics of an *asset*. Market Value requires the disregard of any such element of value because, at any given date, it is only assumed that there is a willing buyer, not a particular willing buyer.

1.2 Special Value

Special value is an amount that reflects particular attributes of an asset that are only of value to a *special purchaser*.

A *special purchaser* is a particular buyer for whom a particular asset has *special value* because of advantages arising from its ownership that would not be available to other buyers in a market.

Illustrative Phasing Plan

N.B. that the phase areas and timescales are indicative only, and may be updated from time to time, in consultation with Rochdale Council's Planning Department. The landscape to come forward with each phase. Each relevant Reserved Matters to specify the extent of adjacent Linear Corridor to be delivered alongside phase.

1st Commercial Building and spine road

- Submit June 2022
- Approval Aug 2022
- Start on site Dec 2022
- Complete Dec 2024

1st Earthworks

- Submit Nov 2020
- Approval June 2021
- Start on site July 2022
- Complete June 2023

3rd Commercial Building

- Submit Sept 2022
- Approval Jan 2023
- Start on Site Mar 2023
- Complete June 2024

2nd Commercial Building/s

- Submit Jan 2024
- Approval Apr 2024
- Start on Site May 2024
- Complete Nov 2025

Hareshill Road North

- Submit Nov 2025
- Approval Nov 2026
- Start on Site Jan 2027
- Complete Oct 2033

2nd Earthworks

- Submit Sept 2022
- Approval Jan 2023
- Start on Site Mar 2023
- Complete June 2023

Collop Gate

- Submit RM Mar 2023
- Approval Jul 2023
- Start on site Aug 2023
- Completion Jul 2029

Green corridor to be delivered with each Reserved Matters Development Parcel

South Heywood Link Road

- Start Sept 2020
- Finish Nov 2022

Russell's transfer school land by occupation of 700th home (circa 2029). Rochdale Council to submit planning application.

All Public Open Space to be complete prior to occupation of 900th home (circa 2031)

Local Centre delivery (2024 - 2028)
Submit RMA Oct 2023
Approval March 2024
Start on Site May 2024

330 homes

101 homes

61 homes

160 homes

120 homes

228 homes

Hareshill Road Central

- Submit RM Oct 2026
- Approval April 2027
- Start of site May 2027
- Completion Jan 2033

Manchester Road West

- Submit RM June 2021
- Approval May 2022
- Start on Site July 2022
- Complete Sept 2026

Hareshill Road

- Submit RM Dec 2020
- Approval May 2022
- Start on Site Aug 2022
- Complete Nov 2024

Manchester Road East

- Submit RM Feb 2022
- Approval June 2022
- Start on Site Sept 2022
- Complete Oct 2025

Green corridor to be delivered with each Reserved Matters Development Parcel

Local Centre
Primary School

SOUTH HEYWOOD
Illustrative Phasing Plan

Drawing / Rev: SP(90)119 / G
Drawn by / Checked by: RK / DM
Scale: NTS@A3
Job: 4846



Value and Risk Advisory

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26 September 2023

Dan Kershaw
Russell Homes
13 Westpoint Enterprise Park,
Clarence Avenue,
Trafford Park,
Manchester,
M17 1QS

Dear Dan,

RE: Heywood Stores (Trammell Crow Company) Application - Ref 22/01410/FUL & South Heywood Planning Application 16/01399/HYBR (Russell Homes)

I refer to the above and our recent conversation regarding the proposed planning application by Trammell Crow.

By way of background, Jones Lang LaSalle acted for Russell Homes during the marketing of the first housing phase of the South Heywood scheme (16/01399/HYBR), on land to the south of the new link road. This 156 unit phase was sold to Bellway in June 2022.

Accordingly, you have asked my opinion on the Heywood Stores proposals informed by our earlier agency and disposal advice following planning approval in March 2020 together with a high level market assessment.

South Heywood Urban Extension

This 320-acre urban extension to South Heywood will create new local jobs, improve accessibility to the M62 motorway and provide a range of new family homes and community facilities. The 15-year South Heywood Masterplan involves the creation of a new 2.2km link road from Junction 19 of the M62 motorway to the employment areas off Pilsworth Road. This was opened in November 2022. The masterplan will also provide up to 1,000 new family homes, including affordable houses, a new primary school, a new village retail centre, improved public transport provision, extensive public open space across the 130-hectare site and secures investments for enhanced local sports facilities.



Illustrative Masterplan

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1 Oxford Street, Manchester
M1 4PB

T +44 7816 871658
E John.lafferty@jll.com
W jll.com

Proposed Applicant's Scheme

I understand that an application has been submitted to deliver up to 43,198m² (464,979 Sq Ft) of B8 employment space split across 3 units that adjoin the South Heywood site (Application - Ref 22/01410/FUL Heywood Stores). This is in the form of two smaller units with a shared party wall (**Units 1 and 2**) which have a finished floor level of approximately 129.2 metres. The ground to ridge height would be 15.4 metres.

The units would provide a total floor space of 8,224 square metres GIA and an additional 438 square metres of ancillary office space. The third unit (**Unit 3**) would have a finished floor level of 129.5 metres and the building would measure 280 metres in length and 116 metres in width. The ground to ridge height would be 17.6 metres and an eaves height generally of 16.3m. The unit would provide a total floor space of 32,527 square metres GIA and an additional 2,009 square metres of ancillary office space. It would have 35 dock access loading bays fronting west onto the approved housing scheme of the neighbouring South Heywood project.



Proposed Site Layout – drwg 21557-ASA-00-ZZ.ZZ-D-A-0003_(S3-P13)

Visual Impact

The proposed buildings are significantly larger than the existing buildings on the site which have an average height that varies between 6m-10m to ridge above ground level. However, I understand from the Application that the ground levels on the site are being raised by a further 3m, compounding the impact of the larger buildings will have on adjacent premises.

We have reviewed the LVIA prepared by Barnes Walker on behalf of Russell Homes and the independently prepared Accurate Visual Representation (AVR) visualisations of the proposed Trammell Crow development prepared by Robert Lockhart Consultants.

The views illustrate what the proposed building massing will look like when viewed from the South Heywood site to the south and west.

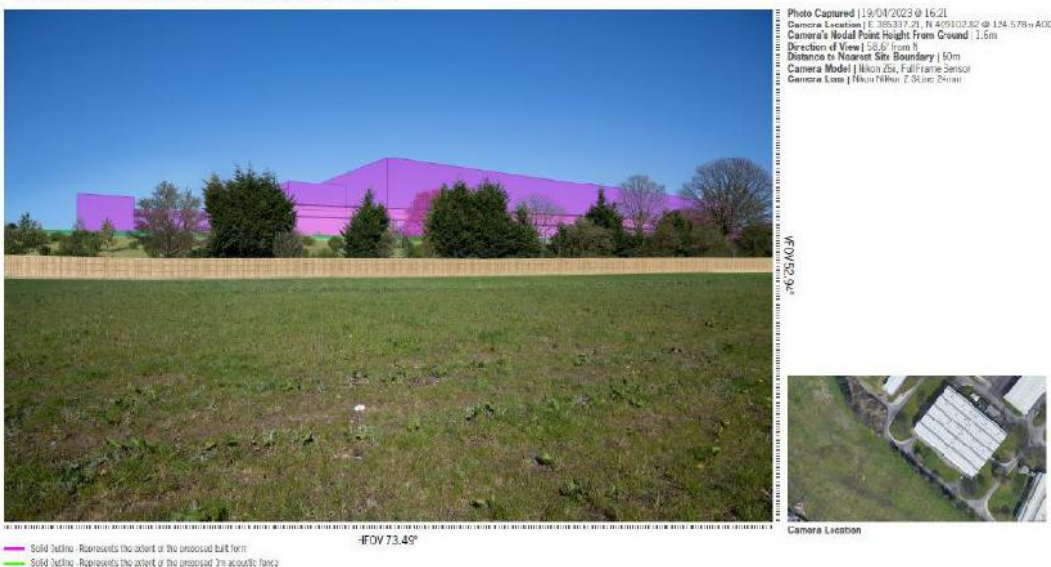
Existing Building

Viewpoint 12 | Baseline Photograph



Proposed Building

Viewpoint 12 | Proposed Development | Type 3 | AVR Level 1



Viewpoint 12 | Proposed Development | Type 3 | Illustrative Finishes



Photo Captured | 19/04/2023 @ 16:21
 Camera Location | E 385337.21, N 409102.82 @ 124.578m AGL
 Camera's Nodal Point Height From Ground | 1.6m
 Direction of View | 58.6° from N
 Distance to Nearest Site Boundary | 50m
 Camera Model | Nikon Z5ii, Full Frame Sensor
 Camera Lens | Nikon Nikkor Z S-Line 24mm

WFOV 52.94°



Camera Location

HFOV 73.45°

— Solid Outline - Represents the extent of the proposed 1m acoustic fence

Existing Building

Viewpoint 15 | Baseline Photograph



Photo Captured | 19/04/2023 @ 17:15
 Camera Location | E 384588.46, N 409186.16 @ 128.847m AGL
 Camera's Nodal Point Height From Ground | 1.6m
 Direction of View | 89° from N
 Distance to Nearest Site Boundary | 307m
 Camera Model | Nikon Z5ii, Full Frame Sensor
 Camera Lens | Nikon Nikkor Z S-Line 50mm

WFOV 26.89°



Camera Location

HFOV 39.5°

Proposed Building

Viewpoint 15 | Proposed Development | Type 3 | AVR Level 1



Viewpoint 15 | Proposed Development | Type 3 | Illustrative Finishes



Market Assessment on the South Heywood Scheme

The South Heywood project is intended to create a high-quality place with community infrastructure, including, but not limited to; a new link road, a primary school, local centre, sports pitches, public open spaces, quality homes, employment and public transport.

The proposed houses are to be built on a garden suburb style with landscaping and open space being integral components of the scheme. The mix will consist of new larger homes and the accompanying design code sets out how this will be achieved.

Demand from house builders has been based around the high-quality design set out at the masterplan stage and the levels of social and environmental infrastructure that is being proposed.

The South Heywood Phasing Plan Drawing / Rev: SP(90)119 / G shows the Hareshill Road North phase (Phase 4) delivering 330 homes and the illustrative masterplan for this phase (4846_SP(90)57 / C) shows housing directly adjacent to the boundary of the Heywood Stores site.

The proposed Heywood Stores warehouse application Ref 22/01410/FUL will have a significant impact on the neighbouring phases to the south and the west. Specifically Phase 6 (Hareshill Road 61 units); Phase 5 (Hareshill Central 101 units) and Phase 4 (Hareshill Road North 330 Units).

The proximity of the proposed Heywood Stores scheme to Phase 4 (Hareshill Road North 330 Units) will have the most significant impact. The proposed buildings will be visible from the link road and the site entrance, as the detailed verified images clearly show. This large industrial warehouse is not compatible with a high value housing scheme. It will create real and perceived operational issues associated with the light and noise from HGV's accessing the loading bays that front out onto the residential site.

A scheme of this nature, will operate 24 hours a day, seven days a week, and should not be proposed and built out this close to a sensitive receptor such residential use. The proposed warehouses are vast and imposing, which will impact on the general visual amenity of housing on this site. With 35 HGV loading bays facing onto the site this would adversely impact the amenity of new housing, and would create visual, highways and noise issues that cannot be mitigated against.

The scale, massing and operation of the proposed development is not contextual and would dominate and dwarf existing and proposed housing. I understand that technical consultants acting on behalf of the Council, have also raised major issues with the scale, massing and height of development and its impact on the area.

Summary

The size of the proposed Heywood Stores building leads to a greater height and massing, and thus a more harmful visual impact. The size also directly correlates to operational intensity with the activity and impact facing out onto the approved Phase 4 housing scheme.

There will be both a perceived and real impact from the proposed Heywood Stores application. The buildings will be visible from the link road highway and the entrance to the Phase 4 site. This will be particularly worse for residential units which back on to the site.

Matters around noise, highways and design/visual impact will prejudice sales and homeowner demand.

Yours sincerely



John Lafferty
Director - Planning & Development

Appendix 3 Baseline Viability Appraisal by Knight Frank LLP

Land at Hareshill Road North, South Heywood
Financial Viability Assessment - Baseline Appraisal
330 Units, 100% OMV Housing, £325psf

Land at Hareshill Road North, South Heywood
Financial Viability Assessment - Baseline Appraisal
330 Units, 100% OMV Housing, £325psf

Summary Appraisal for Phase 1

Currency in £

REVENUE

Sales Valuation	Units	ft²	Sales Rate ft²	Unit Price	Gross Sales
Estate Housing - 2 Storey Dwellings	330	392,825	325.00	386,873	127,668,046

NET REALISATION **127,668,046**

OUTLAY

ACQUISITION COSTS

Residualised Price (26.54 Acres 402,356.99 pAcre)			10,678,554	
				10,678,554
Stamp Duty			523,428	
Agent Fee		1.00%	106,786	
Legal Fee		0.80%	85,428	
				715,642

CONSTRUCTION COSTS

Construction	ft²	Build Rate ft²	Cost	
Estate Housing - 2 Storey Dwellings	392,825	114.00	44,782,022	44,782,022
Contingency		3.00%	1,642,153	
Attached / Detached Garage Costs			1,000,000	
Statutory - S.106 Contributions	330 un	36,737.00 /un	12,123,210	
				14,765,363

Other Construction

Standard Site Costs		20.00%	8,956,404	
Plot Connection Costs	330 un	3,500.00 /un	1,155,000	
Site Abnormals			4,000,000	
				14,111,404

PROFESSIONAL FEES

Professional Fees		8.00%	4,711,474	
				4,711,474

MARKETING & LETTING

Marketing		0.75%	957,510	
				957,510

DISPOSAL FEES

Sales Agent Fee		1.00%	1,276,680	
Sales Legal Fee		0.50%	638,340	
				1,915,021

FINANCE

Debit Rate 8.000%, Credit Rate 0.000% (Nominal)				
Land			6,286,526	
Construction			3,210,926	
Total Finance Cost				9,497,452

TOTAL COSTS **102,134,443**

PROFIT **25,533,603**

Performance Measures

Profit on Cost%	25.00%
Profit on GDV%	20.00%
Profit on NDV%	20.00%
IRR	16.20%
Profit Erosion (finance rate 8.000)	2 yrs 10 mths

Appendix 4 Scenario 2 Viability Appraisal by Knight Frank LLP

Land at Hareshill Road North South Heywood
Financial Viability Assessment - Scenario 2 Appraisal
330 Units, 100% OMV Housing £300 psf

Land at Hareshill Road North South Heywood
Financial Viability Assessment - Scenario 2 Appraisal
330 Units, 100% OMV Housing £300 psf

Summary Appraisal for Phase 1

Currency in £

REVENUE

Sales Valuation	Units	ft²	Sales Rate ft²	Unit Price	Gross Sales
Estate Housing - 2 Storey Dwellings	330	392,825	300.00	357,113	117,847,427

NET REALISATION **117,847,427**

OUTLAY

ACQUISITION COSTS

Residualised Price (26.54 Acres 215,758.60 pAcre)			5,726,233		
				5,726,233	
Stamp Duty			275,812		
Agent Fee		1.00%	57,262		
Legal Fee		0.80%	45,810		
				378,884	

CONSTRUCTION COSTS

Construction	ft²	Build Rate ft²	Cost		
Estate Housing - 2 Storey Dwellings	392,825	114.00	44,782,022	44,782,022	
Contingency		3.00%	1,642,153		
Attached / Detached Garage Costs			1,000,000		
Statutory - S.106 Contributions	330 un	36,737.00 /un	12,123,210		
					14,765,363
Other Construction					
Standard Site Costs		20.00%	8,956,404		
Plot Connection Costs	330 un	3,500.00 /un	1,155,000		
Site Abnormals			4,000,000		
					14,111,404

PROFESSIONAL FEES

Professional Fees		8.00%	4,711,474		
				4,711,474	

MARKETING & LETTING

Marketing		0.75%	883,856		
				883,856	

DISPOSAL FEES

Sales Agent Fee		1.00%	1,178,474		
Sales Legal Fee		0.50%	589,237		
				1,767,711	

FINANCE

Debit Rate 8.000%, Credit Rate 0.000% (Nominal)					
Land			3,479,064		
Construction			3,671,903		
Total Finance Cost				7,150,967	

TOTAL COSTS **94,277,915**

PROFIT **23,569,512**

Performance Measures

Profit on Cost%	25.00%
Profit on GDV%	20.00%
Profit on NDV%	20.00%
IRR	17.46%
Profit Erosion (finance rate 8.000)	2 yrs 10 mths

Appendix 5 Scenario 3 Viability Appraisal by Knight Frank LLP

Land at Hareshill Road North, South Heywood
Financial Viability Assessment - Scenario 3
264 Units, 100% OMV Housing £325psf

Land at Hareshill Road North, South Heywood
Financial Viability Assessment - Scenario 3
264 Units, 100% OMV Housing £325psf

Summary Appraisal for Phase 1

Currency in £

REVENUE

Sales Valuation	Units	ft²	Sales Rate ft²	Unit Price	Gross Sales
Estate Housing - 2 Storey Dwellings	264	314,260	325.00	386,873	102,134,437

NET REALISATION **102,134,437**

OUTLAY

ACQUISITION COSTS

Residualised Price (26.54 Acres 270,697.63 pAcre)			7,184,315	
				7,184,315
Stamp Duty			348,716	
Agent Fee		1.00%	71,843	
Legal Fee		0.80%	57,475	
				478,033

CONSTRUCTION COSTS

Construction	ft²	Build Rate ft²	Cost	
Estate Housing - 2 Storey Dwellings	314,260	114.00	35,825,618	35,825,618
Contingency		3.00%	1,319,722	
Attached / Detached Garage Costs			1,000,000	
Additional Landscape Buffer			750,000	
Statutory - S.106 Contributions	264 un	36,737.00 /un	9,698,568	
				12,768,290
Other Construction				
Standard Site Costs		20.00%	7,165,124	
Plot Connection Costs	264 un	3,500.00 /un	924,000	
Site Abnormals			4,000,000	
				12,089,124

PROFESSIONAL FEES

Professional Fees		8.00%	3,833,179	
				3,833,179

MARKETING & LETTING

Marketing		0.75%	766,008	
				766,008

DISPOSAL FEES

Sales Agent Fee		1.00%	1,021,344	
Sales Legal Fee		0.50%	510,672	
				1,532,017

FINANCE

Debit Rate 8.000%, Credit Rate 0.000% (Nominal)				
Land			4,337,902	
Construction			2,893,065	
Total Finance Cost				7,230,967

TOTAL COSTS **81,707,551**

PROFIT **20,426,885**

Performance Measures

Profit on Cost%	25.00%
Profit on GDV%	20.00%
Profit on NDV%	20.00%
IRR	16.50%
Profit Erosion (finance rate 8.000)	2 yrs 10 mths

Appendix 6 Scenario 4 Viability Appraisal by Knight Frank LLP

Land at Hareshill Road North, South Heywood
Financial Viability Assessment - Scenario 4
264 Units, 100% OMV Housing £300psf

Land at Hareshill Road North, South Heywood
Financial Viability Assessment - Scenario 4
264 Units, 100% OMV Housing £300psf

Summary Appraisal for Phase 1

Currency in £

REVENUE

Sales Valuation	Units	ft²	Sales Rate ft²	Unit Price	Gross Sales
Estate Housing - 2 Storey Dwellings	264	314,260	300.00	357,113	94,277,941

NET REALISATION **94,277,941**

OUTLAY

ACQUISITION COSTS

Residualised Price (26.54 Acres 121,144.33 pAcre)			3,215,171	
				3,215,171
Stamp Duty			150,258	
Agent Fee	1.00%		32,152	
Legal Fee	0.80%		25,721	
				208,132

CONSTRUCTION COSTS

Construction	ft²	Build Rate ft²	Cost	
Estate Housing - 2 Storey Dwellings	314,260	114.00	35,825,618	35,825,618
Contingency		3.00%	1,319,722	
Attached / Detached Garage Costs			1,000,000	
Additional Landscape Buffer			750,000	
Statutory - S.106 Contributions	264 un	36,737.00 /un	9,698,568	
				12,768,290
Other Construction				
Standard Site Costs		20.00%	7,165,124	
Plot Connection Costs	264 un	3,500.00 /un	924,000	
Site Abnormals			4,000,000	
				12,089,124

PROFESSIONAL FEES

Professional Fees	8.00%	3,833,179	
			3,833,179

MARKETING & LETTING

Marketing	0.75%	707,085	
			707,085

DISPOSAL FEES

Sales Agent Fee	1.00%	942,779	
Sales Legal Fee	0.50%	471,390	
			1,414,169

FINANCE

Debit Rate 8.000%, Credit Rate 0.000% (Nominal)			
Land		2,014,665	
Construction		3,346,918	
Total Finance Cost			5,361,583

TOTAL COSTS **75,422,349**

PROFIT **18,855,592**

Performance Measures

Profit on Cost%	25.00%
Profit on GDV%	20.00%
Profit on NDV%	20.00%
IRR	17.90%
Profit Erosion (finance rate 8.000)	2 yrs 10 mths

Appendix 7 Hybrid Planning Permission 16/01399/HYBR Committee Report

Public Document Pack



Meeting of: Planning and Licensing Committee
Date: Thursday, 22nd March, 2018
Time: 6.15 pm
Venue: No's 1 & 2 Committee Rooms - Rochdale Town Hall, Rochdale, OL16 1AB

Members of the public are able to speak on planning applications for determination by the Committee. To register to speak on an application please contact [Governance & Committee Services](#)

Item No.	AGENDA	Page No
1.	APOLOGIES To receive any apologies for absence.	
2.	DECLARATIONS OF INTEREST Members are required to declare any disclosable pecuniary, personal or personal and prejudicial interests they may have and the nature of those interests relating to items on this agenda and/or indicate if S106 of the Local Government Finance Act 1992 applies to them.	
3.	URGENT ITEMS OF BUSINESS To determine whether there are any additional items of business which, by reason of special circumstances, the Chair decides should be considered at the meeting as a matter of urgency.	
4.	ITEMS FOR EXCLUSION OF PUBLIC AND PRESS To determine any items on the agenda, if any, where the public are to be excluded from the meeting.	
5.	HYBRID PLANNING APPLICATION FOR DEVELOPMENT OF LAND BOUND BY MANCHESTER ROAD, HARESHILL ROAD AND PILSWORTH ROAD WEST OF JUNCTION 19 OF THE M62 ROCHDALE	3 - 170

Site visits

Members are invited to attend a visit to the site as follows:
3pm meet at staff entrance to Number One Riverside
3.20pm meet at the Heywood Civic Centre car park.

Planning and Licensing Committee Members

Councillor Shakil Ahmed
Councillor Phil Burke
Councillor Irene Davidson
Councillor Aftab Hussain
Councillor Aasim Rashid
Councillor Ann Stott JP
Councillor Carol Wardle
Councillor Donna Williams

Councillor Surinder Biant
Councillor Neil Butterworth
Councillor Susan Emmott
Councillor Shaun O'Neill
Councillor Peter Rush
Councillor Patricia Sullivan
Councillor June West

For more information about this meeting, please contact
Michael Garraway
01706 924716
michael.garraway@rochdale.gov.uk

Agenda Item 5

Report to Planning and Licensing Committee



Date of Meeting	15 th March 2018
Portfolio	Councillor Daalat Ai Portfolio Holder Planning & Development
Report Author	Mark Robinson
Public/Private Document	Public

Application: 16/01399/HYBR	Township: Heywood	Ward: Hopwood Hall
Applicant: Russell Homes (UK) Ltd	Agent: Mr Philip Grant (HOW Planning)	
Site Address: Land Bound By Manchester Road, Hareshill Road And Pilsworth Road West of Junction 19 of the M62 Rochdale		
Proposal: Part full/part outline planning application for the development of land at South Heywood,including the demolition of a number of existing on-site buildings and structures. Full consent sought for the construction of a new link road between Junction 19 of the M62 and Pilsworth Road, the widening of part of Pilsworth Road, together with associated junction improvements, landscaping, lighting and other works including the importation of material and engineering works in order to construct the link road. Outline consent (with all matters reserved for future approval except access) sought for a major mixed-use development comprising supporting residential uses comprising up to 1000 dwellings (Class C3); employment uses (Classes B2/B8) comprising up to 135,460m2 Gross Internal Area(GIA); a new primary school (Class D1); Class A1/A2/A3/A5 uses comprising up to 2500m2 GIA which includes no more than 499m2 of A1 uses; together with associated landscaping, open space and sports pitches, drainage, ecological enhancements, cycleway and footpath linkages, infrastructure and other works ancillary thereto. (Application accompanied by an Environmental Statement).		

DELEGATION

- 1.1 The application is before the Planning and Licensing Committee as this major development represents a departure from the Development Plan and more than 10 objections have been received.
- 1.2 In accordance with the Town and Country Planning (Consultation) (England) Direction 2009, the application must be referred to the Secretary of State if the Committee is minded to grant planning permission.

PROPOSAL SUMMARY

- 2.1 This is a hybrid planning application for the development of land at South Heywood comprising:
 - Full application for the demolition of existing buildings and structures and the construction of a new link road between junction 19 of the M62 motorway and the widening of part of Pilsworth Road, with associated junction improvements, landscaping and other works.

- Outline application, with all matters reserved aside from access, for a mixed use development comprising distribution, storage and general industrial uses (B2 & B8), residential uses (C3), town centre uses (A1, A2, A3 & A5), a primary school (D1), landscaping, open space and sports pitches. Drainage, ecological enhancements, cycleways, footpath links and other associated works and infrastructure are also proposed under the outline part of this application.

RECOMMENDATION

- 3.1 That **planning permission** be GRANTED subject to the conditions listed in Schedules 1 and 2 of the report and the completion of appropriate legal agreements under the Local Government Act 1972, The Town and Country Planning Act 1990, Localism Act 2011 and to secure the following planning obligations:
- (a) **Air Quality payment** – sum of £1500 for the installation of a NO₂ diffusion tube site along the link road to be paid prior to the commencement of development.
 - (b) **Affordable Housing** – 15% on-site provision, per phase. Contributions are to be provided where the Council don't want on-site provision for that particular phase. The affordable housing shall be intermediate and rented, with no more than 50% rented, in any one phase.
 - (c) **Bus Service and Bus Stops Contribution** – £1.05million + £180,000 respectively.
 - (d) **Link Road payment** – shortfall contribution in respect of the final costs of the link road. Please note that this includes the original link road cost, the recently added £317,000 for highways mitigation and £25,000 for the pedestrian and cycle route between the site at Gloucester Avenue and Heywood town centre up to Church Street.
 - (e) **Management Company** – for long term management and maintenance of the Public Open Space.
 - (f) **Public Open Space** – to include 8ha of land. This will include the **Multi Use Games Area (MUGA)** and **Neighbourhood Equipped Area of Play (NEAP)** to be provided on-site.
 - (g) **Sports Pitches** – provision of 3.5 hectares. However, in lieu of sports pitches the apportioned sum of £200,000 towards Heywood Sports Village will be paid.
 - (h) **Land for a Primary School** (single form entry school) – 0.8 hectares to be transferred to the Council.
 - (i) **Education contribution** – sum based on formula of up to a maximum of £4,620,003.50.
- 3.2 That the application be approved for referral to the Secretary of State.
- 3.3 If the Secretary of State is not minded to 'call in' the application for determination, the Assistant Director (Planning and Development) be delegated to release the decision notice the on completion of the relevant legal agreements, planning obligations and subject to the conditions listed in Schedules 1 and 2 of the report.

REASON FOR RECOMMENDATION

- 4.1 In considering this proposal the Council as Local Planning Authority must have regard to section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires that the application must be determined in accordance with the development Plan unless material considerations indicate otherwise.

Whilst the proposal does not accord with the development plan when read as a whole, as in accordance with the requirements of section 38(6) it is considered that other material considerations advanced indicate otherwise.

Whilst the proposal comprises inappropriate development in the Green Belt and should not be approved except in very special circumstances it is considered that the potential harm to the Green Belt is clearly outweighed by other considerations and benefits that the proposal will bring.

These include the substantial benefits that would be delivered to support sustainable economic growth; employment generation that in an area of the Council that suffers from high levels of unemployment; the benefits associated with overcoming existing traffic problems and congestion in the South Heywood area and surrounding motorway and local highways network, and the provision of much needed education facilities in an area of the Council that is at capacity.

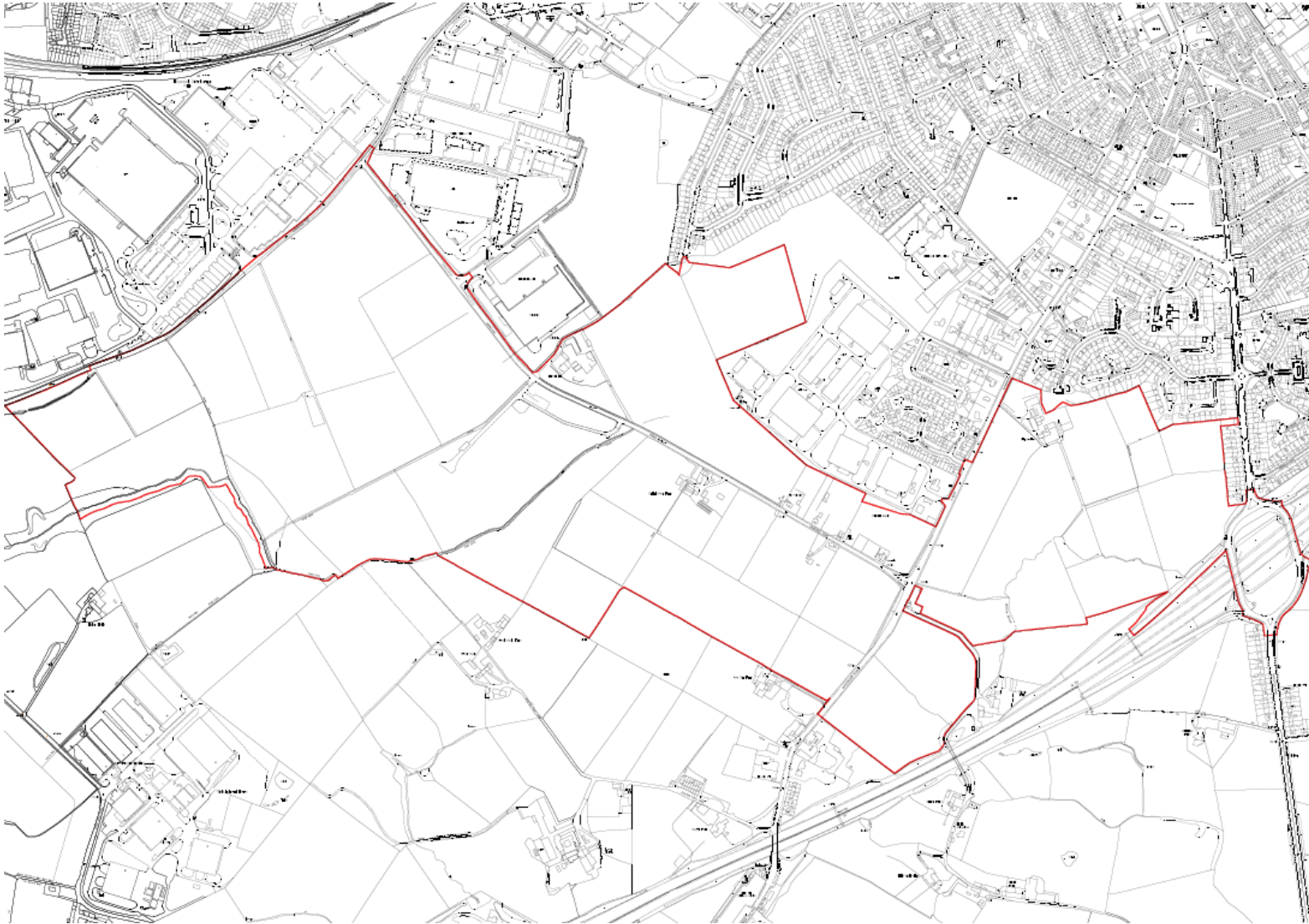
Other benefits which taken as whole with the above are considered to add to the existence of Very Special circumstances; the provision of a deliverable site that would significantly contribute towards the need for, and type of housing required in the Borough; the environmental and social benefit arising from the improved public transport service along with new cycle routes and footpaths that would improve accessibility between the surrounding residential areas and existing businesses and its employees, as they heavily rely on the use of the car to travel to and from work; and the public health benefits associated with walking/cycling and recreation opportunities afforded through the additional public open space that is to be provided.

If the Planning and Licensing Committee is minded to grant planning permission, the application must be referred to the Secretary of State as it comprises development which consists of or includes inappropriate development on land allocated as Green Belt in an adopted local plan, unitary development plan or development plan document and which consists of or includes-

- (a) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or

(b) any other development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt.

SITE LOCATION



SITE

The application relates to a large irregular shaped area of predominantly undeveloped agricultural land that is approximately 129.4 hectares in area and is enclosed by a mixture of hedgerows, trees and post and rail fencing. There is also a handful of sporadically sited properties located within the site including Hares Hill Farm, Collop Gate Farm, Siddal Moor Farm depot and some residential properties on Hareshill Road and Manchester Road.

The urban fringe of Heywood bounds the north and western sides of the site, comprising residential and employment/commercial areas which include the Heywood Distribution Park, Hareshill Business Park and Pennine Business Park. Residential areas are also present to the eastern side of the site, which include: Bader Drive, Wings Grove, Mercers Road, Lenten Grove, Salthill Avenue, Whittlebrook Grove and Middleton Road.

Hareshill Road, which has width restrictions to discourage its use by HGVs, intersects the majority of the site and runs up in a north westerly direction from Manchester Road to adjoin with the junction of Pilsworth Road. Parts of eastern and south eastern sides of the application site also border the Junction 19 roundabout and the M62 motorway.

The topography of the area is such that the site is predominantly characterised by a gently rolling landscape. However due to previous landfill activity adjacent to the junction of the Hareshill Road and Pilsworth Road the profile of the land in this area is raised. Five Public Rights of Way (PRoW) (Heywood Footpaths 72, 73a, 74, 75, and Heywood Bridlepath 69), Brightly Brook, Whittle Brook and a local high pressure gas pipeline also run through the site.

Around 97% of the application site is located within the boundaries of the Greater Manchester Green Belt, and around 3 hectares, to the northern side of Hareshill Road, is designated as 'Protected Open Space' in the Council's Proposal Map.

PROPOSAL

This is a hybrid planning application which seeks full planning permission for the demolition of existing buildings and structures and the construction of a new link road between junction 19 of the M62 motorway and the widening of part of Pilsworth Road, with associated junction improvements, landscaping and other works.

The proposed link road comprises the construction of a new 2.2km single carriageway route between Pilsworth Road and the existing roundabout at junction 19 of the M62 motorway. The majority of this route would follow the existing alignment of Hareshill Road (between Manchester Road and Pilsworth Road). The proposed link road scheme and supporting works comprise the following elements:

- A new connection to the M62 J19 grade-separated roundabout, including a 'free flow' lane direct from the M62 eastbound exit slip.
- M62 J19 Roundabout – Comprehensive traffic signal improvement scheme and associated walking / cycling initiatives.

- Construction of a circa 650m new section of Link Road between M62 J19 and A6045 Manchester Road.
- Creation of a new traffic signal controlled cross-roads junction where the proposed Link Road crosses the alignment of A6045 Manchester Road / Heywood Old Road.
- Construction of a new section of Link Road located to the north east of Hareshill Road, connecting into on-line widening of the existing Hareshill Road alignment further west.
- The installation of cul-de-sacs either end of the existing 'bypassed' section of Hareshill Road and the provision of associated turning head infrastructure.
- The signalisation of, and improvements to, the Hareshill Road / Pilsworth Road junction.
- Circa 600m section of localised widening of the existing section of Pilsworth Road to the west of the junction with Hareshill Road to deliver a ghost-island right turn improvement access to Heywood Distribution Park. This junction improvement also to include a left turn entry deceleration / queuing lane on Pilsworth Road for traffic entering Heywood Distribution Park from the west.
- Along the stretch of the circa 2.2km link road will be segregated walk / cycle routes in and landscape works.

The proposed Link Road scheme would also be supported by a package of additional 'off site' highway improvement works at the following locations that have been designed to either mitigate against potential undesirable local background traffic reassignment effects associated with the opening of the new road link or to respond to existing local highways issues to the benefit of the local highways network. These include mitigation measures at:

- Pilsworth Road corridor to the North East of the S Heywood development area;
- Heap Brow corridor to the North West of the S Heywood development area;
- A6045 Heywood Old Road through the Birch village
- Ghost-island improvement of the existing Pilsworth Road / Moss Hall Lane junction.

In July 2013, the Department for Transport (DfT) confirmed that it had awarded a total of £110m of devolved transport funds to Greater Manchester for the period from 2015/16 to 2020/21 for the delivery of Major transport schemes through its Local Growth Fund (Growth Deal 1). The funding was to be used to maximise Greater Manchester's contribution to the UK growth strategy. In March 2014, the GMCA and the Greater Manchester Local Enterprise Partnership (GM LEP) submitted the Greater Manchester Growth and Reform Plan and Transport Investment Plan to Government. The document set out the approach of the GMCA and the GM LEP to the prioritisation of these devolved funds locally which would be used to support targeted local economic growth across the Greater Manchester city region. The Plan document confirmed that a programme of 12 major transport schemes across Greater Manchester had been identified for the allocation of these devolved funds.

In preparing this programme during 2013/14, the GMCA and GMLEP, through the GM Local Transport Body, combined to oversee a rigorous review of major scheme investment priorities across the Greater Manchester city region. Schemes were challenged for their costs, deliverability, value for money, strategic fit and economic impact, to develop a prioritised programme that would offer a significant early contribution to the GMCA/LEP's growth strategy. In July 2014, GMCA formally

replaced the GM Local Transport body as the approving body for the transport capital programme. Funding is administered by Transport for Greater Manchester across the city region on behalf of the Greater Manchester Combined Authority, and the Junction 19 link road scheme was the top ranked scheme in terms of value for money and its contribution to local economic growth, from the 12 projects identified within this programme for the award of these devolved funds.

The proposed Junction 19 link road scheme forms part of a wider programme of highway improvements within the Heywood, Middleton and Bury areas which are presently being implemented to tackle congestion and network performance on the Strategic and Local Highway Network, and to address severance between communities arising from the M62 motorway. These proposals are being funded by Highways England, the Greater Manchester Combined Authority, Rochdale Borough Council and the private sector.

These include the implementation of the Smart Motorways scheme along the M62 between Junctions 20 and 18 (to be completed Summer 2018) together with improvements to the surfacing and signalisation of the Junction 19 roundabout funded by Highways England as part of the proposal, the construction of a new cycle lane to link major employment and college/training facilities and residential areas of Middleton and Heywood (funded by the GMCA through the Cycle City Ambition Grant), the first phase to be open by Summer 2018 and completed as part of this proposal, and further capacity improvements to the Simister roundabout at the junction of the M60, M62 and M66 motorways to be funded by the Department for Transport through the Roads Investment Strategy (RIS1 and 2)

£7.3m of Greater Manchester Growth Deal 1 funding was awarded to the scheme in mid-2014 and a further £3m was similarly awarded by the GMCA and GM LEP as part of the subsequent Greater Manchester Growth Deal 3 programme during the Summer of 2017. The additional funding would be used to accelerate the delivery of the link road by 2021 together with the implementation of a local scheme of traffic improvements within the local Hopwood residential areas to prevent the inappropriate rat running of HGV vehicles through the Hopwood Triangle residential area following completion of the link road. The latter improvements to address long standing complaints from local residents cannot be implemented fully without the construction of the link road. Both of these are outline awards and will be confirmed following submission and approval of a Full Business case, which will be after any grant of planning permission and will include detailed scheme costs. These are currently forecast at around £28 million including highway mitigation works in central Heywood and other nearby roads.

The scheme will therefore be funded by the Greater Manchester Combined Authority, (GMCA), Highways England and a private developer, with their respective contributions summarised below:

- £10.3m from the Greater Manchester Combined Authority (Growth Deal 1 and 3), administered by Transport for Greater Manchester
- £1.75m from Highway England. This comprises a formal written commitment to the sum of £1.5m towards the proposed highways improvements at junction 19 of the M62 and for the sum of £250,000 to fund the proposed cycle improvements also at junction 19 of the M62.

- The anticipated shortfall of £17m will be met by the applicant, who will then recoup their outlay from the sale of the residential plots over 15 – 20 years.

Subject to the grant of planning permission there is a funding requirement for the scheme to commence on site by early 2019 and for the completion of the project and drawing down of the devolved funds by the end of March 2021. The associated highway improvements and traffic calming measures within the Hopwood Triangle will be funded using the Growth Deal funding and will therefore be implemented and soon as is practically possible following the completion of the link road. These local highway measures are designed to improve conditions on the local highway network and prevent the inappropriate routing of HGV and other commercial traffic through this area once the proposed highway link between the M62 and employment areas is in place.

Outline planning permission, with all matters reserved aside from access, is also sought for a mixed use development comprising distribution, storage and general industrial uses (B2 & B8), residential uses (C3), town centre uses (A1, A2, A3 & A5), a primary school (D1), landscaping, open space and sports pitches. Drainage, ecological enhancements, cycleways, footpath links and other associated works and infrastructure are also proposed under the outline part of this application.

An illustrative masterplan and indicative parameters plan has been submitted with the application to indicate the general form, layout and location of the various uses that are envisaged for the site. These show the main residential element of the proposal, which includes up to 1000 houses, (primarily comprising 3, 4 and 5 bedroom family housing) to be sited to the north and southern sides of the proposed link road. It is proposed to locate the proposed retail component, and a primary school in between the houses on the southern side of the road. It is stipulated that between 6000sqm and 10,000sqm of GIA is to be provided for the proposed primary school, and up to 2,500sqm for the retail uses, with no more than 499sqm of A1 uses. The employment uses are proposed to be located to the south western side of the site adjacent to existing neighbouring industrial buildings. These are to be up to 15 and 20 metres in height and up to 135,460sqm of GIA with no more than 40,638sqm to be provided for B2 uses. Sports pitches are also shown to be situated along the southern perimeter of the application site.

An area for Sustainable Urban Drainage (SUDs), landscaping and ecology is proposed to be located adjacent to Junction 19, with a mixture of 5-8 metre and 10-15 metre landscape buffer zones along the edges of the site. Two parcels of land comprising residential properties are shown to be located to the north and south of this landscaped SUDs area, and are to be accessed off Manchester Road.

ENVIRONMENTAL IMPACT ASSESSMENT

This application is accompanied by an Environmental Statement (ES) prepared under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended). The ES has been supplemented by the submission of a number of further supporting documents. These include a design and access statement, supplementary planning statement, green belt assessment, landscape visual impact assessment, agricultural land classification and soil resources assessment report, transport assessment and transport notes, noise assessment, ecological survey, air quality assessment, flood risk assessment, economic &

regeneration statement, market report and viability statement, health impact and needs assessment, tree survey, crime impact statement, link road benefits document and sequential assessment of employment land, that have been undertaken to ensure that the likely environmental effects of the proposal are understood.

RELEVANT PLANNING POLICY

Adopted Rochdale Core Strategy (CS) (2016):

The most pertinent CS policies in respect of the assessment of this application are as follows;

G4	Protecting Green Belt
SD1	Delivering Sustainable Development
SP1	Rochdale Boroughs role in the city region
SP2	The Spatial Strategy for the borough
SO1	To deliver a more prosperous economy
SO2	To create successful and healthy communities
SO4	To promote a greener environment
SP3	The Spatial Strategy for the townships
SP3/H	The Strategy for Heywood
E1	Establishing thriving town, district and local centres
E2	Increasing jobs and prosperity
E3	Focusing on economic growth corridors and areas
E4	Managing the release of land to meet future employment needs
C1	Delivering the right amount of houses in the right places
C2	Focusing on regeneration areas and economic growth corridors / areas
C3	Delivering the right type of housing
C4	Providing affordable homes
C6	Improving health and wellbeing
C7	Delivering educational facilities
C8	Improving community, sport, leisure and cultural facilities
P2	Protecting and enhancing character, landscape and heritage
P3	Improving design of new development
G1	Tackling and adapting to climate change
G2	Energy and new development
G6	Enhancing green infrastructure
G7	Increasing the value of biodiversity and geodiversity
G8	Managing water resources and flood risk
G9	Reducing the impact of pollution, contamination and land sustainability
T1	Delivering sustainable transport
T2	Improving accessibility
DM1	General development requirements
DM2	Delivering planning contributions and infrastructure

Saved policies of the Rochdale Unitary Development Plan (UDP) (2006):

The most pertinent saved UDP policies in respect of the assessment of this application are as follows;

BE/17	New development affecting conservation areas
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EM/7	Development and flood risk
EM/8	Protection of surface ground water
G/3	Protection of Existing Recreational Open Space

Draft Greater Manchester Spatial Framework (GMSF)

Work is currently underway on the Greater Manchester Spatial Framework (GMSF), a new strategic plan being developed by the Greater Manchester Combined Authority which will be the overarching development plan for Greater Manchester's ten local planning authorities.

However paragraph 216 of the National Planning Policy Framework indicates that weight may be given to emerging plans according to the stage of preparation of the emerging plan, the extent that there are unresolved objections and the degree of consistency of the relevant policies with those in the Framework.

The draft GMSF is at an early stage of preparation and does not form a part of the statutory development plan. It can therefore only be given limited weight as a material planning consideration.

Greater Manchester Joint Minerals Plan (April 2013)

Policy 2	Key Planning and Environmental Criteria
Policy 8	Prior Extraction of Mineral Resources

National

National Planning Policy Framework (The Framework)

The Department for Communities and Local Government published the Framework on 27 March 2012. The Framework sets out the Government planning policies for England and how these are expected to be applied.

The Ministry of Housing, Communities and Local Government is consulting on draft revisions to the Framework. This consultation began on 5 March 2018 and will close on 10 May 2018. However given that it is currently subject to consultation and potential change, it has been given limited weight as a material consideration.

The draft changes have been considered and are referred to in the Analysis section of the report where appropriate. The main change that is considered relevant to the proposal is the clear focus on housing delivery and the proposal for a Housing Delivery Test to ensure that, even where a housing land supply is deemed to be adequate, there is a clear need to deliver on the ground. The Borough has a clear history of under-performance in relation to the delivery of new housing. In this regard, the availability of funding and the certainty of delivery of the housing within the scheme in contributing towards meeting the Borough housing needs over a long period would provide considerable ongoing assistance to meeting the overall housing target over the plan period.

National Planning Practice Guidance (PPG)

The government published its PPG on 6 March 2014. This is intended to complement the Framework and to provide a single resource for planning guidance,

whilst rationalising and streamlining the material. Specific reference will be made to the NPPG or other national advice in the Analysis section of the report, where appropriate.

Supplementary Planning Documents (SPD):

- Affordable Housing Supplementary Planning Document (2008).
- Oldham and Rochdale Residential Design Guide Supplementary Planning Document (2007)
- Supplementary Planning Document 'Guidelines and Standards for Residential Development' (2016).
- Guidelines & Standards for Hot Food Takeaway Uses Supplementary Planning Document (2015).
- Provision of Recreational Open Space in New Housing Supplementary Planning Document (2008, updated 2017).
- Climate Change Adaptation Supplementary Planning Document (2012)

Adopted Rochdale Borough Transport Strategy 2014 (refresh)

Greater Manchester 2040 Transport Strategy

PUBLICITY

The application has been publicised in the local press, site notices have been erected in the vicinity of the site and notification letters have been sent to local residents informing them of this planning application. The application has also been publicised under the requirement of Article 15 of the Town and Country Planning (Development Management Procedure Order) (England 2015) as the proposal is a (major) EIA application accompanied by an Environmental Statement, does not accord with the provisions of the development plan, and would affect a right of way to which part 3 of the Wildlife and Countryside Act (public rights of way) applies.

RELEVANT SITE HISTORY

- | | |
|----------------|--|
| 16/00898/SCO | EIA Scoping Request in respect of proposed link road. |
| 16/00108/VRCON | Variation of condition 2 of planning approval 14/00779/VRCON in order to allow a two year extension (until February 2018) to the period for the deposit of materials and restoration of the site in connection with a development for the construction of equestrian facilities, stables for 40 horses and associated development, horse cross country track and formation of fishing lodges for recreational use – Granted STC. |
| 15/00827/SO | Request for screening opinion in respect of a proposed solar park – EIA Required. |
| 14/00779/VRCON | Variation of condition 3 of planning approval D44513 in order to allow an 18 month extension (until 11 th February 2016) to the period for the deposit of materials and restoration of the site in connection with a development for the construction of equestrian facilities, stables for 40 horses and associated |

development, horse cross country track and formation of fishing lodges for recreational use – Granted STC.

04/D44513 Construction of equestrian facilities, stables for 40 horses and associated development, horse cross country track and formation of fishing lodges for recreational use – Refused and allowed at appeal.

ORIGINAL CONSULTATION RESPONSES

British Horse Society – No comments received.

Bury Council – Raises no objection to the proposal subject to the satisfactory resolutions of issues raised by Transport for Greater Manchester.

Campaign to Protect Rural England– Raise a number of concerns which can be summarised as follows;

- The residential amenity and the rural character at the location will be harmed,
- The proposed road will add to existing congestion on Junction 19 of the M62, with significantly higher HGV movements from the Heywood Distribution Park. Traffic will increase at the junctions at Pilsworth and Heap Bridge then enter the industrial estate from there or make their way through Heywood VIA Manchester Road and then Pilsworth Road.
- There are problems with congestion from Jackson's Farm on Pilsworth Road to its Junction with Hareshill, which is double the length of the proposed link road.
- The Greater Manchester Spatial Framework has plans to significantly increase the employment space to the North of Bury and wishes to promote more sustainable development, so it must be questioned whether additional warehousing space is justified.
- The scale of the development at the proposed location is too large. There is a real risk the development will suck out economic activity from existing urban areas and new areas being proposed by the Greater Manchester Spatial Framework. The GMSF is currently out to consultation. Has the Greater Manchester Combined Authority been notified of this application?
- The application should be referred to the Planning Inspectorate given the scale of Green Belt loss.
- Future development should accord with the local plan which includes adequate supply of employment and housing land
- New road will cut through farmland currently used for agriculture in protected Green Belt land in Rochdale, with adverse harm to the local countryside. CPRE believes the very special circumstance required to allow development in the Green Belt.
- Air Quality impacts must be fully understood to ensure it is not adversely impacted upon.

Canal & River Trust - The application falls outside the notified area for its application scale. The application is therefore returned as there is no requirement for you to consult us in our capacity as Statutory Consultee.

The Coal Authority - Has no objections to the proposal subject to the imposition of a condition or conditions for the submission of intrusive site investigations, including for the mine entries and shallow coal workings.

Contaminated Land Officer - No objections subject to the submission of an additional investigation and risk assessment to identify the nature and extent of any contamination on the site.

Drainage Officer – has advised that he is happy with the approach but would like to see more information around the drainage proposals, calcs etc. and would like the proposals developing further in the FRA.

The Environment Agency – Has no objection in principle and recommends that planning permission could be granted subject to conditions for the submission of schemes to deal with contamination risks, and a verification report set out in an approved remediation strategy. A condition is also suggested to restrict any surface water drainage system being introduced on land where contamination has been identified.

Greater Manchester Archaeological Advisory Service – Raises no objection to the proposal but recommends that a programme of archaeological works should be secured through the use of planning condition for both the outline and full planning applications.

Greater Manchester Ecology Unit – No overall objections to the application on ecological grounds because the site is not of substantive ecological value. However they recommend a number of conditions which require the submission and approval of a construction environmental management plan and a comprehensive landscape and habitat creation and management plan.

GM Fire and Rescue Service – No comments received.

Greenspace Development and Countryside Manager - Seeks further information regarding funding arrangements to maintain the linear open space, vegetation and the cycle paths.

Health & Safety Executive (HSE) – As the proposal is an outline planning application which includes only an indicative layout at this stage, HSE would not advise against the granting of planning permission subject to the inclusion of conditions. These would ensure that no more than 30 dwellings, at a density not exceeding 40 dph, would lie within 46 metres of the middle zone boundary of the major accident hazard pipeline, and that no more than 100 people be present at one time at the sports pitches and play areas which lie within the middle zone of the pipeline or that such facilities are sited more than 46 metres away from the pipeline.

Highways England – Do not wish to raise any in-principle objections to the proposal subject to two planning conditions for details of the full design and construction of the improvements to the J19 M62 scheme, including all structural design requirements, and a detailed travel plan to be submitted to and approved in writing by the LPA in consultation with the Secretary of State for Transport.

26 September 2023

Dan Kershaw
Russell Homes
13 Westpoint Enterprise Park,
Clarence Avenue,
Trafford Park,
Manchester,
M17 1QS

Dear Dan,

RE: Heywood Stores (Trammell Crow Company) Application - Ref 22/01410/FUL & South Heywood Planning Application 16/01399/HYBR (Russell Homes)

I refer to the above and our recent conversation regarding the proposed planning application by Trammell Crow.

By way of background, Jones Lang LaSalle acted for Russell Homes during the marketing of the first housing phase of the South Heywood scheme (16/01399/HYBR), on land to the south of the new link road. This 156 unit phase was sold to Bellway in June 2022.

Accordingly, you have asked my opinion on the Heywood Stores proposals informed by our earlier agency and disposal advice following planning approval in March 2020 together with a high level market assessment.

South Heywood Urban Extension

This 320-acre urban extension to South Heywood will create new local jobs, improve accessibility to the M62 motorway and provide a range of new family homes and community facilities. The 15-year South Heywood Masterplan involves the creation of a new 2.2km link road from Junction 19 of the M62 motorway to the employment areas off Pilsworth Road. This was opened in November 2022. The masterplan will also provide up to 1,000 new family homes, including affordable houses, a new primary school, a new village retail centre, improved public transport provision, extensive public open space across the 130-hectare site and secures investments for enhanced local sports facilities.



Illustrative Masterplan

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Landmark, St Peter's Square
1 Oxford Street, Manchester
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Proposed Applicant's Scheme

I understand that an application has been submitted to deliver up to 43,198m² (464,979 Sq Ft) of B8 employment space split across 3 units that adjoin the South Heywood site (Application - Ref 22/01410/FUL Heywood Stores). This is in the form of two smaller units with a shared party wall (**Units 1 and 2**) which have a finished floor level of approximately 129.2 metres. The ground to ridge height would be 15.4 metres.

The units would provide a total floor space of 8,224 square metres GIA and an additional 438 square metres of ancillary office space. The third unit (**Unit 3**) would have a finished floor level of 129.5 metres and the building would measure 280 metres in length and 116 metres in width. The ground to ridge height would be 17.6 metres and an eaves height generally of 16.3m. The unit would provide a total floor space of 32,527 square metres GIA and an additional 2,009 square metres of ancillary office space. It would have 35 dock access loading bays fronting west onto the approved housing scheme of the neighbouring South Heywood project.



Proposed Site Layout – drwg 21557-ASA-00-ZZ.ZZ-D-A-0003_(S3-P13)

Visual Impact

The proposed buildings are significantly larger than the existing buildings on the site which have an average height that varies between 6m-10m to ridge above ground level. However, I understand from the Application that the ground levels on the site are being raised by a further 3m, compounding the impact of the larger buildings will have on adjacent premises.

We have reviewed the LVIA prepared by Barnes Walker on behalf of Russell Homes and the independently prepared Accurate Visual Representation (AVR) visualisations of the proposed Trammell Crow development prepared by Robert Lockhart Consultants.

The views illustrate what the proposed building massing will look like when viewed from the South Heywood site to the south and west.

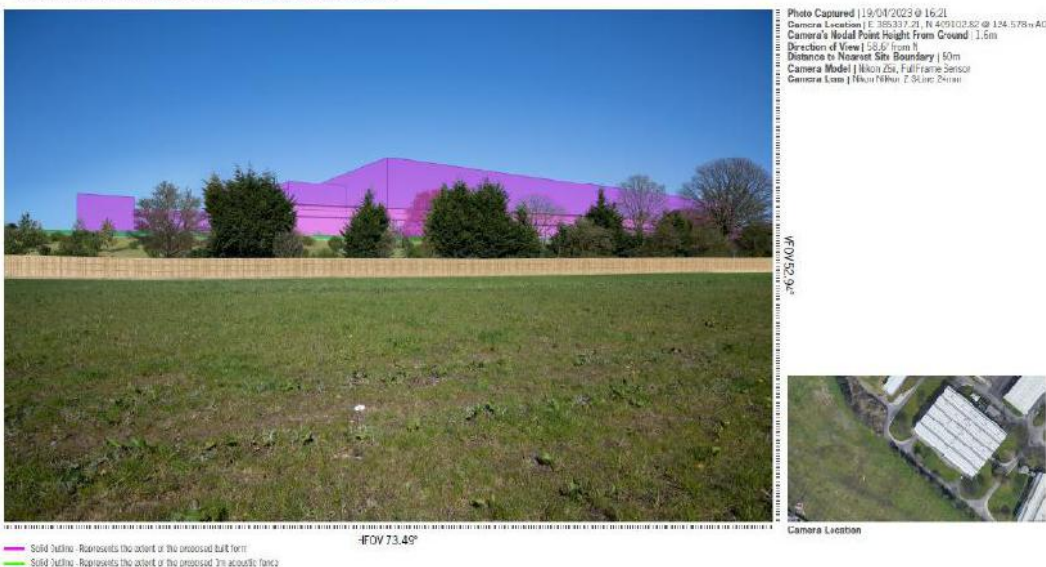
Existing Building

Viewpoint 12 | Baseline Photograph



Proposed Building

Viewpoint 12 | Proposed Development | Type 3 | AVR Level 1



Viewpoint 12 | Proposed Development | Type 3 | Illustrative Finishes



Photo Captured | 19/04/2023 @ 16:21
 Camera Location | E 385337.21, N 409102.82 @ 124.578m AGL
 Camera's Nodal Point Height From Ground | 1.6m
 Direction of View | 58.6° from N
 Distance to Nearest Site Boundary | 50m
 Camera Model | Nikon Z5ii, Full Frame Sensor
 Camera Lens | Nikon Nikkor Z S-Line 24mm

VFOV 52.94°



Camera Location

HFOV 73.45°

— Solid Outline - Represents the extent of the proposed 1m acoustic fence

Existing Building

Viewpoint 15 | Baseline Photograph



Photo Captured | 19/04/2023 @ 17:15
 Camera Location | E 384988.46, N 409186.16 @ 128.847m AGL
 Camera's Nodal Point Height From Ground | 1.6m
 Direction of View | 89° from N
 Distance to Nearest Site Boundary | 300m
 Camera Model | Nikon Z5ii, Full Frame Sensor
 Camera Lens | Nikon Nikkor Z S-Line 50mm

VFOV 26.89°



Camera Location

HFOV 39.5°

Proposed Building

Viewpoint 15 | Proposed Development | Type 3 | AVR Level 1



Viewpoint 15 | Proposed Development | Type 3 | Illustrative Finishes



Market Assessment on the South Heywood Scheme

The South Heywood project is intended to create a high-quality place with community infrastructure, including, but not limited to; a new link road, a primary school, local centre, sports pitches, public open spaces, quality homes, employment and public transport.

The proposed houses are to be built on a garden suburb style with landscaping and open space being integral components of the scheme. The mix will consist of new larger homes and the accompanying design code sets out how this will be achieved.

Demand from house builders has been based around the high-quality design set out at the masterplan stage and the levels of social and environmental infrastructure that is being proposed.

The South Heywood Phasing Plan Drawing / Rev: SP(90)119 / G shows the Hareshill Road North phase (Phase 4) delivering 330 homes and the illustrative masterplan for this phase (4846_SP(90)57 / C) shows housing directly adjacent to the boundary of the Heywood Stores site.

The proposed Heywood Stores warehouse application Ref 22/01410/FUL will have a significant impact on the neighbouring phases to the south and the west. Specifically Phase 6 (Hareshill Road 61 units); Phase 5 (Hareshill Central 101 units) and Phase 4 (Hareshill Road North 330 Units).

The proximity of the proposed Heywood Stores scheme to Phase 4 (Hareshill Road North 330 Units) will have the most significant impact. The proposed buildings will be visible from the link road and the site entrance, as the detailed verified images clearly show. This large industrial warehouse is not compatible with a high value housing scheme. It will create real and perceived operational issues associated with the light and noise from HGV's accessing the loading bays that front out onto the residential site.

A scheme of this nature, will operate 24 hours a day, seven days a week, and should not be proposed and built out this close to a sensitive receptor such residential use. The proposed warehouses are vast and imposing, which will impact on the general visual amenity of housing on this site. With 35 HGV loading bays facing onto the site this would adversely impact the amenity of new housing, and would create visual, highways and noise issues that cannot be mitigated against.

The scale, massing and operation of the proposed development is not contextual and would dominate and dwarf existing and proposed housing. I understand that technical consultants acting on behalf of the Council, have also raised major issues with the scale, massing and height of development and its impact on the area.

Summary

The size of the proposed Heywood Stores building leads to a greater height and massing, and thus a more harmful visual impact. The size also directly correlates to operational intensity with the activity and impact facing out onto the approved Phase 4 housing scheme.

There will be both a perceived and real impact from the proposed Heywood Stores application. The buildings will be visible from the link road highway and the entrance to the Phase 4 site. This will be particularly worse for residential units which back on to the site.

Matters around noise, highways and design/visual impact will prejudice sales and homeowner demand.

Yours sincerely



John Lafferty
Director - Planning & Development

Historic England – Do not wish to offer any comments on this occasion. The application(s) should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Manchester City Council – No comments received.

Minerals and Waste Planning Unit – In light of the findings of the applicant's mineral assessment review document, it is considered that the prior-extraction of any material resource within the site would be unlikely to be economically viable and in any case be outweighed by the need for the proposed development. There is therefore no conflict with Policy 8 of the Minerals Plan.

National Grid – Due to the presence of National Grid apparatus in proximity to the specified area the contractor should contact National Grid before any works are carried out to ensure our apparatus is not affected by any of the proposed works.

Natural England – Based on the plans submitted, they consider that the proposed development will not have significant adverse impacts on designated sites and has no objection.

Network Rail – No comments received.

Oldham Metropolitan Borough Council – Highlights that the proposal is a departure from the provisions of the Framework and that the weight attached to any 'very special circumstances' in the Green Belt is a matter for Rochdale Council to determine. Also points out that should the application be approved it would need to be referred to the Secretary of State. However it does not wish to raise objections to the scheme on any other grounds.

Open Space Environmental Management – No comments received.

Open Space Society - RMBC's Core Strategy Final Inspector's Report 2016 has been either ignored or overlooked. The lack of a Local Plan, yet to be adopted, has been ignored or the developer may be trying to force a decision in advance of the Rochdale Local Plan being fully adopted. The greenbelt as defined by the NPPF has not been taken into account. This development is far too big for such a small area which will suffer from the repercussions of overzealous and indiscriminate exploitation of the land and the effect will be total urban sprawl. The air pollution will increase and the health and wellbeing of the local population will suffer as a result which will have a knock on effect on our already stretched NHS. The last in any pecking order is the wildlife that lives in this area, they will ultimately suffer.

Public Protection – Has no objection in principle but recommends conditions to ensure that all mitigation measures set out in chapter 15 of the ES are implemented, including acoustic fencing and that a construction management plan is submitted and agreed to include details of noise and vibration consistent with those outlined in the ES. Further acoustic reports are requested for subsequent reserved matters applications.

Ramblers Association – Prefer not to make comment until they have further information on existing and proposed footpaths.

Rossendale Borough Council - Overall support the aspirations to deliver sustainable growth across the Greater Manchester region and would welcome the opportunity to continue to work with Rochdale Council to deliver both the aspirations of the region and Rossendale Council over the plan period. One consideration of the proposed plans it is not considered that the proposed development would result in further congestion to the detriment of Rossendale's road networks. As such they raise no objection to the proposed scheme.

RSPB – No comments received.

Rural England – No comments received.

Schools Service - The proposed development of 1000 houses will have a significant impact on the demand for school places in the local area.

1. The birth rate in the borough is increasing contrary to national trends and immigration and new housing is exacerbating the situation. The Heywood Township is experiencing the highest rate increase.
2. There are 9 primary schools within close proximity to the proposed site, of which only one, Harwood Park (1.3 miles) currently carries spare places to deal with in year transfers.
3. Two of the schools, Woodland and St Joseph's are being expanded to cope with the current priority factor in Heywood ie birth rate.
4. Once these works are completed there will be no further capacity for further expansion in existing schools

This could yield 250 primary school and 100 secondary school age pupils. Given the application is in outline format this will need to be recalculated. A significant developer contribution will be sought as a new primary school will be required to deal with the new housing as well as to minimise home to school travel distances and make the scheme attractive to families. This contribution is calculated based on the following current RBC rates:

- i. Primary: 250 children @ £12320 = £3,080,000
- ii. Secondary: 100 children @ 15400 = £1,540,000
- iii. **Total: = £4,620,000**

This sum would be sufficient for the building of a 2 form entry school.

Senior Transport Strategy & Projects Officer - There are no Public Rights of Way and Air Quality reasons that prevent the proposed development from going ahead providing that a number of conditions are agreed and implemented.

With regard to the Definitive Rights of Way network affected by the proposals:-

- If the condition of any Right of Way is damaged as a result of the proposed works then it will be reinstated to its original condition or better,
- Any Right of Way that is integrated in to the development proposals will be upgraded to the same specification of the surrounding pedestrian network so it is able to withstand the projected use.

With regard to Air Quality

- a Dust Management Plan incorporating mitigation measures consistent with those detailed in Table 14-32 on pages 14-32 and 14-33 of the Environmental Statement are included in a wider ranging Construction Environmental Management Plan
- a contribution is made to finance the cost of installing a NO₂ diffusion tube monitoring site along the link road and the maintenance and data collection of it.

Sport England – Whilst playing fields are proposed as part of the scheme, a proposal of 1000 houses will create demand for sport and therefore a financial contribution to address the sporting needs that will arise from this development is requested. They suggest that the proposal would generate a demand for a financial contribution to be paid into indoor and outside sports.

Transport for Greater Manchester - A couple of issues highlighted during scoping discussions have not been addressed in the TA. The local authority may wish to request further info on these outstanding matters prior to accepting the TA. These are as follows:

- Journey time validation for the SATURN model used in the assessment.
- Other correspondence included in Appendix 1 covering scoping discussions states the need for the validation report to show base model link validation for the M66 junctions 2 and 3 to support future conclusions regarding flow changes and impacts at the two junctions. HFAS note that this detail has not been included in the TA submission.
- HFAS note that the scoping note previously issued states that a comparison to existing available local travel patterns would be included within the TA in order to demonstrate the suitability of proposed development traffic distribution. This is also reiterated in email correspondence from Atkins. This information has not been provided in the TA.
- It should be noted that Axis confirm possible further work to be undertaken in relation to the M62 J19 modelling – the HE has asked whether two lanes can be provided on the southern A6046 Middleton Road approach to the junction. UTC are awaiting confirmation from RMBC before this work is undertaken, though the consequence of introducing an additional lane would be improved capacity at this node – if this is an option then this should be included in either the TA itself or an addendum.
- Following a review of the traffic assignment, it was proposed to RMBC by TfGM that the gap-accepting right turn from the Link Road (east) at Manchester Road be fully signalised. This could be accommodated within the proposed junction footprint and is more efficient as the delay incurred gap-accepting is removed. The TA does not include this additional modelling, though it can be provided if necessary – as above – this should be included in the TA. We want the TA to reflect as closely as absolutely possible the actual operation of the signalised junction.

United Utilities – No objection to the proposal subject to conditions for foul and surface water to be drained on separate systems, the submission and approval of a surface water drainage scheme and its effective management and maintenance. Also recommend informative notes about water mains.

RECONSULTATION RESPONSES

Following the submission of Further Environmental Information and other supplementary information in relation to the Environmental Statement and planning application, further consultation and publicity was undertaken in accordance with the requirements of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017. In response to this re-consultation the following consultation responses have been received:-

British Horse Society – No comments received.

Bury Council – No objections to the proposal subject to the satisfactory resolution of issues raised by Transport for Greater Manchester.

Canal & River Trust – No objections to the proposed development. This application falls outside the notified area for its application scale. We are therefore returning this application to you as there is no requirement for you to consult us in our capacity as a Statutory Consultee.

The Coal Authority – Has no objections to the proposal subject to the imposition of a condition or conditions for the submission of intrusive site investigations, including for the mine entries and shallow coal workings. The application is now supported by a Geotechnical Land Stability Assessment for the Employment Parcel, dated May 2017 and prepared by E3P and a Geotechnical Land Stability Appraisal, dated 1 June 2017 and prepared by E3P. However, neither of these reports change the previous recommendations made to the LPA by the Coal Authority.

Having reviewed the additional information submitted the Coal Authority has no additional comments to make, however wish to note that our previous recommendation to the LPA are still considered to be valid and relevant to the decision making process.

Conservation Officer – No objections to the proposal. There are no designated heritage assets within the site boundary and a number of designated heritage assets within the surrounding area. Hares Hill Farm and Siddal Moor Farm are undesignated heritage assets within the site boundary. The impact on these heritage assets is outlined below.

Edgecroft - This Grade II listed building, designed by the architect Edgar Wood, is located on Manchester Road, toward the eastern end of the proposed development site. The curtilage of Edgecroft is fronted by a tall boundary wall, and is surrounded on the other sides by residential developments. I do not consider the proposed development to cause any harm to the setting of this listed building.

Lower Whittle Farm - This seventeenth century Grade II listed farmhouse is located to the south of the proposed development site, with a 400m buffer of farmland between them. The farmhouse is surrounded on the north and east by a number of

farm buildings. I do not consider the proposed development to cause any harm to the setting of this listed building.

Birch Village Conservation Area - This conservation area is located 300m to the south of the proposed development site, and within the conservation area are two listed structures (a Grade II listed War Memorial set back from Heywood Old Road and Grade II listed drinking fountain on Heywood Old Road) and a number of locally listed buildings (mill, residential and a public house) situated on Heywood Old Road. Between the proposed development site and the conservation area is the M62 motorway with an embankment separating the two areas, and a number of buildings to the north of the motorway. Due to these barriers I do not consider the development to cause any harm to the setting of the conservation area or the heritage assets within it. The Environmental Statement Vol 2 - Chapter 10 Archaeology and Culture states that predicted traffic flows are significantly reduced through the conservation area following the opening of the link road.

Undesignated heritage assets - The archaeological assessment report identifies Hares Hill Farm and Siddal Moor Farm as having historic value and these could both be considered undesignated heritage assets.

The report states that Hares Hill Farm is a good example of an early Victorian high quality farmhouse with some historic outbuildings. This farm has high evidential value due to the completeness of the structures and high aesthetic value for the well-defined style and conscious design of place. It does state however that the farm has moderate historic value and low communal value. There have been a number of alterations over the years and not all of the buildings on the site have significance. I would welcome the restoration and re-use of this farm as part of the overall scheme although as there is no heritage designation in place, and it is unlikely that the farm would meet the criteria for listing, I am unable to insist upon this building being retained.

The report identifies Siddal Moor Farm as a good example of a late Victorian farmhand's cottage with associated outbuildings, although it states that the dwelling and barns have moderate evidential value, and negligible historic, aesthetic and communal values and the later structures on the site have negligible historic value.

To mitigate the loss of these buildings to some extent GMAAS have recommended a full recording of the structures which I welcome.

Contaminated Land Officer - No objections subject to a condition requiring further contaminated land investigations and risk assessments be undertaken and findings approved in writing by the Local Planning Authority and implemented.

CPRE – No further comments received.

Director of Public Health - Agree with the comments on the issue of Primary care capacity and access to pharmacies and opticians and would pursue all opportunities to enhance active transport through the development – cycling/walking and access to public transport

Drainage Officer – No objections to the proposal subject to conditions in respect of the highway drainage design. These relate to the run-off rates of the proposed highway drainage to existing watercourses and for the submission of schemes to

include the design of the filter drains, including the connecting network and outfalls, and culvert and stream crossings of the proposed link road.

Economic Affairs Manager - The Planning Application is welcomed as a vital stage towards the delivery of a new development with significant potential for new employment and training opportunities and other economic benefits. The accompanying Economic and Regeneration Statement and Employment and Training Statement identifies the current socio-economic issues faced by the borough and how the proposed development will help address these.

Specific comments:

1. According to the Office for National Statistics, the borough's employment rate as at December 2017 was 64.4% and is the lowest in Greater Manchester and significantly behind the regional (72.4%) and national (74.4%) averages. The borough also has the highest percentage of workless households in Greater Manchester at 23% of all households. Again, this is significantly above the regional (18%) and national (15.1%) averages. The borough is in need of new jobs and according to the Economic and Regeneration Statement, this development would provide 3200 person years of full-time equivalent (FTE) construction jobs, 180 FTE temporary construction and 2300 FTE jobs once employment space is occupied, with 100 more in small scale retail uses. Based on our experience these estimates are realistic.
2. During the construction phase, it is important that local companies in the construction and related services sector are given the opportunity to supply services to the developer. The Council will, as it has done on other developments, assist the development of a local supply chain.
3. The submitted Employment and Training Statement outlines a commitment from the developer, following consultation with a wide range of local stakeholders, in order to maximise the employment and training opportunities from the development. This includes the objective of ensuring local residents have the right skills to be able to gain employment. Work with schools has already been identified as important and the necessary contacts have been made to facilitate this. The Framework of Actions is comprehensive and addresses the difficulties in matching the supply of and demand for skills.
4. Existing businesses in the area will benefit from the improved road linkages. Currently businesses are incurring significant transport costs in accessing Junction 19 M62. The new link road will reduce mileage and vehicle operating costs which will help the competitiveness of local businesses, thereby creating new and safeguarding existing jobs.

Based on the information presented in both the Employment and Training Statement and the Economic and Regeneration Statement, I would support this planning application which will bring significant and much needed socio-economic benefits to the borough.

The Environment Agency – Has reviewed the details submitted in relation to the conditions previously requested (letter dated 15 December 2016, your ref: 16/01399/HYBR) regarding contamination (i.e. details of the Phase II intrusive investigation). However, the information does not include any further documents. We therefore have no further comments at this stage.

Greater Manchester Archaeological Advisory Service – No objections subject to a condition for the implementation of a programme of archaeological works.

Greater Manchester Ecology Unit – No further comments to add other than the previously recommended condition for a Landscape and Habitat Creation and Management plan (LHCM) should set out how a net gain in biodiversity (habitat enhancement) will be achieved on the site.

Since their previous consultation response, a further archaeological assessment has been undertaken in line with GMAAS suggestions. This work related to more detailed historic building assessments and historic landscape survey, although palaeo environmental assessment has not yet taken place and can be done through the archaeological planning condition. LP Archaeology have produced an enhanced desk based assessment report (Feb 2007) which has been submitted as part of the current application. This additional work has helped clarify where further archaeological mitigation needs to take place but does not alter the essence of the recommendations set out in the previous comments.

Greater Manchester Fire and Rescue Service – No comments received.

Greater Manchester Police Crime Prevention Team (Design For Security) – No objection to the proposal. The proposed development should be designed and constructed in accordance with the recommendations contained within section 3.3 of the submitted Crime Impact Statement dated (31/08/2017 – URN:2017/0359/CIS/01) and a planning condition should be added to reflect the physical security specification listed within section 4 of the appendices within the submitted Crime Impact Statement.

Greenspace Development and Countryside Manager - No further comments received.

Health & Safety Executive (HSE) – confirm that HSE's advice in respect of planning application 16/01399/HYBR (as amended) remains, as advised previously. The HSE would therefore not advise against the granting of permission for this application subject to the inclusion of a suitable condition.

Originally, two conditions were proposed in my email of 7 August 2017; one of those, relating to the occupancy of the sports pitches in the vicinity of the pipeline no longer appears to be required, as the current Illustrative Layout (Drawing/Rev. 4846_SP(90)57/C) indicates that none of the pitches will be located within the inner or middle zones of the pipeline. However, as previously advised, HSE's advice should be obtained before any reserved matters are determined, as HSE's advice may change should any alterations subsequently be proposed to the scale and layout of the development.

The proposed condition seeks to limit the number of dwellings which may be occupied within the middle zone until the additional protection has been provided to the pipeline.

Highways England – Do not wish to raise any in-principle objection to this application. Should the Council grant consent to this application, Highways England would require conditions for details of the full design and construction of the improvements to the J19 M62 scheme, including all geotechnical and structural design requirements, and a detailed travel plan to be submitted to and approved in writing by the LPA in consultation with the Secretary of State for Transport.

Historic England – On the basis of the information available they do not wish to offer any comments. They suggest that the LPA seek the views of their specialist conservation and archaeological advisors, as relevant.

Link-4-Life – Subject to the grant of planning permission, Link4Life would like to see any off-site formal sports contributions arising from this development be used to support our continued investment in facilities at the Heywood Sports Village site.

Heywood Sports Village (HSV) has been designated as a Township Sports Hub in the draft Rochdale Borough Playing Pitch Strategy that is going through final stages of formal adoption by the Council, Sport England and the relevant National Governing Bodies of Sport. Heywood Sports Village currently offers a mix of natural grass and artificial pitches plus fitness and swimming facilities. It is primarily football focussed and the model is closely aligned to the 'Parklife' model currently being promoted by Sport England, the FA, the Football Foundation and the Premier League – a multi sports model centred around artificial grass pitches (AGP's) with fitness facilities on site to reduce dependence on public subsidy. The current AGP is a full size pitch and has recently been resurfaced and supports a range of competitive and casual use. The HSV AGP is the only one within the Heywood area available for community use.

Current demand for the AGP is very high and it is a desire of Link4Life to realise further investment in the facilities at the Heywood Sports Village site. Given the scale of the proposed development it is expected that this local demand can reasonably be expected to increase through the completion of the development.

Link4Life has plans to create an additional AGP on land surrounding the centre, and would additionally like to improve or create further grass pitches at the site. The preference would be to create 7 a-side pens or a second full size AGP that could be divided up to accommodate further clubs and casual customers, leagues and potentially an FA accredited Academy. Link4Life has been commissioned by the Council to undertake a Boroughwide Built Facilities Strategy during 2018. It is expected that this will also identify further improvements which can be made to enhance or extend the facilities available at the Heywood Sports Village site which could be implemented subject to the availability of funding.

Manchester City Council – The Council supports the principle of the proposed development. We would hope that the significant commercial proposals will strengthen the Greater Manchester economy and could provide employment opportunities for residents of Manchester. We would welcome opportunities to work with Rochdale Borough Council and the developers to strengthen the employment connections to our residents as the scheme comes forward.

GM Minerals and Waste Planning Unit – No further comments to make

National Grid/Cadent – No objections raised to the proposal.

Cadent Gas has a major accident hazard pipeline in the vicinity, Whitefield-Castleton (indicated in orange). This was laid to the appropriate standards and in accordance with the relevant codes of practice. The intended work is in the vicinity of our pipeline, which is laid in a legally negotiated easement to which certain conditions apply.

It is essential that access to the pipeline is not restricted, particularly in the event of an emergency. Therefore, there must be no obstructions within the pipeline's maintenance easement strip, which would limit or inhibit essential maintenance works on the pipeline.

The BPD (Building Proximity Distance) for the Whitefield-Castleton Pipeline is 15.5 metres. The BPD is taken from The Institution of Gas Engineers and Managers publication IGEM/TD/1 Edition 5 which is the standard applicable to steel pipelines and associated installations for high pressure gas transmission. This is the standard adopted by Cadent Gas and endorsed by the Health and Safety Executive (HSE).

There are other restraints imposed on high pressure gas pipelines, these are land use planning distances. These are distances defined by the HSE to allow them to advise on the acceptability of new developments next to the pipeline and are controlled through the HSE's Planning Advice for Developments near Hazardous Installations (PADHI) process. Further guidance on how these are applied can be found on the HSE's website <http://www.hse.gov.uk/landuseplanning/padhi.pdf>

Under Land Use Planning the HSE may wish to apply more stringent criteria for Building Proximity. It is recommended that you ensure that they are formally consulted. When working in the vicinity of ANY Cadent Gas pipelines, the standards set out in the enclosed copy of the National Grid specification SSW22 must be strictly adhered to. Please ensure that this is handed to the responsible person on site, together with copies of the enclosed plans.

It is the responsibility of the applicant to contact Cadent Gas prior to any works commencing on site. As you will appreciate we are unable to provide specific guidance based on the information provided. It is therefore essential that the applicant should contact Cadent Gas at the earliest convenience providing detailed site plans, method statements and risk assessments. Correspondence should be forwarded to the above address and marked for the attention of 'The Plant Protection Team'. This will enable us to provide the relevant documentation for safe working in the vicinity of our pipeline, and to arrange appropriate site supervision

Natural England – No objections to the proposal. They have reviewed the Agricultural Land Classification (ALC) report prepared by Reading Agricultural Consultants Ltd dated November 2017, which concludes the highest grade of ALC land on the site is 3a which extends to 3.6ha of the total area of 129.4ha. The survey appears to have been carried out to the required standards using the revised MAFF ALC Guidelines 1988, and the detailed survey provides the necessary evidence of land quality in the area.

Consequently, they consider this application falls outside the scope of the Development Management Procedure Order (as amended) consultation arrangements, as the proposed development would not appear to lead to the loss of over 20 ha 'best and most versatile' agricultural land (paragraph 112 of the National Planning Policy Framework).

Network Rail – No comments received.

NHS Heywood, Middleton and Rochdale Clinical Commissioning Group – welcome the positive impact which the development will potentially deliver for the wider Heywood area.

However, the CCG has identified inaccuracies in the information and figures contained in the submitted Health Impact and Needs Assessment (HIA/HNA). The area of greatest disagreement is centred around the GP capacity to absorb on the additional patient requirements and the wider demand on primary care and the NHS in the South Heywood area, which will be created by the new development. Whilst life expectancy nationally continues to improve, many areas such as Heywood, one of the most deprived areas in the country still experience health inequalities that lead to stark variations in life expectancy. The CCG also consider that the Heywood Primary care estate is in need of modernisation to cope with the demands of a modern surgery.

The CCG response centres on primary care but reference needs to be made to Secondary care (Hospital) and Community services and the potential for additional pressures being placed on urgent care facilities and A&E. The influx of this level of new housing and subsequent home owners will also place pressure on Doctors, Nurses and all associated Secondary Health care professionals

The Council and CCG have recently established a pooled budget to invest in the prevention of ill health and population health. Increasing opportunities for local residents to engage in exercise will reduce pressure on this health budget. The integration of health within the Council's wider activities offers real opportunities to look at how we can best utilise our shared resources, including existing facilities and assets, to deliver better health outcomes.

In closing whilst we do not agree with all of the conclusions contained in the submitted report, we welcome the positive health impact that the development will potentially deliver for the wider Heywood area through the provision of additional training and employment opportunities, quality housing, provision of recreational open space on site, sports pitches, further sports improvements at the Heywood sports village, provision of a new cycle link to serve the area and footways.

Oldham Metropolitan Borough Council – No objections to the proposal.

Open Space Environmental Management – No comments received.

Open Space Society - No further comments received.

Public Protection Section – Comments remain the same as those previously raised.

Ramblers Association – No further comments received.

Rights of Way Officer – Has raised no objections to the proposal. She notes the applicants' willingness to discuss any issues regarding rights of way with her as she wishes to be kept informed of any issues that affect the rights of way network and the general public.

Rochdale Development Agency - Welcome and support the application

With its proximity to the motorway, Rochdale and in particular the South Heywood area is viewed as a desirable location within the Industrial and Logistics Market, not only in the UK but throughout Europe as well. Current high levels of occupancy at

existing Business Parks and Industrial Estates document the attractiveness of Rochdale Borough as a location. The development of this scheme at South Heywood is vital to ensure a future supply of attractive and marketable land for modern employment uses and to capitalise on Rochdale's accessibility to the motorway network.

The RDA has reiterated the current industrial occupancy rates in the area and no available sites in the borough for large floorplate buildings. They also refer to the strong interest in Kingsway Business Park (which will take it between 60-65% capacity if developed) and the amount of demand and enquiries taken by them from large floorplate users. The significant amount of jobs that would be created for local people, and the large amount of local spend by future employees/occupiers (Gross Value Added figure from this proposals is projected to be £175m per annum) has also been referred to. The reduction in journey times and mileage is also stated as increasing economic competitiveness for business, reduction in pollution, and a reduction in 'rat running' owing to a more coherent transport network.

Rossendale Borough Council - Are generally supportive of the proposal, however wish to see the impact of the scheme on the strategic road network (especially the M66) and the possible level of employment opportunities for Borough residents be addressed in the consideration of the application.

RSPB – No comments received.

Rural England – No comments received.

Schools Service – The development contributions will be used to fund places in the area of the development since there is a deficit in both Primary and Secondary places. The development will require an extra 250 Primary places so will require a new 1 form entry primary plus additional places created in other local schools. The cost of this extra primary provision, at current building estimates, will cost more than will become available through the contributions. The additional housing in this development will also require creation of an additional 100 places in secondary schools. The combined planning obligation contributions of £4,620,003.50 will be used, in the first instance, to create sufficient extra places in the Primary sector with any surplus used for creation of secondary places. The local authority is required by statutory legislation to provide infant places within 2 miles of the home address. It is this legislation that dictates specific primary provision requirements.

Senior Transport Strategy & Projects Officer – No further comments because the AQ Assessment Methodology was accurate and demonstrated that with mitigation measures any AQ Issues could be addressed.

Sport England – Sport England's previous comments around the impact of the development on demand for built sports facilities are not affected by this response as those concerns have not been addressed. Nonetheless, Sport England does not object to the onsite playing pitch provision subject to the following further information being submitted prior to Reserved Matters stage:

- Confirmation that the pitches will supported by ancillary facilities (car park and changing facilities). If this is not the case then Sport England would object to the onsite provision on sustainability grounds and would ask that the Local Planning Authority look at obtaining a contribution towards

increasing the capacity of existing pitches in the locality to accommodate the additional demand.

If the applicant is able to confirm ancillary facilities will be provided then the following conditions will be required:

- Ground Condition Survey and Pitch Specifications to be undertaken by a sports turf specialist. Pitch types and sizes to be informed by the Rochdale's 2017 Playing Pitch Strategy and after consultation with the relevant national governing bodies and Council Sports Development Team.
- Management and Maintenance Scheme.
- Community Use Agreement, if managed by a private company.

Strategic Housing– The application in matters related to housing is outline only and is for up to 1,000 homes to be brought forward through reserved matters applications in several phases, between 2018 and 2036. Delivery on this scale offers a clear opportunity to achieve the council's strategic housing goals. These include increasing supply of good quality homes that attract people to live in the borough, supporting the housing aspirations of new and existing residents and increasing the number of high value homes (Council Tax Band E and above) in order to retain and attract working households. Therefore the application is supported in strategic housing terms, in principal.

It is important to remember that in addition to diversifying the borough's housing stock and ensuring that sufficient high quality, aspirational homes are delivered, that affordable housing needs are met, and development on this scale is an opportunity that cannot be missed to deliver much-needed affordable homes. The council's Strategic Housing Market Assessment (SHMA) estimates a need for 204 affordable homes per year across the borough, and this development should contribute to achieving and exceeding this target.

The applicant has committed in the planning obligation Heads of Terms to provide up 15% of each phase of delivery as affordable rented or shared ownership homes, with a maximum of 50% of these being for affordable rent, subject to viability appraisal as each phase comes forward, or a payment in-lieu of on-site if the council deems this preferable. Whilst viability is subject to changes up or down in sales values and build costs, this approach is supported as it will deliver affordable homes to a policy compliant level.

The precise mix of sizes and tenure within the parameters of viability and the Heads of Terms should be negotiated with Strategic Housing input as reserved matters are brought forward. When these matters are negotiated, consideration should be given to ensuring that delivery of the affordable element is frontloaded in development phasing.

Transport for Greater Manchester (Air Quality response) - has assessed the all of the original and additional information provided by the applicant and the proposed site doesn't fall within the current AQMA declared on NO2 annual mean concentrations. From the detailed atmospheric dispersion modelling done by the applicant it won't adversely affect the air quality within the area and the additional emissions won't lead to an exceedance of the relevant air quality standards. The

only part of the site where NO2 concentrations exceed the air quality standards are the southern most areas adjacent to the M62. These are within the stand-off distance from the M62 and so there will be no exposure, providing that no development takes place outside of the land shown to contain residential properties in this area on the illustrative masterplan.

Transport for Greater Manchester (Key Route Network response) - No objections to the proposed development.

The TfGM review covers the following documents listed on the Rochdale Planning Portal with regards to the resubmission of planning application 16/01399/HYBR:

- Highways Technical Note (1962-01-HTN01a)
- Assessment of Impact of Proposed Change to South Heywood Phase 1 Development Strategy – Delivery of up to 150 dwellings prior to completion / opening of the link road

The note states that the VISSIM modelling demonstrates that the widening on A6046 / Middleton Road (south) helps to reduce the previously reported queues on the approach. Subject to agreement of the split in green-time at the junction, the widening could also enable a reduction in queues at the eastern side of the junction, allowing an increase in green-time for the circulatory movement. TfGM do not have access to a VISSIM software modelling package therefore we cannot comment on the validity of the modelling exercise undertaken. However we can confirm that the conclusions listed in the technical note match the results illustrated in diagrams showing the VISSIM results.

TfGM are happy that the model resubmission appropriately forecast the impact of the proposed operational and layout changes.

LINSIG modelling has been carried out for the 2038 year. The results indicated that the revised crossroads would deliver overall highway capacity and safety benefits. TfGM are happy that the model resubmission appropriately forecast the impact of the proposed operational and layout changes.

TfGM can confirm that the trip generation figures used to determine the total number of trips originating from the 150 dwellings are correct.

TfGM can confirm that the flow figures listed in table HTN3a “predicted changes in 2020 ‘Do-Minimum’ Link Flow Demand” have been transposed correctly from the modelled flow diagrams included in the Appendices.

The note correctly points out that flow increases in excess of 5% are predicted for the section of the A6045 Manchester Road to the north of the proposal site access and at Hareshill Road. These flow increases range between 5% and 8%.

TfGM can confirm that the Saturn model outputs provided in the note demonstrate that the correct number of development trips have been applied to the Saturn model.

Picady junction capacity assessments have been carried out for the following junctions:

Manchester Road / Hareshill Road
A6045 Manchester Road / South Heywood Access C

TfGM can confirm that the results show that the junctions are operating with spare capacity.

TfGM and the applicant's transport consultants have also identified that the existing public transport offer in the vicinity of the development site is inadequate to serve the proposed development and that improvement to public transport infrastructure and services will be required in order to provide sustainable transport options to future residents and employees. TfGM would support the proposals by the applicant to make a financial contribution through a planning obligation towards public transport infrastructure and improved public transport provision in parallel with the delivery of new development across the site.

Transport for Greater Manchester (Transport Strategy) - TfGM and the applicant's transport consultants have identified that the existing public transport offer in the vicinity of the development site is inadequate to serve the proposed development and that improvement to public transport infrastructure and services will be required in order to provide sustainable transport options to future residents and employees. TfGM would support the proposals by the applicant to make a financial contribution through a planning obligation towards public transport infrastructure and improved public transport provision in parallel with the delivery of new development across the site. Having held discussions with both the Rochdale Council and the applicant's transport consultants, a range of possible public transport options have been identified including the possibility of new bus services, diverting existing services and improving demand responsive services as well as opportunities to carry out physical works to improve journey times and attraction of public transport to serve the development. However identifying a specific package of public transport improvement measures at this point in time is not practical given the timescales for the delivery of the road scheme and the mixed use development which will generate the demand for improved public transport services. Should new bus stops be required on the link road their exact locations should be agreed at the reserved matters (or master planning) stage of the mixed use development, whilst new bus stops need to be safely located on the highway they also need to be conveniently located taking account of pedestrian demand, routes and crossing points.

TfGM would also support the proposals to provide a high standard of on-site walking / cycling infrastructure and the improvement of existing local footpaths and rights of way to encourage both good permeability through the site and the delivery of good connections to surrounding established development. In particular we welcome the following which will all help to encourage sustainable travel from the development:

- Walking / cycling routes in parallel to the proposed new South Heywood Link Road linking the development to key existing employment and residential areas and providing a direct segregated link to the cycle corridor improvement works between Heywood and Middleton being delivered by RBC as part of the Cycle City Ambition Grant funding process;
- Provision of regular 'island' crossing points of the South Heywood Link Road in the vicinity of proposed residential / local centre areas and full pedestrian / cycle phasing at the major traffic signal controlled junctions along the South Heywood Link Road route to ensure safe crossing opportunities;

- Improved walking / cycling connections through the proposed new South Heywood Strategic Site residential areas, including the green wedge / linear park / landscape buffers;
- Direct and more convenient walk / cycle connections between the South Heywood Strategic Site residential development and employment areas;
- Retention and enhancement of existing public rights of way through the South Heywood Strategic Site and the improvement of off-site connections from these links;
- New segregated cycle facility connecting Pilsworth Road and the frontage of the South Heywood Strategic Site employment area to deliver part of the 'missing link' for cycle journeys to / from the west of the existing South Heywood employment areas towards Bury and Heap Bridge; and
- New direct footpath / cycle path connection to Gloucester Avenue & A6046 Middleton from the South Heywood Strategic Site area and enhancements (surfacing / lighting / security) to existing walking routes linking towards surrounding established local residential areas and Heywood Town Centre. Such links will provide easy walk connections to a range of local schools and community facilities including St Joseph's RC Primary, Holy Family RC College and Siddal Moor Sports College.

Any subsequent master planning of the mixed use development should, as a minimum, reflect these proposed improvements to the sustainable travel network in and around the site.

TfGM also support the other key 'physical' transport principles designed to encourage travel by alternative modes set out in the Framework Travel Plan such as the inclusion of ancillary community and retail development on site, suitable changing and showering facilities at new employment development, suitable levels of secure cycle parking and associated signage and the development of a South Heywood Strategic Site public transport strategy.

TfGM would also wish to see any subsequent reserved matters applications reflect these 'physical' transport principles as well as include specific Travel Plans promoting a package of 'operational' Travel Plan measures / initiatives tailored to individual end user demands.

Transport for the North (TfN) - Are supportive of the proposal. Their vision is of a thriving North of England where modern transport connections drive economic growth and support and excellent quality of life. They have a clear remit to identify and plan the transport infrastructure required to support transformational economic growth in the North. It also has a role to play in supporting local and national government, as well as the private sector and transport operators, to align local investment in public transport and active modes of travel with strategic, pan-Northern investment. They recognise the importance of the proposed South Heywood Junction and link road scheme, which would both support significant economic and housing growth in South Heywood and help relieve congestion, reducing delays on the strategic network at Simister Island (M66/M62/M60 junction). They are aware that the provision of a new access road and link to the M62 will

unlock the potential for 1.45 million sqft of employment space, 2,850 new jobs, around 1000 new homes and £175million growth in GVA to the economy. They are working closely with the Greater Manchester Combined Authority (GMCA) and its constituent Districts including Rochdale Borough Council to integrate local economic growth and development priorities with the wider plans for strategic road and rail investment that TFN is developing.

United Utilities – Has no objection to the proposal subject to a number of planning conditions. These include a phasing plan to include the maximum number of dwellings per phase, a drainage strategy for foul and surface water for entire site, foul drainage details for each phase and location of foul water pumping station, surface water drainage details for each phase, drainage maintenance and management scheme, and the protection of strategic water mains.

Wildes Consulting Engineers (independent highway consultants appointed by the Local Planning Authority)

The proposed link road will serve the proposed mixed use development at South Heywood, and it will also provide a new connection to the strategic route network bringing significant journey time savings which will bring economic benefits for the established employment sites at Heywood as well as to the general public. In particular, the journey between Heywood Distribution Park and M62 East for HGV's will be reduced by approximately 8km distance, and the modelling shows that journey time savings of between 2 and 6 minutes per car are predicted, and between 5 and 11 minutes per HGV depending on the time of day. As part of the proposed improvements along Pilsworth Road the proposed widening at the access into Heywood Distribution Park will also address the existing issue of blocking of the ahead movement by traffic queuing to enter the employment park. The provision of the new link road will minimise the development's impact on the existing local road network, and, with the improved access to the employment sites, it will also provide the ability to extend HGV bans and introduce traffic management measures once the alternative route is provided (which the applicant is funding).

Furthermore the development proposals include for improvements to sustainable modes of transport including the delivery of a shared pedestrian/cycle route parallel to the link road, connection to Gloucester Avenue (to connect the site through to the town centre), and a financial contribution of £1,230,000 to public transport provision and £25,000 for improved pedestrian links to Heywood town centre.

As expected when reviewing the highway network operation case for major new highway infrastructure, some surrounding existing routes will benefit from overall reductions in traffic as a consequence of the proposals, whilst others will see increases. Taking full account of the predicted effects of the link road and its supporting residential and commercial development, and being mindful of the package of comprehensive local network mitigation measures that will be secured, it is concluded that overall, subject to conditions and the obligation, the proposals would have a positive effect on highway network operation. It is therefore concluded that they accord with Policies DM1, T1 and T2 of the Core Strategy and satisfy the critical highway test set out in National Planning Policy Framework. It is therefore advised that there is no highway-related objection to the application.

REPRESENTATIONS

As a result of the notification procedure 260 letters of objection (from 228 separate addresses), 6 letters of support (from 6 addresses) and 1 neutral have been received from local residents.

In respect of the concerns relating to highway matters, the applicant has provided a written response to the representations that have been received by local residents. The Council's highways section has assessed the comments provided by the applicant and is in agreement with them. These are provided in the 'Highway Officer view' comments underneath each individual highways representation.

The comments contained within the letters of objection, insofar as those that are material planning considerations, have been summarised below:

Highways

1. There are proposals for the motorway structure to be changed again with orbital links around Manchester and a link from junction 8 to 18 and improvements at junction 3 of the M66. This would be an improvement as it would direct traffic into an area that already has industrial units and would cause less disruption and emissions to the surrounding area.

Highway Officer view: The proposals referenced by the consultee relate to options currently being considered for further investigation to support future potential development along the immediate M60 / M62 corridor. These proposals have not been investigated in any detail and do not represent formally programmed or funded schemes. There can be no certainty that any of these proposals would be taken forward. The modelling included in the Transport Assessment prepared to support the planning application includes for all relevant known committed highways schemes and local development proposals identified by appropriate highway stakeholders – Rochdale Borough Council (RBC) and Highways England (HE).

The proposed link road has been identified as being critical to supporting existing and future employment development at South Heywood, as it provides a direct eastern access to the development area, which is currently not available. This lack of eastern access impacts on the competitiveness of businesses located at South Heywood and results in the regular rat-running of traffic on local eastern access routes – including through Heywood Town Centre, Birch village and the Hopwood Triangle. There are also environmental benefits in creating a shorter and more direct route to the M62 for the employment areas around South Heywood. This saves some 4700km a day for existing HGVs.

2. How will smart motorway improve existing route to industrial estates. Should development not wait until effects are known?

Highway Officer view: The detailed SATURN network modelling includes for effects of SMART motorways within the analysis and forms part of the Baseline 'Do-Minimum' scenario assessed.

Even including for some improvements in motorway network performance associated with SMART motorway operation, this will still not address the fundamental accessibility issues associated with the South Heywood site (i.e. lack of direct access to the east).

3. Feasibility study for the link road is more than 10 years old and out of date. No evidence from Highways England or applicant to demonstrate that proposed link road is best option.

Highway Officer view: The design and nature of the link road was the subject of an updated route appraisal process carried out by RBC in 2015 / 2016. The conclusions of the link appraisal were included in a 'Link Road Appraisal of Alternative Road Alignments Report' (October 2016) and submitted as a formal supporting document to the planning application.

However, the principles of a road scheme have not changed, since its inception – to deliver a short and direct route to the M62 to the benefit of existing employment areas around South Heywood, whilst unlocking opportunities for economic growth along this corridor. Importantly, the alignment of the original indicative link road route is different to the preferred route, which underwent an appraisal, to inform the selection of the preferred from a number of alternatives.

4. Heywood has congestion on Pilsworth Road at current levels of traffic. Doubling that level and trying to manage such a degree of traffic on a poorly designed, shorter road is disastrous.

Highway Officer view: The Transport Assessment (TA) prepared to support the planning application included for detailed highway network modelling using a bespoke traffic model prepared in liaison with Transport for Greater Manchester (TfGM), RBC and HE; and considering future traffic trends. This modelling considered a study network including for all key traffic links within Heywood and Heywood Town Centre, as well as full modelling of the surrounding strategic road network (M66, M60, M62, A627(M)). The results of the modelling demonstrated that the proposed South Heywood link road corridor design would be capable of accommodating all development traffic volumes (including modelling up to a future year of 2038) without unacceptable network wide queuing or congestion.

The proposed South Heywood scheme is anticipated to reduce traffic volumes on sections of Pilsworth Road (to the west of Hareshill Road) as a consequence of the improved links to M62 J19 to the east (allowing re-assignment of traffic away from M66 J3), as well as improved access arrangements to Heywood Distribution Park (including off-line queuing lanes serving this development).

A package of local traffic management measures would be implemented on the section of Pilsworth Road to the north east of Hareshill Road, including a 24 / 7 restriction on HGV movements and measures to reduce vehicle speeds and improve pedestrian crossing opportunities.

Accordingly the new development, with improvements ensures Pilsworth Road is more than adequate to cope with existing and new traffic. Betterment is also secured.

5. Proposal doesn't take account of HGV's travelling to Green Lane. Much HGV traffic does leave at J19, to access the large industrial estate off Green lane, and must continue to travel through Hopwood to do this regardless of the new link road. The link road would increase journey times and costs.

Highway Officer view: The modelling of HGV traffic to / from Green Lane industrial estate is included in the detailed SATURN modelling. The Green Lane industrial areas are located some distance to the north-east of the South Heywood development area and proposed link road. It is not the purpose of the South Heywood link road scheme to address existing traffic movements to / from this off-site location, albeit some traffic reductions in Heywood Town Centre can be expected to take place as a result of the delivery of the new road. There is no evidence that the South Heywood scheme would result in increased journey time / costs associated with trips to / from this location.

6. Further proposed industrial site development (& housing) will quadruple the traffic, travelling along the new link road with potential for 4,785 car movements per day. It will become a “rat run” for traffic currently using the M62 Simister island exit, as a direct route to Bury, Bolton and the M66 corridor.

Highway Officer view: The new link road will ultimately accommodate a high level of traffic and has been designed to a high standard and with high-capacity junction layouts in recognition of this distributor road role. The capacity and operation of the road infrastructure has been rigorously tested using best practice traffic modelling techniques and Department for Transport (DfT) capacity software.

The traffic modelling carried out in liaison with the highway stakeholders has not identified any significant evidence of future strategic rat-running of traffic via the proposed link road in avoiding potential delays at M62 J18 Simister Island.

Full details of the anticipated traffic demand associated with the proposal site are set out on the formal TA report (peak hour traffic volumes) and Traffic & Transport Environmental Statement (ES) Chapter prepared in support of the planning application. These estimates have been prepared via reference to robust 85th percentile traffic estimates agreed with highway stakeholders.

The estimates in the TA / ES analysis suggests the following cumulative levels of weekday peak hourly total traffic demand associated with the South Heywood employment and residential development areas:

<i>AM Peak Hour:</i>	<i>635 in / 757 out = 1391</i>
<i>Day-time Off Peak Hour:</i>	<i>513 in / 480 out = 993</i>
<i>PM Peak Hour:</i>	<i>652 in / 705 out = 1357</i>

These peak hour estimates have subsequently been converted to 12hr and 24hr estimates to assist the assessment of relevant traffic related environmental effects.

7. Areas around Hareshill Road and the existing distribution park are already badly maintained with litter and bottles being thrown from HGVs.

Highway Officer view: Litter and general maintenance of the highway is the responsibility of the local highway authority and does not represent a planning matter. Delivery of the new link road scheme will include for new road / improvements of relevant sections of existing carriageway.

The new industrial parks will be maintained by a management company. They will ensure litter discarded within their area of control is removed.

8. The use of Whittle Lane as a cut through will worsen.

Highway Officer view: The SATURN traffic modelling undertaken to test the planning application proposals does not predict significant rat-run traffic movements via Whittle Lane. Indeed, overall the traffic modelling for the route suggested a small decrease in 24hr traffic demand when compared to relevant predicted Baseline 'Do-Minimum' condition, a reduction of 0.3% at 2020 Opening Year and a 2.0% reduction for the 2038 future assessment year.

9. No mention of how the five rights of way will be protected, diverted, or closed throughout construction.

Highway Officer view: Existing public rights of way (PROW) will be protected or realigned as far as is reasonably practical during the development construction period (both link road and development plot construction). Ultimately the developer and associated contractor will be required to prepare a Construction Management Plan (CMP) for submission and agreement with the Council prior to the delivery of any consented works on site. This CMP will include details of any measures associated with the protection, diversion or temporary closure of existing PROW's as part of the proposed construction programme.

It is proposed that all of the existing PROWs will effectively be retained in some form as part of the South Heywood development, with improvements proposed along parts. Further details of such improvements will be provided as part of relevant subsequent reserved matters submissions for site development parcels.

10. Area where 40mph speed limit is proposed is only 620m long. Pilsworth Road from its junction with Moss Hall Road, to junction 3 of M66 is 1,230m long, almost double that of the proposed new link road.

Highway Officer view: The new link road route will represent an attractive route for traffic seeking to travel to / from the M62 J19 to the east. Journey times via this new route when compared to either M66 / M62 or via Heywood Town Centre / M62 J19, would be much enhanced, leading to the re-assignment of traffic – see section 4.2 to the 'Link Roads Benefit Report' (August 2017) prepared by Mouchel. It is anticipated that the new link road will address current issues of rat-run traffic through immediate inappropriate route corridors.

11. At the end of the slip road from Junction 19 there is a large yellow sign stating no exit for HGVs re-join the motorway and exit Junction 18. If this highways instruction was enforced then the issue of the bypass road would not arise.

Highway Officer view: It is clear that even with such signing and other supporting information in situ, local rat-running and inappropriate HGV routing to / from the South Heywood employment area still regularly takes place. This is a reflection of the current poor accessibility of the S Heywood development area to origins / destinations to the east. But we have been informed on countless occasions by operators at the industrial parks across the South Heywood area that principally the issue arises because HGV drivers use sat-navs, which direct them through residential areas or Heywood town centre. Also, the sign in question is partially screened by trees and is quite confusing. Accordingly, even with signs, the HGV drivers follow the sat-nav route believing this to be correct. The link road remove

any ambiguity and effectively channels HGVs directly to existing and new industrial parks.

The new link road will provide a dedicated direct connection to M62 J19, which will reduce journey times to / from the existing employment areas and help address existing rat-running. Ultimately without such improved access to the east, it is anticipated that the South Heywood industrial areas would become increasingly uncompetitive when compared to other major employment centres in Gt Manchester and the North West.

12. There is already a link road that the Council has blocked/restricted access along.

Highway Officer view: The current link road ('Hareshill Road') as referred to by the consultee is flawed - as it offers no direct access to M62 J19. Furthermore sections of this route are of a limited standard, with restricted corridor width and poor provision for pedestrians and cyclists. If this route were opened to all traffic at this point, without a direct connection to M62 J19, it could be expected to result in significant additional unacceptable congestion & environmental issues on the A6045 and A6046 corridors, both through Birch Village and the Hopwood Triangle area.

The proposed new link road and supporting development proposals represent a comprehensive scheme, delivering the current 'missing link' from South Heywood to M62J19 and a high standard of route corridor and intermediate junctions that are fit for purpose. The proposals also include for traffic management works on other local road corridors to minimise any 'knock-on' traffic effects and to focus HGV traffic movements on the purpose built new route.

13. In rush hour the traffic lights at Coronation Avenue can cause a tail back of cars southwards to the Birch Hotel (around 1.2 km). More vehicles in area will exacerbate this.

Highway Officer view: It is anticipated that the combination of the delivery of RBC's programmed Hopwood Triangle (Stage 2) highway improvement works and the delivery of the proposed South Heywood Link Road scheme will help address such congestion matters. The delivery of a direct link from the South Heywood development area and M62 J19 will relieve pressure on the existing junctions at Hopwood Triangle, by removing the need for South Heywood employment related traffic travelling between Hareshill Road and the motorway junction to utilise the A6045 Manchester Road / Coronation Avenue / Middleton Road route in future.

2038 network capacity modelling predicts the following changes in daily (AADT) traffic flow (vehicles) on relevant local links when compared to predicted future Baseline ('Do-Minimum' traffic levels):

- Manchester Road (S) of Coronation Avenue: -1.6%
- Coronation Avenue: -29.8%
- Manchester Road (N) of Coronation Avenue: -5.7%

14. The proposed junction looks dangerous as it is very close to the M62 exit slip road and the A6046. To introduce a two-way traffic stream into this small space looks hazardous and a potential accident blackspot.

Highway Officer view: The design of the link road route has been prepared in accordance with national highway standards set out in DfT reference document 'The Design Manual for Roads and Bridges'. No departures from these standards have been identified.

The link road design, including for the proposed improvements for M62 J19, has also been subject to a Stage 1 Road Safety Audit (RSA) - the results of which, along with the relevant 'Designers Response' are included as Appendix TA6 to the formal TA report. This audit exercise did not identify any major safety issues associated with the initial link road design.

As part of standard adopted highway design procedures, the link road proposal will be subject to further RSA audit stages (i.e. Stage 2 'Detailed Construction Design', Stage 3 'Initial Completion', Stage 4 'Post Opening').

15. Many vehicles requiring access to the distribution parks follow Sat Nav and exit J19 in Heywood only to find that no access exists due to width restrictions on Hareshill Road. Furthermore, HGV operators and 'out of borough' commuters have adopted the A6045 as an alternative to the motorway in order to avoid Simister island congestion. It is stated that no HGVs must use Heywood Old Road through Birch village unless for access. However no details on how the limitations on traffic movement through Birch village has been provided.

Highway Officer view: A detailed package of local traffic management works for the A6045 corridor through Birch Village are currently being worked up by RBC highways. These works will include for HGV (access only) restrictions through the village and other local carriageway narrowing / public realm improvements. Ultimately any such traffic management improvements will need to be the subject of public consultation, post planning consent (as part of relevant Traffic Regulation Order (TRO) processes), with all works required to be implemented before the opening of the link road route.

16. Vehicles often use Heywood Old Road when diverted off M62 and during night which makes sleeping difficult.

Highway Officer view: This is a local highway management issue associated with on-going roadworks on the M62 corridor and not related to the planning application scheme. It should be noted that the 2038 network modelling predicts total daily traffic reductions of circa 21% on the A6045 corridor through Birch including for the South Heywood development and link road when compared to predicted 2038 Baseline 'Do-Minimum' traffic conditions.

17. There is already perfectly good access to Pilsworth Industrial Estate on M66 which doesn't pass housing. Decent signage would point lorries back to the motorway and avoid them trying to access it via Heywood town centre.

Highway Officer view: The proposed link road has been identified as being critical to support existing and future employment development at South Heywood, as it provides a direct eastern access to the development area, which is currently not available at present.

The existing lack of eastern access impacts reduces the competitiveness of businesses located at South Heywood and results in regular rat-running on local eastern access routes – including through Heywood town centre.

Review of the journey time savings associated with the delivery of the Link Road (see section 4.2 to the August 2017 'Link Road Benefits Report'), demonstrates that time benefits associated with the re-routeing of cars and HGVs accessing South Heywood from M62 J19 via the link road could produce savings of between 2 and 6 minutes per car journey and 5 and 11 minutes for HGV movements. This would equate to significant savings (time and operating costs) for both existing and future development employment operators at South Heywood and existing residents of adjacent local areas. For example, the modelling identifies that delivery of the link road could give rise to a saving of 4,700km each day (for existing vehicles alone) for the average core weekday daytime period (07:00-19:00).

The 'Link Road Benefits Report' also identifies that the South Heywood Link Road scheme falls into the 'very high' value for money category when measured against DfT guidance, even including for the 'Dependant Development' sensitivity testing taking account of supporting South Heywood development.

18. The weak bridge in the East Lancs railway will be unable to cope with the increase in cars, vans and HGVs and will require extra investment for strengthening.

Highway Officer view: RBC highways have not identified any concerns in relation to the safe operation of the Moss Hall Lane East Lancs railway bridge. Whilst general traffic levels are predicted to increase on this section of Moss Hall Lane following the delivery of the South Heywood Link Road and Development, the proposals would be supported by a 24 / 7 ban on through HGV movements along this route (any HGV trips limited to 'frontage access only'). The removal of the potential for regular access via heavy vehicles over the bridge can be expected to deliver benefits in terms of overall bridge conditions.

19. The Link Road Appraisal Report does not consider alternatives but simply considers the J19 route and minor variations.

Highway Officer view: See response to local consultee comments 2 & 25. The purpose of the link road is to provide a short, direct route between the M62 and the existing industrial areas at South Heywood – namely Pilsworth Road/Hareshill Road. Junction 19 provides existing infrastructure upon which to connect into. Alternatives not consistent with connecting to J19 M62 would not provide direct access to the M62, would result in longer more convoluted routes through existing residential areas, or require new motorway junctions to be built between junction 18 and 19 at a considerable cost. This undermines the key principles of the link road. Such alternatives 'fell at the first hurdle', and thus were not considered as legitimate alternatives to be assessed. Alternatives connecting to J19 M62 have been robustly considered.

20. Traffic lights are proposed at Manchester Road which will create further congestion.

Highway Officer view: The formal TA report submitted in support of the planning application includes for the presentation of detailed capacity testing of the proposed Link Road / A6045 Manchester Road traffic signal layout junction. To ensure the most accurate simulation of future operating conditions the TRANSYT model used to assess the Manchester Road / Link Road signal scheme was prepared and tested in direct liaison with the TfGM Traffic Signal team (who would ultimately be responsible for the design and implementation of any final traffic signal scheme).

Section 7.5 to the TA identified the following with respect to the operation of the junction at the 2038 future year 'Do-Something' scenario (i.e. with link road and full South Heywood development):

"The proposed traffic signal crossroads design is predicted to operate with a satisfactory level of spare capacity under 2038 'Do-Something' traffic conditions. Even under predicted maximum demand conditions (PM Peak) the junction is predicted to operate with a PRC value of 9.8%. Maximum approach link RFC is predicted to be 81.9% for the A6045 Heywood Old Road approach link, with an associated mean max queue of 11.5 pcus. During off-peak periods the junction is predicted to operate with good level of spare capacity with up to 32.9% junction PRC."

Subsequent to this initial testing, further additional capacity improvements have been identified to the proposed traffic signal cross-roads layout (as set out in section 6 to Highways Technical Note 1962-01-HTN2). These additional improvements have been independently reviewed by TfGM, who have confirmed that no capacity / queuing concerns are anticipated to take place associated with the proposed layout design.

21. Concerns about potential further congestion through the future residents and users of the proposed mixed uses. The infrastructure is already struggling to cope in this area, the HGV's and extra vehicles would make Heywood a bottle neck and cause further accidents. It would also enable traffic to bypass Simister Island.

Highway Officer view: The TA prepared to support the planning application included for detailed highway network modelling using a bespoke SATURN traffic model prepared in liaison with TfGM, RBC and HE. This modelling considered a study network including for all key traffic links within Heywood and Heywood Town Centre, as well as full modelling of the surrounding trunk road network (M66, M60, M62, A627(M)). The modelling included for future underlying general traffic growth, additional traffic associated with the list of 'committed developments' specifically identified by the Council & other neighbouring planning authorities and the robust (85th percentile) traffic estimates associated with the proposed residential & employment development at South Heywood.

This modelling exercise ultimately concluded that the proposed South Heywood link road corridor design would be capable of accommodating all development traffic volumes (including modelling up to a future year of 2038) without unacceptable network wide queuing or congestion. These conclusions have been the subject of independent audit by relevant highways stakeholders (HE / RBC Highways / TfGM HFAS).

Indeed the model concludes that there will be less traffic on some local roads including the Hopwood Triangle.

Ultimately the detailed network modelling does not identify any significant potential for the route to operate as a local 'bypass' for through traffic between M62 / M66 (avoiding Simister Island). The link road scheme is not promoted as such a strategic bypass, but rather primarily seeks to provide a more direct route between the South Heywood development area and the M62 to the east – in order to resolve existing journey time issues and to increase the competitiveness of businesses located in this area.

22. No mention of the limits for HGV vehicles entering Heywood Distribution Park. It will not save time or costs due to the backlog entering industrial site. Photos of congestion on Pilsworth Road on 9 March 2017.

Highway Officer view: The proposed Link Road works include for specific improvements to the section of Pilsworth Road immediate to the access point to Heywood Distribution Park (HDP). These improvements are illustrated in Figure TA13g to the formal TA report and are described as follows (para 4.2.2 to the TA, final bullet point).

"Circa 600m section of localised widening of the existing section of Pilsworth Road to the west of the junction with Hareshill Road to deliver a ghost-island right turn improvement access to Heywood Distribution Park. This junction improvement also to include a left turn entry deceleration / queuing lane on Pilsworth Road for traffic entering Heywood Distribution Park from the west."

Delivery of these works will allow for significant sections of 'off-line' queuing carriageway that will minimise impact on through traffic movements on Pilsworth Road. This will effectively allow the free flow of traffic along Pilsworth Road, and is a direct response to existing congestion caused at the current checkpoint. It must also be worth noting that the new development does not propose such checkpoints.

23. Doesn't take much traffic in Heywood centre for congestion as it has been designed to slow traffic down. Volume of HGVs causing congestion is minimal

Highway Officer view: The delivery of the South Heywood Link Road scheme is predicted to result in a general level of traffic relief on main routes through Heywood Town Centre. Indeed, one of the key objectives of the link road scheme is to seek to address HGV rat-running associated through this area by providing a shorter, more direct and convenient route. These advantages surpass a route through the town centre, which are longer and slowed down by several traffic lights.

RBC have previously identified that the volume of existing HGV traffic passing through the town centre is a matter of concern. The detailed traffic modelling set out in the TA has demonstrated that the delivery of the Link Road scheme would help to address this matter.

Appendix TA17 to the TA report identifies that the road scheme (including for full South Heywood development) could be expected to result in daily traffic flow

reductions of circa 5 – 10% on key Heywood town centre routes when compared to Baseline (Do-Minimum) conditions.

24. Alleviation of congestion/improving motorway networks at Simister Island is responsibility of Highways England not Rochdale Council or the applicant. The funds provided by HE is cheaper and more beneficial to them than deal with Simister Island solutions.

Highway Officer view: The link road scheme has been designed to act as a development area access road – its purpose is not to act as a local bypass to Simister Island – albeit one of the benefits of the route, will to deliver some minor relief to Simister Island, via the provision of an alternative more direct route for HGVs to and from the South Heywood industrial parks wishing to travel to / from the east.

It is understood that HE are reviewing strategic options to address operational issues at Simister Island, however, there are currently no formal commitments to the implementation of any such improvement works, albeit it this is not relevant to the South Heywood planning application.

25. It seems that Highways England is not allocating funds toward new link road at all but to the improvements of J19.

Highway Officer view: HE are providing funding (via the 'Pinch Point' funding programme) to support the upgrading of the M62 J19, including for parallel improvements to walking and cycling access at this location. These junction improvement works could potentially go forward without the delivery of the South Heywood proposals or the link road, however, the effects of the works have been fully considered in the planning application documentation submitted to support the wider South Heywood scheme.

Main public funding for the Link Road scheme would be delivered via TfGM using 'Local Growth Fund' funding, which has been secured from Central Government.

26. Need for new link road has not been established or agreed.

Highway Officer view: Response: The clear benefits of the Link Road are set out within the Link Road Benefits Report (August 2017). This report concludes that delivery of the Link Road could be expected to meet the following objectives:

- Reduce journey times, distance travelled, exhaust emissions and noise associated with freight and commuter traffic travelling between the motorway network and existing employment areas;*
- Help to alleviate congestion on the surrounding motorway network, by providing a route which avoids the congested interchange of the M60, M62 and M66 (Simister Island);*
- Reduce traffic congestion and the inappropriate routing of vehicles in Heywood town centre, the Hopwood Triangle and Birch, thereby reducing the impact on the environment and quality of life of the town's resident population;*
- Help to retain and strengthen existing employment uses in the South Heywood area by improving vehicular access;*

- Help to attract new employment uses, in particular industrial, manufacturing and distribution uses, through the improved access arrangements and the unlocking of additional development sites for employment uses;
- Secure new family housing (with the sale of that land in turn funding the link road);
- Facilitating more sustainable access to the South Heywood employment and residential sites by walking and cycling, including via junction 19 of the M62)

27. Idea that “rat-run” is a significant problem is untrue. There is no evidence of neighbour complaints or use of a raiseable post to the railway bridge on Pilsworth Road.

Highway Officer view: RBC have previously identified that the volume of existing HGV traffic passing through Heywood town centre is a matter of concern, and this is further reiterated at the consultation event and the responses above. The traffic modelling set out in the TA has demonstrated that the delivery of the Link Road scheme would help to address this matter.

The implementation of the rising bollard at Pilsworth Road was in direct response to issues of concern re: HGV traffic using this route during anti-social hours. It is proposed that the South Heywood scheme would be supported by 24 / 7 restriction on through HGV movements over this link.

28. Most working days at peak time traffic is backed up in most directions. Construction work will exacerbate this.

Highway Officer view: Whilst it is hoped that significant sections of the Link Road route could be delivered ‘off-line’ from existing highway routes - thereby helping to minimise construction effects - it is inevitable that some construction work associated the formation of the new road route could result in some additional network delays. It must be recognised, however, that any such delays would be of a temporary nature and that completion of the link road scheme is expected to help address many existing day-to-day network congestion issues. It must also be noted that generally construction contractors usually arrive at site before 08:00 and leave from 16:00 onwards, often just avoiding core peaks.

Ultimately construction works would be required to be managed to seek to limit effects and it is proposed that a Construction Management Plan (CMP) would be submitted and agreed with the Council prior to the undertaking of any works. The TA report identifies that a CMP would need to cover issues such as:

- Agreed construction operating hours and vehicle delivery hours.
- Location of proposed construction compounds and lay-down areas.
- On-site construction vehicle parking and manoeuvring.
- Staff parking arrangements and details of supporting staff / operative travel management initiatives, including encouraging staff travel outside of the traditional AM & PM ‘rush hour’ periods.
- Off-site construction HGV routing for each delivery phase.
- Driver incentive / disciplinary procedures to ensure suitable HGV routing.
- Construction HGV haulage route signage strategy.

- *Construction vehicle cleansing procedures and details of load sheeting / covered load policy.*
- *Management and procedures for access by abnormal loads.*
- *Programmed duration and timing of short term material import / export HGV campaigns.*
- *Programmed temporary road closure / temporary traffic management works and details of supporting information campaigns as relevant.*

29. Claims that drivers travel via Heywood Centre to access the industrial sites of Pilsworth and Heywood is wrong as other routes are shorter and quicker.

Highway Officer view: Representations from local residents and businesses along with historic complaints that have been received by the Council demonstrate that HGVs use routes through Heywood Town Centre.

30. Options appraisal seems to infer that most important criteria for a link road is shortest distance which is incorrect. Surely least invasion into GB should be combined with distance.

Highway Officer view: This Link Road Appraisal Report included for the consideration and balancing of a wide range of factors including planning issues, highway design factors, likely environmental effects, anticipated cost, land ownership, delivery timescales and the potential for local 'blight' of land and property. The identified route options were also subject to a design workshop session undertaken during early 2016.

The detailed route appraisal process ultimately identified the 'Yellow Route' as being the preferred Link Road alignment, with the identified key benefits of this route including being the shortest route, most cost-effective scheme, least disruption to natural habitat, capable of being delivered to meet prevailing design standards without departures from standard and unlikely to generate material local amenity issues. It is therefore clear that, on balance, the chosen route represented the best option in relation to a number of critical factors, including the extent of impact on the natural habitat, a key element of any consideration of Green Belt effects.

Importantly the distance of the route is key a design parameter because it benefits HGVs from the Priority Employment Areas at South Heywood to access the M62 quicker and at a reduced distance, meaning transport costs and vehicle emissions are reduced more so than alternative. This means local businesses become more competitive than before, strengthening their position against rivals. But from a Green Belt perspective, this too is very important. A shorter route is more cost effective than a longer route, and thus requires less housing to make the delivery of the road viable.

31. Travel Plan lacks detail. Premium housing will clearly use private cars, and there are limited public transport links.

Highway Officer view: The Travel Plan submitted to support the planning application was prepared as a 'Site Wide Framework Document' at the planning application stage – as final residential layout details and / or end user employers have yet to be established. These matters will be fully considered addressed at

the relevant reserved matters stages. Such a framework approach represents best practice for large 'outline' sites.

The Framework document identifies that detailed Travel Plans need to be prepared by individual future developers on plot by plot basis and will form part of the reserved matters submissions. It is envisaged that final Travel Plan measures will evolve alongside the development masterplan and reflect the final public transport strategy implemented in conjunction with TfGM.

It is anticipated that the principle of the delivery of individual travel plans in line with the site-wide approach set out in the submitted framework document could be secured by appropriately worded planning condition.

Over £1million is being provided by the applicant to support new and improved public transport provision and/or infrastructure in direct response to the lack of current services. This will result in betterment for the wider community.

32. Application accepts 4.54 that some local route corridors will experience higher traffic volumes as a result of the scheme. This is a negative impact that needs to be counterbalanced against any claimed benefits.

33. *Highway Officer view: Both the TA and traffic and transport section of the ES provide a balanced review of both the merits and impacts of the scheme. This provides Council members with a full package of relevant information to make their decision.*

This is also considered in the 'Highways' section of the report.

34. There is nothing on the map which shows key routes taken by HGVs and workers who need to travel to Heywood employment areas to show

- The volume of traffic on these different routes at various times.
- The origination of the traffic (in order to demonstrate potential use of the proposed link road)
- Traffic that uses these roads to access other areas of employment.
- This is particularly important in order to determine the use of the proposed link road by all kinds of traffic including but not limited to HGV access to the industrial parks. It is highly likely that the proposed link road would be used by a great deal of traffic that is not related to the industrial parks and the applicant seems to swerve this issue.

Highway Officer view: The issues raised by the consultee are dealt with via the detailed traffic modelling set out in the formal TA report. The SATURN model has been derived from the latest iteration of the Greater Manchester strategic model (managed by TfGM) and therefore includes for background traffic origin and destination information within the underlying model matrices. This allows the model to re-distribute existing background traffic following the introduction of the new link road route.

The link road route would undoubtedly be used by traffic other than that associated with the existing South Heywood development area and the proposed new development – this is why dynamic strategic modelling was used to support

the TA analysis and why impact assessment has been carried out based on a comparison of 'Do-Minimum' v 'Do-Something' network modelling.

For reference, the TA report specifically sets out the following traffic information via both network plots and comparison tables:

- Predicted development traffic assignment over the local highway network (PCUs (passenger car units) and HGVs only) – Appendix TA10*
- Changes (Do-Minimum v Do-Something) in 2020 network traffic flows (PCUs and HGVs) – Appendix TA11*
- Changes (Do-Minimum v Do-Something) in 2020 network traffic flows (PCUs and HGVs) – Appendix TA17*

35. Little analysis of journeys, especially of volume of traffic that currently uses the route to cut out Simister Island and delays currently at Simister Island?

Highway Officer view: The TA analysis is based on network wide strategic modelling, which includes for the M62 / M60 / M66 corridors and the operation of Simister Island. This ensures that any re-assignment of traffic to / from the M62 / M66 corridor via Simister Island is inherent in the comparison between the 'Do-Nothing' and 'Do-Something' model runs.

The use of a dynamic traffic model is the 'industry standard' approach to understanding changes in both local and more strategic traffic routing as a consequence of the introduction of new highways infrastructure. The nature and scope of the traffic modelling utilised was agreed with all relevant highway stakeholders (HE, RBC, TfGM), with these organisations forming part of the peer review group during model development.

36. Figure 13.3 – Walking and Cycling Strategy – advises on road cycling route on Moss Hall Road which is narrow and dangerous!

Highway Officer view: Moss Hall Road is identified as an 'advisory / suggested on road cycle route' in TfGM Cycle Network Map 4 'Rochdale' (June 2016). Figure 13.3 simply reflects the status of this route as part of the wider cycling network as identified by TfGM.

Alternative routes

37. Has the development of an alternative link road around Birch services been considered, being an environmentally better solution and more direct route to the industrial parks?

Highway Officer view: The main link road route options considered are set out in the 'Link Road Appraisal of Alternative Road Alignments Report' submitted in support of the planning application. An alternative link option via Birch Services was not considered as this would be difficult to connect to the current strategic road network, requiring significant infrastructure works to secure acceptable access/egress. It would be poorly related to existing main employment areas at South Heywood some 5.8-6km to the corner of Pilsworth Road and Hareshill Road. In comparison, the proposed link road is only 2.2km from the M62.

38. All alternative routes for improving access to Heywood and Pilsworth Industrial Estates have not been fully evaluated. Four examples of alternatives are;

The feasibility of improving junction 18, Simister Island along with Junction 2 Pilsworth road improvements – has simply been dismissed with no costings, etc, despite this route requiring little greenbelt invasion

- Absolute minimal greenbelt intrusion
- Minimal actual construction
- Benefits access to industrial area to east of J2 M66
- Benefits M62 to M66 and vice versa traffic and congestion
- All the same benefits being claimed by applicant for link road
- Distance 9.93km to Pilsworth Rd entrance

Highway Officer view: The cost of improving Simister Island would in itself be substantial, with historic discussions of a tunnel or bridge being required. But adding to this improvements to Junction 2 and Pilsworth Road elsewhere would certainly require more houses than we have proposed to make viable.

Given that the route to the M62 would be close to 10 km compared to 2.2km for the proposed link road, the application is still more favourable, and provides a sustainable rounded community with it, including improved local access, a school, playing pitches and improved bus services etc.

- Route A - Middleton Road (south J19), cut across field corner to Langley Lane (needs improvement), slight alteration of Langley Lane (cut across greenbelt), to new junction east of Birch village on Heywood Old Road, onto Whittle lane with improvements through to Moss Hall Road and Pilsworth Road.
 - Much less invasive greenbelt intrusion
 - Only 1.4km longer than proposed road
 - Cost estimate – less than proposed link road
 - All the same benefits being claimed by applicant for link road
 - Plus additional local traffic benefits -
 - Estimated distance 4.92km to Pilsworth Rd entrance
 - Note distance to Pilsworth Rd entrance on proposed road is 3.52km

Highway Officer view: Distance from A6046 (close to Junction 19) to Langley Lane (close to A6045 junction) – cutting across the Green Belt – is 1.5km. From Langley Lane (close to A6045 junction) to corner of Pilsworth Road/Hareshill Road junction is 4.1km. Total distance is 5.6km. Not only is this longer than the proposed 2.2km link road, but it also cuts across a very important part of the green belt, severing the Green Belt corridor that runs along the south of the M62 between Bury and Oldham.

It would also likely require more junctions than the proposed link road and thus a similar number of houses would need to be built. This would have a much more harmful effect on the Green Belt than the proposed, as set out in the sequential assessment addendum, and provide fewer benefits than the proposed.

This would also have a negative impact on those residents on the A6046 and in Birch, as HGVs would directly pass these properties.

- Route B – after allowance for new link road curve following the contour of the M62 before curving to Manchester Road to intersect directly opposite Hareshill Road – which would require widening.
 - Almost the exact same distance as the link road proposed.
 - Much less invasive greenbelt intrusion
 - Lower cost than link road – uses more of existing Hareshill
 - All the same benefits being claimed by applicant for link road

Highway Officer view: This route was considered in the Appraisal of Alternative Road Alignments, November 2016 that accompanies the planning application.

- Route C – following as close as feasible and reasonable the residential development east of Middleton road, crossing Manchester Road, cutting through the DWP site before bending to re-join Hareshill Road (which might require minimal widening).
 - Shorter than the link being proposed (c0.5km)
 - Much less invasive greenbelt intrusion
 - Lower cost than link road being proposed
 - All the same benefits being claimed by applicant for link road

Highway Officer view: The DWP site is an active employment use with a long term lease, and thus is not available for development. It would harm the application to lose employment land. Even if this was available, the cost of purchase of this site with consent for employment would be far more than the agricultural price per acre required for the proposed link road.

The applicant refutes that 0.5km would be saved. If it follows the residential it would be longer. The same amount of residential, if not more would be required, due to the higher purchase price per acre for the DWP site.

This route would also be too close to existing residents.

39. The A6045 north/south route is half the distance and a fraction of the time compared to the preferred link road route from the junction of link road/A6045-M62 junction-Simister island – J19 M60. The A6045 would offer a significantly shorter, quicker route for all M62/M60 north and south bound traffic, thus avoiding Simister Island.

Highway Officer view: From the proposed link road at Manchester Road to Junction 18 of the M62 (Simister) via the A6045 via Birch is 6.5km – approximately 9 mins by car. From proposed link road at Manchester Road to Junction 18 of the M62 via junction 19 of the M62 is 5.5km – approximately 6-7 mins by car. So it would be shorter and quicker to use the link road than to navigate through Birch and Bowlee.

The detailed network wide traffic modelling does not identify any significant propensity for such rat-running along the A6045 corridor. Journey times via the A6045 are not predicted to be less than via the current strategic route (M62 / M60). Whilst journey times on the M62 / M60 corridor are currently unreliable, this is due to the impact of the current M62 SMART motorway works which in the area have reduced the capacity on the M62 and impacted on operations at Simister Island. Once these roadworks are completed, the final SMART

motorway scheme will increase the capacity of the M62 when compared to its previous layout.

Furthermore, it must be recognised that following the delivery of the proposed link road scheme any traffic seeking to utilise the A6045 corridor between M62 J19 and J19 M60 would be required to pass through the following sets of traffic signals, which would result in additional journey delays and make this route unattractive when compared to the M62 / M60 motorway standard connection.

- *M62 J19 (3 traffic signal nodes)*
- *Link Road / A6045 Manchester Road*
- *A6045 Manchester Road / Langley Road (to be implemented as part of other local development works)*
- *A6045 Heywood Old Road / A576 Middleton Road*

Ultimately the 2038 traffic modelling suggests that 'with Link Road plus full South Heywood development' daily traffic flows on the section of A6045 through Birch village could be expected to be lower than for comparable 2038 Baseline 'Do-Minimum' conditions.

40. The document "A Prospectus for the future, South Heywood, October 2010" fails to consider an alternative option of utilising junction 3 of the M66.

Highway Officer view: The design and nature of the South Heywood Link Road was the subject of an updated route appraisal process, with the conclusions of this process set out in a 'Link Road Appraisal of Alternative Road Alignments Report' (October 2016). This report identifies that options for improvement of the existing access arrangements to the west via M66 J3 (no eastern access) were considered but ultimately dismissed, as it was concluded that they could not address the critical issue of poor accessibility to / from the east. The principal aim of improving connectivity to the M62 is only achieved via a link road to J19 M62. This provides a much shorter route for all vehicles principally travelling east, although there are distance improvements in other directions, equating to a saving of 4700km a day for existing HGVs alone. This has economic and environmental benefits.

Any such western based option would also require the delivery of major new works at M66 J3 – which would potentially be difficult to deliver due to the existing restricted nature of this junction (narrow width bridge underpass) and would also be dependent on the delivery of wider strategic highway network strategies for addressing on-going issues at M60 J18 Simister Island.

Public Transport

41. Not an accessible location for transport modes other than the car. No bus routes in the area and there are no trains or metrolink in Heywood. The trains are already overcrowded.

Highway Officer view: Accessibility and the proposed public transport measures are assessed under 'Housing' and 'Highways' section of this report.

42. Housing proposed will become a 'commuter residency' without much contact with the neighbouring shopping and community activities.

Highway Officer view: The proposal includes a primary school, playing pitches and local centre will comprise up to 2,500 sqm of class A1, A2, A3 and A5 floorspace. These are assessed under the 'retail', 'Recreation Open Space and Sports Provision' and 'education' sections of the report. The 'Distribution and sustainability of the proposed residential development in terms of accessibility and location' also assesses connections and links to the wider area.

43. Shortest distance by road to Castleton Railway station is 4.3km not 2.9km. Routes and destinations on this line are limited and the trains are already overcrowded.

Highway Officer view: Accessibility and the proposed public transport measures are assessed under the 'Housing' section of the report. Whilst there is not a train station located nearby it is considered that the proposed measures would provide access to services and facilities in other nearby areas, and allow people to commute to potential areas of work. This would offer scope for accessing facilities and services by means other than private cars and therefore represent a sustainable form of development in this respect.

44. Is it likely that 163 Bus will be diverted? This would result in longer walks to bus stop for some residents.

Highway Officer view: Accessibility and the proposed public transport measures are assessed under the 'Housing' section of the report. New bus stops and the upgrading of existing bus stops are proposed however the location of these would be approved as a part of the reserved matters applications.

Green Belt

45. Would represent inappropriate development in the Green Belt and not check the unrestricted sprawl of large built-up areas or prevent neighbouring towns merging into one another. Will also effect openness and reduce Green Belt buffer.

Officer response: This is addressed under the Green Belt sections (including openness and the purposes of including land within the Green Belt) of the report.

46. Brownfield sites and vacant unused buildings should be re-developed before losing areas in the Green Belt.

Officer response: A sequential assessment has taken place in the 'managing the release of additional employment land' section of the report.

47. Core Strategy states that Green Belt is expected to endure to the end of the Core Strategy period as there is no evidence currently that development needs will require the release of Green Belt land. The end of the Core Strategy is 2028.

Officer response: Each application is required to be determined on its own planning merits. The CS Policy G4 states that development will be restricted to those limited types of development which are deemed not to be inappropriate by national planning policies unless very special circumstances can be demonstrated.

48. Emerging Policy does not outweigh the vsc required for GB applications.
No directly relevant vses have been put forward.

Officer response: The 'Background' section of the report apportion very limited weight to the Draft GMSF in the decision making process and assess whether very special circumstances exist.

49. Creating temporary employment, new housing, and new homes bonus is not justification for providing special circumstances to build on greenbelt.

Officer response: The 'other considerations' and 'Conclusion and Green Belt Balance' sections of the report assess the weight that should be given to the creation of employment (including jobs in construction over around a 20 year period) and whether very special circumstances exist.

Recreational Open Space

50. Loss of recreational areas for families and children.

Officer response: The 'Recreation Open Space and Sports Provision' and 'Health and Welbeing' sections of the report addresses this matter.

51. Not enough green spaces in the area.

Officer response: The 'Recreation Open Space and Sports Provision' section of the report covers the amount of open space that is required to be provided for proposed developments.

Loss of agricultural land

52. Government policy states that agricultural land should be kept wherever possible and a proper assessment and comparison of the value of agricultural land should be carried out.

Officer response: This matter is addressed in the 'Whether there would be a loss of the Best and Most Versatile Agricultural Land (BMV)' section of the report.

Crime/Security

53. Concerns about the proposed "green corridor" pedestrian/cycleway over the existing gas main not being secure and some footpaths are not overlooked.

Officer response: The 'Design, Layout, Living Conditions, Security and Safety' section of the report addresses this matter. A Crime Impact Statement (CIS) has been submitted to demonstrate that a safe and accessible environment can be created. This concludes that overall crime in the area is relatively low and that any reserved matters applications, where layout is to be considered would require further full Crime Impact Statements. The Greater Manchester Police designforsecurity team have been consulted and have raised no objections subject to the recommendations contained within the CIS.

Town Centre

54. Heywood Town Centre is too small for such a large increase in population density.

Officer response: The proposal includes a local centre will comprise up to 2,500 sqm of class A1, A2, A3 and A5 floorspace. This matter is assessed under the 'retail' section of the report.

Flood Risk

55. Concerns about flood risk as area already suffers from flooding and lack of sewers in the area.

Officer response: United Utilities have been consulted and have not raised any objections subject to conditions. This is covered in the 'Flood Risk' section of the report.

Employment

56. Existing distribution parks are not yet at capacity. 80 enquiries for industrial land to RDA are speculative and relate to whole of Rochdale. Sufficient employment land for 18 years.

Officer response: The 'Managing the release of additional employment land' and 'other considerations' section of the report covers these issues.

57. Relying heavily on one industry to provide jobs in the area which would make residents/employees very vulnerable to any economic downturn and be low paid, low skilled jobs. Most sites in Rochdale are within 5km of deprived areas so the application site's location is not special.

Officer response: The proposed development includes a range of employment uses including B2, B8, and those within the local centre. The benefits associated with job creation for this proposal, in a borough that suffers from high unemployment rates, are addressed in the 'Managing the release of additional employment land', 'Conclusion and Green Belt Balance' sections of the report.

58. No guarantees that jobs created would be taken up by local people.

Officer response: An Employment & Training Statement has been submitted by Russell Homes as part of the planning application which contains a range of measures and commitments aimed at maximising employment opportunities for local people and businesses.

59. Needs to be independently demonstrated that there is insufficient land to develop 600,000 sqft of commercial space elsewhere. Much better places outside of GB.

Officer response: This matter has been addressed in the 'Managing the release of additional employment land' section of the report.

60. Vacant floorspace survey just relates to Heywood and not wider area as businesses are not restricted by local authority boundaries.

Officer response: The need for additional employment land is addressed in the 'Managing the release of additional employment land' section of the report.

61. Why are commercial developments of over 160,000 ft better? More desirable?

Officer response: This matter has been addressed in the 'Managing the release of additional employment land' section of the report.

62. No evidence of other better placed areas for commercial development. For example.

- Former Corus site, Castleton Works, Heywood Road, Castleton.
- Restricted access – could be improved / solved
- Easements – could be removed / purchased
- Extension of railway – might never happen
- Former Woolworth's site, Royle, Barn Road, Castleton, OL11 3DT
- Limited local access – could be improved / solved
- Rhodes Green, Heywood
- Severe topography – means it's difficult to develop? Does rule out?
- Limited local access – could be improved / solved
- Stakehill, Middleton
- Fragmented ownership – so what?
- Restricted scale of potential sites due to existing residential ownership within the site – so this means no development possible?
- Land South of M62 Junction 19
- New infrastructure required onto M62 motorway – really what's wrong with J19?
- Important site preventing the expansion of Middleton and coalescence with Heywood – In dismissing this site on this basis the planners should dismiss the proposed site on the same basis.

Officer response: other sites have been assessed in the submitted sequential assessment which can be found in the 'Managing the release of additional employment land' section of the report.

Education

63. Proposed position of the primary school is of concern for safety reasons and will result in congestion at beginning and end of the school day.

Officer response: The 'Design, Layout, Living Conditions, Security and Safety' section of the report clarifies that the application is for outline permission with layout not included for the consideration at this stage. The 'Highways and access' and access section of the report also addresses the safe and efficient operation of the highway network.

64. Is there a need for the primary school and why no secondary school or college proposed?

Officer response: The 'Education' section of the report addresses this matter.

Housing

65. Need for the proposed housing.

Officer response: A number of viability assessments and sensitivity checks have been submitted to demonstrate that a maximum of 1000 houses are needed to provide the shortfall in the funding for the construction proposed a highway. This is addressed in the section of the report entitled 'Whether the amount and type of enabling development is justified?'

66. People employed at the proposed development would not be able to afford the proposed houses.

Officer response: The proposed housing development will meet a range of needs including market and affordable housing. This is addressed in the 'Housing' section of the report.

67. Calculations and expectations of population migration into the area are based on figures generated in 2010. The latest predictions were produced in 2014/2015.

Officer response: Housing need is addressed in the 'Housing' Section of this report.

68. Need for affordable housing.

Officer response: This matter is addressed under the 'Housing' section of this report.

- Precedent

69. Cross-funding for a road would create a precedent for special or extraordinary circumstances everywhere in the Green Belt.

Officer response: Enabling development in the Green Belt is not uncommon and this is addressed in the section of the report entitled 'Whether the amount and type of enabling development is justified?' Moreover each application must be determined on its own individual merits, and a generalised concern of this nature does not justify withholding permission in this case.

Viability

70. The cost of the road estimated at £19m needs to be thoroughly assessed. The applicant is seeking to maximise development and profit at expense of GB environment.

Officer response: A number of viability assessments and sensitivity checks have been submitted to demonstrate that a maximum of 1000 houses are needed to provide the shortfall in the funding for the construction proposed a highway. This is addressed in the section of the report entitled 'Whether the amount and type of enabling development is justified?'

71. Why are so many houses being put forward? 85 homes would generate the £10m to fund the link road.

Officer response: A number of viability assessments and sensitivity checks have been submitted to demonstrate that a maximum of 1000 houses are needed to provide the shortfall in the funding for the construction proposed a highway. This is addressed in the section of the report entitled 'Whether the amount and type of enabling development is justified?'

72. Why does just residential development fund the road and not the commercial?
Funding from commercial development would reduce the amount of housing required.

Officer response: The abnormal costs i.e. remediation, of the landfill site (proposed employment parcel) is such that to subsidise the capital receipts as well would not be financially viable, by undermining the reasonable market value landowners can expect. This would inhibit the employment coming forward, which is a key driver of economic benefits in the area. As such, only the residential capital receipts fund the link road.

Previous Inspector's Report on CS

73. Inspector found that there was no exceptional case for changing GB boundaries, release of GB not justified in terms of scale of employment land, and scale and location of housing proposed. This is still valid. The proposal is actually larger than that proposed in CS.

Officer response: In line with the planning inspector's recommended approach, the application has been determined on its own planning merits (on the basis of the proposed housing being an enabling development to facilitate wider benefits of the link road).

Economic Benefits

74. Figures in relation to average journeys, time savings and costs are not substantiated.

Officer response: Appendix A and B of the LRBD substantiates the time savings associated with the link road. The SATURN modelling indicates significant journey time savings would be delivered by the link road for the highway network. The methodology used to generate these figures meets best practice set out in WebTAG guidance from the Department for Transport and TfGM. Whilst this is not an exact science no substantive alternative technical evidence has been advanced to counter its conclusions. Wildes Consultancy (independent consultants) have also not raised any objections to these figures.

Character & appearance

75. Would encroach into countryside, spoiling character, landscape and tranquillity of area and be unsympathetic and overbearing compared to neighbouring properties.

Officer response: This is an outline application with matters of layout, appearance, landscape and scale reserved for future consideration. However the 'Openness and the purposes of including land within the Green Belt' and 'character and appearance' sections of the report address these matters.

76. Visual impact is massive not moderate.

Officer response: The 'landscape character and appearance' section of this report addresses this issue. It assesses the submitted Landscape Visual Impact Assessment (LVIA).

Infrastructure

77. Concerns about the provision of enough secondary school places, health care facilities and other services for new residents.

Officer response: The 'Education', 'Health and Well-being', 'Retail' 'Recreation Open Space and Sports Provision' sections of the report address these matters.

78. Drainage, gas and electricity services are out of date and not designed for large modern developments.

Officer response: There is no evidence to suggest that these services cannot be delivered for the scheme.

79. People's lives will be put at risk by preventing emergency services access to the gateways to Heywood and Middleton. This is because the fire service is situated on the A6046 between the two towns. There would also be access problems for the police due to plans for the closure of the police station.

Officer response: The Fire Service has been consulted but has not made any comments in respect of the proposed development. There is no evidence to suggest that proposed development would prevent emergency services gaining access to Heywood and Middleton.

80. Wifi and data signals are already weak due to lack of fibre optic cabling installed locally. Added houses will decrease the signals further.

Officer response: There is no evidence to suggest that wifi and data signals will be affected by the proposal.

GMSF

81. The GMSF is based on outdated information and growth scenarios and decision should be delayed until GMSF is finalised.

Officer response: This is addressed in the 'Background' section of the report.

Health

82. How does this align with one of the Strategic Objectives of the Council's Core Strategy "Creating successful and healthy communities" by making the borough "a more attractive, enjoyable and healthy place to live"?

Officer response: The health benefits of the proposal are provided within the submitted combined Health Impact and Health Needs Assessment (HIANA) and are addressed in 'Health and wellbeing section' of the report.

Biodiversity

83. Would have a harmful effect on wildlife, and concerns about the ecological surveys and the details of the new replacement habitats that would be created for wildlife.

Officer response: The 'Biodiversity and Ecology' section of the report addresses these matters. The GMEU, and Natural England have been consulted and have no objections. Conditions have been recommended including a condition for a Landscape and Habitat Creation and Management plan (LHCM) to set out how a net gain in biodiversity (habitat enhancement) will be achieved on the site.

Heritage matters

84. Impact on the character and appearance of the Birch village conservation area through extra traffic, congestion, air pollution and flooding. Loss of 18th Century farmhouses.

Officer response: The 'Historic Environment', 'Highways', 'Air Quality' and 'Flood Risk' sections of the report address these issues.

Air Quality/Noise/Pollution

85. Concerns about increase in noise, vibrations, dust, air and light pollution during the construction process which would take approximately 20 years to complete.

Officer response: The 'Design, Layout, Living Conditions, Security and Safety' and 'Air Quality' sections of the report addresses these matters.

86. Reductions in carbon emissions by 2035 is unachievable given the size of the population increase that is proposed in the submitted documents.

Officer response: A Travel Plan will be required to encourage the use of sustainable modes of transport, and there will be contributions towards public transport improvements. There would also be reduced HGV mileage, and Chapter 14 of the ES concludes that air quality impacts are considered to be not significant or present a constraint to the proposed development. Nonetheless, Wildes Consultancy (independent highways consultant) consider that there would be an increase in traffic in other areas around the site and whilst there would be no harm, there is little evidence to demonstrate that there would be an overall reduction in carbon emissions or greenhouse gasses. As such this factor has not been given any positive weight in the 'Conclusion and Green Belt Balance' section of the report.

87. How would the proposed link road result in reduced mileage and greenhouse gasses when there will be more traffic in the area.

Officer response: A Travel Plan will be required to encourage the use of sustainable modes of transport, and there will be contributions towards public transport improvements. There would also be reduced HGV mileage, and the Chapter 14 of the ES concludes that air quality impacts are considered to be not significant or present a constraint to the proposed development. Nonetheless, this factor has been given very limited weight as a harm in the 'Conclusion and Green Belt Balance' section of the report.

88. The application site is located in the AQMA which RMBC have a commitment to improve the poor levels of air quality. This has been disregarded.

Officer response: The 'Air Quality' section of the report addresses this matter.

89. Environmental Statement states that acoustic barriers for gardens along boundaries would be ineffective.

Officer response: The 'Design, Layout, Living Conditions, Security and Safety' section of the report address noise matters and recommends mitigation measures. This concludes that future detailed design and layout stages (through reserved matters) should ensure stand-off distances in some areas and that some of the proposed houses are orientated to front the road, with minimum

gaps between them, so that the building envelope shields their rear garden areas from the noise and ensure that no adverse effects.

Living conditions

90. Proposed development will ruin outlook from a number of existing properties and change views. Three storey properties would result in loss of light/overshadowing and loss of privacy to properties on Collop Drive.

Officer response: The 'Design, Layout, Living Conditions, Security and Safety' section of the report addresses this. Whilst the application is in outline, the indicative masterplan demonstrates that satisfactory intervening distances could be achieved between the proposed dwellings/employment/commercial buildings and the habitable windows of neighbouring properties to ensure that existing local or future residents would not experience any significant loss of light, outlook or privacy. The proposed development is also guided by a Parameter Plan which restricts new homes to a maximum of 2 storeys along the back of properties on Collop Drive and also requires new rear gardens to be at least 15m in length.

Other Matters

91. Is an attempt at land-banking by Russel Homes.

Officer response: The applicants are required to pay for over half of the cost of the proposed link road prior to the commencement of its development, and use the capital receipts to cover these costs (enabling development). It is therefore not in the applicant's interests to land bank.

92. The Council should provide the funding for the road, or obtain it from beneficiaries of the road such as the haulage and distribution companies.

Officer response: The link road is part funded by TfGM and Highways England. The Council has not been able to identify any other potential sources of funding to make up the remaining shortfall.

93. Concerns about the materials dumped on the landfill site.

Officer response: The 'Land Stability, Contamination and Health and Safety Risk' section of the report covers this matter. The Environment Agency and the Council's contaminated land officer have also been consulted in regards to contaminated land matters. Both have raised no objections to the proposal subject to a condition for the submission of a contaminated land investigation and risk assessment report, in addition to any assessment provided with the planning application, be submitted to and approved in writing by the LPA.

94. Moral concerns about the funding of link road by property developers.

Officer response: Moral considerations cannot be taken into account in the assessment of a planning application. The proposal has been dealt with solely in relation to its planning matters. Enabling development in the Green Belt is not uncommon and this is addressed in the section of the report entitled 'Whether the amount and type of enabling development is justified?'

95. On-going problems with land owner having little regard for planning regulations and will now get a pay out for developing the land.

Officer response: The LPA can only have regard to the planning merits of the proposal before them. Any breaches of planning control are currently being dealt with separately under enforcement regulations.

96. Local residents haven't been notified of road show events and consultation prior to the application being submitted.

Officer response: A detailed review of this programme of consultation is provided within the Statement of Community Involvement report, prepared by Resolve Public Affairs, which forms part of the planning submission.

97. The 21 day notification period is not enough to read, digest and make comments on the submitted information.

Officer response: The application has been available to view since November 2016. Reconsultation also took place in November 2017 giving 30 days to make any representations. The Council has been willing to accept representations throughout and beyond this period.

98. Consideration of the impact on the existing Department of Work and Pensions (DWPDDC) Document Distribution Centre directly to the north of the site is required. It is essential that the link road and hybrid proposals do not land-lock the DWPDDC and sterilise its future redevelopment potential. It is requested that an exercise to integrate DWPDDC into the wider development proposals is carried out as a part of the proposed hybrid application.

Officer response: The DWPDDC building is not included within the edge red of the application site and does not form a part of the proposal. It would not be landlocked by the proposed development as its vehicular access point would remain. As such it not considered to prejudice the future development of this site.

99. Concerning that RBC Highways Department has been involved in preparing the planning application.

Officer response: Whilst the RBC Highways Department designed the proposed link road and would play a lead role in procuring and delivering it, independent consultants (Wilde Consulting Engineers) have been commissioned to advise the Local Planning Authority on the highway impacts to avoid any conflict of interest.

100. Scheme has not been altered in response to comments made during public consultation. Failed to engage or respond to local residents concerns.
Officer response: The Consultation Statement and planning application set out that the proposals have been amended in direct response to comments made by the community, as set out in, including for example, but not limited to, relocation of the school, reduced storey heights of housing abutting existing housing, increased boundary buffers, reduced employment building heights etc.

The comments within the letters of support can be summarised as follows:

- Crown Oil consider that they, along with other local businesses, would benefit from the completion of the new link road by providing businesses with a shorter and direct route to the M62. They currently have two alternative routes to Junction 19, the shortest being through Heywood town centre at approximately 5.3km and the longest via junction 2 of the M66 and Simister Island at 9.7 km. The proposed new link road will provide a more convenient route that avoids the town centre and the congested M66. This will improve operations, staff journeys and overall service to clients.

Since 2008 we have been driving down our carbon footprint. The new link road will minimise our total fleet mileage and thus have a positive impact on the environment, by reducing direct emissions. We presently have a fleet of 23 vehicles and employ 205 staff. The savings gained could provide businesses with opportunities to reinvest locally and opens up possibilities for innovation and job creation to the benefit of the local area.

- CBRE, who are the asset managers, letting agents and managing agents of Heywood Distribution Park state that they are in regular dialogue with companies and organisations keen to occupy space along the M62 corridor. Proximity to the M66/M60/M6/M61 motorways makes Heywood a very attractive location, but it has its challenge, which can be rectified with the introduction of the proposed link road.

The one formal route the M62 via junction 3 of the M66 and Simister Island means that all HGV traffic uses Pilsworth Road. This creates congestion when there have been accidents on the motorway, which undermines the service offer of the park's operators. Heywood Distribution Park provides its own state of the art secure entrance, which is an attractive offer to operators. However at peak times this can cause congestion along Pilsworth Road. The application proposes widened road and turning improvements to ensure the free flowing movement of traffic. This is a big advantage to them, the Park's operators and the wider residential and business community.

The direct link will save occupiers approximately 8-9km each way and provides an alternative route into the area. Will deliver cost savings to the operators and allow them to offer a more reliable and efficient service to their clients. Will also result in large emission reductions which operators are keen to promote as part of their own corporate environmental policies on carbon reductions.

Improved bus service provision including new and upgraded bus stops in the area would further attract local staff and be of benefit to local businesses and residents. The new proposed cycle ways and footways that connect business parks to the new and existing residential areas will also aid in connectivity and promote sustainable modes of travel for local employees.

CBRE has little doubt that any new employment space created by this proposed development at South Heywood will prove to be popular with occupiers. There is increasing demand by businesses to relocate to the area and the link road will help enhance its attractiveness as a strategic location. Heywood Distribution Park is a major contributor to

the local economy and will be made even more attractive to businesses as a result of the proposed development.

- Harbert Management Corporation, who represent the owners of the Heywood Distribution Park state that their most recent estimate/survey would suggest that circa 2,500 people are directly employed at the Park and that 60% of them live within 5 miles of the site. The business occupiers and staff would benefit from the proposal as it would save time and money in the movement of goods and services. A new link road would undoubtedly take some of the pressure off the M62/M66/M60 Simister Island junction which would benefit all road users. Without this development providing the necessary funding, they do not see how this much needed link road will come forward in any realistic timetable. It is an essential part of the growth agenda for the Borough and Greater Manchester and must come forward to support businesses to prosper and jobs to be created.
- The operations manager for Eddie Stobart has stated that providing a new link road from the M62 to the Heywood employment area has been a local priority for some time and the opportunity to deliver on this should not be ignored. Although business parks in the area are close to major motorway networks the lack of a direct route is detrimental. The proposed new link road will provide a direct connection to J19 of the M62 saving trip times, avoiding congested roads and motorways and reducing carbon emissions, and operation costs. This enables businesses to secure cost efficiencies, strengthens competitiveness and allows reinvestment in jobs, premises and fleet.

The new employment area proposed offers the opportunity for South Heywood to become an economic hub of regional significance, contributing some £175million GVA per year from the new business parks alone. The development will facilitate the generation of a network of businesses and supporting infrastructure that will improve the competitiveness of existing businesses but also provide an enhanced and attractive setting with associated amenities for our employees, namely the local retail centre and extensive public open spaces.

With critical mass generated from the thousands of new jobs at the new employment area, together with the developer's investment in bus provision, it is hoped suitable and long term services can viably serve the area.

As previously noted further environmental information and other supplementary information in relation to the environmental statement and planning application was submitted in November 2017. Additional consultation and publicity was considered to be necessary, and in response to this 20 letters of objection (from 14 addresses), 16 letters of support (from 16 addresses) and 1 neutral letter have been received. The letters of objection repeat a number of the concerns that were raised during the original notification period and it is not necessary to list these. However the following additional points have been raised:

101. Concerns that the legal and normal operation of Guenther Bakeries Ltd factory would be compromised by the proposed development; whereby new occupiers may consider the neighbouring industrial uses a nuisance.

Officer response: The 'Design, Layout, Living Conditions, Security and Safety' section of the report addresses commercial noise in relation to the proposed housing.

102. The Health Impact and Health Needs Assessment report does not assess the quality of the new living environment of residents in the context of the large adjacent Heywood Distribution Park which represents one of the largest employment sites in the area.

Officer response: The 'Design, Layout, Living Conditions, Security and Safety' section of the report addresses the living conditions of existing residents and the impact of commercial noise in relation to the proposed housing.

103. Questions about the time of year chosen for the Noise study to take place.

Officer response: The LPA has no substantive reason to conclude that the time of year when the noise assessment was carried out would result in the results of this being significantly flawed or inaccurate. The Council's Public Protection Team has also not questioned this.

104. Concerned that the mitigation measures proposed will not fully address the potential for noise complaints from the new sensitive uses that will be located close to the Bakery's operations.

Officer response: Paragraph 123 of the Framework states that existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established.

With appropriate design, to be established at reserved matters stage, and the mitigation proposed it is considered that the likelihood of legitimate complaints from future residents regarding the continuing industrial operation would be minimised.

105. No recognition of the odours arising from the existing industrial estate.

Officer response: In response to this the applicant has undertaken a review of the potential odour risk as a result of the existing operations. The review has been undertaken in line with the guidance provided in the Institute of Air Quality Management (IAQM) "Guidance on the Assessment of Odour for Planning, IAQM, 2014". This guidance specifically deals with assessing odour impacts, namely potential effects on amenity. This has concluded that with a small source odour potential and ineffective effective pathway, the risk of odour exposure of future occupants of the proposed residential development is "negligible".

The Council's Public Protection Section has assessed this information and is satisfied that it demonstrates that future occupants of the homes are not likely to be subject to an odour problem. The Bakery has also seen this technical

evidence and has written in to confirm that they wish for their concerns to be readdressed during the detailed reserved matters stages, managing the impacts of noise and odour through a combination of the site's layout / design, and robust planning conditions. The LPA therefore do not consider any impacts associated with odours to be objectionable at this stage.

106. 150 homes are now to be built before the link road is delivered. What if the houses are not built? What happens if Russell Homes closes down before the link road is delivered?

Officer response: The cost of the road is required to be paid upfront as the road construction commences. The applicant will only recover their initial outlay to part fund the road if they sell the parcels of land with planning permission to house builders. The capital receipts from this land for housing will reimburse them. It is therefore in Russell Homes interests for such housing to come forward at the earliest opportunity.

107. Smart motorway construction detours already damaged road structure and waste management systems – additional HGVs will make this worse.

Officer response: The purpose of the proposed link road is to provide direct access for HGVs and other vehicles between J19 and Heywood Business Parks off Hareshill Road and Pilsworth Road. There should be no reason for HGVs to travel on existing road structure.

108. Such development will result in an increased no. of HGV journeys to supply this 'new' demand, when the key selling point of the proposal has been to remove HGVs from Heywood Town Centre. There has been no Impact Assessment carried out in this regard in the application.

Officer response: The removal of HGVs from Heywood Town Centre is related to the routing of them as it is currently the quickest route to the M62. The 'Highways' section of this report addresses traffic generation and impact.

109. No analysis in the application giving any indication the number of hectares that will be vacated or otherwise become available in the coming months and years that may enable the Council to reach its target. In any event the thresholds set by the Council have not yet been met and therefore the application should not be considered until such time as those thresholds are met.

Officer response: It is not possible to assume vacancies. Employment need, alternative sites and current planning policy thresholds have been addressed in the 'managing the release of additional employment land' section of the report.

110. There is no tangible, underpinning evidence offered demonstrating a commitment from would be employers to relocate to South Heywood or even a commitment from existing employers to maintain their presence.

Officer response: The Case for Additional Employment Land document which is assessed in the 'managing the release of additional employment land' section of the report includes details of the number of property enquiries over a period of time, including the number of enquires received for units above 100000sq.ft year each year. Whilst this is not a commitment it is considered to demonstrate a demand for larger employment units.

111. There is no tangible or compelling evidence offered as to whom these residents or businesses are and how the existing traffic congestion is undermining their quality of life or blighting their businesses.

Officer response: letters have been received from a number of existing businesses and comments from them are also contained within the Link Road Benefits Document. These highlight the negative impacts that existing traffic congestion has on them. The 'Case for the Link Road' Section of this report also covers the historic complaints that have been received from RMBC highways department regarding this issue.

The letters of support are from GJD Manufacturing, Archibold Logistics, Midas, Manchester's Inward Investment Agency, Fowler Welch, Breakell Lifts, Yearsley Group, Yeargate Ltd, XPO Logistics, Tamicare Ltd, ITAL Logistics, Ikonik Technology, Martin-Brower UK Ltd, Employment Links Partnership, The Rochdale Learning Provider Network and Rochdale Training Ltd respectively. As with the objections, a number of points have been repeated and it is not considered necessary to list these. However the additional points raised are as follows:

- One of the barriers to local recruitment is poor public transport serving the whole Heywood commercial area. The improved public transport service along with new cycle routes and footpaths would help connectivity between businesses and local residential areas and help long term unemployment.
- The applicant has a skills and training framework to elevate local people and sub-contractors with opportunities for employment during construction and operation of the development. This is good for the area and for local businesses, securing a lasting legacy for Heywood and the Borough.
- The borough has the second lowest employment rate in Greater Manchester and significantly (6.9%) behind the national average. The percentage of workless households where no one is in employment is also significantly high at 23% compared to the national average of 15%. Skills levels are below the national average and for some specific Skills Levels, the lowest in Greater Manchester. Some of the wards with the highest levels of out of work benefit claimants are in or close to the proposed development area.

The Employment and Training Statement which accompanies the Planning Application is welcome and outlines the actions to maximise employment, learning and training opportunities. Of particular benefit would be the proposed forward looking programme which will include briefings on key stages of the project. This will enable ourselves and other training and employment organisations to prepare local residents and ensure they have the right skills and attributes to take up the jobs created. The commitment to signing the Considerate Contractors Scheme will also help inform and educate local people about the construction sector. The offer of work experience opportunities is particularly welcome as the lack of work experience is a common barrier to employment.

- Through collaboration and links with other organisations RADAMA will ensure that appropriate training and supported learning is offered and available to young people to prepare them for the recruitment opportunities that the proposal will bring.

- The new link road, as proposed, will bring a significant boost of £150 million per year to the local economy. Not only will the link road greatly reduce mileage travelled by HGVs by around 8.5 km each way, it will also mean fewer vehicle emissions and lower operation costs. As a result, businesses can be more competitive, reinvest in their business, creating new jobs and growth.
- Level of service will improve as a result of time savings in transit.
- The development will also open up land to create more employment facilities, bringing with it thousands of new jobs in a variety of roles.
- The 1,000 new homes proposed will contribute to the local housing need and will go some way in helping to solve the housing crisis nationally.
- Current infrastructure doesn't allow for any contingency should an incidents cause J3 of the M66 Pilsworth Road access to be closed.
- The proposed link road will improve road safety by eliminating use of Whittle Lane by HGV drivers ignoring or not seeing the weight limit restriction on the road. They commissioned a traffic survey that was completed in Nov 2016. In a 12 hour period between 07:00 – 19:00 374 HGV's travelled south towards Birch Business Park, but only 181 entered the estate, so that means at least 193 HGV's drove down the weight restricted Whittle Lane. An alternative to the M62 would be very welcome.
- Plans for an extensive publicly accessible green and recreation spaces to existing and new residents, including playing pitches, playgrounds and ponds for habitat creation or fishing and the investment of £4.9m plus 2 acres of land for new school facilities are benefits.
- Martin Brower Ltd are in the process of investing £65m in the expansion of the current business into a purpose built facility covering 20 acres of land on Heywood Business Park. The improved access, reduced operating cost and reduced CO2 output associated with the improved road infrastructure are an integral element of our business case. Without the infrastructure improvements, we would cease our development plans in the area and would have no choice but to move our site expansion plans to an adjacent Borough which is something that we really do not want to do.

ANALYSIS

In considering this proposal the Council as Local Planning Authority must have regard to section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires that the application must be determined in accordance with the development Plan unless material considerations indicate otherwise.

Therefore, in determining this application the proposal should be assessed against the relevant policies in the Rochdale Adopted Core Strategy (CS), saved policies in the Rochdale Borough Unitary Development Plan (UDP), adopted Supplementary

Planning Documents (SPDs), the Greater Manchester Joint Minerals Plan, the Framework, PPG and other material planning considerations. Whilst at consultation stage, and to be afforded limited weight at this stage, in assessing the proposal reference, where relevant, is made to the provisions of a revised draft National Planning Policy Framework published by Government for consultation on 5 March 2018.

Paragraph 9 of the Framework states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):

- ☐ making it easier for jobs to be created in cities, towns and villages;
- ☐ moving from a net loss of bio-diversity to achieving net gains for nature;
- ☐ replacing poor design with better design;
- ☐ improving the conditions in which people live, work, travel and take leisure; and
- ☐ widening the choice of high quality homes.

Key to its economic dimension is the contribution to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure.

The social dimension requires supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being.

Finally, the environmental dimension requires that development contributes to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

Paragraph 14 of the Framework states that for plan-making, the presumption in favour of sustainable development means that local planning authorities should positively seek opportunities to meet the development needs of their area; and Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in the NPPF indicate development should be restricted.

Paragraph 14 of the NPPF goes on to state that for decision-taking, the presumption in favour of sustainable development means:

- ☐ Approving development proposals that accord with the development plan without delay, and
- ☐ Where the development plan is silent, or relevant policies are out-of-date, granting planning permission unless:
 - ☐ Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the

Framework taken as a whole; or
Specific policies in the framework indicate development should be restricted.
In order to contextualise the development of the land at South Heywood, it is necessary to first consider the background to the development, and the current policy context within which the application is considered.

Background

Funding Case for the Link Road Scheme

In July 2013, the Department for Transport (DfT) confirmed that it had awarded a total of £110m of devolved transport funds to Greater Manchester for the period from 2015/16 to 2020/21 for the delivery of Major transport schemes through its Local Growth Fund (Growth Deal 1). The funding was to be used to maximise Greater Manchester's contribution to the UK growth strategy. In March 2014, the GMCA and the Greater Manchester Local Enterprise Partnership (GM LEP) submitted the Greater Manchester Growth and Reform Plan and Transport Investment Plan to Government. The document set out the approach of the GMCA and the GM LEP to the prioritisation of these devolved funds locally which would be used to support targeted local economic growth across the Greater Manchester city region. The Plan document confirmed that a programme of 12 major transport schemes across Greater Manchester had been identified for the allocation of these devolved funds.

In preparing this programme during 2013/14, the GMCA and GMLEP, through the GM Local Transport Body, combined to oversee a rigorous review of major scheme investment priorities across the Greater Manchester city region. Schemes were challenged for their costs, deliverability, value for money, strategic fit and economic impact, to develop a prioritised programme that would offer a significant early contribution to the GMCA/LEP's growth strategy. In July 2014, GMCA formally replaced the GM Local Transport body as the approving body for the transport capital programme. Funding is administered by Transport for Greater Manchester across the city region on behalf of the Greater Manchester Combined Authority, and the Junction 19 link road scheme was the top ranked scheme in terms of value for money and economic growth, from the 12 projects identified within this programme for the award of these devolved funds.

The proposed Junction 19 link road scheme forms part of a wider programme of highway improvements within the Heywood, Middleton and Bury areas which are presently being implemented to tackle congestion and network performance on the Strategic and Local Highway Network, and to address severance between communities arising from the M62 motorway. These proposals are being funded by Highways England, the Greater Manchester Combined Authority, Rochdale Borough Council and the private sector.

These include the implementation of the Smart Motorways scheme along the M62 between Junctions 20 and 18 (to be completed Summer 2018) together with improvements to the surfacing and signalisation of the Junction 19 roundabout funded by Highways England as part of the proposal, the construction of a new cycle lane to link major employment and college/training facilities and residential areas of Middleton and Heywood (funded by the GMCA through the Cycle City Ambition Grant), the first phase to be open by Summer 2018 and completed as part of this proposal, and further capacity improvements to the Simister roundabout at the

junction of the M60, M62 and M66 motorways to be funded by the Department for Transport through the Roads Investment Strategy (RIS1 and 2)

£7.3m of Greater Manchester Growth Deal 1 funding was awarded for the scheme in mid-2014 and a further £3m was similarly awarded by the GMCA and GM LEP as part of the subsequent Greater Manchester Growth Deal 3 programme during the Summer of 2017. The additional funding would be used to accelerate the delivery of the link road by 2021 together with the implementation of a local scheme of traffic improvements within the local Hopwood residential areas to prevent the inappropriate rat running of HGV vehicles through the Hopwood Triangle residential area following completion of the link road. The latter improvements to address long standing complaints from local residents cannot be implemented fully without the construction of the link road. Both of these are outline awards and will be confirmed following submission and approval of a Full Business case, which will be after any grant of planning permission and will include detailed scheme costs. These are currently forecast at around £28 million including highway mitigation works in central Heywood and other nearby roads.

The scheme will therefore be funded by the Greater Manchester Combined Authority, (GMCA), Highways England and a private sector developer, with their respective contributions summarised below:

- £10.3m from the Greater Manchester Combined Authority (Growth Deal 1 and 3), administered by Transport for Greater Manchester
- £1.75m from Highway England. This comprises a formal written commitment to the sum of £1.5m towards the proposed highways improvements at junction 19 of the M62 and for the sum of £250,000 to fund the proposed cycle improvements also at junction 19 of the M62.
- The anticipated shortfall of £17m will be met by the applicant, who will then recoup their outlay from the sale of the residential plots over 15 – 20 years.

Subject to the grant of planning permission there is a funding requirement for the scheme to commence on site by early 2019 and for the completion of the link road and drawing down of the devolved funds by the end of March 2021. The associated highway improvements and traffic calming measures within the Hopwood Triangle will be funded using the Growth Deal funds and will therefore be implemented and soon as is practically possible following the completion of the link road itself. These local highway measures are designed to improve conditions on the local highway network and prevent the inappropriate routing of HGV and other commercial traffic through this area once the proposed highway link between the M62 and employment areas in place.

Policy

The development plan for the Borough is the Core Strategy (CS) which was adopted by the Council on 19 October 2016. The CS forms part of the Local Plan for the Borough and sets out the long-term spatial strategy for future development of Rochdale Borough up to 2028.

Prematurity in respect of the draft GMSF

The broad extent of the Green Belt in Greater Manchester was established in the 1981 Greater Manchester Structure Plan and detailed boundaries were introduced in the Greater Manchester Green Belt Local Plan which was adopted in 1984. Whilst Regional Spatial Strategies (RSS) indicated that a strategic review of the Green Belt would be needed by 2011 it was abolished in 2010. A full assessment of the Green Belt boundaries in Greater Manchester has therefore not been undertaken since the original boundaries were adopted in 1984.

In line with the Northern Powerhouse agenda for transformation and economic growth the Greater Manchester Combined Authority [GMCA] recently published the Draft GM Spatial Framework (GMSF) for consultation, with the aim of Greater Manchester becoming a financially self-sustaining city, sitting at the heart of the Northern Powerhouse.

The Draft GMSF set an objective to accommodate, over the plan period 2015-2035, land for 200,000 jobs and provide over 227,000 new homes throughout the conurbation to accommodate a growing population. Whilst there is a strong emphasis on directing new development to brownfield land in urban locations, the scale of growth promoted by the Draft GMSF requires the release of land from the Green Belt. A number of sites currently allocated as green belt were identified for release within this document.

The application site falls within the Northern Gateway Strategic Location for development, as defined by the Draft GMSF. The Draft GMSF promotes a significant expansion of the Northern Gateway area to create a major new mixed-use neighbourhood, in order to improve the competitive position of Greater Manchester and help to foster sustainable, inclusive growth across the conurbation. The application site forms part of a wider site allocation under draft Policy reference '*NG1a Northern Gateway (North of the M62) of the GMSF*'. This includes all the land to the north of the M62 Junction 18 and to the east of M66 Junction 3.

In the context of the Framework and in particular the presumption in favour of sustainable development Paragraph 014 Reference ID: 21b-014-20140306 of the PPG states that arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively to be limited to situations where both:

(a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or neighbourhood planning; and

(b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

The PPG also states that refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant

of permission for the development concerned would prejudice the outcome of the plan-making process.

The applicant's Supplementary Planning Statement covers this issue and stipulates that the need for the release of the application site given supply and demand for employment land, which is linked to the delivery of the new Link Road in the short term due to grant funding timescales has already been set out. In addition, the applicant considers that the proposed development in a GMSF context is not so substantial that it could be deemed to undermine the plan-making process. This is because the site area is only a very small part of a number of significant areas of employment land proposed to be released across Greater Manchester over the plan period until 2035. Whilst they consider it to be an important employment site, given its scale in a Greater Manchester context, it is not central to the overall GMSF strategy by itself. Furthermore the GMSF is still in its early stages and is a considerable way off reaching the Examination stage. On this basis the applicant does not consider the proposal to be premature.

The Local Planning Authority see no reason to disagree with this view and are satisfied that the proposed development should not be refused on the grounds of prematurity.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the application must be determined in accordance with the development Plan unless material considerations indicate otherwise. Therefore in determining this application the proposed development should be assessed against the relevant policies of the Adopted Rochdale Core Strategy (2016) [the CS]; saved policies of the Rochdale Unitary Development Plan (UDP) (2006), the relevant Council Supplementary Planning Documents (SPD), national planning policy and guidance and other material considerations.

As such careful consideration of the following issues needs to be made:

- Principle of development
- Green Belt
- Highways
- Employment
- Housing
- Whether the amount and type of enabling development is justified.
- Retail
- Landscape character and appearance
- Historic Environment
- Best and Most Versatile Agricultural Land (BMV)
- Design, Layout, Living conditions, Security and Safety.
- Air Quality
- Land Stability/Land Contamination/Health and Safety Risk
- Flood Risk
- Biodiversity & Ecology
- Education
- Open Space and Sports provision
- Health & Wellbeing
- Other considerations
- Planning Obligations
- Conclusion and Green Belt Balance

Taking each of these considerations in turn, the LPA's comments are as follows:

Principle of Development

Submitted supporting statements set out that the proposed link road is needed to respond to the high volumes of traffic being generated from a number of major employment sites in the area (mainly on Pilsworth Road and Hareshill Road). Traffic accessing these sites primarily use Junction 19 of the M62 motorway and Junction 3 of the M66 (thus travelling through Heywood Town Centre, the Hopwood Triangle and Birch) via Junction 18 of the M60. As a consequence of this and general commuter traffic all of these areas experience substantial congestion and delays, which has led to rat-running by vehicles travelling to the South Heywood area.

The Council has historically received a large amount of complaints either formal or informal through Heywood Township Committee, elected Members for Heywood and Hopwood Hall Wards and resident meetings regarding large numbers of vehicle movements that seek to leave the M62 at Junction 19 to access the existing employment areas via the residential area of Hopwood Hall and the centre of Heywood. This has already led to localised junction improvements to try to help improve traffic flow and HGV restrictions.

The link road is therefore proposed to reduce long journey times for freight and commuter traffic travelling between the motorway network and existing employment areas, to reduce traffic congestion and improve safety on the local highway network in Heywood Town Centre, and the inappropriate routing of traffic through the Town Centre, Birch and other residential areas of Heywood.

Adopted Rochdale Core Strategy

The CS Spatial Portrait of the borough identifies key issues, challenges and opportunities for each of its four distinctive townships. For Heywood, and in particular South Heywood, its location by the M62 and M66, is stated as attracting high quality distribution businesses with Heywood Distribution Park, now a Simplified Planning Zone, having a reputation nationally. The potential to enhance the current and future role of this area is highlighted though measures to improve access which in turn could minimise heavy goods traffic movements through residential areas of Heywood and the town centre.

Further improvements in Heywood for leisure, retail and employment opportunities along with a greater variety of housing type and tenure, including higher value housing and housing for the elderly are also identified. Indeed, the vision for Heywood is provided in the preamble to CS Policy SP3/H. This is that:

“Heywood will have more and better jobs with new high quality employment opportunities within the employment areas to the south and east of the town. There will be a wider choice of good quality housing to attract and retain residents. South Heywood will be a desirable location for businesses enjoying improved access and better traffic management, reducing congestion in the town centre and residential areas. New residential development in central Heywood and to the south and east of the town will support a more vibrant town centre. The East Lancashire Railway will be a successful visitor attraction. Key gateways and routes into Heywood will be

more attractive and the Roch valley will play a stronger role in the town's identity and leisure offer."

Furthermore, CS Policy SP3/H highlights three main priorities for Heywood with the relevant CS Policies for consideration listed next to them. One of these priorities is **to promote economic growth in South Heywood** (SO1,SO2,SO3,SO5) by:

- Delivering new economic development on sites within the successful employment areas in the south of the town to maintain their national reputation as a high quality business location (Policy E3);
- Developing higher value housing to support and complement this economic growth area and promote wider prosperity (Policies C1,C3); and
- Promoting infrastructure improvements and traffic management to service new and existing development and reduce heavy goods traffic in Heywood town centre and residential areas (Policies E3, T1).

Potential impact on the CS and draft allocations

It is acknowledged that the recently adopted CS (2016) also states that Green Belt is expected to endure to the end of the CS period. However the reason provided for this was that at the time of examination there was no evidence that development needs required the release of Green Belt land. In light of the information within this report, particularly in respect of funding arrangements and timescales, circumstances have clearly changed since then. Moreover, each application is required to be determined on its own individual planning merits and that is what the LPA has done with this case.

Furthermore, the LPA is mindful that its Draft Allocations Development Plan Document (DPD) is likely to be published for consultation in the summer of 2018. This will propose detailed planning policies, area designations and site allocations for specific types of development to meet the needs of the Rochdale borough up to 2028, as set out in the CS. This will include identifying sites to deliver the new homes and employment land required over the plan period.

Paragraph 216 of the Framework indicates that weight may be given to emerging plans according to the stage of preparation of the emerging plan, the extent that there are unresolved objections and the degree of consistency of the relevant policies with those in the Framework.

As it remains subject to consultation, the DPD is at a relatively early stage in preparation. Any future representations made would have to be considered as would any decision in respect of potential modifications. There is no guarantee that the plan would be adopted in its existing form and this limits the weight that can be given to it as a material consideration. Therefore given its early stage of preparation the proposed amount of houses in this planning application cannot reasonably be considered to be premature in relation to the DPD. As a result, this would hold no weight as a harmful factor in the overall Green Belt balance.

Therefore, notwithstanding its Green Belt location, and all of the other main planning issues that are considered below, the proposed development, in principle, would clearly be in keeping with the vision and priorities identified for Heywood in the CS.

Green Belt

Policy G4 of the CS seeks to protect from development the areas of Green Belt to the urban fringe countryside to the south of the borough thus preventing the neighbouring towns of Rochdale, Middleton and Heywood, along with towns outside the borough from merging. It also protects the Pennine rural fringe to the north and east of the borough where its primary role is to prevent encroachment into the countryside CS Policy G4 goes on to state that development will be restricted to those limited types of development which are deemed not to be inappropriate by national planning policies unless very special circumstances can be demonstrated. Framework Paragraph 89 sets out that the construction of new buildings is inappropriate except for a limited number of exceptions. These include buildings for agriculture and forestry; appropriate facilities for outdoor sport, outdoor recreation and cemeteries, replacement buildings, limited infilling in villages, limited affordable housing for local community needs and the limited infilling or the partial or complete redevelopment of previously developed sites which would have no greater impact on the openness of the Green Belt and the purpose of including land in it than the existing development.

The proposal would not fall within those list of exceptions and would therefore be regarded as inappropriate development that is, by definition, harmful to the Green Belt and in conflict with advice in the Framework and CS Policy G4. The Framework requires that substantial weight be attached to the harm arising due to the inappropriate nature of the all of the proposed development.

The Framework also states, at paragraph 88, that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the sum of harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations. The Court of Appeal judgment in *SSCLG & Others v Redhill Aerodrome Ltd* [2014] EWCA Civ 1386 (Redhill Aerodrome judgement) confirmed that the interpretation given to "any other harm" in paragraph 88 is such that it is not restricted to harm to the Green Belt. This judgement also confirmed that harms, even if less than the thresholds for refusal set out in the Framework, are "material considerations" for the purposes of deciding whether to grant planning permission.

Openness and the purposes of including land within the Green Belt

Framework Paragraph 79 states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It identifies openness as an essential characteristic of the Green Belt. There is no definition of "openness" in the Framework, but it is commonly taken to mean the absence of built or otherwise urbanising development rather than being primarily about visual effects.

Whilst the layout plan is only indicative it is inevitable that a development of such size and scale proposed on the application site would impact on the Green Belt's openness. Indeed, given the predominantly green and undeveloped nature of the site, it is considered that the proposal would have a harmful impact on the Green Belt's openness.

Moreover, the Green Belt serves five purposes: to check the unrestricted sprawl of large built up areas; to prevent neighbouring towns from merging; to assist in safeguarding the countryside from encroachment; preserving the setting and special character of historic towns; and to assist urban regeneration by encouraging the recycling of derelict and other urban land.

The applicant has submitted a 'Green Belt Assessment' which concludes that the site, overall, has a limited contribution to the purposes of Green Belt. In arriving at this conclusion it is stated that the site provides no contribution to preserving the setting and special character of historic towns, and has a limited contribution in respect of three other purposes (preventing neighbouring towns merging, safeguarding the countryside from encroachment, and assisting in urban regeneration, by encouraging the recycling of derelict and other urban land). It is only the purpose of checking the unrestricted sprawl of large built up areas that is suggested to have a moderate contribution.

Although plainly a matter of fact and degree, due to its distance away from Birch Conservation Area it is accepted that the application site does not fulfil the purpose of preserving the setting and special character of historic towns. However its location at the edge of the settlement checks the sprawl of the large built-up area of Heywood, assists in preventing Heywood and Middleton merging, and assists in urban regeneration consistent with the approach of directing development into urban areas as per CS Policy G4.

Also, the proposed development would constitute an encroachment of built form into the countryside. It would thereby be harmful to the Green Belt in relation to the loss of the essential characteristic of openness and would conflict with four of the five purposes of the Green Belt. As such substantial weight should also be apportioned to the total Green Belt harm that the proposal would cause.

Highways

The Link Road Benefits Document (LRBD) sets out that South Heywood is strategically well placed in the North of England for industrial and distribution operators, benefitting from east west links along the 'Northern Powerhouse' that stretches along the M62 motorway. However it states that there is no direct link from Junction 19 of the M62 to the larger existing employment parks that are grouped around Hareshill Road and Pilsworth Road. This results in HGV drivers opting to take shorter but inappropriate alternative routes i.e via Heywood town centre, and residential areas such as Birch village and the Hopwood Triangle, and is to the detriment of the wider residential and business community. The following key local traffic issues are therefore identified in both the LRBD and the TA;

- HGV and commuter traffic travelling between the existing employment zones in South Heywood towards M62 J19 and the east contribute to existing delays and congestion on the local network. In particular, HGV drivers elect to travel through Heywood Town Centre (routing shown in red on Figure 2-1) rather than utilise the signed M62 / M66 routes (shown in pink on Figure 2-1), due to the frequent congestion and unreliable journey times when travelling via Junction 18 of the M6;
- Some rat-running by commuters and delivery vehicles has also been noted to occur along A6045 Heywood Old Road / Whittle Lane (albeit that HGV movements on Whittle Lane are prohibited via weight restrictions) and through Birch village to connect to M60 J19 (Blackley) (routing is shown in purple in Figure 2-1); and
- Use of the more residential standard routes of Moss Hall Road (N) and Heap Brow to link towards the A58 Bury New Road and M66 J2 by HGVs (shown in

blue in Figure 2-1) in preference to the strategic route of Pilsworth Road and M66 J3.

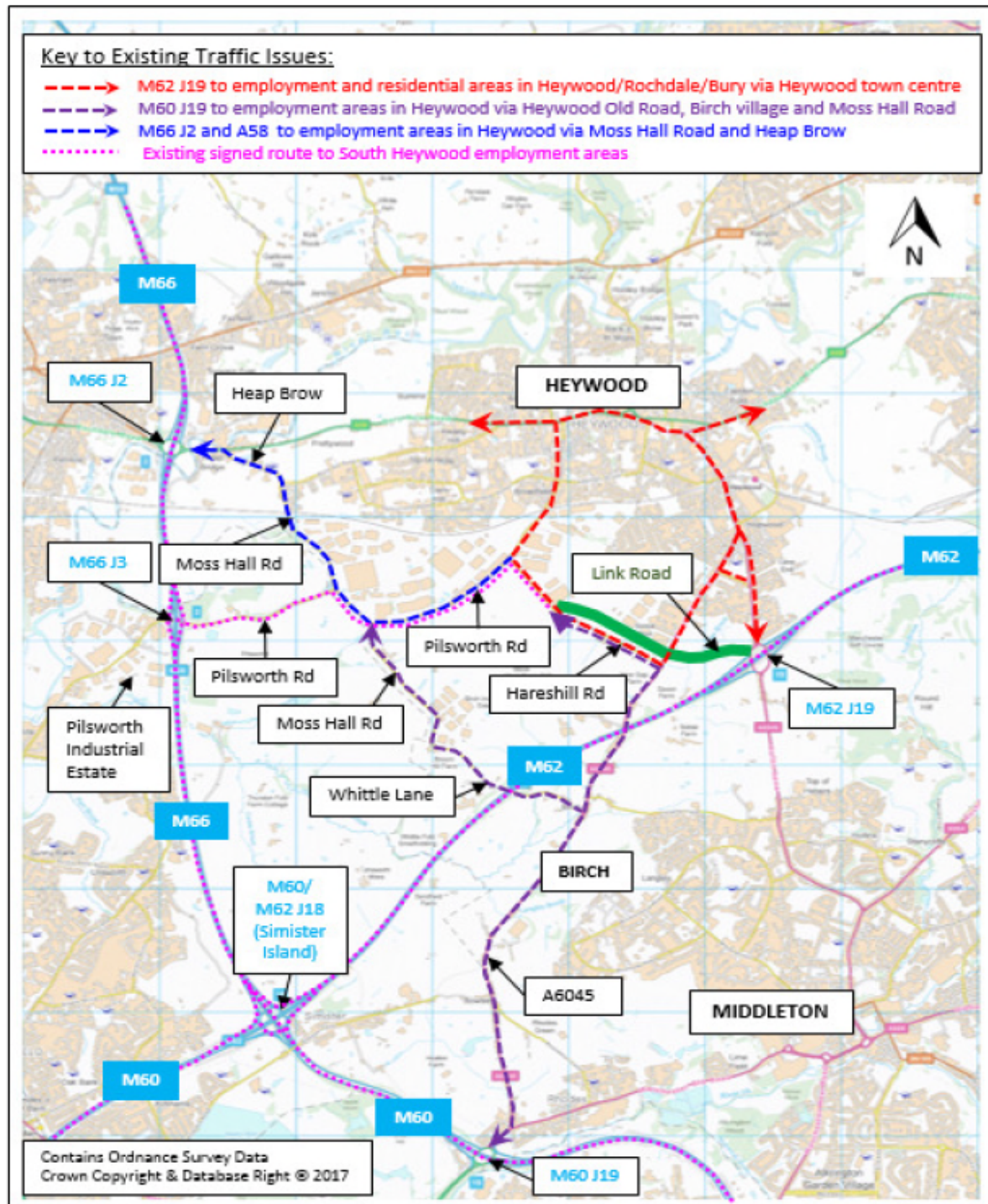


Figure 2-1 – Local Traffic Issues in South Heywood

Policy DM1 of the CS sets out general development requirements for proposed development which included providing satisfactory access and mitigation against development impacts. In respect of transport, CS Policy T1 of the Core Strategy seeks to deliver sustainable transport. Specifically, section 3(a) states:

“Providing access for all to development focus areas and town centres including: Enhancing transport links and access within the M62 corridor to improve sustainable transport access and traffic management, to ease town centre traffic congestion in Heywood and Middleton.”

Policy T2 also seeks to improve accessibility, stating that:

“We will improve accessibility by locating development where good access to public transport is available or can be provided, backed by measures to reduce the need for travel and effective provision for cyclists, pedestrians and people with impaired mobility.”

It goes on to set out the requirements for Transport Assessments and Travel Plans, and where developers should contribute to essential transport infrastructure to service their proposals and alleviate any additional congestion resulting from their proposals.

The Local Planning Authority has appointed independent highway engineers (Wilde Consulting Engineers) to advise and assess the impact of the proposed development on the safe and efficient operation of the highway network in the vicinity of the application site.

The application is supported by a Transport Assessment [TA] and Travel Plan. Ongoing discussions have taken place between Wilde Consulting and the applicant's highway consultants since the submission of the application and the following transport conclusions have been drawn from this work

Link Road

The application seeks detailed consent for the proposed link road. It will connect with the M62 Junction 19 roundabout (which would be signalised); have signalised junctions where it meets Manchester Road and Pilsworth Road; and several development plots will be served off it via ghost island priority junctions.

The J19 roundabout signalisation scheme includes for the new link road connection, a dedicated left slip, and widening of the Middleton Road (south) approach. The details of the scheme have been informed by Highways England which is responsible for the motorway slip roads.

The proposed arrangement also provides for improved access arrangements to Heywood Distribution Park (HDP) to address the existing issue of blocking of the ahead movement by traffic queuing to enter HDP: including widening of the left turn deceleration lane to provide full width lane, and a ghost island right turn lane, both with significant lengths of stacking space.

The link road scheme including Pilsworth Road widening and all associated junctions has been reviewed from a highway design and traffic capacity perspective. Since the original submission of the application some minor enhancements have been made to the proposed Link Road/Manchester Road signalised junction layout and to J19 Middleton Road approach to improve capacity and safety, and a formalised pedestrian crossing point has been added to the scheme some 50 metres to the north of footpath HEY FP72. All details of the scheme are now agreed.

HGV Restrictions and Traffic Management Schemes

The provision of the new link road once completed will provide the opportunity to implement extended local HGV bans. The supporting proposals include for 7.5T restrictions (except for access) on a 24 hour basis at the following locations:

- Pilsworth Road (NE) from just south of railway bridge to the A58;
- Moss Hall Lane (N) / Heap Brow from just south of railway bridge to the A58; and
- A6045 Heywood Old Road, Birch Village from link road to Whittle Lane.

This also provides the opportunity to implement a package of traffic management / speed reducing measures on these routes to supplement the HGV ban and to promote safer operating conditions.

These schemes should be implemented as soon as practically possible following the opening of the link road to ensure the benefits of the link road are realised. The Council as highway authority is investigating the details of the schemes including physical works such as gateway features, build outs / road narrowings, coloured carriageway treatment, and formalised parking bays. Wilde Consulting has seen the initial working drawings and is confident that the three routes are capable of being supported by the HGV restrictions and associated traffic management.

The works included in the working drawings that are associated with the application have been costed by the Council at £317,000. The applicant has indicated that they will provide the necessary funding and this will be secured through a planning obligation, whilst the Council will be responsible for the delivery of the schemes. It is noted that, in relation to Birch Village, more extensive improvements are being investigated, which are not required by the application, but which could be implemented at the same time. These includes the introduction of traffic signals and pedestrian facilities at the junction of Heywood Old Road and Langley Lane (committed through a planning condition on the adjacent Langley Lane housing development), interactive speed limit signage, and the re-alignment of Heywood Old Road to remove the length of dualling and to push the traffic away from the properties on the Middleton bound side of the road.

These schemes will be further developed by the Council as the highway authority and be subject to further consultation. The HGV restrictions and some traffic management measures will require Traffic Regulation Orders (TROs) and, as such, the consultation is a separate statutory process. To ensure the benefits of the link road are realised, the Council will pursue the process at the earliest possible stage with the aim of agreeing the schemes and having the necessary orders in place in advance of the link road completion.

Access

The residential development plots will be served by seven ghost island priority accesses: four directly off the link road, and a further three directly from Manchester Road. The illustrative masterplan indicates connecting routes between some of the accesses.

There will be two employment access junctions: one opposite Hareshill Employment Park with a single lane dualling arrangement (as is currently the case) and one on the widened section of Pilsworth Road (ghost island priority). The masterplan indicates the two employment accesses being interconnected. Further consideration

will need to be given to the design of this internal road at the reserved matters stage to ensure that it does not become a shortcut for westbound traffic seeking to avoid the signalised junction on the link road.

The highway design of all access junctions is acceptable and arrangements are contained on the link road General Arrangement drawing.

In relation to the residential plots, the access arrangements have been capacity tested on an indicative masterplan layout for the site with an assumed split in traffic across the access points (worst case assumption 170 units off a single link road access point). This may change depending on the final site layout arrangements. Whilst all the access junctions are shown to work within capacity for the assumed traffic loadings, this may not be the case if a significantly larger number of residential units were to be accessed via any of the access junctions.

Furthermore, whilst it is agreed that for wider network TA testing purposes the proposed school and ancillary retail traffic generation would effectively be contained within the robust trip generations adopted for the residential development, for access design purposes there could be a more noticeable local impact from these uses, especially where these uses are accessed off the link road.

The potential for sensitivity capacity testing of some of the more critical access junctions has been discussed with the applicant's highway consultant. However as the development proposals are only in outline at this stage and may be subject to change, they consider that this issue is better dealt with at the reserved matters stage when there is greater certainty as to the scale of development and how it will be dispersed across the access junctions. The Local Planning Authority consider that this is a reasonable approach and protects the highway authority's position to ensure suitable future network operation associated with the delivery of critical scheme elements. Whilst the link road access junctions will already be built, the applicant is willing to accept a condition which requires future review of these junction arrangements at the reserve matters stage should the anticipated individual junction traffic demands increase over that tested at the outline stage.

Traffic Impact

The TA considers the traffic impact of the proposals for the following scenarios:

- 2020 Link Road Opening Year including early phase 50 residential units (note: further assessment work was later submitted to support early phase of up to 150 units and the conclusion on this is presented later under the sub-heading Early Phase Development); and
- 2038 Future Year Assessment including link road and full development build out.

In order to assess the combined effect of development traffic and the re-routeing patterns resulting from the new highway infrastructure, a bespoke SATURN modelling exercise was carried out.

Development Traffic Generation & Distribution

The traffic generation assumptions for residential and employment are based on TRICS 85th percentile trip rates and are therefore considered robust. The test flows include for 1391 vehicle movements in the AM peak hour and 1357 movements in

the PM peak hour. These would of course be spread across the highway network, and not focussed on one location.

The employment trip assumptions are based on an assumed 70% B8 / 30% B2 split. These two uses can result in very different traffic volumes and HGV compositions so it is important that this specified split is contained within any planning consent. The applicant has indicated that they are willing to accept such a planning condition. If any variation from that split comes forward at the reserved matters stage then that would then be subject to a new assessment if the trip generation might exceed that tested at the outline stage.

No specific allowance has been made within the trip generation calculations for the school or ancillary retail and this is agreed within the context of testing off-site impact.

The wider distribution of development traffic is based on existing travel patterns for neighbouring employment and residential zones within the SATURN model and this is considered appropriate.

Model Outputs

The model output from the agreed SATURN model provides predicted traffic volumes for the link road and its junctions. Operational assessments of the junctions under these traffic demands has informed the design of the link road and its junctions.

The SATURN modelling also confirms that, as expected, significant journey time savings would be delivered by the link road for the highway network as a whole which will bring economic benefits for the established employment sites at Heywood as well as to the general public. In particular, the journey between Heywood Distribution Park and M62 East for HGV's (which are currently routed via the M66 and M60), will be reduced by approximately 8km distance. The modelling shows travel saving for Heywood Distribution Park operators of 4,700km over an average 12 hour day (0700 – 1900 hours). Journey time savings of between 2 and 6 minutes per car are predicted, and between 5 and 11 minutes per HGV depending on the time of day. This confirms that significant journey time benefits will result from the proposals.

Although not specifically reported in the model outputs, another benefit in this regard is that the new link road will also provide a shorter and faster route to the motorway compared to travelling through Heywood town centre. The Council has historically received complaints from local residents in respect of HGV's routeing through the the town centre, but with the opening of the link road, the route through the town centre would no longer be an attractive route, and in any event, will be banned through the implementation of the HGV restrictions on Pilsworth Road. Furthermore, completion of the link road will enable further traffic improvements and calming measures, funded by the Local Growth Fund, to be implemented through the Hopwood triangle residential area between the M62 and the town centre.

The model output also indicates the impact of the road link and associated development on the wider highway network. Some road links would see increases in traffic as a consequence of the proposals, whilst others would see reductions.

Some of the changes are more notable in a particular peak hour rather than throughout the day. The most notable areas of change are:

- Traffic increases on Pilsworth Road, Moss Hall Road, Heap Brow (AM), A58 west of Heywood town centre (PM), Whittle Lane (PM), A6046 Middleton Road south of J19, J19 and M62 J18 – J20.
- Traffic reductions in Heywood town centre, A6046 Middleton Road between J19 and Hopwood, Coronation Avenue, A6045 through Birch, Langley Lane, A576 between Middleton and M60, and M66 Junction 3 to M62.

Some road links are predicted to be operating over capacity during the peaks by year 2038 (including some sections of the motorway). This is not unexpected, given that the analysis looks so far into the future. It is important to note however, that where such over-capacity conditions are predicted, this generally occurs as a result of the influence of general background traffic demands, and not as a direct consequence of the proposed link road and its associated development. Indeed, in many cases where link capacity is predicted to be exceeded in 2038, the modelling shows that the proposed scheme would result in flow reductions when compared to the 'Do-Nothing' position. In such cases, predicted future year operating conditions are not directly attributable to the South Heywood proposals and therefore are not an influencing factor in the decision-making process.

Off-Site Impact and Mitigation

For TA purposes more detailed consideration is given to junction operating conditions where the proposals are seen to result in material increases in traffic.

In addition to the link road junctions the TA also considers the impact at Junction 19 and at Moss Hall Road / Pilsworth Road signals. The latter would continue to operate within capacity.

The future operation of J19 has been assessed with both LINSIG (by TfGM) and VISSIM (by Highways England). The LINSIG modelling indicates that the roundabout would be operating at around its practical capacity during the year 2038 peaks. The VISSIM model shows similar operating conditions to that reported in LINSIG and is considered an acceptable level of operation for future forecasting in year 2038.

Following the review of the TA, two junctions are considered to experience more significant impacts than others, as set out below:

- The Moss Hall Road/Pilsworth Road priority junction (at The Three Arrows) including for proposal scheme traffic, indicated that right turn traffic into Moss Hall Road (south) would result in blocking and delay to eastbound traffic heading towards the new link road at peak times. There is a mitigation proposal which would remove such blocking and will be subject to a drawing to be submitted to an approved in writing by the Local Planning Authority.
- At the junction of the A58 Bury Street / Pilsworth Road the Year 2038 test flows indicate a significant increase in the right turn from A58 to Pilsworth Road which would result in increased occurrences of blocking of the following ahead traffic. This junction may therefore benefit in the future from the introduction of an Indicative Green Arrow (IGA) to help right turners to clear. The Council will continue to monitor this location and consider the

implementation of amendments to traffic signal operation if any requirement is subsequently demonstrated.

Non-Car Accessibility

As the site sits on the edge of the existing urban area it is currently not that accessible by non-car modes. This is recognised in the TA which sets out proposed improvements and potential future bus routes to serve the site which have been identified by TfGM.

The development proposals include for the following infrastructure:

- Segregated pedestrian/cycle routes in parallel to the link road and continuing west along Pilsworth Road along the site frontage;
- Provision of regular refuge crossings on the link road and green man pedestrian phasing at the proposed signalised junctions;
- Improved walking/cycling connections through the site;
- A pedestrian/cycle connection to Gloucester Avenue which in turn will provide a relatively direct connection north from the site via existing residential streets, and under the railway line to connect towards Heywood town centre.

The applicant is making a contribution of £25,000, in order to make enhancements to this walk route into Heywood town centre. This includes for footpath resurfacing, tactile paving and signs as required, and a new lighting column at the bridge underpass. This will be secured within a planning obligation.

Additionally, in order to provide improved public transport access the following commuted sums have been agreed with RBC and TFGM:

- Bus service provision £1,050,000
- New/improved bus stops £180,000

In tandem with the walk and cycle route provision, the public transport financial contribution will provide significant pump-priming of bus services and funding for new bus stops within the site, and upgrades to existing stops. These stops will be agreed with RBC and TfGM. Further details are provided under the heading 'Distribution and sustainability of the proposed development in terms of accessibility and location'.

These improvements to sustainable transport modes are consistent with Policy T1 and T2 of the Core Strategy. These contributions will be secured within a planning obligation.

Road Safety

The applicant's consultant has provided analysis of Personal Injury Accidents (PIAs) on the local highway network for a five year period. This identified a total of 70 accidents over the five year period. These were classed as 58 Slight; 10 Serious and 2 Fatal. In the context of the vehicle volumes on each route there do not appear to be any significant trends within the accident data. The majority of accidents recorded were at junctions and associated with typical urban causation factors such as poor judgement/attention and interaction between traffic and vulnerable users.

The main areas where the largest traffic increases are identified as a consequence of the proposals (and therefore increased potential for increased accident risk) are being replaced or improved as part of the link road (Pilsworth Road, Hareshill Road

and Junction 19), and the traffic management schemes are proposed to bring safety benefits on those routes. The other accident locations around Hopwood Triangle, A6046 and Langley Lane would see reductions in traffic as a consequence of the proposals and further highway safety improvements funded either through the development or the Local Growth Funding (and therefore reduced potential for accidents). The proposals are therefore considered to have a positive impact in terms of road safety.

In particular, it is noted that the link road design includes for a parallel segregated pedestrian/cycle route, formalised crossing points and dedicated pedestrian phasing at the signalised junctions. At J19 roundabout the signalisation scheme will provide dedicated pedestrian/cyclist facilities. The introduction of HGV restrictions and traffic management schemes should also bring safety benefits to those routes.

Parking

Parking provision for the development plots will be considered at the reserved matters stage in line with Rochdale parking standards as set out in the Core Strategy.

Travel Plan

A Framework Travel Plan has been submitted with the application which provides guiding travel plan principles and requires developers of individual plots or land parcels to undertake their own subsidiary Full Travel Plans. These subsidiary Travel Plans should be conditioned as a requirement at the reserved matters stage.

Strategic Road Network

The impact of the application proposals on the Strategic Road Network (namely M62 and M66) has been considered by Highways England which has confirmed that it has no objection subject to a number of recommended conditions.

Early Phase Development

The applicant has submitted an early indicative proposal for a first phase of 150 residential units to be completed in advance of the completion of the link road. However, the final phasing of development will be subject to a condition with details to be first submitted to and approved in writing by the Local Planning Authority.

Construction Impact

The delivery of the link road route would be managed from two main construction compound sites, both of which are served by direct HGV routes which do not impact on sensitive local receptors. In general, potential network effects can be managed via standard construction good practice techniques and the delivery of a phased construction process that would allow significant sections of the route to be delivered 'off-line' from the existing public highway.

With the exception of the early phase development for 150 units, all other associated development would follow completion of the link road, and therefore all subsequent supporting development construction traffic would route via the link road.

The impact of construction traffic associated with both the link road and the supporting development will be minimised through the implementation of individual Construction Traffic Management Plans for each future phase of development. This will be secured through a planning condition.

Motorway

As touched upon in the text above Highways England, Transport for the North and TfGM have all been consulted and raise no objections to the proposal. However Highways England require conditions for details of the full design and construction of the improvements to the J19 M62 scheme, including all geotechnical and structural design requirements, and a detailed travel plan to be submitted to and approved in writing by the Local Planning Authority.

Public Rights of Way

Council officers have also assessed the impact of the proposed development on existing definitive rights of way. Figure TA7 within the submitted TA illustrates formal public rights of way in the vicinity of the application site. It is stated within the TA that few of these routes are lit or hard surfaced and currently act more as routes for occasional leisure journeys (dog walking, etc.) than for regular commuter trips or providing key access to existing local employment development areas.

The TA lists the following formal rights of way as passing directly through the application site:

- Footpath Hey FP72
- Footpath Hey FP73a
- Footpath Hey FP74
- Footpath Hey FP75

The Council's Rights of Way Officer has also suggested that the following routes could possibly be affected whilst works are undertaken:

- Footpath Hey FP142
- Footpath HeyFP73,
- Footpath Hey BP69
- Footpath Mid FP114a

Nonetheless, it is proposed in the TA that all of these public rights of way would be maintained and enhanced as a part of the delivery of the proposed development. Figure 13.3, which is within Chapter 13 of the ES indicates where the pedestrian crossing points of the link road are proposed and shows these to tie in well with the Definitive Rights of Way Network. The updated indicative landscape plans also show a number of pedestrian routes to connect to these rights of way. Based on these drawings it is considered that there would be no reason to alter any of the routes.

During construction it is expected that the condition of the Definitive Rights of Way network affected by the proposed development will be protected from damage. However, if as a result of the construction works the condition / integrity of any Right of Way is damaged / compromised, the LPA will expect the developer to return it to its original or an improved condition. If any part of the Rights of Way network is incorporated into the pedestrian routes serving the proposed development it is also

expected that they will be improved to a construction standard consistent with the rest of the footway network. These requirements will be secured through appropriately worded planning conditions. No objections are therefore raised to the proposal in respect of the impact on existing definitive rights of way.

Highway Summary and Benefits

Taking full account of the predicted effects of the link road and its supporting residential and commercial development, and being mindful of the package of comprehensive local network mitigation measures that will be secured, it is concluded that overall, and subject to conditions and the planning obligation, the proposal would have a positive effect on highway network operation.

In reaching this positive conclusion the following clear benefits of the scheme have been identified:

The journey between Heywood Distribution Park and M62 East for HGV's (which are currently routed via the M66 and M60), will be reduced by approximately 8km distance. The results of the modelling shows travel savings for Heywood Distribution Park operators of 4,700km over an average 12 hour day (0700 – 1900 hours). Journey time savings of between 2 and 6 minutes per car are predicted, and between 5 and 11 minutes per HGV depending on the time of day. It is considered this evidence demonstrates that the proposed link road will deliver reduced HGV mileage and faster journey times for existing employment sites in the Heywood.

This would result in considerable savings to existing businesses, as well as increase the attractiveness of the area for future business investment, through reduced costs for the operation and maintenance of vehicles, and chargeable travel time reductions. Indeed, a number of local businesses have submitted representations to highlight the savings in costs that they would potentially receive. Using the Outline Business Case (OBC) modelling (which was used to support the allocation of GMCA local growth funding for the link road) it is estimated in the LRBD that there would be total travel time savings of around £156 million, a total saving of £25.7 million in vehicle operating costs and a total saving of £5.6 million in accident savings over a 60 year period. These figures are however based from the current level of business activity only. The proposed link road would also assist residents and employees to access the existing and future employment opportunities and housing within the area, as well as use the new link for social trips.

Whilst it is difficult to quantify the exact fiscal amounts that would be saved, it is clear that these would be considerable. These factors would therefore contribute significantly to the weight apportioned to the overall economic benefits associated with this proposal.

There would be traffic reductions in Heywood town centre, A6046 Middleton Road between J19 and Hopwood, Coronation Avenue, A6045 through Birch, Langley Lane, A576 between Middleton and M60, and M66 Junction 3 to M62. The LPA has no substantive reason to question this analysis. .

Whilst traffic increases on Pilsworth Road, Moss Hall Road, Heap Brow (AM), A58 west of Heywood town centre (PM), Whittle Lane (PM) A6046 Middleton Road south of J19, J19 and M62 J18 – J20, these have relatively light flows, or increases are not material, or balanced by decreases on other approaches.

The increases however can be mitigated through traffic management/speed reducing measures and future assessments at reserved matters stage if necessary.

As part of the proposed improvements along Pilsworth Road, the proposed widening at the access into Heywood Distribution Park will beneficially address the existing issue of blocking of the ahead movement by traffic queuing to enter the employment park.

The provision of the new link road itself is also considered to minimise the development's impact on the existing local road network. The new highway link provides an improved direct access to the employment sites. This will then provide the opportunity for the local highway authority to extend HGV bans and introduce traffic management measures around the local highway network once the alternative route is provided (which the applicant is funding). As previously noted elsewhere in this report, some of the £3m of additional funding secured towards the accelerated delivery of this scheme will provide for the implementation of a local scheme of highway improvements within the Hopwood triangle area. These works to address congestion and local highway safety cannot be implemented unless the link road is completed.

The proposed mitigation measures would therefore overcome any potential harm arising from a small increase in traffic in certain areas. This would ensure that there would be a clear wider net benefit in terms of traffic reduction and highway safety. Collectively these four factors would contribute considerably to reducing traffic congestion and the inappropriate routing of vehicles in Heywood town centre, the Hopwood Triangle and Birch village. By providing a direct route to South Heywood they would also help alleviate congestion on the surrounding motorway network, avoiding the interchanges of the M60, M62 and M66 (Simister Island) and along Pilsworth Road.

Given the reduction in traffic the proposal will also have a positive impact in terms of road safety and a reduction in potential accidents. The main areas where the largest traffic increases are identified as a consequence of the proposal (and therefore increased potential for increased accident risk) are being replaced or improved as part of the link road (Pilsworth Road, Hareshill Road and Junction 19), and the traffic management schemes are proposed to bring safety benefits on those routes.

As a consequence of these five factors the proposed development would substantially reduce the impact on the environment and quality of life of existing and future residents. For the reasons provided above, the LPA therefore considers that the proposal accords with CS Policy SP3's Spatial Vision for Heywood and Policies DM1, T1 and T2 of the CS. It would also satisfy the critical highway test set out in the Framework which is that development should only be prevented or refused on transport grounds where the residual cumulative impacts are severe.

The benefits to the safe and efficient operation of the highway network are therefore afforded significant positive weight in the overall Green Belt balance.

Employment

Whilst South Heywood is strategically well placed in the North of England for industrial and distribution operators, its location is disadvantaged as a result of the long-standing issue of a lack of direct access to the motorway network via the M66 and M62. The proposed new direct link from the M62 would therefore facilitate new employment development and enable existing employment areas and businesses to become more competitive.

It is a significant part of the applicant's case that the link road would provide significant economic benefits, through reduced travelling costs for existing businesses (due to shorter route), increased accessibility to the motorway network, and generally retaining existing occupiers and increasing the attractiveness of the employment sites for future investment. The applicant also considers that the proposed link road would attract new employment uses, in particular industrial, manufacturing and distribution uses, through improved access arrangements and the unlocking of additional development sites for employment uses.

Providing the proposed link road would therefore unlock access to existing and proposed employment sites and housing sites to address the needs of the area. The need for additional employment land and housing proposed are considered in detail in later sections of this report.

Managing the release of additional employment land

CS Policies E2, E3 and E4 are the most pertinent development plan policies in respect of the employment land.

CS Policy E2 seeks to ensure that sufficient supply of up to 210 ha of suitable land is provided for offices, manufacturing and distribution to ensure quality jobs and prosperity. This policy has a clear focus upon the south of the Borough delivering most of the employment sites and jobs, particularly along key economic growth corridors and sites, including sites in South Heywood. In terms of considering the need for additional employment sites criterion c) indicates that a set of mechanisms outlined in policy E4 will help identify the need for additional employment land. The main issue therefore is whether the proposal can be considered sustainable when considered against other Local Plan policies, notably those relating to the location of the site within the Green Belt and the demand for additional employment land beyond the target of 210 hectares.

Policy E3 of the CS also seeks to focus new employment development in key economic growth corridors and areas to create sustainable patterns of development that will help deliver and maximise the benefits of new investment and potential for growth. South Heywood has been identified as an employment area within this policy particularly for logistics and distribution. In addition, South Heywood has been identified as a potential growth area to support the overall growth of Greater Manchester as a sub region. This policy therefore gives support to employment growth in South Heywood and the proposed site may be appropriate for such development. Again, the main issue to consider is the location of the site within the Green Belt.

To deliver economic growth and prosperity in the long term the preamble to CS Policy E4 states that it is important to ensure that sustainable sites can come forward to meet the evidenced need for additional employment land. In supporting

the economic growth and prosperity of the borough, and achievement of sustainable development, the supporting text to this Policy also emphasises the importance of ensuring that developments are delivered at the right time, in the right place, to provide the quality of site to meet the needs of modern businesses and their workforce.

To achieve this CS Policy E4 permits the release and development of additional employment land outside existing employment zones or sites currently in employment use if it meets the requirements in the table below;

Requirements of CS Policy E4	
a.	There is clear and demonstrable need that additional land for employment development is required in order to meet the target;
b.	At least 60% of all the land available for employment development on Kingsway Business Park or 80% of the land available for B8 uses in Kingsway Business Park is contractually committed; and
c.	The location of the site is consistent with the Spatial Strategy and policy E2; and
d.	The site is capable of delivering high quality employment uses which meet the needs of modern businesses; and
e.	The development of employment uses on the site does not have an unacceptable impact on the amenity of local residents; and
f.	The site is in a sustainable location and is, or will be, well served by motorway access and public transport; and
g.	The site can accommodate development without an unacceptable impact on landscape, biodiversity or wider green infrastructure value.

In considering proposals or identifying sites for development the following sequential approach is also required to be applied:

1. Brownfield sites within the urban area; then
2. Greenfield sites within the urban area; then
3. Protected Open Land; then
4. Green Belt.

Proposals are required to demonstrate that the search criteria have been rigorously applied and no suitable sites exist or are available within the preceding categories to meet the scale and quality of employment land required.

Satisfaction of Core Strategy Policy E4

Criteria e and g

Of these criteria, previous sections in this report conclude that the proposed development could be accommodated on the site without having an unacceptable impact on the amenity of local residents or upon landscape, biodiversity or wider green infrastructure value. As such it is considered that the proposal satisfies criteria (e) and (g).

Criteria c, d and f

In respect of criteria (c) and (f) CS Policy SP2 sets out the overall spatial strategy for the borough. Amongst other areas, it identifies the south of the borough, where there is good access to existing facilities and infrastructure, the motorway corridor, public transport facilities and the wider Greater Manchester city region, to be where the delivery of most new housing, employment and commercial development would take place. This policy stipulates that investment, development and improvements will be focussed on specific areas including key corridors and gateways. It also makes clear that Policies E4, G4 and G5 set out approaches for proposals which may include greenfield sites outside of the urban area.

To this end, the application site is located in the south of the borough, has good access to existing facilities and infrastructure, and the wider Greater Manchester City region. Junction 19 is also identified as a Key Gateway into the borough where development and improvements are necessary. Furthermore, and as mentioned in the previous section of this report, the substantial financial contribution that the applicant is making towards the provision of bus stops and new services will enable the employment land within the site to become well served by public transport. The proposed link road, off Junction 19 would also allow the site to be well served by the M62 and M66 motorway corridors. As such it is considered that the proposal would accord with the Council's Spatial Strategy and CS Policy E2 and can subsequently be regarded a sustainable location.

Furthermore, the submitted indicative illustrative masterplan and information provided by Rochdale Development Agency on land enquiries and the Employment Land Report by CBRE also demonstrate that the site is capable of delivering high quality employment uses which meet the needs of modern businesses in the area. Nearby employment areas including Pilsworth, Birch Business Park and Heywood Distribution Park provide an opportunity to build on the success and national reputation of this area for modern logistics and other industrial uses including advanced manufacturing. It would therefore comply with criteria (c), (d) and (f) of CS Policy E4.

Criteria a – the demonstrable need for additional land for employment

In assessing whether additional land for employment development is needed in order to meet the target (under criterion a) it is necessary to consider how much employment land Rochdale requires to meet local and Greater Manchester needs. The three following studies have previously been carried out to demonstrate this:

- Rochdale Employment Land Study (July 2008);
- The greater Manchester Employment Land Position Statement (August 2009); and
- 2013 Update Review of the 2008 Rochdale Employment Land Study (April 2013)

The Rochdale Employment Land Study concluded that a land supply of employment uses of around 210 hectares would be appropriate up to 2021. This includes an additional requirement of 26.4 ha, based on the apportionment of the Greater Manchester additional land requirement in RSS. The findings of the Rochdale

Employment Land Study were reassessed by New Economy in 2013 in order to consider whether or not they still represented an appropriate requirement for employment land over the period covered by the Core Strategy. The conclusions from this review were broadly in line with the original study, identifying the requirement of between 190-221 hectares of employment land. This supported the inclusion of the target of 210 hectares within the submitted Core Strategy which was subsequently endorsed by the Inspector for inclusion at the Examination in Public.

Information from April 2017, demonstrates that the currently identified supply of employment land in the borough is 108.16 hectares, with a take up of land between the periods April 2012 – April 2017 of 54.29 hectares. Of the 54.29 hectares completed in the last five years, 11.72 ha were windfall sites which equates to 2.34 ha pa. In achieving the target of 210 hectares, the Core Strategy makes reference to an allowance for windfall sites of up to 30 hectares over the plan period. If the figures for the last five years are extrapolated over the remainder of the plan period this would provide an additional 25.74 ha in the period 2017 -2028.

Given the target requirement of 210 ha, and the land supply and completion figures, there is currently a shortfall of 30.68 hectares (i.e. $210 - 99.29 - 54.29 - 25.74$). Therefore, based on the latest employment land supply position, there is evidence to suggest that further employment land is needed to come forward if the Core Strategy target is to be met.

Notwithstanding this, a key part of the agents supporting statement includes evidence from the GMSF Economic Development Needs Assessment (EDNA) which provides more up to date information on employment need for Rochdale and the sub region. Within the report three forecasting models were assessed to determine the growth in jobs and the consequent employment land requirement for Rochdale. The analysis is based upon the Greater Manchester Forecasting Model (GMFM) which estimates the amount of industrial, warehousing and office floorspace that would be required to accommodate the forecast number of workers in particular sectors. The assessment considers a base scenario of 2014 for GMFM, but also a series of alternative accelerated growth scenarios.

The EDNA forecasts that Rochdale for the period 2014-2035, around **450,000 sq. m** (45 hectares) of warehousing floorspace will be required under the GMFM base scenario. This rises to around **1.4 million sq. m** (144 hectares) under the highest accelerated growth scenario. The Borough of Rochdale, with its strategic transport advantages, sites and proximity to labour and centres of population, is envisaged to play a major role in meeting Greater Manchester's needs for warehousing floor space, as it has done in the past.

The EDNA also presents a forecast of gross employment floorspace requirements for each district up to 2035; this is based upon the continuation of past averages. This analysis showed that Rochdale would have a gross requirement for approximately **620,000 sq. m** (62 hectares) of floor space up to 2035 (approximately 20% of Greater Manchester's total future requirement).

Furthermore, the report undertaken by CBRE on behalf of the applicants provides a convincing case for additional employment land and details the level of demand for industrial sites between 2013 and 2017. The Rochdale Development Agency works with numerous public and private sectors organisations and as such has data for the number of property enquiries over a period of time. Of particular interest are the

number of enquires received for units above 100, 000sq.ft year each year which are considered to demonstrate a demand for larger employment units to meet the change in market demand. Evidence within this document also points to high levels of occupancy within South Heywood's existing business parks, and a lack of development plots of a sufficient scale to meet growing demands from existing occupiers, as well as being able to attract new leasehold or freehold occupiers.

The Local Planning Authority has undertaken further analysis of the likely attractiveness of the Heywood site to the market, as a result of the completion of the link road. This assessment highlights that over the last seven years there has been a shortage of supply of Grade A new / modern space in prime locations in the North West, across all size ranges due to the lack of any speculative development. However as a result of the positive change in attitude from both investors and occupiers, momentum has developed across the industrial and logistics sector in the region. It states that over the last 24 months, as the wider economic market has improved and with a lack of good quality supply in the North West region, there has been a return to speculative development with over 3m sq ft of new space under construction or committed across the region in 2016.

Nonetheless, the assessment also notes that a significant shortage in the availability of well-located deliverable sites with the capacity to accommodate larger requirements could impact on levels of development as take-up continues. Based on an assessment of key sites within the North West region, this advises that there is expected to be a severe shortage in the supply of development land within the M62/M66 corridor within three years. It also identifies an overall shortage in the supply of smaller 'mid-box' units across Greater Manchester (particularly within Rochdale and Bury), acting as a constraint to the ambitions of existing occupiers.

Indeed, it states that take-up of industrial floor space within the North West in 2015 stood at 13 million sq ft and accounted for around 15% of total GB demand. Furthermore, the North West was one of only two regions to record an increase in demand for industrial floor space with take-up 6% up on 2014 and marked the third consecutive year where demand increased in the region.

This review also indicates that the sites it assessed have the potential to respond to key drivers of demand, mainly within the logistics sector. In particular, this relates to expected continued growth in the online and discount retailing sectors. Alongside this, at a regional level the provision is identified as having the potential to respond to the need to replace stock that is now obsolete, while allowing for a greater level of occupier churn. While the area is identified as being attractive to a range of occupiers, the review considers that the sites will be of particular interest to distribution operators, reflecting the trends outlined above. It emphasises the importance of building upon existing assets and historic ties in securing large scale manufacturing opportunities.

It has advised that sites around Hareshill and the existing Heywood Distribution Park are considered to represent the most developable and cost effective as part of an initial phase. Subject to detailed ground investigations and topographical surveys, the review identifies this area as having the potential to attract large footprint occupiers, who in the North West typically require 400,000 – 700,000 sq. ft. It is concluded that the lack of good quality modern stock within Greater Manchester and particularly Bury and Rochdale, will mean that the development will also be attractive to locally based occupiers seeking to upgrade their premises.

As such the Council's further analysis identifies that there is a shortage of high quality available space for manufacturing and logistics uses, particularly larger sites in proximity and accessible to the motorway network.

Therefore, in light of the evidence provided above it is the Local Planning Authority's view that there is a compelling case for additional employment land and that the proposed employment uses would help to ensure that the Core Strategy target is met over the plan period. As such it is considered that the proposal would contribute to meeting the sub regional need for employment growth and as a consequence would satisfy criterion (a) of CS Policy E4.

Criterion b – Kingsway Business Park and Employment Land Use

The Council's Strategic Planning Section (SP) has confirmed that approximately 47.39 hectares of employment land has now been developed at Kingsway since 2008. This accounts for less than half (45.31%) of total employment land at Kingsway (104.6 hectares in total). Around 54.49% of this land still remains available (57 hectares), while a further 5.38% is currently under construction (5.63 hectares). Given Kingsway's location and market focus, the majority of the employment land (77%) and floorspace (84%) developed has been for B8 warehousing and distribution uses, with 17% of land for combined B2/B8 uses and 5% for B2 uses.

The SP has stated that there have been a number of years where some large requirements have been met (e.g. Asda in 2012 and JD Sports in 2011, with 17.8 Ha and 13.1 Ha respectively), and very limited or no take up in other years. Overall, Kingsway Business Park has experienced an average take-up of around **6.65 hectares per annum**.

With 50.69% of land developed at Kingsway to date (based upon built land, land under construction and land contracted), the threshold of 60% of employment land being contractually committed as set out in policy E4 has not yet been met. Nonetheless planning permission for the erection of 11 industrial and warehouse units, covering a site area of 1.56 hectare was approved in November 2017. This leaves a shortfall of just 8.18 hectares of employment land which will need to be developed to then meet this threshold. Given the size of the plots on Kingsway this could be met through an agreement to bring forward a development of one or two plots. Even, based upon average take-up rates of 6.65 hectares per annum, it is evident that the policy threshold could be met within the next year.

As such, given the demand for employment land at Kingsway, evidenced by take-up, as well as potential enquiries in the pipeline, it is considered that the first policy test threshold (60% of employment land contractually committed) for Kingsway Business Park is likely to be met within a reasonably short period of time - within the next year.

Overall therefore, and as shown in the table above, even though the proposal would accord with the vast majority of the requirements of CS Policy E4, it would conflict with the key criterion (b) that requires at least 60% of all the land available for employment development on Kingsway Business Park or 80% of the land available for B8 uses in Kingsway Business Park is contractually committed. However for the reasons provided above it is considered that the proposed employment development would only cause very limited harm to the Council's long term strategy in respect of

managing land to meet future employment needs. This amount of weight should be apportioned against the proposed development in the overall green belt balance.

The Sequential Test

In response to the requirement for the application of the sequential approach to be applied (under CS Policies E4 and SP2) the applicant has now provided up to date information to assess alternative employment sites for development. This is part of the Sequential Assessment Addendum Report which updates previous information on the development sites originally identified in the November 2016 report. It also considers additional sites for assessment.

The search criteria applied in this instance takes into account the following:

- The proposed development site should be able to accommodate 45 hectares of employment land.
- It must have existing or potential to provide short and direct links to the strategic highway network.
- Requires substantial infrastructure investment which smaller sites would struggle to afford given the levels of infrastructure required to deliver the quality or the quantum of space proposed.

The Sequential Assessment Addendum Report considers 28 sites across the Borough, including the application site. These include a mixture of brownfield and greenfield sites within the urban areas and in edge of settlement locations as well as Protected Open Land and Green Belt sites (see table below):

Brownfield Sites within the Urban Area	Protected Open Land
Former TBA Site, Rooley Moor Road, Rochdale	Bowlee, Heywood Old Road, Middleton
Former Akzo Nobel Site, Hollingworth Road, Littleborough	Trows Lane, Castleton
Former Dunlop Tower Site, Edinburgh Way, Rochdale	Langley Lane, Middleton
George Street, Heywood	Water Farm, Pilsworth
Former Woolworths Site, Royle Barn Road, Castleton	Land to the West of Stakehill
Heywood Distribution Park and surrounding employment Area, Pilsworth Road, Heywood	Land South of Stakehill
Sites along Oldham Road, Rochdale	
Greenfield Sites within the Urban Area	Green Belt
Land north and east of British Vita, Oldham Road, Middleton	Former Corus Site, Castleton Works, Heywood Road, Castleton
Rock Nook Textile Mill, Littleborough	Bury New Road, Heywood
Rhodes Green, Heywood Old Road, Middleton	Land South of Thornham Lane, Middleton
Mandale Park, Sparth Bottom, Rochdale	Land south of Junction 19 M62
	Land North of Stakehill/East of A627(M)

	Land North, East and South of Stakehill and West of A627(M)
	Land South of M62/Oldham Road
	Land South of M62/West of A627(M)
	M62 Junction 21 South of Kingsway
	Roch Valley
	Proposed South Heywood Development (Application 16/01399/HYBR)

Each site has been assessed against the following considerations:

- Consistency with the Core Strategy Spatial Strategy and Policy E2;
- Suitability to deliver high quality employment use which meets the needs of modern business;
- Sustainability of Location (and access by motorway and public transport);
- Potential to accommodate development without an unacceptable impact on environment; and
- Site Constraints.

Eighteen sites were discounted principally because they are too small to deliver the requisite floor space:

- 7/7 of the Brownfield sites within the urban areas;
- 4/4 of the Brownfield sites within the urban areas;
- 4/6 of the Protected Open Land sites;
- 3/10 of the Green Belt Sites.

The remaining development sites are those primarily in Protected Open Land and Green Belt areas. Further assessment of the POL sites, (Bowlee and Water Farm) showed they are also not suitable because of physical constraints, inaccessibility and not being compliant with policies E2, G5, G/3 (saved) and D/10 (saved).

The remaining Green Belt sites have been excluded as preferable sites as they do not comply with the 5 principles of Green Belt, as set out in National Planning Policy Framework, and have the following other constraints:

- Access – the majority of the GB sites provided limited opportunities for access
- Environmental Impacts – most of the GB sites are made up of historic agricultural field boundaries, each defined with tree lines and hedgerows. This would result in the greater loss of trees and hedges and have a greater impact on character.
- Topography – the steepness and degree of undulation across most of the GB sites creates issues around the amount and severity of earth works required.
- Neighbouring Uses – most of the GB sites would have an adverse impact on residents, neighbouring houses and in the case of one GB site it would cause disruption to the local road network which would be considered severe and out of character.
- Flood Risk - Some sites have waterbodies and some flood risk that restrict the developable area of a site.

The LPA is therefore satisfied that it has been demonstrated that the search criteria in CS Policy E4 has been rigorously applied and no suitable sites exist or are available within the preceding categories to meet the scale and quality of

employment land required. On this basis the proposed site therefore also satisfies the objectives of E3, and is capable of being delivered with least harm to the Green Belt.

Satisfaction of CS Policy E4	Satisfied?
a. There is clear and demonstrable need that additional land for employment development is required in order to meet the target;	✓
b. At least 60% of all the land available for employment development on Kingsway Business Park or 80% of the land available for B8 uses in Kingsway Business Park is contractually committed; and	✗ However shortfall of only 8.18 ha of employment land on Kingsway which is expected to be met in the next year
c. The location of the site is consistent with the Spatial Strategy and policy E2; and	✓
d. The site is capable of delivering high quality employment uses which meet the needs of modern businesses; and	✓
e. The development of employment uses on the site does not have an unacceptable impact on the amenity of local residents; and	✓
f. The site is in a sustainable location and is, or will be, well served by motorway access and public transport; and	✓
g. The site can accommodate development without an unacceptable impact on landscape, biodiversity or wider green infrastructure value.	✓

Jobs

The applicant estimates that the proposal would generate in the region of 180 temporary construction jobs per annum over the build period of the project. This is an average level of construction employment over the duration of the build period, which has been estimated to be 18 years. At peak construction activity, it is estimated that there could be up to 370 temporary construction jobs supported in a year (in approximately 2019-20). They also estimate that the whole development scheme could support approximately 3,200 person years of full-time equivalent (FTE) construction employment.

The submitted South Heywood Economic and Regeneration Statement (SHERS) also estimates that once the proposed new Employment Park is fully developed and occupied, businesses located here would create approximately **2,300 gross FTE jobs**. The estimate of total on-site employment supported by the Proposed Development of 1.45m sqft (135,460 sqm) of new industrial and distribution floorspace in South Heywood is based upon guidance outlined in the 2015 HCA Employment Density Guidance (3rd Edition).

In addition to the proposed B2 and B8 uses, the SHERS estimates that the small-scale retail uses serving the housing development will also support employment

(e.g. through a range of retail, food or other service uses) providing approximately 100 FTE jobs. The SHERS states that there is also potential for the provision a further approximate 450 FTE jobs in the Borough as an off-site multiplier. The LPA have no reason to question these figures.

Delivering regeneration and addressing deprivation are fundamentally important to achieving the overall vision for Greater Manchester as set out in the 2017 Greater Manchester Strategy. The 2015 Index of Multiple Deprivation shows that large parts of Rochdale Borough fall within the 20% most deprived lower super output areas (LSOA's) in the country, with a high level of deprivation relative to the rest of the country across large parts of the north of Greater Manchester.

The wider north east area of Greater Manchester, covering most of Rochdale, Oldham and Tameside, as well as the three northernmost wards in Manchester, consists of 53 wards which typically have:

- Low levels of economic activity;
- Low level qualifications (no ward having a higher proportion of residents with a level 3 qualification or above than the national average, and only two above the Greater Manchester average;
- Low proportion of residents in higher level occupations with a high proportion of residents in routine or manual occupations;
- Lower than Greater Manchester and national average household incomes;
- Lower than average house prices:

Without intervention, the latest economic forecasts for Greater Manchester predict the Borough will continue to see a decline in its working age population, the number of jobs available for residents within Rochdale Borough will continue to decline. Latest data does not forecast the Borough's employee numbers returning to pre-recession levels over the next decade. The Borough has historically seen a higher proportion of public sector roles. The local employment market is highly self-contained with around 65% of roles within the Borough filled by residents and major business parks such as Heywood and Stakehill having local catchments.

Rochdale Borough has the second lowest employment rate in Greater Manchester and significantly (6.9%) behind the national average. The percentage of workless households where no one is in employment is also significantly high at 23% compared to the national average of 15%. Skills levels are below the national average and for some specific skills levels, the lowest in Greater Manchester. As mentioned above, some of the wards with the highest levels of out of work benefit claimants are also in or close to the proposed development area. It is therefore clearly apparent that the benefits associated with job creation for this proposal, in a borough that suffers from high unemployment rates, would be substantial.

Furthermore, CS Policy DM2 states that for all major developments an agreement to use local firms and labour for construction, and to make satisfactory arrangements to try to recruit employees from within the borough will be sought.

To this end, the applicants have submitted an Employment and Training Statement (ETS) which sets out a framework to prepare and support local people and businesses for the opportunities that lie ahead, and facilitate them with the training and skills to secure these new jobs and contracts. This also provides a commitment from the developer and future house builders that local people will be prioritised where possible.

Amongst other things, including engaging with the Council, local schools and colleges, working with local employment agencies and networks, the ETS commits

to marketing a minimum of 40% of the subcontracts in the local area. Furthermore, it will be a requirement that the main contractor targets 20% of all subcontracts to be awarded where practicable to companies either within Heywood and Middleton, within the Borough boundaries or within 15 miles of the site.

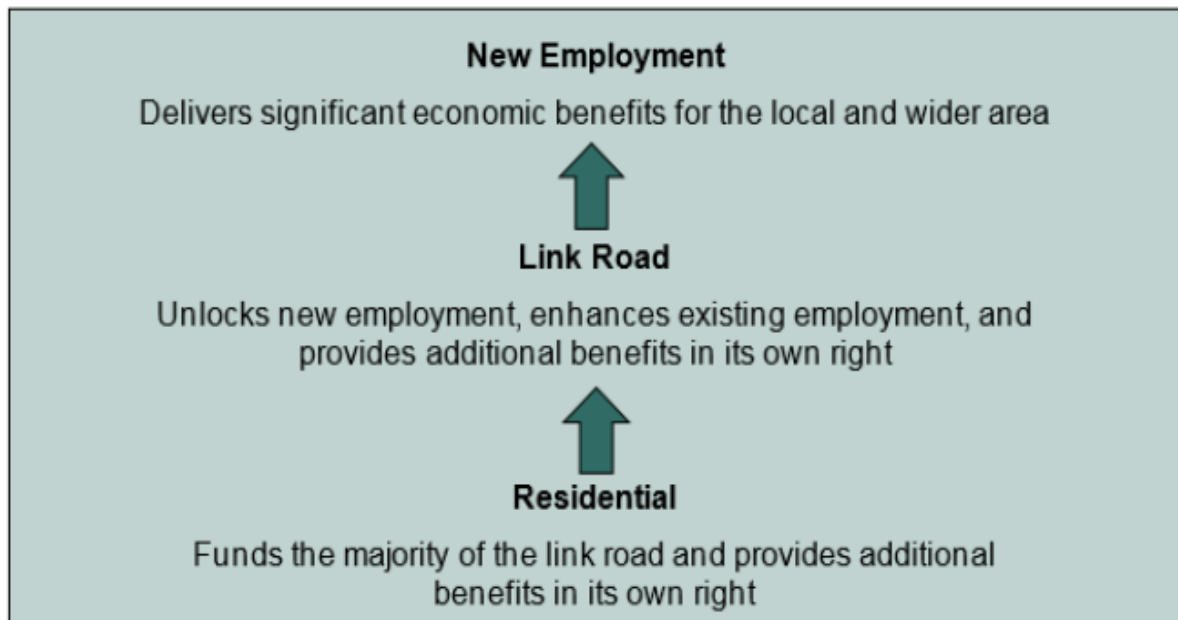
CS Policy DM2 does not set out a threshold for the amount of employees to be recruited within the borough however the percentages provided within the ETS are considered to be generous and would contribute significantly to reducing social exclusion and achieving sustainable development. The inclusion of a planning condition to secure the commitments set out in the ETS is therefore necessary to make the development acceptable in planning terms.

Housing

It is proposed that the developer will provide the shortfall in the funding for the proposed link road using the capital receipts from the proposed residential parcels, and therefore function as an enabling development. A viability assessment has been submitted to substantiate the costs and funding that would be provided by proposed development. This matter has also been assessed in a later section of the report.

Nonetheless, the flow chart below, which is taken from the submitted Link Roads Benefit Document (LRBD) illustrates the relationship between the proposed link road and the proposed residential element of the scheme.

Funding for the link road has been secured through the Greater Manchester Combined Authority using its devolved Local Growth Funds. These monies are awarded to help create a stronger economy and a fairer society by boosting local economies, and providing more jobs, better transport and affordable homes. Within Greater Manchester funding has been allocated to projects which will create the conditions for growth and which connects people with jobs, skills provision which equips Greater Manchester people with skills to access the opportunities created and provide support for business expansion. The opportunity to access this funding is therefore dependent upon the economic growth benefits of the scheme being realised, including residential growth, without which the public sector funding cannot be secured towards the overall costs of the link road.



Housing Need

The PPG states that unmet housing need, on its own, is unlikely to outweigh harm to the Green Belt and other harm to constitute 'very special circumstances'. Nonetheless, it has been long established through numerous appeals that the Government seeks to significantly boost the supply of housing.

In terms of delivery, CS Policy C1 requires the provision of at least 460 net additional dwellings per year in the period 2012 to 2028 to assist in the creation of successful, inclusive and mixed communities and meet the housing needs. The policy acknowledges that this is a challenging target and whilst it seeks to ensure that the focus is on maximising the use of brownfield sites it states that the development of greenfield sites may be necessary. This is on the basis that the development would have limited adverse impact on green infrastructure or amenity value in an around the site; and that green infrastructure is, wherever possible incorporated into the scheme.

To this end, the previous sections in this report conclude that the proposed development could be accommodated on the site without having an unacceptable impact on the landscape/amenity value and wider green infrastructure. Although landscaping is a matter reserved for future consideration the amount, the submitted Landscape and Ecology Framework plan shows a considerable amount of green infrastructure to be provided within the site. The amount of this can be secured through a planning condition for a design code framework.

Housing Land Supply

In terms of housing supply, the Council's latest published information is the 2017 Strategic Housing Land Availability Assessment (SHLAA) which shows the position as at 1st April 2017.

The Framework requires local authorities to be able to demonstrate a deliverable five year supply of housing land. In doing this it is necessary to deal with any previous underperformance against the target in the plan period and therefore the target for the first five years takes account of actual performance in the period 2012

to 2017. In that period there was a total overall underperformance against the revised Core Strategy target of 649. Taking account of this, the underperformance increases the base target for this period to 590 per annum (i.e. $649/5 + 460$). This therefore gives a target of 620 per annum with a 5% buffer applied and 708 if a 20% buffer is applied. Appeal decisions and recent performance would suggest that a 20% buffer would need to be applied in order to be consistent with the guidance in the Framework. Therefore the target of 708 is the most appropriate to use in considering a five year supply.

The five year supply as at 1st April 2017 demonstrates that there is capacity to deliver 827 additional dwellings per annum in the first five years. Therefore as at 1st April 2017 the Council could demonstrate a five year supply (5.8 years) of land available to deliver new housing when assessed against the target.

In considering the need for the site to come forward the delivery of the houses as well as supply is required to be assessed. The net completion figure for 2016/17, along with overall average for the last few years, shows that there needs to be a significant uplift in the number of homes being built in the borough.

Housing Delivery

In considering housing land supply housing targets, the NPPF requires that a buffer of 5% be included in order to ensure that any target continues to be met. This would typically be land brought forward in the plan period to provide choice and competition in the market for land. However, this approach would not apply here. In circumstances where there has been a record of persistent under delivery of new housing, such as within Rochdale Borough, the NPPF makes clear that this buffer should be increased to 20% brought forward in the plan period.

In Rochdale Borough's case, housing completions in recent years, and taken as a whole since 2003, are well below the previous target of 400 dwellings per annum set out in Regional Spatial Strategy (RSS) largely as a result of the major demolition programmes within the former Housing Market Renewal (HMR) areas, which applied from 2003. Although clearance dropped for a time when HMR finished there has been a significant increase in recent years as a result of further regeneration.

The Core Strategy seeks to manage the supply of land between the period from 2012 until 2028 and now proposes a higher housing requirement to respond to more recent evidence of population growth and household formation rates. Based on the Core Strategy target of 460 new homes per annum, there is already a significant under-performance in the five years from the base date of the plan (i.e. 2012-2017). The table below shows completions over this period.

<u>Year</u>	<u>Total Completions</u>	<u>Dwellings cleared</u>	<u>Net completions</u>
12/13	460	12	448
13/14	272	5	267
14/15	314	1	313
15/16	402	94	308
16/17	485	170	315
Totals	1933	282	1651
Average	387	56	330

As referred to above, this under-performance over the past five years means that the requirement over the next five years has increased to 590 dwellings per annum (i.e.

460 + 130) if this shortfall is to be addressed. Continual underperformance against the target will mean that the target to be met over the next five years will rapidly increase.

Going forward, the Borough will face an ongoing and challenging pressure in terms of the delivery of new housing against any plan target given a significant number of dwellings are proposed to be demolished over the next few years as part of the continued regeneration of existing housing areas. Any further demolitions would need to be offset by an equivalent increase in new housing completions in order to avoid a further shortfall in new housing delivery.

To meet targets going forward will require a significant uplift in the current rate of delivery of new housing. A deliverable supply of housing sites attractive to the market will be needed to ensure acceleration in the rates of housing delivery is achieved to ensure housing needs are fully met over the Core Strategy plan period.

However, the Core Strategy covers a period between 2012 up to 2028. As reported previously, consistent under delivery against the housing target in the Core Strategy, particularly in the early years of the plan period, will further exacerbate the under delivery of housing in the Borough and would prejudice the delivery of the Core Strategy in the plan period. It would also be contrary to the NPPF requirement to boost significantly the supply and delivery of new housing.

The Government published a revised draft NPPF for consultation on 5th March 2018. Whilst this guidance is currently in draft form and is therefore to be given limited weight, until such time as it is adopted, the guidance takes forward previous Government statements and commitments around housing delivery which were trialled during 2017 in both a Housing White Paper and Autumn Statement.

Officers have undertaken a further review of the proposal in the light of this guidance. The primary change relevant to this proposal is the clear focus on housing delivery. Whereas the current NPPF requires the need for a deliverable supply of housing land, the revised version links this to delivery and puts forward a new Housing Delivery Test to ensure that even where the supply is adequate this is also being translated into delivery on the ground. This is presumably aimed at ensuring that the land supply identified is truly 'deliverable'.

These elements of the revised draft NPPF are therefore expected to form the basis of revised national planning policy during 2018.

The contribution which the proposal can make to the achievement of the Borough housing target is considered to be significant. Rochdale Borough has a history of under performance against agreed housing targets. There is a clear under performance in the delivery of new housing within the Borough when measured against the Core Strategy plan period and this pressure can be expected to continue. With further demolition programmes likely within the Borough, the certainty of the delivery of the link road and the ability of the scheme to deliver a scale of new housing over a fairly long period would provide considerable assistance to meeting the Borough's overall housing target.

In light of this information, the ability of the site to deliver new homes (as an enabling development to part fund the road) to meet the CS target means that general support could be afforded to the proposal.

As the proposed enabling development is deliverable it is considered to be fully compliant with the requirements of the proposed revised draft NPPF. This is because the cost of the proposed link road is required to be paid in full as the construction of it commences. The applicant will only recover their initial outlay to part fund the road if they sell the parcels of land with planning permission to house builders. The capital receipts from the sale of this land for housing will therefore reimburse them. As such it is in the interests for such housing to be delivered at the earliest opportunity.

Housing Needs and Aspirations

Delivering regeneration and addressing deprivation are fundamentally important to achieving the overall vision for Greater Manchester as set out in the 2017 Greater Manchester Strategy. The 2015 Index of Multiple Deprivation shows that large parts of Rochdale Borough fall within the 20% most deprived lower super output areas (LSOA's) in the country, with a high level of deprivation relative to the rest of the country across large parts of the north of Greater Manchester.

The wider north east area of Greater Manchester, covering most of Rochdale, Oldham and Tameside, as well as the three northernmost wards in Manchester, consists of 53 wards which typically have:

- Low levels of economic activity;
- Lower than Greater Manchester and national average household incomes;
- Lower than average house prices;

As a consequence, a number of policies within the CS, including the 'Spatial Strategy for Heywood' (in CS Policy SP3/H) prioritise developing higher value housing to support and compliment this economic growth area and promote wider prosperity. CS Policy C2 seeks to focus new housing on regeneration areas and economic growth corridors/areas. This includes the South Heywood employment area. CS policies C3 and C4 are also aimed at ensuring that new housing within the borough is of the right type and meets the needs and aspirations of all residents. CS policy C3 seeks to ensure that new development provides housing types that take account of local needs and aspirations, and ensure the supply of larger and higher value housing within the borough is improved.

Recent evidence in respect of local housing need and aspirations is set out in the Strategic Housing Market Assessment (SHMA) and the Housing Strategy.

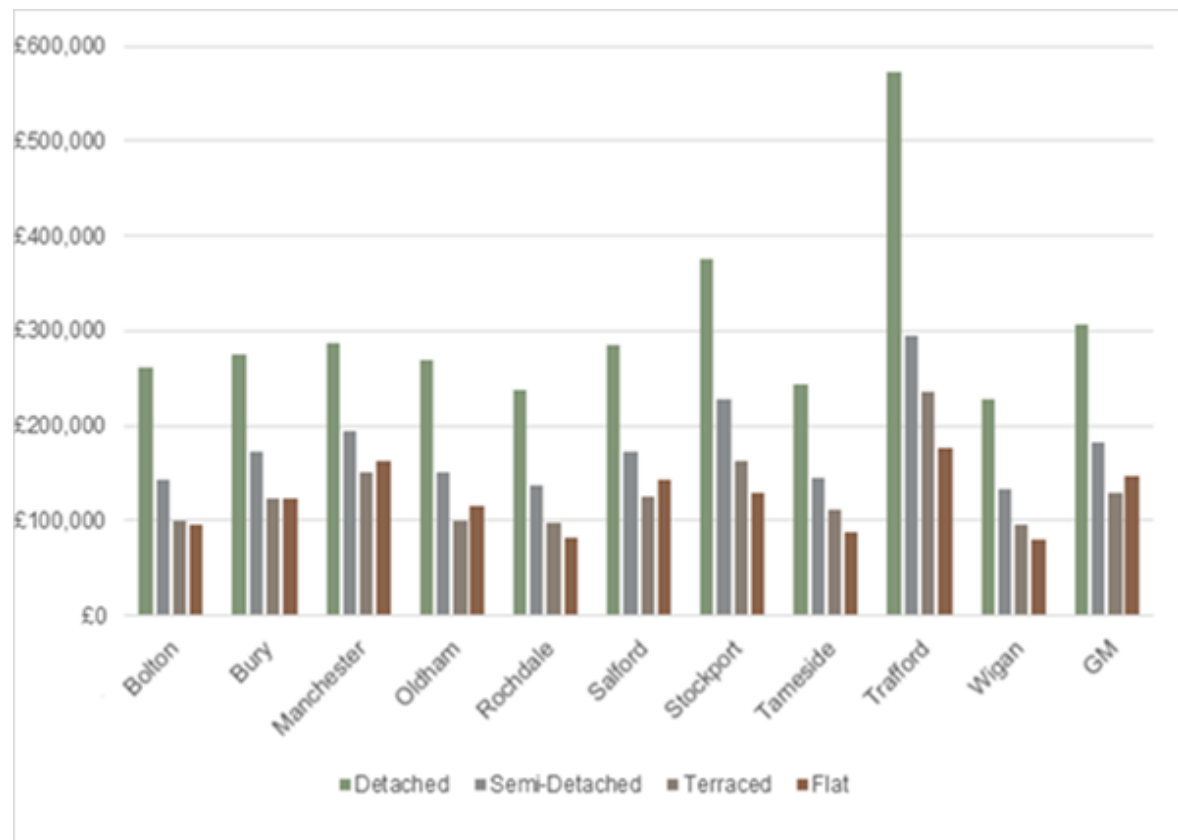
Rochdale Borough is a self-contained housing market, with 71.9% of household moves taking place within the borough (Census 2011, ref RBC SHMA 2015, para 3.12). GM borough figures (Census 2011) – Bury 63.7%, Manchester 60.2%, Oldham 75.2%, Salford 54.5%, Trafford 56.2%. Greater Manchester overall has an 81.1% retention rate (i.e. 81.1% of moves in GM originate within the city region). Coupled with Rochdale's stock profile and market signals (see below), the higher rate of in-borough moves compared with Manchester and Trafford in particular suggests that Rochdale is not as attractive as those boroughs, to residents looking to move within Greater Manchester (or from outside GM).

At a local level, Heywood (29.6%) and Middleton (28.4%) recorded the highest percentage of inward moves from outside Rochdale Borough. By comparison only 12% of Rochdale Township household moves originated outside the borough (RBC SHMA 2015, table 3.4 – 2010 household survey, households moving in previous 5 years). It is therefore concluded that having a high quality housing offer in this location will be of wider benefit to Greater Manchester as well as Rochdale Borough and will be necessary to attract and retain businesses and economically active

households within the area. Heywood and Middleton are in closer proximity to Manchester City Centre, making them potentially more attractive to households who work in the city-regional centre.

As referred to above, Rochdale Borough has lower than average house prices compared to the rest of GM:

(Source: Land Registry price Paid date, 2016)



A major priority in the Council's Housing Strategy is to rebalance the Borough's housing stock, which currently contains an over-supply of older terraced housing and insufficient larger, higher quality family homes. This is complementary to the Council's other main housing strategy goal which is to make better use of the existing stock, which the Council has set about by bringing 2,119 empty properties back into use since 2012, (with a dwelling vacancy rate of 3%, below the overall UK average of 7.2%), and proactive work with private sector landlords to improve conditions, energy efficiency schemes and other initiatives:

In support of the Core Strategy, the Council's Housing Strategy sets out the following key objectives:

"Our Goals:

... Increase the number of homes built across the borough year on year

Increase the number of higher value homes

Wider choice – offer of homes for all

Increase the number of family sized homes and affordable homes." ([Housing Strategy 2012-15](#), p11)

"Rochdale Council considers that provision of a more diverse housing offer including an expanded choice of larger and higher value dwellings is a key to achieving an attractive and sustainable borough. At present we don't have enough higher value housing in the borough, with only 1.01 % of homes in Council Tax Bands G and H compared to the regional average of 2.1% and a national average of 4.1%. The

provision of High Value Housing could increase the wealth profile of the Borough by retaining existing, and attracting new, higher income earning households to underpin the local economy

The Rochdale Strategic Housing Market Assessment 2010 identified an unmet demand for High Value Housing in the borough arising from the high number of managers and highly skilled people working in different sectors in the borough. A significant proportion of this workforce currently commutes to work in the borough from other parts of Greater Manchester. Evidence suggests that this is due in part to the lack of suitable housing and other facilities within the borough. A number of factors are important in the choice of locations sought by high earners, including good quality schools and community facilities. The strategy links into our work on improving skills and raising educational standards amongst our residents in order to attract business investment in the borough and to lift the number of high valued added jobs that local people can access. We aim to address the perceived shortfall by putting in place a clear action plan aimed at creating the conditions for investment in High Value Housing” (Housing Strategy 2012-15 pp12-13)

“At present we do not have enough high value housing in the borough, with only 7% of homes in Council Tax Bands E and above, compared to the national average of 19%. The provision of high value housing could increase the wealth profile of the Borough by retaining existing, and attracting new, higher income earning households and skilled workers to underpin the local economy.” (unpublished RBC figures).

The Council’s recent efforts in site assembly and proactive partnership working to deliver housing have resulted in 1,915 new build properties since 2012 of which 343 were Council Tax Band E and above. The proposed development of around 1,000 homes would be of huge benefit in terms of overall delivery and achieving a major strategic goal of widening housing choice in Rochdale Borough and improving the housing offer to higher income earning households and skilled workers.

At a more local level, the proposed development would contribute significantly to rebalancing the housing offer in Heywood Township. In Heywood Township, 26.2% of the current stock is 1-2 bed terraced housing, compared with 18.6% overall in the borough. Only 18.4% of the total stock in Heywood is 3-4+ bed semi-detached housing, compared with 22% overall in the borough. Heywood has only 6.4% detached houses, compared with 13.3% Boroughwide. (RBC SHMA 2015, Table 6.4)

Dwelling type	Heywood %	Rochdale Borough %
Terraced house 1-2 bed	26.2	18.6
Terraced house 3 bed	17.4	14.3
Terraced house 4+ bed	1.4	1.5
Terraced total	45.0	34.4
Semi-detached 1-2 bed	7.7	6.6
Semi-detached 3 bed	16.0	19.3
Semi-detached 4+ bed	2.4	2.7
Semi-detached total	26.1	28.6
Detached house 1-3 bed	1.6	4.7
Detached house 4+ bed	4.8	8.6
Detached total	6.4	13.3

(Table adapted from SHMA 2015 table 6.4)

Table 6.8 of the SHMA shows what types of property people would like to move to and what they would expect to move to. Whilst the expectations are more realistic they still show a large proportion expecting to move to a detached or semi-detached property. This would suggest that the current housing offer within the township does not meet the expectations of residents of Heywood and certainly does not meet current demand and aspirations.

There is no further evidence to suggest this unmet demand for higher value housing has been satisfied since this time. Indeed, the Council's updated SHMAA from 2015, which was used to evidence a requirement to uplift in new homes target in the Core Strategy, recognised the role of new housing development in addressing the current mismatch between demand and supply, in addition to meeting the projected population growth within the Borough.

In its conclusion, the 2015 SHMAA concluded that a key driver in determining the type and tenure of future development included the need to continue to satisfy household expectations, in particular the development of detached and semi-detached houses, and properties with two, three and four bedrooms.

Given the issues identified above, in addition to the positive contribution which the scheme would make towards the delivery of the Borough's housing targets over the Core Strategy plan period, there are also positive benefits which would arise from the long term delivery of the specific housing being proposed within the scheme which help to attract new businesses and retain economically active households. The submitted SPS (Table 6) provides the proposed indicative mix of housing as follows:

- 100 x 2 bedroom units
- 350 – 3 bedroom units
- 450 – 4 bedroom units
- 100 – 5 bedroom units

The provision of four and five bedroom homes would amount to 55% of proposed housing at this development site. Whilst only indicative at this stage, it is clear that the proposed mix of development would appeal to local families and retain skilled professionals and higher income earners, who would otherwise need to look further afield for similar housing.

In conclusion, it is clear that in order to deliver against the current new housing target it is necessary to ensure a good supply of housing can be provided over the plan period. Recent delivery suggests that the Borough housing target is not being met and as this continues the recalculated target to take account of this shortfall will continue to increase. Against this background, the proposal, which includes up to 1000 dwellings, constitutes a deliverable site that would significantly contribute towards the need for housing in the borough. In this instance the site would also help to rebalance the housing stock within Heywood which is presently heavily skewed towards terraced properties. Accordingly, this is in full compliance with The National Planning Policy Framework Draft text for consultation's housing delivery test, and because of this it is considered that this should attract beneficial weight in the overall Green Belt balance until such time as the new National Planning Policy Framework is published and greater weight would then be given.

As a consequence of the above factors, the proposal would contribute to the achievement of a number of CS policies which seek to ensure new development provides the right mix and type of housing to meet local needs, supports economic

growth and prosperity, and improves the supply of larger and higher value housing within the Borough. When implemented, the certain delivery of the residential development which is required to underpin the financing of the link road must in the LPA's opinion carry more than limited weight.

Affordable Housing

The proposal also makes on-site provision for 15% affordable (intermediate) housing or around 150 units. It would make a valuable contribution in the context of an identified need for 204 additional affordable homes across the Borough per year. As such it would support the Frameworks key objective of creating mixed and balanced communities and comply with Policy C4 'Providing affordable homes'. Amongst other things, this development plan policy highlights the increased need for affordable housing due to an ever-increasing gap between housing costs, particularly for owner occupation, and household incomes. Nonetheless, as the proposal would only deliver provision needed to make the scheme policy compliant the affordable housing would deliver no additional beneficial weight.

Whether the amount of proposed housing is justified to constitute 'enabling development'?

The term 'enabling development' is not a statutory one, however Historic England summarise it as: *"development that would be unacceptable in planning terms but for the fact that it would bring public benefits sufficient to justify it being carried out, and which could not otherwise be achieved."*

Whilst this summary relates to heritage, the principles of enabling development have been established in case law, and appeal decisions. These make it clear that financial means to specified ends are capable of being material considerations, albeit the circumstances in which it can be so and the weight to be accorded to such considerations must be carefully considered, including the nexus between the enabling development at issue and the benefit that is enabled. The benefits associated with the link road are discussed in detail later in this report.

Paragraph 73 of the Framework advises that to ensure viability, the costs and requirements likely to be applied to development, such as for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable. The PPG also requires a detailed assessment of the Gross Development Value (GDV), which on housing schemes, comprises the assessment of total sales and/or capitalised rental income from the development. Central to the consideration of viability is land or site value that is informed by comparable, market-based evidence wherever possible.

Viability appraisals and sensitivity tests have been carried out by Cushman and Wakefield, on behalf of the applicant, in order to demonstrate that the construction of a maximum of 1000 houses is required to provide the shortfall in the funding for the construction proposed a highway.

The viability assessment established an assumed housing mix and marketing assessment to support their opinion of GDV. This assessment summarised the proposed infrastructure requirement, grant funding via the Transport for Greater Manchester and Highways England, along with other standard appraisal inputs such as development costs, developer's return and a benchmark land value which sets

out a reasonable return for the subject land, and justification for the appropriate level of Affordable Housing provisions, planning obligations and further commuted sum payments that can be supported by the proposal.

By way of further sensitivity testing, and the request of Urban Vision (instructed by the LPA to provide independent advice in respect of viability assessment), housing numbers were tested to show whether the infrastructure requirements could be viably supported through fewer or greater housing numbers. It was concluded in these tests that an appraisal of 1,100 houses produces a viability surplus which would provide a super profit to the developer whilst a scheme of less than 1,000 units, say 500, 700, or 900 would produce a negative viability which would threaten delivery of the entire scheme

Urban Vision (UV) concluded that the determining factor was not the density of the residential element of the proposed scheme but the requirement for 100.5 acres of land to be released for this element, having regard to the structure of the land deals and contributions from the land receipts (which impacts on the deliverability of the wider scheme).

On review and when considering values, adopting a Benchmark Land Value (Unencumbered Land Value and Existing Use Value) and omitting the 'master profit' there is a surplus in the scheme which could mean that a proportion of the land could be excluded from the proposed development. However, given the complexity, scale and nature of the scheme UV do not consider that this would be representative of the position in reality as there are a variety of land owners affected by the route of the link road who would expect the whole of their land to be acquired rather than severed. UV is of the view that it would be difficult to segregate those ownerships because of the proposed infrastructure. UV have however recommended that further assessments are undertaken as appropriate on a phase by phase basis over the lifetime of the development.

On the basis of the submitted information and the independent advice that has been received from UV the LPA is therefore satisfied that the proposed residential element of the proposal, (comprising 1000 dwellings) represents the maximum number of units required to provide the shortfall in the funding for the construction of the proposed link road, as set out in the submitted viability assessments. As such the amount of housing proposed it is considered to represent justifiable 'enabling development' that will facilitate the wider benefits of the proposed scheme.

Distribution and sustainability of the proposed development in terms of accessibility and location

Although the proposed development would adjoin the built envelope of Heywood it is located outside of it and therefore must be considered to be located within the countryside for planning purposes.

In respect of the proposed housing, paragraph 55 of the Framework states that new isolated homes in the countryside should be avoided unless there are special circumstances. A non-exhaustive list of such circumstances is provided in this paragraph. The uses of the proposal do not conform with any of the proposed examples.

However, the term 'isolated' is not defined in the Framework. In a physical sense, although the site can be accessed by vehicles, and is within walkable distance of Hopwood Primary and Siddal Moor Schools, it is not well served by public transport, with limited bus services in the vicinity. Whilst it is not considered to be in a remote rural location it is situated a substantial distance away from the nearest (Castleton) train station and approximately 1380 metres away from shops and facilities within Heywood Town Centre.

It is therefore inevitable that some future residents of the proposed development would be likely to use the private car for some shopping trips etc. Nonetheless, the proposal includes facilities such as a primary school, sports facilities and up to 2500sqm of town centre uses, comprising shops, offices and food along with the B2/B8 employment uses to meet the needs of existing and future residents, whilst also providing facilities for the existing employment area and additional employment uses proposed.

The Local Planning Authority is also mindful that one of the Framework's core planning principles is to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or *can be made sustainable*. Amongst other things, Core Strategy Policy SO5 'To improve accessibility and deliver sustainable transport' also focuses on directing development to the most accessible locations *or those that can be made more accessible by public transport* by ensuring that new development contributes to transport improvements and the use of public and other sustainable transport.

To this end, the indicative masterplan shows there to be a number of improved cycling and walking connections to be provided within the proposed development (which would retain and enhance existing public rights of way) across the site. These include:

- Segregated walking/cycle routes in parallel to the proposed link road and a new segregated facility on Pilsworth Road, along the northern frontage of the site. This would tie in with an existing scheme being implemented to the south of the M62 motorway linking into Langley;
- Quality walking/cycle connections through the proposed residential areas, including the green wedge / linear park / landscape buffers, which would link into the adjacent employment areas;
- Retention and enhancement of existing public rights of way through the application site and the improvement of off-site connections from these rights of way; and
- Creation of a new direct footpath / cycle path connection to Gloucester Avenue from the application site and enhancements (surfacing / lighting / security) to existing walking routes linking towards surrounding established local residential areas and Heywood Town Centre.

The planning obligation would secure a financial contribution of £25,000 for these pedestrian and cycle route improvement works to be carried out. This figure has been calculated by the Council's Highways Service and is therefore considered to be necessary to make the development acceptable, be directly related to the development and fairly related in scale and kind.

These routes would all be well lit and would ensure 'connectivity' between the proposal and the neighbouring existing developments, and between the future residential properties and the commercial and community uses within the site. Again, whilst the masterplan is only indicative, a planning condition for a design code for the entire site, and a lighting strategy would ensure that the footway and cycle links are provided to the required standard to enable their future adoption by the Council as the local highway authority.

In terms of public transport TfGM and the applicant's transport consultant have identified that the existing public transport offer in the vicinity of the development site is inadequate to serve the proposed development and that improvement to public transport infrastructure and services will be required in order to provide sustainable transport options to future residents and employees.

To tackle this, the submitted 'South Heywood Sustainable Urban Extension Report' (SUE) outlines a public transport strategy, which offers a significant financial contribution towards new upgraded bus stops, and the potential diversion and creation of new bus routes and services. This comprises £1,050,000 towards bus service provision and £180,000 for new/improved bus stops.

A range of potential public transport options including the possibility of introducing new bus services, diverting existing bus services and improving demand responsive services as well as opportunities to carry out physical works to improve journey times and attraction of public transport to serve the development have been identified.

Indeed, in a previous study of the site TfGM proposed the provision of bus infrastructure to facilitate an express bus service linking Heywood Town Centre to Manchester City Centre. This could connect the development both to the city centre and residential areas located in between as well as many other locations across the Greater Manchester conurbation through interchange to other public transport services there. Services could extend beyond Heywood Town Centre to provide direct bus services to and from Heywood, to extend that service north to serve Bamford and Norden with the site, and possibly also via interchange to Bury and Rochdale town centres. In this report, it is also stated that it would be likely that some re-routing of existing bus services would be required and that there would be potential for bus services to connect the development areas with nearby centres of Middleton, Bury, Rochdale, and Oldham. There is also potential to utilise the proposed link road to create a bus service linking the area with Bury Town Centre and continuing eastwards to Middleton and Oldham, extending the existing Oldham-Middleton bus service(s).

The scale of the proposed development and public transport needs associated with the proposed development, are considered to justify the necessity for a contribution to be spent on providing a new or a redirected bus service to serve the development utilising the proposed link road to provide a new public transport link into the site. This would be to be delivered as soon as is practically possible following its completion. The location of the bus stops would need to be agreed through the more detailed reserved matters applications, once the detailed uses and layout of the development are known but the provision of stops can be secured through the terms of any planning obligation to be in place prior to the commencement of any new or redirected bus service to serve the site.

Based on the Council's and TfGM's initial work, included estimated costings, it is considered that the financial contribution towards the introduction of a new express bus service would cover the following:

- Peak: Norden – Heywood – Manchester every 20 minutes
- Inter – peak, evening and weekend – Heywood – Manchester every 30 minutes

Through the implementation of bus priority and limited stop operation it is assumed to reduce journey-times to 45 minutes from Heywood to Manchester in the peak and 35 to 40 minutes outside the peak.

TfGM estimate that this scale of service would be expected to require subsidy of around £320,000 per annum. As such, based on current costs, the applicant's contribution towards bus services would help to subsidise the running costs for such a service for a minimum of 3 years from its commencement. These costs include a significant sum towards ensuring the viability of the service at evenings and weekends. This will support access to the existing employment uses which operate shift patterns and will provide an alternative form of travel to and from the site for employees and visitors, as well as serving the proposed housing areas.

The terms and timing of the receipt and use of the public transport contribution will be secured through a planning obligation. The receipt of payments will therefore inevitably be linked to the phasing of development coming forward. It is expected that an initial contribution would be received following the commencement of the first phase of residential development which will take place prior to the completion of the link road and could be used to support the redirection of an existing bus service to serve that part of the site and Heywood town centre, in advance of the completion of the proposed link road. This will ensure the accessibility and sustainability of each phase

TfGM's consultation response concludes that identifying a specific package of public transport improvement measures (for specific bus services) at this point in time is not practical given the timescales for the delivery of the road scheme and the mixed use development which will generate the demand for improved public transport services. However they have confirmed that they would support the proposal to make a financial contribution through a planning obligation.

As such, the proposed financial contribution towards the enhancement of public transport is considered to satisfy the statutory tests in the CIL regulations and the Framework as it would be necessary, directly related to the development and fairly and reasonably related to it in scale and kind.

TfGM has also welcomed the proposals to provide a high standard of on-site walking / cycling infrastructure and the improvement of existing local footpaths and rights of way to encourage good permeability through the site and the delivery of good connections to surrounding established development. They support the other key 'physical' transport principles designed to encourage travel by alternative modes set out in the Framework Travel Plan, including ancillary community and retail development on site, suitable changing and showering facilities at the new employment development, suitable levels of secure cycle parking, associated signage and the development of a South Heywood Strategic Site public transport strategy. They suggest that the walking/cycle routes, regular island crossing points and connections, segregated cycle facilities and 'physical' transport principles, along

with specific Travel Plans be reflected in any subsequent reserved matters applications.

Therefore, the improvements identified above together with the principles set out in the framework travel plan are considered to provide a package of transport measures that would be needed in the interests of promoting sustainable transport choices. These would ensure that the development can be made sustainable for the purpose of the Framework.

Indeed, the improved public transport service along with new cycle routes and footpaths would also improve accessibility for the existing businesses and their employees, as they are likely to heavily rely on the use of the car to travel to and from work at the present time. This would not only increase the attractiveness of working in this area by reducing social exclusion but in environmental terms would encourage the use of sustainable forms of travel and support the move to a low carbon economy; which is one of the core principles set out in paragraph 17 of the Framework. This benefit attracts some limited positive weight in the overall Green Belt balance.

Moreover, in order to provide the most sustainable strategy in minimising travel in and out of Rochdale, CS Policy SP2 broadly sets out 'how much and what sort' of development we want and 'where we want it to go' and the spatial strategy for growth in the Borough. This strategy aims to meet the development needs of the borough up to 2028 by focussing development primarily in the south that is the most accessible to, and relates best with the Manchester City Region. Key corridors and gateways, such as Junction 19 of the M62, are identified as places to focus investment, development and improvements.

Whilst Policy SP2 has a focus on previously developed sites, it does not preclude greenfield sites from development. The supporting text also states that the strategy seeks to maintain an appropriate balance between the number of homes and jobs and deliver the appropriate supporting development, services and infrastructure to support this provision.

Moreover, the 'Spatial Strategy for Heywood' (in CS Policy SP3/H) prioritises the development of higher value housing to support and compliment this economic growth area and promote wider prosperity. Infrastructure improvements and traffic management to service new and existing development is also promoted. Great emphasis is also placed on the requirement for these types of improvements to reduce heavy goods traffic in Heywood Town Centre and residential areas.

Notwithstanding the green belt location and green belt harm already identified, the provision of the link road to serve the existing major employment sites, the key corridor and gateway location at Junction 19, along with other infrastructure improvements such as the traffic calming scheme within the Hopwood Triangle, to reduce heavy goods traffic running through the surrounding residential area and Heywood Town Centre and surrounding residential areas, are considered to represent significant transport benefits to the scheme and contribute to the aims of the Core Strategy in delivering the spatial strategy for Heywood. These associated benefits can only be satisfactorily implemented within the local area as a consequence of the completion of the proposed link road itself. Around 850 of the houses proposed (excluding affordable housing) would be higher value, and the amount of employment development, community and commercial uses and the new

jobs that would be created would clearly be in keeping with the spirit of these policies.

It is therefore concluded that the proposed housing would not represent isolated homes in the terms envisaged in paragraph 55 of the Framework, and that it would not have a materially harmful effect on the distribution and sustainability of the proposed development in terms of accessibility and location. As such it would comply with CS Policies SO5, SP2 and SP3 and paragraph 17 and of the Framework.

Retail

The proposed local centre will comprise up to 2,500 sqm of class A1, A2, A3 and A5 floorspace, of which, only 499 sqm is proposed to be used for A1 retail purposes. This is intended to provide a flexible local centre development that will primarily serve the residents of the wider development as well as workers within the proposed employment development.

However the application site is in an out-of-centre location, and is approximately 2km from the defined Heywood Town Centre. Paragraph 24 of the Framework advises local planning authorities to apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan.

In considering proposals for main town centre uses CS Policy E1 requires an impact assessment for retail, leisure and office development where the proposed application exceeds the locational requirements and the floorspace thresholds set out in the reasoned justification. This should include an assessment of the proposals within a defined catchment area and wider depending on the size of the application.

The supporting justification to this policy requires an impact assessment for development in Heywood that exceeds a 500 sq. m gross threshold. However this also states that the requirements for an impact assessment will be dependent on the floorspace proposed, the catchment area of the proposed development and the centres which fall within that area.

Following a difference in opinion between the applicants and the Local Planning Authority in regards to whether an impact assessment is required an independent consultant (Lichfields) was instructed by the LPA to assess the proposal. They stated that a qualitative consideration of likely trading / operating characteristics and potential impact on Heywood town centre was necessary. They were of the view that this assessment should be limited to the potential impact on Heywood town centre, and suggested that the following key questions should be addressed by the applicant:

- The likely catchment area of the proposed Class A floorspace and the extent to which this will extend beyond the immediate South Heywood development;
- Whether the Class A uses are solely intended to provide a supporting offer to the other components of the mixed use proposal, and whether it is expected that the main town centre uses will function as secondary facilities and will be used residents/employees/visitors on-site rather than being a destination in its own right; and

- The likely tenant mix and the extent to which this might compete with Heywood town centre including an assessment of the likely trade diversion and severity of impact.

The applicants submitted a number of supporting documents including an impact assessment to address these points.

Catchment area

In respect of the catchment area Lichfields advise that the proposed local centre will have a localised catchment, providing everyday shopping and service uses to residents of the proposed housing development, workers in the proposed employment development as well as existing residents who live within close proximity of the centre. They also consider that the scheme may also attract a certain element of passing trade.

It is accepted that the proposal is likely to draw the majority of its trade from residents within an approximate 5 minute drive time from the application site, as it would offer a limited range of convenience goods retailing and is likely to be used in the main by new residents of the housing element of the proposed development. The likely catchment area includes Heywood Town Centre and their retail audit assesses the impact of the proposal on this defined centre. Whilst in isolation, they consider that the non-A1 uses would probably have a smaller catchment area than the convenience store, the presence of a convenience store as part of the proposed local centre will mean that linked trips are undertaken between the convenience store and the non-A1 uses. It is accepted the identification of the catchment area as proportionate and appropriate to the nature and scale of the proposed development.

In terms of the requirements of the sequential test outlined in the Framework, the applicant has considered and assessed a number of sequentially preferable sites within Heywood Town Centre. All the units surveyed were not considered to be suitable as they were too small to accommodate the proposed scheme. It is therefore not considered to be appropriate to locate the proposed development in Heywood Town Centre.

Impact on the Vitality and Viability of Heywood Town Centre

The applicant has set out, that based on observations during site visits in August 2016 and August 2017, Heywood Town Centre appears to be well used and provides local residents with a number of important local services and convenience retailing, in-line with its status as a service centre. During the site visit, only 9 vacant units were observed (of which, only 5 were within the primary and secondary frontages), a reduction from the 15 vacant units recorded in the 2010 health check. This equates to a vacancy rate below 6%, which is around half the current national average. It confirms that Heywood Town Centre provides an important service and convenience centre for local residents and is in a generally good state of health.

According to the Rochdale Retail and Leisure Study Update with Update on Leisure Trends and Leisure Capacity (dated February 2016), Heywood is a linear centre which contains a range of retail and service uses. The majority of uses are smaller independent operators, with the exception of Morrison's and Dunnes stores which attract a number of visitors and widen the retail offer. The centre is constrained by the congested A58 which creates a poor pedestrian environment and restricts movement within the centre. Lichfields has therefore stated that they have no reason to doubt that Heywood Town Centre is in reasonably good health.

Role of the proposed local centre

It is anticipated that the proposed local centre will provide a small everyday convenience goods shopping facility as well as providing local services. The convenience store would be targeted at top-up convenience shopping provision and would not compete with the larger supermarkets in the area for main/bulk food shopping trips. Given the modest size of the centre, it is envisaged that the centre will draw trade from residents of a relatively small area and is unlikely to divert any significant proportion of trade from nearby larger centres which perform a higher-order role in the local hierarchy. The primary function of the retail uses proposed is to serve the day to day needs of the proposed residential development.

The convenience food store will generally not compete with existing stores for main food shopping and the likelihood of it competing with existing provision in nearby Heywood is lessened significantly by its location and scale. Whilst some trade will be diverted from Heywood, any such diversion is likely to be limited and in the main, restricted to new expenditure generated by residents of and visitors to the residential development. Bearing in mind the tenant mix put forward by the applicant, the non-A1 uses will also primarily serve a localised function.

Convenience Retail Trade Diversion

The applicant suggests the proposed food store (499 sq.m gross) will have a net sales floorspace of 349 sq.m net, a net to gross ratio of 70%, which Lichfields consider to be realistic. However an average sales density of £5,000 psm net has been adopted, resulting in an estimated convenience good turnover of £1.74m. This £5,000 psm turnover density is relatively low, particularly if the store is occupied by a major retailer e.g. Tesco Express or Sainsbury's Local. If the store is occupied by a main stream retailer then turnover of the proposed food store could double to around £3.5m, i.e. based on a more realistic sales density of £10,000 psm net.

Food store operators most active in the market include Aldi and Lidl who have formats of 1,000 sq. m net or greater, with a turnover of in excess of £7m. A discount store of this size could be accommodated within the proposed development, if the development is not restricted via planning conditions.

The applicant did not considered in detail the trade draw from residents of the catchment area, or trade diverted from existing retail destinations and the quantitative impact on Heywood Town Centre, to address this, Lichfields on behalf of the LPA has undertaken an assessment as summarised below.

The convenience goods retail turnover of Heywood Town Centre in 2021 is estimated to be £54.0m, sourced from the Rochdale Retail Study (2016). The comparison goods turnover of the town centre is £7.5m in 2021. Whilst some of the proposed food store's trade will be generated from the convenience goods spending power of new residents, the remaining trade will be diverted from existing convenience goods destinations, i.e. expenditure from existing residents.

Turnover Generated by New and Existing Residents

Lichfields consider the worst case scenario to be that the proposed convenience food store would divert not more than £1.9m from convenience goods facilities within Heywood Town Centre. The main convenience goods destination within the catchment area is the Morrison's food store in Heywood Town Centre and the

majority of the trade will be diverted from this store. A £1.9m reduction in Heywood town centre's convenience goods turnover in 2021 (£54.0m) would represent a 3.5% decrease in the 'no development' turnover in Heywood at 2021. This is an insignificant trade diversion that would not result in a significant adverse impact (or indeed any discernible impact) upon the health of convenience retail stores in Heywood.

Impact on other uses proposed

The applicant sets out that as with the retail floorspace, the additional town centre uses will primarily serve the new local population and those employed in the proposed employment park, and are unlikely to draw significant trade and custom from beyond the local area. They consider typical uses likely to be developed as part of the local centre would be a small convenience store, newsagents, dry cleaners and other service uses, cafés and takeaways.

The LPA are satisfied that the likely tenant mix put forward is unlikely to compete with existing and similar uses within Heywood Town Centre. Heywood Town Centre is a larger destination which will continue to be located higher in the local retail hierarchy than the proposed local centre. They state that it is unlikely significant trade will be diverted from existing non-A1 uses in the town centre and any impact will not be at the level that existing non-A1 uses would be forced to close. As such it is accepted the proposed local centre will primarily serve new residents, rather than residents who currently shop in Heywood Town Centre.

Impact on Investment in Centres

The Framework paragraph 26 requires an assessment of the impact of proposed development on committed and planned investment in centres. The PPG [para 2b-016-20140306] indicates that impact should only be assessed where investments are in progress. Recent Secretary of State call-in decisions suggest investments should be at a very advanced stage.

There is currently no committed or planned investment in Heywood Town Centre which would be affected by the proposed development.

On the basis of the above, it is not considered that the retail floorspace at the proposed Local Centre will have any material impact upon existing, committed or planned investment in existing centres in the area.

Likely floorspace mix

The applicant is applying for planning permission and if granted would mean that only 499 sq. m GIA (or 20% of the overall Class A floorspace of the proposed local centre) would be permitted for Class A1 use. In commercial reality, Lichfields consider that this type of local centre development would be likely to include a number of Class A1 uses, comprising a mix of convenience and comparison retail and Class A1 services e.g. newsagent, off licence chemist, optician, florist, hairdressers and dry cleaners. Accordingly the 499 sq. m of class A1 use proposed is unlikely to be sufficient.

Based on up-to-date Experian Goad data on town centres composition, the typical mix is: 15% convenience retail; 35% comparison retail; 40% service; and 10% other

(including vacant floorspace). Whilst this is an average based upon town centres of all sizes/roles within retail hierarchies, it provides a robust indication of typical centres. Lichfields consider it more reasonable to plan on the basis that that up to 50% of the floorspace proposed (1,250 sq. m GIA) could be occupied by Class A1 uses, with the remaining 50% in A2 / A3 / A4 / A5 uses. A more balanced mix of uses within the local centre is likely to have a lower impact in Heywood Town Centre.

If the proposed food store is limited to 500 sq.m GIA, then up to 750 sq.m GIA could be occupied by other Class A1 uses, assuming a 50% limit as suggested above. If this floorspace is occupied by comparison goods retail then it could achieve a turnover of around £2.1m (525 sq.m net at £4,000 psm). This represents about 23% of the total comparison goods expenditure generated by new residents in the development (£9.11m in 2021), or less than 14% generated by new and existing residents combined (£15.43m in 2021). It is considered that this scale of comparison goods floorspace would be unlikely to have a significant adverse impact on Heywood Town Centre.

Hot Food Takeaway Uses Supplementary Planning Document

In respect of the proposed A5 use, The Guidelines & Standards for Hot Food Takeaway Uses Supplementary Planning Document SPD (SPD), which a material consideration, primarily seeks to ensure that hot food takeaway development does not harm local environmental quality or residential amenity. *Policy C6: Improving Health and Wellbeing* of the Core Strategy sets out that the Council will not allow the over concentration of takeaway food premises where they may impact adversely on the amenity of residents and / or encourage unhealthy eating habits.

Paragraph 6.1 of the SPD sets out that applications for hot food takeaway uses shall not normally result in:

- More than 5% of the total ground floor units within a defined Primary Shopping Area being hot food takeaways;
- More than 10% of the total ground floor units within a defined Secondary or Central Shopping Area being hot food takeaways;
- More than 20% of the total ground floor units within an area of a defined centre, outside the above areas, being hot food takeaways;
- More than two hot food takeaways being located adjacent to each other; and
- Any fewer than two non-A5 units between hot food takeaways.

A planning condition which ensures that the above parameters are adhered to i.e. no more than 500sq. m for hot food takeaway has therefore been suggested.

Retail Conclusion

For the reasons provided above Lichfields has advised the LPA that they are satisfied that the proposal would be unlikely to have a significant adverse impact on existing, committed and planned public and private investment in Heywood Town Centre; and the vitality and viability of Heywood Town Centre. The LPA accept this view, however this would be subject to planning conditions to control the amount of floorspace permitted to be used across Class A uses. It has also been recommended that permitted development rights be removed for non-A1 to A1 uses,

if any planning permission includes an upper threshold on Class A1 floorspace that is significantly less than overall local centre floorspace. Planning conditions have also been suggested to restrict the amount of Class A1 floorspace to not more than 1,250 sq. m GIA, of which the convenience goods food store should not exceed 500 sq. m GIA and ensure that the maximum unit size for the other units should not exceed 250 sq. m GIA, to ensure a local centre type development is provided.

Therefore, on the basis of the independent advice received from Lichfields above the LPA consider the sequential test to have been satisfied and have no reason to conclude the proposal would harm the vitality and viability of Heywood Town Centre. As such it would be in accordance with CS Policy E1 and the underlying aims of paragraph 24 of the Framework. It is therefore considered to be neutral in the final balance of considerations.

Landscape Character and appearance

In defining the environmental role of the planning system, paragraph 7 of the Framework emphasises the need to protect and enhance the natural and built environment. The core planning principles set out in paragraph 17 of the Framework also include the need to take account of different roles and character of different areas, recognising the intrinsic character and beauty of the countryside and to enhance the natural environment.

The introduction of the proposed development onto this expansive open land would clearly increase the built form and density of development across the site and be more urbanised than is presently the case.

The submitted Landscape and Visual Impact Assessment (LVIA) assesses the impact of the proposed development on the landscape. In particular it considers the potential landscape impacts; defined as physical changes in the fabric, character and quality of the landscape as a result of the proposed development and how this is experienced. Visual impacts are also considered which are the changes that arise in the views of the landscape resulting from the development. The effects of those changes on visual receptors (people) from surrounding the site as well as the effects on visual amenity have been considered.

The updated LVIA identifies the site as being within the character type 'Settled Farmlands' in the now deleted UDP Policy NE/6. The key characteristics of this type include a more domesticated farmscape with occasional small settlements on lower slopes and adjacent to urban centres; improved grasslands; varied types of enclosure; varied mix of open land uses; scattered tree and woodland cover; and historic industrial development and a greater influence of adjacent urban areas through ribbon and suburban development that often fragment character.

A Theoretical Zone of Visibility (ZTV) has been used in the LVIA as a starting point for the assessment of the visual effect of the proposal. It goes on to undertake a baseline assessment of visual receptors likely to be affected by the development and contains a number of representative viewpoints taken from specified locations. In addition, verified views, photomontage / visualisations of the submitted scheme have been produced to inform the assessment and validate the original conclusions set out within Chapter 8 LVIA of the Nov 2016 ES. These include a wide range of viewpoints (13 in total) from the north-west of Langley Road, the north-east of

Bluebell Lane, north-east from Moss Hall Road, south from Ashworth Road, south-west from Scotland Lane, and south-east from Banff Grove.

The LVIA finds no more than 'major-moderate adverse' significance of visual effect during construction and no more than 'moderate adverse' significance of visual effect at year 15 when mitigation through landscape treatment and planting has matured.

Mitigation measures are outlined within the LVIA (and shown within the submitted Landscape and Ecology Plan) as comprising:

- Protection of existing hedgerows where possible and replacement. It is noted that current hedgerow are species poor, and opportunities therefore exist to enhance these where possible, to increase the amount of native species within hedge lines.
- 10 – 15m wide landscape buffer between employment zone and new Green Belt edge. Buffer to contain native tree and shrub species.
- 5 – 8m wide landscape buffer between residential zones and new Green Belt edge. Buffer to contain native tree and shrub species.
- 5 – 8m wide landscape buffer between existing and proposed residential zones. Buffer to contain native tree and shrub species.
- 5 – 8m wide landscape buffer between residential and employment zones. Buffer to contain native tree and shrub species.
- Areas of SUDs to be included in employment zones. SUDs to include damp wildflower mixes, and native enhancement planting.
- Areas of SUDs to be included in residential zones. SUDs to include damp wild flower mixes, and native enhancement planting.
- 10 – 15m wide landscape buffer between residential zone and M62. Buffer to contain native tree and shrub species.
- Enhancement of existing tree lines between proposed and existing residential areas.

The LVIA concludes that the viewpoints with the most significant long term effects are less than 10m away from the site boundary. However it reasons that as views move away from the site, the effects of the development begin to decrease due to distance and mature mitigation planting. It also identifies a number of major-moderate short term effects that will reduce during the establishment of the mitigation measures. These include viewpoints 3, 6, 7, 8 and 10 and are mainly from residential views from properties in the near vicinity on Manchester Road and Gloucester Avenue and motorists along surrounding highways.

The LVIA also considers that the overall significance upon landscape character would be 'Moderate-Moderate/ Minor. It states that the main permanent effects are moderate, and that these will be on factors such as field pattern to the vicinity of the site and Heywood's southern urban/rural fringe. The only Major-moderate effect would be upon the fields that make up the location of the development site. The LVIA also concludes that following the establishment of mitigation planting and the retention on open space within the development, the significance of these will decrease.

The LPA takes the view that the LVIA overestimates the extent to which the proposed landscaping would mitigate against both landscape and visual impact. Indeed, the proposed landscaping could take considerable time to establish,

potentially longer than 15 years before it was mature. The impact of the development would therefore be likely to be experienced for a long period of time.

Nonetheless, there are already some urban influences in this area such as lighting columns, traffic signs, bus stops, pavements and the highways that bound the site. The application site also has development on two sides of it, and the M62 motorway on another. As such it is reasonably well contained. In addition it has the benefit of mature hedges and trees along its boundaries, and it is accepted that the additional proposed landscaping would serve to prevent some views of the proposed development until in close proximity of the site. As a result of these factors the proposal would be seen against the backdrop of houses, industrial buildings, highways and vegetation from the south, east and western directions.

Despite the proposal being of an irregular shape it would also adjoin and appear as a natural extension of the settlement and industrial area rather than an isolated development. Furthermore, a significant area of open space would be retained within the site, with opportunities for landscaping, enhanced ecology and SUDs (as shown in the submitted Landscape and Ecology Plan). The effect of all of these factors would ensure that a large visual green buffer to the northern side of the M62 motorway would remain, and provide a relatively green, open layout that would retain some qualities of its spacious character.

It is therefore undeniable that those living in close proximity to the site, particularly to the north, or passing close by would look out on to residential and employment development rather than open fields. However, despite its open agricultural use, the site is seen in the context of the established urban edge of the settlement and existing industrial estates, where built development is clearly discernible. As such it is considered that the harm to the character and appearance of the area would be localised. Whilst there would be conflict with CS Policy P2, which seeks to protect and enhance character, landscape and heritage for the reasons provided above it is considered that the proposal, overall would cause moderate harm to the undeveloped nature of this area. In light of the findings above no more than moderate weight is attributed to this harm in the overall Green Belt.

Historic Environment

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to pay special attention in the exercise of its functions to the desirability of preserving or enhancing the character or appearance of a conservation area in the determination of planning applications.

Section 66(1) of the same Act advises that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The application site is located approximately 300 metres to the north of Birch Village Conservation Area which is a designated heritage asset. Paragraph 137 of the Framework states that proposals that preserve those elements of the setting that make a positive contribution to, or better reveal the significance of, the asset should be treated favourably. The Glossary to the Framework defines the setting of a heritage asset as the surroundings in which it is experienced. It goes on to state that

elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

The Birch Village Conservation Area Appraisal identifies the special architectural and historic interest of the conservation area, and thereby its significance, as lying predominantly in its distinctive 19th century townscape (formed along the line of Heywood Old Road) as well as its association with notable architect, Edgar Wood. It is also noted that a number of locally listed buildings are situated within this conservation area.

Although the proposal would result in the loss of open land, given the degree of separation between the application site and the conservation area, the intervening M62 motorway bridge and the lower level of Birch there is little awareness of the presence of the application site from the conservation area. Therefore, whilst the proposal would result in some change to its setting, in its present form, the application site does not make any contribution to the heritage significance of the conservation area or the locally listed buildings.

It is also acknowledged that two Grade II Listed Buildings known as 'Edgecroft' and 'Lower Whittle Farm' are both situated in the area surrounding the application site. Nonetheless, there would still be a large intervening buffer of open agricultural land retained between the Lower Whittle Farmhouse and the application site. This Listed Building is also obscured from views to the north and eastern directions by other existing farm buildings. Furthermore, Edgecroft has residential properties to three sides of it. Therefore given the degree of separation from the application site and the amount of built development already surrounding Edgecroft limiting views of it, it is not considered that the presence of proposed development would have a materially harmful effect on its significance or wider setting. For the reasons provided above it is also not considered that the proposal would have a harmful effect on the significance or setting of the Grade II Listed Lower Whittle Farm.

Historic England and the Council's Conservation Officer have been consulted and have not raised any objections to the proposal. Whilst the Conservation Officer considers Hareshill Farm and Siddal Moor Farm to have some negligible to moderate historic value she is satisfied that the condition recommended by the Greater Manchester Archaeological Advisory Service (for the implementation of a programme of archaeological works to include a historic building survey) would mitigate the loss of these buildings.

As such the proposal would not materially harm the significance or setting of the Conservation Area or Listed Buildings, and as a consequence would also not harm, and thereby preserve their character or appearance, setting or any features of special architectural or historic interest which they possess. The proposal would thereby not conflict with the provisions of CS Policy P2 and Saved UDP Policy BE/17. It would therefore be neutral in the overall Green Belt balance.

Best and Most Versatile Agricultural Land (BMV)

The proposed development would inevitably result in the loss of some agricultural land. Paragraph 112 of the Framework indicates that local planning authorities should take into account the economic and other benefits of the best and most

versatile (BMV) agricultural land and where significant development of agricultural land is demonstrated to be necessary, they should seek to use areas of poorer quality land in preference to that of a higher quality.

To address these requirements the applicant originally submitted a desk top survey, which was in Appendix 11.1A of the ES. This stated that the site is considered to have an Agricultural Land Classification (ALC) of Grade 3b across approximately 70% and Grade 3a across 30% of the site area. However, it notes that in the west of the site, these soils are likely to have been altered as a result of the waste operations.

The report then goes on to conclude that *'the overall site should in all likelihood be classified as sub-grade 3b when considering the viability of arable farming options on the land and in the immediate vicinity, its locality to the built environ, consistent over compaction of soils and limitations with the viability to utilise common cultivation practises or herbicide and pesticide application.'*

Nonetheless, Natural England (NE), the statutory consultee in respect of proposals resulting in a loss of BMV land, has found inaccuracies in the analysis of this report, and do not consider it to be unambiguous. Indeed, NE conducted their own desk top assessment of the site to assess its potential, and have concluded that there is a reasonable likelihood that there will be some BMV land (Category 3a) present. As a result of this, they have advised that a detailed ALC survey should be carried out to ensure that the BMV policy can be rigorously considered.

In response to this the applicant has commissioned an Agricultural Land Classification and Soil Analysis Report (ALCSA) which demonstrates that only some 3% (3.6ha) of the site is in the Best and Most Versatile category (3a), with the remainder comprising 3b – Moderate quality (3%), Grade 4 – Poor Quality (57%), and Grade 5 – Very poor quality (23%) .

Table 2 ALC Areas

Grade	Description	Area (ha)	%
Subgrade 3a	Good quality	3.6	3
Subgrade 3b	Moderate quality	4.4	3
Grade 4	Poor quality	73.9	57
Grade 5	Very poor quality	29.2	23
Non-Agricultural		18.3	14
Total site		129.4	100

NE has reviewed the ALCSA report, which concludes the highest grade of ALC land on the site is 3a which extends to 3.6ha of the total area of 129.4ha. They consider that the survey appears to have been carried out to the required standards using the revised MAFF ALC Guidelines 1988, and that the detailed survey provides the necessary evidence of land quality in the area.

Consequently, NE are satisfied that the application falls outside the scope of the Town and Country Planning (Development Management Procedure) (England)

Order (as amended) consultation arrangements, as the proposed development would not appear to lead to the loss of over 20 hectare 'best and most versatile' agricultural land (paragraph 112 of the Framework). They have consequently raised no objections to the loss of the agricultural land.

On this basis, the LPA is satisfied that the proposed development would not, having regard to paragraph 112 of the Framework, result in a significant loss of BMV land. Moreover, there is a compelling strategic need for the proposed linked road (and associated enabling development) in this location and given that only 3% of the application site would comprise BMV the development of this agricultural land would clearly utilise areas of poorer quality land in preference to that of a higher quality.

As such the proposal is considered to comply with advice contained in paragraph 112 of the Framework. No harm is therefore apportioned to this in the overall Green Belt balance.

Design, Layout, Living Conditions, Security and Safety

The LPA is mindful that this is an outline application with matters of layout, appearance, landscape and scale reserved for future consideration.

The indicative masterplan illustrates that the quantum of development proposed could be accommodated on the site and a spacious design is achievable. It also demonstrates that satisfactory intervening distances could be achieved between the proposed dwellings/employment/commercial buildings and the habitable windows of existing neighbouring properties at nos 2, 2a,3, 22 and 24 Hareshill Road and nos 247, 249 and 251 Manchester Road to ensure that existing local or future residents would not experience any significant loss of light, outlook or privacy.

In line with the requirements of CS Policy G2 and advice contained within the Council's Climate Change Adaptation SPD, in respect of reducing energy demand through design, any commercial buildings constructed as a part of this proposal will be required to achieve Excellent rating under BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme). This will be secured through an appropriately worded planning condition.

However, given the scale of the development it is appropriate for the delivery of this proposal to be divided into a number of phases and a design code is needed to ensure adequate consideration of the interrelationships between the phases and the comprehensive design of the site. This can be secured through a planning condition for the submission and approval by the LPA of a design code framework.

Chapter 15 of the ES covers the impact of the proposed development in regards to noise, vibration and disturbance. In particular it considers the potential effects of construction noise and vibration and changes in road traffic noise levels on existing receptors as well as existing and proposed sources of noise upon the proposed and existing receptors. The noise and vibration receptors are listed as Saxon Farm, Birch Hotel, Stock Nook Farm, Higher Field, Gloucester Avenue and Salisbury Avenue, Hareshill Road, Bader Drive and Wings Grove, Lenten Grove and Salthill Avenue, and 183 to 199 Middleton Road in the noise assessment (within this chapter).

The submitted noise assessment (within the ES) accepts the need for mitigation in some places. Amongst other things this includes following guidance set out in BS5228-1 which covers noise control on construction sites, the adoption of low vibration working methods, including the fitting of mufflers or silencers on equipment, and the erection of local hoarding, screens or barriers (including approximate 2-2.5m high Acoustic fencing) to shield particularly noisy activities.

In terms of national policy, the Noise Policy Statement for England (NPSE) indicates that noise control should be directed towards the avoidance of significant adverse impacts and the reduction of other adverse impacts on health and quality of life. This is also reflected in the Framework.

Furthermore, Paragraph 003 of the PPG states that local planning authorities' plan-making and decision taking should take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved

In line with the Explanatory note of the noise policy statement for England, this would include identifying whether the overall effect of the noise exposure (including the impact during the construction phase wherever applicable) is, or would be, above or below the significant observed adverse effect level and the lowest observed adverse effect level for the given situation.

The NPSE defines the following concepts

NOEL	No Observed Effect Level - this is the level below which no effect can be detected. In simple terms, below this level, there is no detectable effect on health and quality of life due to the noise.
LOAEL	Lowest Observed Adverse Effect Level - this is the level above which adverse effects on health and quality of life can be detected
SOAEL	Significant Observed Adverse Effect Level - this is the level above which significant adverse effects on health and quality of life occur.

The first aim of the NPSE is to avoid SOAEL. The second aim is to mitigate adverse impacts on health and quality of life, where the impact lies between LOAEL and SOAEL.

It is concluded in chapter 15 of the ES that there would be a minor adverse impact at local level (if a construction environmental management plan was adhered to) in respect of noise and vibration during construction periods and a short-term negligible impact with regards to construction traffic. The change in road traffic noise levels on existing receptors would have a short-term minor adverse impact in the opening year of the link road (2020). It is also demonstrated through modelling that the majority of roads in the following year of operation would be subject to the same magnitude of impact as they would have been through natural growth. Furthermore, some roads including most notably Manchester Road (west), Langley Lane and Heywood Old Road are shown to see a beneficial reduction in noise levels due to the development.

Comparing the changes, as a whole, in road traffic noise levels, the submitted noise assessment shows that the magnitude of impact from the proposal is categorised as long term negligible at the local level.

With mitigation measures in place, at R6 (Hareshill Road) there is predicted to be a long term moderate impact due to the Link Road being located at the rear of the properties at the local level. With mitigation measures in place, at R7 (Bader Drive and Wings Grove) there is predicted to be a long term minor impact due to the Link Road at the local level. This impact is considered to be not significant as the change would not be perceptible to the human ear and, as such, is considered negligible.

Other than the adverse impact that may be experienced in the garden areas of proposed houses, the impact from on internal habitable rooms and from Yearsley's and the proposed commercial development, with mitigation, only ranges from negligible to a minor long term adverse impact.

The noise assessment accepts that without mitigation any gardens located on the boundaries with the roads or adjacent to the commercial premises will experience the Significant Observed Adverse Effect Level (SOAEL) which would mean road traffic noise would be noticeable and disruptive. This also accepts that mitigation measures may not be effective in relation to some of the garden areas and that detailed design and layout stages should ensure stand-off distances in some areas and that some of the proposed houses are orientated to front the road, with minimum gaps between them, so that the building envelope shields their rear garden areas from the noise and ensure that no adverse effects.

To this end, the submitted plans are indicative and the application was submitted in outline, with all matters, including layout and appearance, reserved for later approval. The LPA has no substantive reason to conclude that the quantum of development proposed could not be achieved by a different layout at reserved matters stage. Furthermore, the Council's Public Protection Section has studied this information and has not raised any objections subject to the imposition of a number of planning conditions. These are to be worded to ensure that the recommendations contained within this chapter of the ES are provided. They also wish to see further acoustic reports at reserved matters stages to show how the development will achieve the recommended internal and external noise levels.

Notwithstanding this, it is acknowledged that a number of local residents have raised concerns about the period of time that it will take to construct the proposed development and the disruption and disturbance that this will cause. It is recognised that this is a lengthy development programme, and in view of the scale of the development and the likely impact of the construction works on the surrounding area, implementation according to an approved construction management plan (along the lines shown in the noise assessment) is also warranted, together with phasing and control on the hours of works. This will address potential problems arising from noise and dust on the site. Given the incremental approach to the development and subsequent occupation at different times, the Council's Public Protection Section has recommended that a planning condition for the submission and approval of construction management plans will need to reflect this and be reviewed at appropriate stages and amended accordingly to reflect the level of occupation of the site and mitigation required for new sensitive properties.

The findings within the submitted noise assessment are therefore considered to be acceptable. Subject to the mitigation measures that will be secured by planning conditions it is therefore considered that noise giving rise to a significant adverse impact on health and quality of life has been avoided. Nonetheless, in line with the

Redhill Aerodrome judgement, very limited weight is attributed to the negligible harm that would be caused.

A Crime Impact Statement (CIS) has been submitted to demonstrate that a safe and accessible environment can be created. Paragraph 69 of the Framework states that planning policies and decisions should aim to achieve places which promote safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. Fear of crime is therefore a material consideration in planning decisions, although the weight that can be given to it is often limited unless there is significant evidence to show that the increased fear of crime would actually occur.

To this end, the CIS confirms that overall crime in the area is relatively low, and that any reserved matters applications, where layout is to be considered would require further full Crime Impact Statements. This recommends a number of physical security measures, including lighting to pedestrian and vehicle routes, not exposing existing rear boundaries to public access, and for the proposed development to be orientated so that existing and proposed adjacent footpaths are effectively overlooked.

The Greater Manchester Police Design For Security team have been consulted and have raised no objections subject to the recommendations contained within the CIS. As such it is considered that the future design and layout of the proposal, together with the crime prevention measures recommended in the submitted CIS would help combat any potential problems regarding security, crime and disorder on the site. A planning condition could therefore be imposed to ensure that a full CIS is provided with each reserved matter application.

Given the factors above, and the appropriate conditions recommended, it is considered that the proposal would not cause any significant harm in regards to design, layout and living conditions of existing or future residents. It would thereby not conflict with the provisions of CS Policies DM1 and P3, which in combination seek to improve the design of new development, to incorporate design measures that design out crime, and to not adversely affect the amenity of residents, through visual intrusion, overshadowing, loss of privacy, and noise pollution.

Air Quality

CS Policy G9, in line with some of the other CS key challenges, seeks to reduce the impact of pollution by focussing on measures that reduce air pollution in Air Quality Management Areas, and other areas where pollution levels are unacceptable, particularly around motorways and main roads.

Junction 19 of the M62 is situated within an Air Quality Management Area (AQMA). This was designated as an AQMA as a result of exceeding the UK's targeted annual mean nitrogen dioxide levels. As such the eastern sides of the application site are located in close proximity to the AQMA.

Chapter 14 of the ES assesses the air quality impacts of the proposal during construction and when the development is occupied. During construction the potential for dust pollution on sensitive receptors has been identified as high. However mitigation measures including a dust management strategy, construction HGV haulage route signage strategy, vehicle cleaning and the covering of loose

materials, are proposed via a construction environmental management plan to reduce this to acceptable levels.

The modelling works within the air quality assessment indicated that pollutant levels across the site were below the relevant air quality standards. A stand-off distance from the M62 for sensitive receptor development has been built into the proposed scheme design and has been assumed when considering the future exposure to air quality impacts across the proposed development site. The location was therefore deemed suitable for the proposed uses without the incorporation of mitigation measures.

The assessment also concluded that impacts on pollutant levels as a result of operational phase vehicle exhaust emissions were not predicted to be significant at any sensitive location in the vicinity of the site. Based on the assessment results, it is concluded in Chapter 14 of the ES that air quality impacts are considered to be not significant or present a constraint to the proposed development.

The Council's Senior Transport Strategy & Projects Officer stated that there are no Air Quality reasons to prevent the proposed development from going ahead providing that a condition for a dust management plan is included in the Construction Environmental Management Plan. He also recommended a condition to ensure that no development takes place within the stand-off buffer alongside the M62 is also required to protect sensitive end user receptors from high NO₂ emissions. The standard 'plans and parameters' condition will restrict this area from being developed.

A contribution to finance the cost of the installation of a NO₂ diffusion tube site along the link road and the maintenance and data collection of it is has also been requested and is to be provided via a planning obligation.

TfGM's views on the submitted air quality information have also been sought. They have confirmed that they have assessed all of the original and additional information provided by the applicant. They have stated that the proposed site does not fall within the current AQMA declared on NO₂ annual mean concentrations. From the detailed atmospheric dispersion modelling carried out by the applicant they do not consider that it would adversely affect the air quality within the area and that additional emissions will not lead to an exceedance of the relevant air quality standards. The only part of the site where NO₂ concentrations exceed the air quality standards are the southern most areas adjacent to the M62. These are within the stand-off distance from the M62 and so there will be no exposure, providing that no development takes place outside of the land shown to contain residential properties in this area on the illustrative masterplan.

Although not specifically reported in the model outputs, another benefit in this regard is that the new link road will also provide a shorter and faster route to the motorway compared to travelling through Heywood town centre, with the associated indicative improvements on localised air quality. There would also be clear air quality benefits for existing residential areas of Heywood through the removal of HGV's seeking to travel through Heywood town centre and the Hopwood Triangle to access and depart the existing employment areas.

The Council's Public Protection Section has also not raised any objections to the proposal subject to conditions to secure the mitigation measures proposed in

Chapter 14 of the ES (the submission and approval of a construction environmental management plan).

Based on the technical evidence provided in the ES, together with the proposed mitigation measures, it is considered that the proposed development would not result in unacceptable impacts on air quality at the Rochdale AQMA. The proposal would therefore comply with CS Policy G9, which amongst other matters, requires that development does not have impacts that lead to an unacceptable increase in air or other pollution. Nevertheless, the negligible harm to air quality attracts very limited weight in the overall Green Belt balance.

Land Stability, Contamination and Health and Safety

The application site falls within the defined Development High Risk Area, and as such there are coal mining features and hazards which require consideration. The Coal Authority records indicate that there are 4 mine entries and their resultant zones of influence within the application site. The site is also in an area of recorded and likely unrecorded underground coal mine workings at shallow depth.

The Coal Authority has studied the submitted Report on Ground Investigation, Phase 1 Geo-Environmental Site Assessment, Mineral Assessment Review and Chapter 11 of the ES. They have not raised any objections to the proposal subject to the imposition of a condition or conditions for the submission of intrusive site investigations, including for the mine entries and shallow coal workings. Furthermore, the submitted HSE Constraints Plan identifies the areas where the 4 mine entries are located and shows them to be in areas where open space and thus no housing is proposed. Whilst layout would be considered in any subsequent reserved matters application, the illustrative masterplan demonstrates that the proposed quantum of development could still be achieved.

The Environment Agency and the Council's contaminated land officer have also been consulted in regards to contaminated land matters. Both have raised no objections to the proposal subject to a condition for the submission of a contaminated land investigation and risk assessment report, in addition to any assessment provided with the planning application, be submitted to and approved in writing by the LPA.

The design and access statement also illustrates that a high pressure pipeline runs across the site, in a west to north east to south west direction. Both the PPG (Paragraph: 002 Reference ID: 39-002-201612090) and the Framework (Paragraph 194) advise that when considering development proposals around hazardous installations the local planning authority is expected to seek technical advice, and consult the appropriate bodies on the risks presented by major accident hazards affecting people in the surrounding area and the environment.

To this end, the Health and Safety Executive (HSE) is a statutory consultee for planning applications around major hazard sites and pipelines. They set consultation zones around hazardous installations (inner, middle and outer zones). The risks and hazards from the major hazard are greatest in the Inner Zone and hence the restrictions on development are strictest within that zone.

In response to the original round of consultations they raised no objections subject to a planning condition that would ensure that no more than 30 dwellings, at a density not exceeding 40 dwellings per hectare would lie within 46 metres of the middle zone boundary of the major accident hazard pipeline. They also suggested a planning condition to restrict the number of people (to 100) using the proposed sports pitches and play areas that lie within the middle zone of the pipeline or that such facilities are sited more than 46 metres away from the pipeline.

Following this, the applicant has submitted a HSE Constraints Plan and further details to demonstrate that it is their intention to upgrade the existing pipeline. The Constraints Plan shows the proposed pipeline diversion (rather than the location of the existing pipeline). These diversion works have been agreed with Cadent following extensive discussions with the applicant and instructions for them to prepare the design. The applicant has also confirmed that the new diversion pipe is intended to have a wall thickness of 12.7mm, which far exceeds the 10.31mm that creates the maximum HSE consultation zone reduction.

The HSE Constraints Plan also identifies the HSE Consultation Zones and illustrates that no more than 30 dwelling units, at a density not exceeding 40 dwelling units per hectare, could be constructed within the middle zone boundary of the pipeline until a suitable scheme to reduce the risks from the pipeline, to be agreed with HSE and National Grid Gas, has been implemented.

Having reviewed this information the HSE has confirmed that one of the previously suggested conditions, relating to the occupancy of the sports pitches in the vicinity of the pipeline is no longer required, as the current Illustrative Layout (Drawing/Rev. 4846_SP(90)57/C) indicates that none of the pitches will be located within the inner or middle zones of the pipeline. They have concluded that they would not advise against the granting of planning permission for the amended application subject to the inclusion of the following condition in the permission.

'Until a suitable scheme to reduce the risks from the pipeline, to be agreed with HSE and Cadent Gas Ltd, has been implemented, no dwelling units may be occupied within the middle zone of the pipeline – within 46 metres of the pipeline - with the exception of a maximum of 30 dwelling units on plot A, and a maximum of 30 dwelling units on plot B (as shown in drawing SP(90)58 E), unless otherwise agreed with the HSE, at a housing density not exceeding 40 dwelling units per hectare.'

Cadent (formerly the national grid) has also been consulted and has raised no objections to the proposal. In light of this and the information above it is therefore considered that, subject to the HSE's suggested condition, the proposal would not result in an unacceptable increase to the possible consequences of a major incident at nearby major hazard site and pipeline.

In these respects the proposed development would therefore comply with CS Policy G9, which seeks to reduce all forms of pollution, contamination and land instability in the borough, and advice in the Framework and PPG.

Flood Risk and Drainage

The application site lies within Flood Zone 1, which has a low probability of flooding. A Flood Risk Assessment (FRA) and Surface Water Management Strategy (SWMS) have been submitted with the planning application. It is noted that local residents have raised concerns about drainage and flooding.

United Utilities have been consulted and has no objection to the proposal subject to a number of planning conditions. These include a phasing plan to include the maximum number of dwellings per phase, a drainage strategy for foul and surface water for entire site, foul drainage details for each phase and location of foul water pumping station, surface water drainage details for each phase, drainage maintenance and management scheme, and the protection of strategic water mains.

Both the Council's Drainage Section and The Environment Agency (EA) have also not find the proposed development objectionable in regards to drainage and flooding. However the EA has requested a planning condition for the submission of a scheme to restrict any surface water drainage system being introduced on land where contamination has been identified. The Council as Lead Local Flood Authority has assessed the submitted Drainage Strategy Report and FRA along with other supporting information in respect of the proposed link road. It is suggested that conditions in respect of the highway drainage design are attached to any planning permission. These are required to ensure that the proposed highway drainage to existing watercourses is restricted to existing greenfield run-off rates and are drained in a sustainable way. Pre-development planning conditions for the submission of schemes to include the design of the filter drains, including the connecting network and outfalls, design details of any culvert and stream crossings of the proposed link road have also been recommended and are considered to be reasonable and necessary.

With the consultation responses above in mind, and in the absence of any substantive evidence to demonstrate otherwise, it is concluded that the site could be suitably drained to ensure that it would not be at risk of flooding and would prevent flooding elsewhere.

The LPA is therefore satisfied that appropriately worded planning conditions could reduce the risk of flooding. For the reasons provided above the proposal therefore complies with the requirements of CS Policies SO4, G8 and Saved UDP Policies EM/7 and EM/8. Collectively these aim to reduce the risks of flooding.

Biodiversity and Ecology

Chapter 9 of the submitted ES identifies that statutory designated sites will be directly impacted by the proposed development works. However it does highlight that Pilsworth SBI which comprises a stream that runs into the application site is located nearby. Nonetheless the ES states that best practice measures for dealing with surface water and the use of Sustainable Urban Drainage Systems (SUDS) could reduce any risks of pollution. Landscape proposals and the diversion of existing watercourses are also put forward as mitigation that would benefit species such as birds, bats and invertebrates. It is concluded in Chapter 9 of the ES that the greatest impact resulting from habitat loss at the site is to be minor adverse.

In response to this Natural England, the government's advisor for the natural environment in England, consider that the proposed development will not have

significant adverse impacts on designated sites and has no objection to the proposal.

Nonetheless, the Greater Manchester Ecology Unit are familiar with the site and have stated that the ecological survey has been carried out by suitably qualified consultants and are to appropriate and proportionate standards. They consider that overall the survey results concur with their knowledge of the site/area and with previous assessments of part of the site undertaken by them.

They have concluded that they do not have any overall objections to the application on ecological grounds because they do not consider the site to be of substantive ecological value. In order to enhance retained habitats and landscaping, and create new habitats to create an overall net gain in biodiversity they have recommended a number of planning conditions. These require the submission and approval of a construction environmental management plan and a comprehensive landscape and habitat creation and management plan.

Further arboricultural assessments are also required to supplement any reserved matters applications in order to establish the amount of trees that are to be retained and lost when considering the detailed layouts of the particular phase of development. This will also be secured via an appropriately worded planning condition.

Therefore whilst it is accepted that there would be some impact on biodiversity, appropriately worded conditions similar to those suggested above would ensure that the proposal would not have any unacceptable effects. As such the proposal would not conflict with CS Policy G7 which seeks, amongst other matters, to recognise and protect sites and features of biodiversity and geodiversity importance. Again, in accordance with the Redhill Aerodrome Judgement, the negligible harm caused to biodiversity and ecology would attract very limited weight in the overall Green Belt balance.

Education

Policies C7 and DM2 of the CS require that residential developments provide for social infrastructure including education facilities to meet the demand for additional school places created by such developments.

Paragraph 72 of the Framework confirms that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. It advises that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement and to development that will widen choice in education, adding that great weight should be given to the need to create, expand or alter schools.

Negotiations have taken place between the applicant and the Council in regards to making appropriate provision for educational needs arising from the proposal. The schools service has advised that primary schools in the South Heywood area will be at capacity by 2019 in the reception year group and the Council is already in the position of looking into extra capacity in the area in order to meet current demand. Secondary schools across the borough will also have insufficient spaces by 2019 because of the cohort sizes in current years 4, 5 and 6. They have also stated that

there will be an additional requirement for 250 primary places and 100 secondary places over the lifetime of the construction programme for this development. As such the future residents of the proposed residential element of the scheme will have an impact on the existing and current projected demand for school places in the local area.

The applicant has therefore agreed to pay the required developer contribution of £4,620,000 to fund the building of the proposed one form entry (1FE) primary school, along with the transfer of approximately two acres of land necessary for the Council to provide this school on-site.

As previously noted, the application site will comprise several parcels of land that will be released and developed in a managed and sustainable way (subject to a planning condition for a phasing scheme), over a 15-20 year period. The Council as Education Authority accepts that the phasing of the development will trigger phased payments of contributions over the lifetime of the development (subject to reserving the right to undertake any reasonable rate review in line with relevant Council and DfE policy/guidance and market rates) to ensure that the payments would be made in a viable way. Substantial payments would therefore be delivered upon the commencement of works for each parcel, following the approval of each reserved matters application and be used for the provision of primary school places within the local area. In effect, payments would be made relative to the number of dwellings coming forward within each phase and this would satisfy the statutory tests in the CIL regulations and the Framework as they would be necessary, directly related to the development and fairly and reasonably related to it in scale and kind. These payments along with the transfer of the land would be secured through an appropriately worded planning obligation.

It has been currently estimated by the Council that the proposed primary school will cost in the region of £3.6 million to construct, which would result in a smaller proportion of the financial contribution going towards secondary school places. The school service has confirmed that the combined planning obligation contribution of £4,620,003.50 will be used, in the first instance, to create sufficient extra places in the primary sector (for the proposed primary school) with any surplus used for creation of secondary places. This is because the local authority is required by statutory legislation to provide infant places within 2 miles of the home address. It is this legislation that dictates specific primary provision requirements and establishes that there is a greater need for primary provision over secondary. The surplus secondary contribution would be used to fund the provision of additional secondary places within the local area. The provision of a new primary school within the development is considered a significant benefit of the scheme. The proposed primary school would serve not only the new development, but also the existing residential community, and given existing capacity problems in the area is clearly much needed. Alternative sites (outside of the green belt) would usually need to be explored if this was a stand-alone application for a school. However it is not, and is very much a part of the proposed sustainable urban extension, located within the heart of the development. Moreover, in view of the comments made by the Schools service, the provision of a school on the site would avoid the need for primary age children from the Heywood area having to travel farther afield for their primary education.

The planning obligation to secure this, which includes land to be transferred to the Council, would therefore exceed the requirements for education infrastructure arising

from the development. Bearing in mind the government's policy, set out in the Framework paragraph 72, requires that great importance is attached to ensuring that a sufficient choice of school places is available; great weight should be given to the need to create, expand or alter schools, as is the case here.

Whilst the proposed primary school would not be constructed in time to meet the forecasted need for primary school places in 2019 the schools' service consultation response indicates that this trend/need for additional places is expected to rise in the future. Indeed, the proposed development would generate demand for primary school places beyond 2019 that would add to existing pressures.

The Local Planning Authority therefore find that the educational need for the proposed one form entry primary school, on this site, to be compelling and a significant benefit which weighs in favour of the scheme. It would accord with the government's policy as above, and is therefore given substantial weight in the overall Green Belt balancing exercise. The proposed development is therefore considered to satisfy the requirements of CS Policies C7, DM2 and advice contained in paragraph 72 of the Framework.

Recreation Open Space and Sports Provision

Around 3 hectares of the application site to the north east of the proposed link road is designated as 'Protected Open Space' in the Council's UDP Proposal Map. Saved UDP Policy G/3 and CS Policies C8 and G6 are the most pertinent development plan policies in this respect, which in combination seek to sustain and enhance green networks and improve community, sport, leisure and cultural facilities.

CS Policy G6 seeks to avoid the loss of existing urban green space or features unless it has limited value and its development would help meet other sustainability or local regeneration objectives. Furthermore Saved UDP Policy G/3 only permits the development of public or private recreational open space where, amongst other things, it can be demonstrated that alternative provision is made of at least equivalent quantity and quality, and is in a satisfactory location and taking account of local environment and traffic considerations; and/or that the development funds improvements to existing outdoor sports facilities within the site or on another site, commensurate with the open space being lost.

To this end, a number of policies within the CS seek to promote economic growth in South Heywood, and infrastructure improvements and traffic management to service new and existing development and reduce heavy goods traffic in Heywood town centre and residential areas. As such the proposed development would clearly help meet other sustainability and local regeneration objectives. The Council's Open Space Assessment 2014 – 2017 also identified this area of open space to have low accessibility and to be a poor quality space in terms of most of the functions of urban open space, with limited potential for improvement. As such it is therefore considered to have limited recreational value.

Furthermore, the proposed development offers a substantial amount of on-site recreational open space and outdoor sports provision in an accessible location. The Council's Supplementary Planning Document 'Provision of Recreational Open Space in New Housing' (SPD) advises that a standard of 1 hectare of Local Open Space provision per 1000 population, including a children's play area to NEAP

standards with multi-use games area and provision for younger children is required on-site. The SPD also seeks on-site Outdoor Sports Provision at a standard of 1.1 hectares per 1000 population.

As such there is a requirement for approximately 2.64 hectares of on-site outdoor sports provision and approximately 2.4 hectares of on-site open space (5.04 in total).

Although landscaping is a matter reserved for future consideration, the amount, type and location of open space across the whole site, and any subsequent phases of development, can be secured through a planning condition for a design code framework. The applicant has confirmed that there would be at least 3.5ha of open space provided for the use for sports pitches; and 8ha of space for landscape, informal open space, PROWs and play areas. A Neighbourhood Equipped Area for Play (NEAP) and Multi Use Games Area (MUGA) would also be provided. Such a level of open space provision would represent an over provision of approximately 6.4 hectares and clearly exceed the requirements of the SPD and would in this context provide over and above what is required by Saved UDP Policy G/3, which requires alternative provision of equivalent quantity and quality. A planning condition will therefore secure this amount of on-site open space to be laid out across the development area.

The applicant has also suggested that a private management company (to be paid for by future residents and owners of the proposed housing and employment uses) would maintain these areas of public open space. In order to ensure that the required open space continues to provide opportunities for recreation, and in the interests of visual amenity, further details of this management and maintenance strategy are required to be submitted to and approved under the terms of the planning obligation.

Sporting needs

Whilst not a statutory consultee in this case, Sport England originally objected to the proposal on the basis that there was a lack of a financial contribution to address the sporting needs that would arise from the development of 1000 houses. Their response was formulated using Sport England's Sport Facility Calculator (SFC) which is a planning tool to estimate the amount of demand for key community sports facilities that may be generated by a given population. In addition to the requirement for a financial contribution towards artificial grass pitches (for 1 junior football pitch and 1 cricket pitch) the SFC sought money towards indoor facilities such as sports halls, swimming pools, and indoor bowls.

Indoor Sports

However, the SFC only calculates potential demand and does not look at the capabilities and capacity of existing local facilities to meet that estimated demand. Indeed, the LPA is mindful that in seeking access to high quality open space and opportunities for sport and recreation, paragraph 73 of the Framework requires planning policies to be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision.

As the Council do not currently have an up-to-date Built Facilities Strategy (assessment of built indoor facilities), there is little robust evidence to indicate the extent of any shortfalls or the effect that the proposed development I would have on

them. The LPA is therefore unable to demonstrate that the amounts requested by Sport England to contribute towards the improvement and enhancement of sports halls, swimming pools, and indoor bowls would be necessary to make the development acceptable, be directly related to the development and fairly related in scale and kind. Sport England's requested contributions towards indoor sports can therefore not be reasonably requested.

Outdoor sports

Nonetheless, Sport England has now confirmed that the proposed on-site playing pitches could meet identified deficiencies and that they have no objection to this provision providing that a number of planning conditions are imposed. These require further information to be submitted at reserved matter stage and relate to the submission of a detailed assessment of ground conditions for the land proposed for the pitches, to ensure that the playing pitches are used for outdoor sport, to secure a management and maintenance scheme, and a community use scheme.

Whilst the finer details of the design, size and type of playing pitches are unknown at this stage, these suggested conditions, albeit reworded to take account of the phasing scheme, and submission of reserved matters applications will be imposed.

However, if these ancillary facilities cannot be provided Sport England has suggested removing the onsite provision from the application and obtaining a contribution towards improvements to existing playing field sites within the locality. Using the data from the Council's Playing Pitch Strategy, and Sport England's New Development Pitch Demand Calculator they consider that there will be a need for 1 junior football pitch and 1 cricket pitch and that this would equate to an indicative estimated total cost of £116,874. The Council has therefore considered a potential use for any off site contribution arising over the lifetime of the completion of the development.

Link-4-life (The provider of arts, sports and heritage services in Rochdale) has been consulted and has suggested that any contribution should go towards improvements at Heywood Sports Village (HSV) which has been designated as a Township Sports Hub in the Council's Playing Pitch Strategy. They state that current demand for the artificial grass pitch (AGP) on this site is very high and that it is a desire of Link4Life to realise further investment in the facilities at the Heywood Sports Village site. Given the scale of the proposed development they consider that this local demand can reasonably be expected to increase through the completion of the development. They have plans to create an additional AGP on land surrounding the centre, and would additionally like to improve or create further grass pitches at the site. The preference would be to create 7 a-side pens or a second full size AGP that could be divided up to accommodate further clubs and casual customers, leagues and potentially an FA accredited Academy.

Link-4-life has confirmed that they are currently commissioning a Built Facilities Strategy and once complete, this is expected to identify the need for further improvements to extend or enhance facilities within the HSV. They therefore conclude that they wish to see any off-site formal sports contributions arising from the development to be used to support the continued investment in facilities at the HSV site.

In response to this the applicant has offered a contribution of £200k (in addition to the proposed on-site pitches) towards the suggested enhancement/extension of facilities at the HSV. This contribution in itself would make a considerable contribution to sports in the Heywood area, and in combination with the proposed amount of on-site open space would exceed the requirements of Saved Policy G/3. The financial sum offered by the applicant would also be greater than that requested by Sport England and support further investment at the Heywood sports village site on the outskirts of Heywood centre.

As such and in the absence of any evidence to the contrary, the LPA considers the applicant's suggested financial contribution to be reasonable, necessary, and directly related to the development. A planning obligation will secure the financial contribution towards the enhancement of the South Heywood Sports Village and ensure that a scheme for children's play facilities on the site (NEAP and MUGA) is submitted, approved and implemented within an appropriate timeframe.

Therefore, whilst it is acknowledged that a certain amount and arrangement of open space would be primarily to mitigate adverse impacts to landscape character and appearance, the proposed on-site open space in addition to the contribution towards off-site open space, would clearly exceed development plan policy expectations and would represent an enhancement. The proposed areas of on-site open space can be secured and integrated into the wider development as part of the consideration of any reserved matters applications for the site. This would also make an important contribution to the health and well-being of communities and subsequently accrue some public health benefits associated with sports, walking/cycling and recreation. These benefits can therefore be given limited weight in the overall Green Belt balance. The suggested use of the sports contribution at the Heywood Sports village site is well located to serve the needs of future residents of the site together with the wider Heywood area.

Subject to the conditions and planning obligation above, the proposal would comply with CS Policies G6 and C8, and Saved UDP Policy G/3 which amongst other things, seek to improve community, sport, leisure and community facilities and require residential developments to provide on-site or contribute financially towards recreational open space, including maintenance, in accordance with the standards set out in SPD.

Health and Wellbeing

Improving health and well-being of the borough's residents is a high priority in the Sustainable Community Strategy. In line with national policy, the CS promotes health through better physical access to facilities, stronger Local Centre's, safer environments and accessible routes and transport.

In order to satisfy the requirements of CS Policy C6 'Improving health and wellbeing' a combined Health Impact and Health Needs Assessment (HIANA) has been commissioned by the applicant. Amongst other things this identifies health service provisions in the area, and the potential negative and positive health and wellbeing impacts of the proposed development.

Evidence within the HIANA demonstrates that there are 12 NHS registered GP surgeries within a 3 miles radius of the South Heywood development (using post

code OL10 2TD); and 10 dental surgeries within the same radius, all of which are accessible by public transport.

At the time of the assessment it is stated that 11 out of 12 surgeries and 9 out of 10 dental practices were accepting new patients. Indeed, the HIANA suggests that excluding York House Surgery which is not receiving new patients, there should be a capacity to accommodate a total of at least 85,272 patients (for a total of 44 GPs within the 11 included practices). It estimates that there is a surplus of 20,225 patients, which is more than enough for a proposal of 1000 new homes that could generate appropriately 2360-2900 new residents. Based on England's ratio of 1 dentist to every 2,276 people, the amount of new residents arising from the proposed development would on require 2 dentists.

Additionally, the HIANA indicates there are a large number of pharmacies, opticians, community centres and health and fitness centres in the local area. At least two acute NHS Hospitals and two University Hospitals are of regional significance and are also demonstrated to fall within an accessible distance from the application site.

The HIANA finds that there is a sufficient number of NHS registered GP surgeries, dental practices, pharmacies and other community healthcare facilities within the vicinity of South Heywood development with sufficient capacity for adequate provision to serve new and existing residents in the area.

The HIANA also recognises negative impacts that can be associated with most large new developments, such as noise associated with construction and increased traffic, construction related injuries and highway safety matters. However points out that these will either be temporary or can all be minimised through mitigation measures and planning conditions. Overall the HIANA concludes that the proposed development has the potential to bring about several positive health impacts on people who would be directly and remotely connected to it. These have already been addressed under other sections of this report, but are related to the provision of high quality housing (including affordable housing), streets and open spaces, creation of job opportunities, a local centre, education, sports, recreation and leisure facilities

In line with the advice contained in the PPG the Director of Public Health and NHS England's views have been sought regarding any potential significant or cumulatively significant effect on health infrastructure and/or the demand for healthcare services.

The NHS has also highlighted that the Heywood Primary Care Trust Estate is in need of modernisation. However no substantive evidence has been provided to the LPA to show that the HIANA would result in existing and planned local healthcare facilities in the vicinity being oversubscribed and require additional capacity.

Both the Director of Public Health and the NHS recognise the positive health impacts that the proposed development could potentially deliver (as referred to in the HIANA) and seek to enhance active transport through the development via cycling/walking and access to public transport.

Therefore, on the basis of the information above, there is little substantive evidence to suggest that the proposal would not meet the overall objectives of CS Policy C6, which seeks to improve people's health and well-being and reduce health

inequalities. It also respects the Framework's twelfth core planning principle which is to take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

As such, there is no suggestion from, for example, school services, the NHS, local health care providers, or the highways authority, that there is insufficient capacity in terms of local infrastructure to accommodate increased demand as a consequence of the development proposed.

Other Considerations

Relevant policies in the Framework place considerable emphasis on the need to boost housing supply, build a strong economy, and promote sustainable development. In support of their case the applicant has submitted a Link Road Benefits Document (LRBD) which puts forward what they consider to be a number of favourable factors, including some of those that have already been assessed above, in support of the proposal. The LRBD sets out the proposed benefits under the headings of anticipated travel benefits, social and environmental benefits, wider economic benefits and benefits to existing businesses.

Nonetheless, these forms of provision should only attract weight where they can be shown to deliver additional benefits, such as by exceeding policy expectations or enhancing local facilities in some other way. Each consideration, which has not already been assessed, is addressed in turn below.

Social and Environmental Benefits

The LRBD points out that the current impacts on the local community are experienced not only through traffic congestion and overall network journey times, but also through the exposure of frontage residential properties within the area to increased traffic related environmental impacts such as noise pollution and a reduction in air quality as a result of vehicle emissions.

It anticipates that the improvements to air quality and reduced traffic noise will result in an uplift in physical activity through increased walking and cycling. Provision for pedestrians and cyclists will also be made along the new route improving journey quality e.g. crossing provision at the proposed junctions. However, whilst it has already been concluded in other sections of this report that there would be no material harm to air quality and noise as a result of the proposal there is little evidence to suggest that these would improve the current situation or represent a benefit of the scheme. There is also no substantive evidence to demonstrate that the proposal would be likely to result in a reduction in accidents.

Nonetheless, as mentioned previously, the improved public transport service along with new cycle routes and footpaths would improve accessibility between the existing businesses and its employees, as they heavily rely on the use of the car to travel to and from work at the moment. These would increase the attractiveness of working in this area by reducing social exclusion and encouraging the use of sustainable forms of travel. These environmental and social benefits attract some limited positive weight in the overall Green Belt balance.

The social benefits associated with physical activity, health and wellbeing are also recognised, and limited positive weight has already been attributed to them in the 'Recreation Open Space and Sports Provision' section of this report.

Wider Economic Benefits

The need for the employment development

As already mentioned, but to stress again, delivering regeneration and addressing deprivation are fundamentally important to achieving the overall vision for Greater Manchester as set out in the 2017 Greater Manchester Strategy. The 2015 Index of Multiple Deprivation shows that large parts of Rochdale Borough fall within the 20% most deprived lower super output areas (LSOA's) in the country, with a high level of deprivation relative to the rest of the country across large parts of the north of Greater Manchester.

The wider north east area of Greater Manchester, covering most of Rochdale, Oldham and Tameside, as well as the three northernmost wards in Manchester, consists of 53 wards which typically have:

- Low levels of economic activity;
- Low level qualifications (no ward having a higher proportion of residents with a level 3 qualification or above than the national average, and only two above the Greater Manchester average;
- Low proportion of residents in higher level occupations with a high proportion of residents in routine or manual occupations;
- Lower than Greater Manchester and national average household incomes;
- Lower than average house prices;

Without intervention, the latest economic forecasts for Greater Manchester predict that Rochdale Borough will continue to see a decline in its working age population, the number of jobs available for residents within Rochdale Borough will continue to decline. Latest data does not forecast Rochdale Borough's employee numbers returning to pre-recession levels over the next decade. The Borough has historically seen a higher proportion of public sector roles. The local employment market is highly self-contained with around 65% of roles within the Borough filled by residents and major business parks such as Heywood and Stakehill having local catchments. Paragraphs 18 and 19 of the Framework confirm that the Government is committed to securing economic growth in order to create jobs and prosperity, and ensuring that the planning system does everything it can to support sustainable economic growth.

It has already been concluded that the proposed development would cause very limited harm to the Council's long term strategy in respect of managing land to meet future employment needs. However, this is a consequence of the timing of the application (which has been dictated by the funding arrangements for the link road) rather than any underlying problem about lack of demand on the Kingsway Business Park or need for more employment space in the borough. As previously noted, given the level of market interest the policy test threshold (60% of employment land contractually committed) for Kingsway Business Park is likely to be met within a reasonably short period of time (within the next year).

Notwithstanding this, there are presently around 1,900 jobs in the South Heywood area which are in the distribution and manufacturing sectors. Principally the

proposed link road is intended to unlock access to the existing employment areas and to around 1.45 million square feet of new employment land. Indeed, the LRBD refers to a range of national, regional and local policies, strategies and other documents to which the South Heywood link road aligns, and in some cases the scheme is explicitly referenced. These include The Northern Powerhouse Strategy, the draft GMSF, Rochdale Borough Transport Strategy and the CS.

The Northern Powerhouse strategy aims to promote economic growth in the North by investing *“in the North’s transport infrastructure, to improve connections between and within the North’s towns and cities.”* There is also a focus on *“ensuring the North is an excellent place to start and grow a business”*. It is noted that a letter of support for the proposal has been received from Transport for the North.

Land at South Heywood is included in the draft GMSF as site ‘NG1a North of M62 (Bury and Rochdale)’. This site forms part of the Northern Gateway (Policy SL6), which is identified within the Draft GMSF as a Strategic Location and one of the major growth opportunities within Greater Manchester.

Site ‘NG1a North of M62 (Bury and Rochdale)’ is described in the GMSF as follows:

“This area provides a nationally significant employment opportunity in a highly accessible location. The site which is bounded on two sides by the M62 and M66 will build on existing successful business parks in the area...to attract a wider range of business sectors including logistics, advanced manufacturing and higher value/knowledge-based employment.”

The ‘Reasoned Justification’ for including site NG1a within the Draft GMSF states:

“This site has been identified as a large, nationally significant location for new employment-led development within the wider Northern Gateway opportunity area. The scale of the opportunity will help to deliver a significant jobs boost to wider northern and eastern parts of the conurbation and helps to balance the overall economic growth of the sub-region. This site benefits from being in close proximity to existing regionally renowned employment sites, notably Heywood Distribution Park and Pilsworth. The development of this site will complement other opportunities in the Northern Gateway as well as other key sites in the north of the sub-region such as Logistics North;

The delivery of such a site will require significant investment in infrastructure if it is to be successful and sustainable. The site clearly has excellent access to the motorway network and will benefit from improved linkages to J19 of the M62 and junction 3 of the M66.”

To secure devolved funding for Greater Manchester through the Local Growth Fund, the ‘Transport Strategy and Investment Plan’ which accompanied the Growth and Reform Plan also lists the major scheme priorities for transport measures in Greater Manchester. The ‘South Heywood M62 J19 Link Road’ is the first entry in this list. It is described as:

“A new link road from M62 junction 19 to unlock access to existing and planned employment sites, including the Heywood Distribution Park/Simplified Planning Zone, and future housing and employment development in the South Heywood area.”

Furthermore, CS Policy SP3 sets out the Spatial Strategy for Heywood and highlights the importance of promoting economic growth in South Heywood by delivering new economic development on sites within the successful employment areas in the south of the town to maintain their national reputation as a high quality business location. The development of higher value housing to support and complement this economic growth area and promote wider prosperity; promoting infrastructure improvements and traffic management to service new and existing development and reduce heavy goods traffic in Heywood town centre and residential areas are also sought.

Similarly, CS Policy E3 focuses on economic growth corridors and areas, and states that the South Heywood employment area has the potential for improved access to the M62; is close to, and accessible from, areas with high levels of unemployment, such as Darnhill, inner Heywood and Langley in Middleton; and has been identified as location for potential employment growth in Greater Manchester, in particular for logistics, although manufacturing will also be supported.”

The economic need for a new link road and economic growth in this area is therefore a longstanding policy objective. Whilst it is recognised that the Draft GMSF is in consultation stage and can only be given very limited weight as a strategic plan, consultation on the draft vision, strategic objectives and strategic options for the GMSF along with the evidence base took place between November 2015 and early January 2016. There is no substantive reason to conclude that this evidence base for employment need in the area is not sound.

To this end (and as previously mentioned in the additional employment land section of this report) the GMSF Economic Development Needs Assessment (EDNA) forecasts that Rochdale would have a gross requirement for approximately **620,000 sq. m** (62 hectares) of floor space up to 2035 (which is approximately 20% of Greater Manchester’s total future requirement). For the period 2014-2035, this predicts that Rochdale will require around **450,000 sq. m** (45 hectares) of warehousing floorspace under the GMFM base scenario. This rises to around **1.4 million sq. m** (144 hectares) under the highest accelerated growth scenario.

The submitted CBRE report also details the level of demand for industrial sites between 2013 and 2017. Evidence within this document points to high levels of occupancy within South Heywood’s existing business parks, and a lack of development plots of a sufficient scale to meet growing demands from existing occupiers, as well as being able to attract new leasehold or freehold occupiers. It shows that four out of the seven business parks in South Heywood are fully occupied, with only 417,177 sq ft of the total 4,245,190 sq ft available in the South Heywood business parks, equating to 9.8% availability based on GFA. This demonstrates a high uptake of employment sites in South Heywood and limited supply remaining.

Table 1 - Industrial Enquiry Statistics based on size of floorspace required

Size Band (sq ft)	2013/14	2014/15	2015/16	2016/17	TOTAL
0- 1,000	1	9	6	2	18
1,000 - 2,500	5	9	5	15	34
2,500 - 5,000	3	10	12	14	39
5,000 - 10,000	6	14	16	12	48
10,000 - 25,000	14	26	22	34	96
25,000 - 50,000	16	25	33	47	121
50,000 - 100,000	11	15	16	31	73
100,000 - 250,000	5	22	23	46	96
250,000+	4	2	4	13	23
	65	132	82	214	493
Total Floor space	4,082,550	4,915,550	8,204,050	17,017,650	34,219,800

In addition, the table above which is taken from the CBRE report demonstrates that RDA received a major increase in the number of enquiries for employment buildings since April 2016. This shows that a total of 493 enquiries were received during the period between April 2013 and March 2017 with over 40% in the last 12 months up to April 2017. Of note, over 25% of the enquiries in 2016/17 were for land and buildings of over 100,000 sq ft with 13 enquiries for 250,000 sq ft and above. In total, over 17m sq ft of employment space was sought in 2016/17.

The Council's independent review also concludes that there is a shortage of high quality available space for manufacturing and logistics uses, particularly larger sites in proximity and accessible to the motorway network. It advises that sites around Hareshill and the existing Heywood Distribution Park are considered to be the most developable and cost effective as part of an initial phase.

In light of the information above, the LPA consider that there is a demonstrable need for economic growth in South Heywood, and that this area is best placed to address the demand for new, large, high quality development sites.

Jobs, fiscal benefits to Council, and local spend

The applicant also considers that the proposal would generate considerable economic benefits in the form of job creation, the stimulus to the local economy from the additional households and increased financial contributions through Council Tax and New Homes Bonus.

Fiscal Benefits to the Council

On the basis of the current New Homes Bonus grant regime, the applicants also estimate that the proposed development could generate around £10.1m of receipts for the Council, equivalent to around £1.7m per annum over a six year period. Once all of the proposed housing is occupied, they consider that annual Council Tax revenues are likely to be in the order of £1.8m.

However there is nothing to demonstrate that monies derived from the New Homes Bonus or Council Tax would be used to address the impacts of the scheme. Paragraph 21b-011 of PPG also advises that it would not be appropriate to make a decision based on the potential for the development to make money for a local authority. As such no weight should be given to this as a beneficial factor.

Local Spend

It has been put forward that the residents of the proposed development would spend their household incomes on local goods and services in Heywood and across the borough, bringing additional benefits to the local economy and supporting employment in local businesses. It is estimated by the applicant that the total annual expenditure generated by new households would be around £3.2m in Heywood and £8.3m across Rochdale per annum with the overall GVA projected to be £175million per annum.

Again, there is little substantive evidence provided that would lead the LPA to question these figures or conclude that they are inaccurate. As such this spend and economic generation are important benefits for the area that would attract substantial weight in favour of the scheme.

Benefits to Existing Businesses

In addition to the representations that have been received in response to the planning application notification process, local businesses have also put forward how they expect to benefit from the link road in the LRBD. These benefits include factors such as the improvement to the operation of the existing distribution parks/businesses in the area including enhanced accessibility to the motorway network, reduction in operating costs, reduced journey times (saving time and money), an increase in the attractiveness and value of the area. The improved public transport service along with new cycle routes and footpaths would help connectivity between businesses and local residential areas.

Whilst it is accepted that these constitute benefits in favour of the proposal a number of these matters have already been considered under other sections of this report and therefore cannot be double-counted in the overall Green Belt balance.

Nonetheless, it is considered that, in combination, the economic benefits to existing business, the substantial amount of jobs created (during construction and through the employment element of the proposal) and local expenditure to support services and facilities in the area would amount to considerable economic benefits that would weigh heavily in favour of the scheme. The proposed development would therefore make a significant contribution towards meeting the need to support sustainable economic growth, which the Framework states that 'the planning system should do everything it can to support'. In line with paragraph 19 of the Framework significant weight is placed on this in the overall Green Belt balance.

The social benefits that can be secured through this economic growth, which are associated with employment opportunities and training for local people, should also be given some limited positive weight.

Planning Obligations

CS Policy DM2 requires developers to provide, or contribute towards the cost of providing any physical and social infrastructure that is needed because of proposed development; and or to mitigate the impact of development, through planning obligations and agreements, if the development would otherwise have a negative impact on the delivery of a strategic objective.

It is intended that appropriate legal agreements will be entered into secure the agreement of a scheme for the submission of an affordable housing scheme, and the provision of the on-site open space (including the NEAP, MUGA, Sports Pitches). Planning obligations will provide for financial contributions towards the provision of primary and secondary school places, towards bus service provision and new/improved bus stops. In addition payments towards the maintenance or enhancement of Heywood Sports Village and the cost of establishing an NO₂ diffusion tube site will be secured through this.

Planning obligations will also secure the transfer of the primary school land to the Council and establish a private management company for the maintenance of the on-site open space and transfer this open space to the company's ownership. The details of these are all listed below:

- (a) **Air Quality payment** – sum of £1,500 for the installation of a NO₂ diffusion tube site along the link road to be paid prior to the commencement of development.
- (b) **Affordable Housing** – 15% on-site provision, per phase. Contributions are to be provided where the Council don't want on-site provision for that particular phase. The affordable housing shall be intermediate and rented, with no more than 50% rented, in any one phase.
- (c) **Bus Service and Bus Stops Contribution** – £1.05million + £180,000 respectively.
- (d) **Link Road payment** – shortfall contribution in respect of the final costs of the link road. Please note that this includes the original link road cost, the recently added £317,000 for highways mitigation and £25,000 for the pedestrian and cycle route between the site at Gloucester Avenue and Heywood town centre up to Church Street.
- (e) **Management Company** – for long term management and maintenance of the Public Open Space.
- (f) **Public Open Space** – to include 8ha of land. This will include the **Multi Use Games Area** (MUGA) and **Neighbourhood Equipped Area of Play** (NEAP) to be provided on-site.
- (g) **Sports Pitches** – provision of 3.5 hectares. The sum of £200,000 towards enhancement/extension of facilities at Heywood Sports Village.
- (h) **Land for a Primary School** (single form entry school) – 0.8 hectares to be transferred to the Council.
- (i) **Education contribution** – sum based on formula of up to a maximum of £4,620,003.50.

All of these requirements have already been assessed in the sections above and are considered to be necessary, directly related to the development and fairly and reasonably related to it in scale and kind as provided by Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) (CIL) and as

reiterated in paragraph 204 of the Framework. They would therefore also satisfy the requirements of CS Policy DM2.

Conclusion and Green Belt Balance

The Green Belt balance requires an assessment of whether the harm by reason of inappropriateness and any other harm would be clearly outweighed by other considerations to amount to the very special circumstances required to justify the proposal.

Harm

It has been identified that the proposal would be inappropriate development in the Green Belt as defined by the Framework. The Framework establishes that substantial weight should be given to any harm in the Green Belt. In addition significant weight has been apportioned to the total Green Belt harm, through its combined impact on openness and the five purposes of including land within it. It has also been found to cause moderate harm to the landscape character and appearance of the area, and there would be very limited weight attributed to the harm to the Council's long term strategy in respect of managing land to meet future employment needs. The three negligible harms caused by noise, and to air quality and biodiversity and ecology have also been apportioned very limited weight respectively.

Benefits

Nonetheless, the proposal would bring forward three main benefits of substantial scale that would weigh heavily in favour of the proposal. Significant weight has been attributed to the substantial economic benefits that would be delivered to support sustainable economic growth. These include substantial employment generation in an area that suffers from high levels of unemployment and deprivation, and significant levels of additional spend in the local area from future occupiers and employees of the development.

It is estimated that there will be up to 370 temporary construction jobs supported each year as well, for an estimated 18 year period, as the creation of 2300 gross full time equivalent (FTE) jobs arising from the new employment floor space as well as other associated ancillary facilities such as the local centre. It is also estimated that there is provision for approximately 450 FTE jobs in the borough as an off- site multiplier.

The total annual expenditure generated by new households is also estimated to be around £3.2m in Heywood and £8.3m across Rochdale per annum with the overall GVA projected to be £175million per annum.

The improvements to the operation of the existing distribution parks/businesses in the area including the enhanced accessibility to the motorway network, reduction in operating costs, and reduced journey times also contribute to the significant weight attributed to the economic benefits that the proposal would bring. Indeed, the independent highways consultants have verified that the proposed link road would reduce the journey between Heywood Distribution Park and M62 East for HGV's (which are currently routed via the M66 and M60), by approximately 8km distance. This would also result in travel savings for Heywood Distribution Park operators of

4,700km over an average 12 hour day (0700 – 1900 hours) with predicted journey time savings of between 2 and 6 minutes per car, and between 5 and 11 minutes per HGV depending on the time of day. The OBC modelling estimates that these will result in total travel time savings of around £156 million, a total saving of £25.7 million in vehicle operating costs and a total saving of £5.6 million in accident savings over a 60 year period.

Significant weight has also been apportioned to the benefits associated with overcoming existing traffic problems in the area. These include traffic reductions in Heywood town centre, A6046 Middleton Road between J19 and Hopwood, Coronation Avenue, A6045 through Birch, Langley Lane, A576 between Middleton and M60, and M66 Junction 3 to M62. The proposed widening at the access into Heywood Distribution Park will also address the existing issue of blocking of the ahead movement by traffic queuing to enter the employment park. Furthermore, the scheme as a whole will provide the funds and the opportunity to extend HGV bans and introduce traffic management measures in the wider area through the planning obligation. These factors will also have a knock-on effect in terms of reducing accidents and increasing highway safety.

As previously mentioned, paragraph 72 of the Framework confirms that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. It advises that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement and to development that will widen choice in education, adding that great weight should be given to the need to create, expand or alter schools.

Given that primary schools in the South Heywood area will be at capacity by 2019 the educational need for the proposed one form entry primary school on this site is compelling. The proposed one form entry primary school, would serve not only the new development but also the existing residential community, would therefore address this need and in line with advice contained in paragraph 72 of the Framework has been afforded significant weight in favour of the scheme.

The proposal would also contribute to the achievement of a number of CS policies which seek to ensure new development provides the right mix and type of housing to meet local needs, supports economic growth and prosperity, and improves the supply of larger and higher value housing within the Borough. A major priority in the Council's Core Strategy and its Housing Strategy is to rebalance the borough's housing stock, which currently contains an over-supply of older terraced housing and insufficient larger, higher quality family homes to meet housing needs. The high quality housing offer in this location will therefore be of wider benefit to Greater Manchester as well as Rochdale Borough. The LPA is mindful that the Framework places considerable emphasis on boosting housing supply, and seeks the delivery of a wide choice of high quality homes to create sustainable inclusive and mixed communities. With these factors and the implementation of a housing delivery test being proposed within the proposed revised draft NPPF, the certain delivery of the residential development which is required to underpin the financing of the link road is considered to attract moderate beneficial weight in the Green Belt balance.

There are also other benefits arising from the development which have individually been attributed limited positive weight in favour of the proposal. These are given to the public health benefits associated with walking/cycling and recreation

opportunities afforded through the additional public open space and routes that are to be provided. The social benefits associated with the employment opportunities and training to prepare, support and facilitate local people with the training and skills to secure these new jobs and contracts would also be of clear benefit to the area and is also attributed limited weight. Limited positive weight is also given to the environmental and social benefit arising from the improved public transport service along with new cycle routes and footpaths that would improve accessibility between the surrounding residential areas and, as they heavily rely on the use of the car to travel to and from work.

Harm	Weight
Inappropriateness in GB	Significant
Other total GB Harm	Significant
Landscape Character and Appearance	Moderate
Employment Land	Very limited
Noise	Very limited
Air Quality	Very limited
Biodiversity & Ecology	Very limited

Benefits	Weight
Economic Benefits – job creation, local spend, unlock access to existing employment sites, reduction in HGV journey times and costs.	Significant
Traffic Benefits - reducing congestion in Heywood Town Centre and motorway network	Significant
Education Benefits - New Primary School	Significant
Housing Benefits – delivery to meet needs and aspirations of all residents, improving type of larger and high value housing in the borough.	Moderate
Public Health Benefits - use of surplus open space	Limited
Local employment opportunities and training	Limited
Environmental Benefits - improved public transport	Limited

Conclusion

The adverse effects of the proposal should not be underestimated. However, overall, and as illustrated in the table above, it is considered that the benefits in this case clearly outweigh the harm that has been identified. As such, when looking at the case as a whole, and in accordance with paragraph 88 of the Framework, very special circumstances are considered to exist because the harm to the Green Belt and all other harms that have been identified are clearly outweighed by the other considerations discussed in this report.

Therefore, although the proposal does not accord with the development plan when read as a whole, in accordance with the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, other material considerations, illustrated in the table below, have been advanced that indicate the decision should be made otherwise, and that planning permission should be granted.

Development Plan Policies that the proposal does not accord with	Other material considerations that indicate otherwise
CS Policy G4 'Protecting Green Belt'	Considerations that amount to very special circumstances in the Green Belt (as per paragraph 88 of the Framework).
CS Policy E4 'Managing the release of land to meet future employment needs'	The opportunity and timescales for the funding and delivery of the proposed link road.
CS Policy C2 'Protecting and enhancing character, landscape and heritage'	The shortfall of employment land in Kingsway expected to be taken up and over the 60% threshold this year.
	The proposed revised draft NPPF introduces a 'housing delivery test' to ensure that housing supply is truly deliverable. As the proposed enabling development is deliverable it is compliant with the requirements of the proposed revised draft NPPF.
	The Draft GMSF promotes a significant expansion of the Northern Gateway area to create a major new mixed-use neighbourhood, in order to improve the competitive position of Greater Manchester and help to foster sustainable, inclusive growth across the conurbation.

Schedule 1

CONDITIONS RELATING TO THE FULL PLANNING PERMISSION:

THE CONSTRUCTION OF A NEW LINK ROAD BETWEEN JUNCTION 19 OF THE M62 AND PILSWORTH ROAD, THE WIDENING OF PART OF PILSWORTH ROAD, TOGETHER WITH ASSOCIATED JUNCTION IMPROVEMENTS, LANDSCAPING, LIGHTING AND OTHER WORKS INCLUDING THE IMPORTATION OF MATERIAL AND ENGINEERING WORKS IN ORDER TO CONSTRUCT THE LINK ROAD.

1. The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

A0/2001345/100/001 Rev A (General Arrangement)
A0/2001345/100/002 Rev A (General Arrangement Sheets 1 of 6)
A0/2001345/100/002 Rev A (General Arrangement Sheet 2 of 6)
A0/2001345/100/002 (General Arrangement Sheet 3 of 6)
A0/2001345/100/002 (General Arrangement Sheet 3a of 6)
A0/2001345/100/002 (General Arrangement Sheet 4 of 6)
A0/2001345/100/002 (General Arrangement Sheet 5 of 6)
A0/2001345/100/002 (General Arrangement Sheet 6 of 6)

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Adopted Rochdale Core Strategy, the saved policies in the Adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

Precommencement Conditions

3. No development shall take place until a scheme of detailed engineering drawings of the link road, new and amended junctions and other highway works, together with a Stage 2 Road Safety Audit, Designer's Response / Exemption Report and Traffic Signal information for the works has been submitted to and approved in writing by the Local Planning Authority.
The scheme shall include:

- (i) A general arrangement / layout, based on a topographical survey and to a scale not less than 1:200, showing the existing and proposed carriageways, pedestrian and cycle facilities/routes, refuges / islands, visibility splays and laybys;
- (ii) Specification details for each type of carriageway, footway, cycleway,

verge and footpath;

(iii) Full details of the surface water drainage proposals (including hydraulic modelling);

(iv) Details of all proposed street lighting, signage (including VMS), CCTV, markings, structures, crossing points, vehicle restraint systems, width restrictions and street furniture.

(v) Details of proposed traffic signal-controlled junctions and controlled crossings;

(vi) Details of proposed parking and loading restrictions and other traffic orders

(vii) Details all structures and earthworks (including details of pedestrian guardrails)

(viii) Details of replacement / amended bus facilities (including details of shelters)

(ix) Details of all highway landscaping

The detailed layout shall be based on the drawings submitted in support of the application, and modified, as required to take into account the comments of the Stage 2 Road Safety Audit.

No part of the link road hereby approved shall be brought into use until the highway works listed above have been constructed in accordance with the approved scheme.

Reason: In the interests of highway safety and design, in accordance with policies DM1 and T2 of the Adopted Rochdale Core Strategy.

Reason for pre-commencement condition: To ensure satisfactory details appropriate to the construction of a new highway.

4. No development shall take place until full design and construction details, including all geotechnical and structural design requirements, of the required improvements to the J19 M62 Scheme, have been submitted to and approved by the local planning authority, in consultation with the Secretary of State for Transport, and shown in outline Drawing number A0/2001345/100/001 Rev A, dated 19 January 2017, prepared by Rochdale Council. The details to be submitted shall include:

- How the scheme interfaces with the existing highway alignment, details of the carriageway markings and lane destinations,
- Widening of the A6046 Middleton Road south approach to the junction to accommodate a two-lane flared approach,
- Full signing and lighting details,
- Confirmation of full compliance with current Departmental Standards (DMRB) and Policies (or approved relaxations/departures from standards),
- An independent Stage Two Road Safety Audit (taking account of any Stage One Road Safety Audit recommendations) carried out in accordance with current Departmental Standards (DMRB) and Advice Notes.

No development shall be brought into its intended use, until the highway improvements have been constructed in accordance with the approved scheme.

Reason: To ensure that the trunk road network continues to fulfil its purpose as a national system of routes for through traffic, maintaining the safety of traffic on the road in accordance with Section 10 (2) of the Highways Act 1980 and policies DM1 and T2 of the Adopted Rochdale Core Strategy.

Reason for pre-commencement condition: To ensure satisfactory details appropriate to the construction of a new highway.

5. No development shall take place until a drainage design for the link road, including a drainage design of any culvert and stream crossings of the Link Road (in accordance with Design Manual for Roads & Bridges Vol 4 Section 2 Part 7 – Design of Outfall and Culvert Details) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:- details of the Filter Drains, including the connecting network and outfalls as well as attenuation storage and outlet flow controls and or other methods to meet greenfield runoff rates and timescales for implementation. It should also ensure that no surface water, highway drainage or land drainage shall discharge directly or indirectly into the existing public sewerage systems and provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The development shall be implemented in accordance with the approved details and timescales.

Reason: In the interests of highways safety, in accordance with policies DM1, P3 and T2 of the Adopted Rochdale Core Strategy.

Reason for pre-commencement condition: Drainage is an early activity in the construction process and it is in the interest of all stakeholders to ensure that an acceptable scheme is agreed before development commences on site.

6. No development shall take place until details of the means of ensuring the water mains within the site boundary are protected from consequential damage during the construction and operational life of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In the interest of public health, to ensure protection of public water supply and in order to allow sufficient access for maintenance and repair work at all times, and as required by United Utilities.

Reason for pre-commencement condition: To ensure the public water supply is appropriately identified and a strategy is in place before works commence on site to ensure the safe development of the site in the interests of the amenity of future occupiers.

7. No development shall take place until the implementation of a programme of archaeological works has been secured. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by the Local Planning Authority. The WSI shall cover the following:
- a). A phased programme and methodology of investigation and recording to include:
 - a historic building survey
 - archaeological evaluation
 - informed by the above, more detailed targeted excavation (subject of a new WSI)
 - b). A programme for post investigation assessment to include:
 - analysis of the site investigation records and finds
 - production of a final report on the significance of the archaeological and historical interest represented.
 - c). Dissemination of the results commensurate with their significance.
 - d). Provision for archive deposition of the report and records of the site investigation.
 - e). Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason: To record and advance understanding of heritage assets impacted on by the development and to make information about the archaeological heritage interest publicly accessible in accordance with the requirements of Core Strategy Policy P2 and the National Planning Policy Framework.

Reason for pre-commencement condition: To ensure the opportunity for archaeological investigation is undertaken as part of pre-commencement works on site in the public interests of recording and advancing understanding of the archaeological heritage of the site.

8. No development, other than works required to discharge this condition, shall commence until intrusive site investigation works have been undertaken and the findings of those investigative works have been submitted to and approved in writing by the local planning authority. In the event that the site investigations confirm the need for remedial works to ensure the safety and stability of the proposed development, no development shall commence until the full details of those remedial works have been submitted to and approved in writing by the local planning authority. Development shall thereafter be carried out only in accordance with the approved details.
- Reason: To address any issues of unstable land and ensure safety and stability of new development in accordance with policies DM1 and G9 of the Adopted Rochdale Core Strategy.

Reason for pre-commencement condition: To ensure the need for any remedial works is appropriately identified and a strategy is in place before works commence on site to ensure the safe development of the site in the interests of the amenity of future occupiers.

9. No development shall take place until an investigation and risk assessment (in addition to any assessment provided with the planning application) has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place. The submitted report shall include:

- i) a survey of the extent, scale and nature of contamination
- ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the building(s) hereby approved are first occupied.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Core Strategy Policy G9, saved UDP Policy EM/8, and the National Planning Policy Framework.

Reason for pre-commencement condition: To ensure contamination is appropriately identified and a strategy is in place before works commence on site for the protection of controlled waters and to prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers.

10. No development shall take place (including any site clearance works) until a Construction Method Statement (CMS), which shall include the following has been submitted to, and approved in writing by the Local Planning Authority:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) measures to control the emission of dust and dirt during construction;
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- viii) details of noise reduction measures;

- ix) measures for the protection of the natural environment from accidental spillages, dust and debris;
- x) hours of construction, including deliveries; and
- xi) measures for protection of the existing water mains and sewers within the site.
- xii) Details of post construction restoration of public rights of way.

The approved CMS shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved CMS during the construction period.

Reason: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase in accordance with Policies DM1, P3, T2, G8 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As the development will include site clearance, demolition works, ground works and engineering works an understanding will therefore be necessary of what measures will be put in place to protect the amenity of adjacent premises and users, prior to commencement of any works taking place.

11. No development shall take place, including any works of excavation or demolition, until a detailed Construction Traffic Management Plan (CTMP) to include the following has been submitted to, and approved in writing by the Local Planning Authority:

- Construction operating hours and vehicle delivery hours.
- Location of proposed construction compounds and lay-down areas.
- On-site construction vehicle parking and manoeuvring.
- Staff parking arrangements and details of supporting staff /operative travel management initiatives, including encouraging staff travel outside of the traditional AM & PM 'rush hour' periods.
- Off-site construction HGV routing for each delivery phase.
- Driver incentive / disciplinary procedures to ensure suitable HGV routing.
- Construction HGV haulage route signage strategy.
- Construction vehicle cleansing procedures and details of load sheeting / covered load policy.
- Management and procedures for access by abnormal loads.
- Programmed duration and timing of short term material import / export HGV campaigns.
- Programmed temporary road closure / temporary traffic management works and details of supporting information campaigns as relevant.

The approved CTPM shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved CTPM during the construction period.

Reason: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through

the risks of pollution and dangers to highway safety, during the construction phase in accordance with Policies DM1, P3, T2, G8 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As the development will generate a number of vehicular movements an understanding will therefore be necessary of what measures will be put in place to protect the amenity of adjacent premises and users, prior to commencement of any works taking place.

12. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: biodiversity) to include the following has been submitted to, and approved in writing by the Local Planning Authority:
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved CEMP during the construction period.

Reason: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment during the construction phase in accordance with Policies DM1, P2 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As the development will include site clearance, demolition works, ground works and engineering works an understanding will therefore be necessary of what measures will be put in place to protect the amenity of the natural environment and the area in general, prior to commencement of any works taking place.

13. No development shall take place (including demolition, ground works, vegetation clearance) until a scheme of works, which shall include a detailed method statement, for the control and disposal of the invasive plant species and Japanese Knotweed, within the site, has been submitted to and approved in writing by the Local Planning Authority. The agreed scheme of works and method statement shall be implemented in full throughout the course of the development.

Reason: To secure the satisfactory disposal of this invasive species of plant, which under the terms of the Wildlife & Countryside Act 1981, as amended, it

is an offence to be caused to spread in the wild, in accordance with the general principles of Policy G6 of the adopted Rochdale Core Strategy.

Reason for pre-commencement condition: As the development will include site clearance, demolition works, ground works and engineering works an understanding will therefore be necessary of what measures will be put in place to protect the natural environment prior to commencement of any works taking place.

14. No site clearance, preparatory work or development shall take place until a further Arboricultural Impact Assessment report detailing the impact on the trees within and adjacent to the site has been submitted to and approved in writing by the Local Planning Authority. The assessment shall include a scheme of tree and hedgerow protection measures in accordance with BS 5837:2012 'Trees in Relation to Design, Demolition and Construction' incorporating both above and below ground measures to be implemented during the construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the protection measures contained within the duly approved scheme throughout the construction period.

Reason: In order to protect existing trees on the site and ensure a satisfactory appearance in the interests of visual amenity in accordance with policies P3, G6 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As the development will include site clearance, demolition works, ground works and engineering works an understanding will therefore be necessary of what measures will be put in place to protect the amenity of the natural environment and the area in general, prior to commencement of any works taking place

15. Notwithstanding the details shown on the approved plans, no development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

(b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following the development hereby permitted being brought into use, whichever is the sooner.

(c) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance

with policies P3, DM1 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: To ensure satisfactory details which will enhance a key development site.

Construction Compliance Conditions

16. No drainage system for the infiltration of surface water drainage into the ground where contamination has been identified is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Core Strategy Policy G9, saved UDP Policy EM/8, and the National Planning Policy Framework.

17. No external lighting shall be installed along the link road or anywhere else on the site unless a scheme for such lighting has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of the location, size, design of luminaires and fittings, the type and power output of light sources with illumination levels, the location and design of any associated equipment. The lighting design for the site should be designed to minimise impacts on bats, which are known to be present on the site. The approved details shall thereafter be fully implemented.

Reason: In the interests of amenity and highway safety in compliance with policies DM1, P3, T2 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

18. No clearance of trees and shrubs in preparation for (or during the course of) development shall take place during the bird nesting season (March - August inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority which provides for the protection of nesting birds during the period of works on site. The development shall be carried out in accordance with any agreed mitigation strategy.

Reason: In order to prevent disturbance to any nesting birds that may be present in accordance with Policies G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Schedule 2

CONDITIONS RELATING TO THE OUTLINE PLANNING PERMISSION:

MAJOR MIXED-USE DEVELOPMENT COMPRISING SUPPORTING RESIDENTIAL USES COMPRISING UP TO 1000 DWELLINGS (CLASS C3); EMPLOYMENT USES (CLASSES B2/B8) COMPRISING UP TO 135,460M2 GROSS INTERNAL AREA(GIA); A NEW PRIMARY SCHOOL (CLASS D1); CLASS A1/A2/A3/A5 USES COMPRISING UP TO 2500M2 GIA WHICH INCLUDES NO MORE THAN 499M2 OF A1 USES; TOGETHER WITH ASSOCIATED LANDSCAPING, OPEN SPACE AND SPORTS PITCHES, DRAINAGE, ECOLOGICAL ENHANCEMENTS, CYCLEWAY AND FOOTPATH LINKAGES, INFRASTRUCTURE AND OTHER WORKS ANCILLARY THERETO. (ALL MATTERS RESERVED FOR FUTURE CONSIDERATION EXCEPT ACCESS)

1. Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") in any phase shall be submitted to and approved in writing by the local planning authority before any development in that phase begins and the development shall be carried out as approved.

Reason: The application is granted in outline only under the provisions of Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and details of the matters referred to in the condition have not been submitted for consideration.

2. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission.

Reason: To be imposed pursuant to Section 92 of the Town & Country Planning Act 1990 for those parts of the application submitted for outline permission only, and that the time period reflects the separated, phased development programme.

3. The development hereby permitted shall take place no later than the expiration of three years from the date of this permission or before the expiration of eighteen years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To be imposed pursuant to Section 92 of the Town & Country Planning Act 1990 for those parts of the application submitted for outline permission only, and that the time period reflects the separated, phased development programme.

4. The number of dwellings to be constructed on the site shall not exceed 1000.

Reason: To define the quantum of residential development, restricting it to ensure that it constitutes enabling development and accords with the Environmental Statement.

5. The development hereby permitted shall provide no more than 2,500m² of floorspace for uses within Use Classes A1, A2, A3 and A5 of the Town and Country Planning (Use Classes) Order (as amended).

Reason: In the interests of protecting the vitality and viability of town centres in accordance with policies E1, E2 and E3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

6. The development hereby permitted shall provide no more than 1250 m² of floorspace (GIA) for use within Use Class A1 of the Town and Country Planning (Use Classes) Order (as amended) of which any convenience goods food store shall not exceed 500m² of floor space (GIA).

Reason: In the interests of protecting the vitality and viability of town centres in accordance with policies E1, E2 and E3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

7. The development hereby permitted shall provide no more than 250m² of floor space within the development to be permitted for individual units falling within Use Classes A2, A3 and A5 of the Town and Country Planning (Use Classes) Order (as amended).

Reason: In the interests of protecting the vitality and viability of town centres in accordance with policies E1, E2 and E3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

8. The development hereby permitted shall provide no more than 500m² of floorspace (GIA) for use within Use Class A5 of the Town and Country Planning (Use Classes) order (as amended).

Reason: In the interests of protecting the vitality and viability of town centres in accordance with policies E1, E2 and E3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

9. Notwithstanding the provisions of the Town and Country Planning Use (Classes) order as amended the change of use of the remaining 1250m² of floorspace (GIA) for use within Use Classes A2, A3 and A5 of the Town and Country Planning (Use Classes) order (as amended) to Use Class A1 shall not be permitted.

Reason: In the interests of protecting the vitality and viability of town centres in accordance with policies E1, E2 and E3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

10. The development hereby permitted shall provide no more than 94,819m² of floorspace (GIA) for use within Use Class B8 of the Town and Country Planning (Use Classes) order (as amended) and no more than 40,637 m² of floorspace (GIA) for use within Use Class B2 of the Town and Country Planning (Use Classes) order (as amended).

Reason: In the interests of the safe operation of the highway network and in compliance with policies T2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

11. The development and all reserved matters applications shall accord with the following approved plans and parameters:

Land Use and Height Parameters Plan Drawing No 4846_SP(90)43 Rev N
Illustrative Masterplan Drawing No 4846_SP(9)30/13

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

Precommencement Conditions

12. Prior to the submission of any reserved matters application, a phase related Design Code Framework for the whole of the development shall be submitted to and approved in writing by the local planning authority. The submitted Design Code shall accord with the submitted Addendum to Design and Access Statement, reference Document: 4846 GRA South Heywood DAS Addendum, dated August 2017 and shall include the following details for each phase:

- a) a full and detailed design analysis of the surrounding built form and its key characteristics;
- b) a design approach which reflects and builds on these identified characteristics;
- c) approximate housing numbers, mix and density, identifying development blocks with an indication of building heights;
- d) the location of landmark buildings and key frontages;
- e) the approximate location, number and mix of affordable housing units;
- f) off-street parking arrangements;
- g) landscape treatments;
- h) areas of public open space, totalling 13.5 ha in area, indicating their function, facilities to be provided and their location;
- i) access and circulation including footpaths and cycleways.

Each application for approval reserved matters shall be accompanied by a Design Code Statement outlining how the development of that phase accords with the Design Code Framework for the whole of the development site.

Reason: To ensure a high quality comprehensive design and the proper planning of the area.

Reason for pre-commencement condition: To ensure satisfactory details for that phase or plot appropriate to a development of this significance.

13. Prior to the submission of any reserved matters application a detailed Phasing Plan and Programme for the development shall be submitted to and approved in writing by the local planning authority. The submitted details shall indicate the extent of each phase, the sequence of development, the approximate number of units proposed within each phase and the associated

timetable of works, and shall broadly accord with the development layout indicated in the Land Use and Height Parameters Plan Drawing No 4846_SP(90)43 Rev N and the approved Design Code framework. The development shall then be constructed in accordance with the approved Phasing Plan and Programme.

Reason: To ensure satisfactory comprehensive development and proper planning of the area.

Reason for pre-commencement condition. The programming of the development must be agreed before development commences.

14. The submission of any reserved matters application shall include plans showing the finished floor levels of the proposed buildings in relation to the existing and proposed ground levels of the surrounding land. No development shall take place until this submitted plan is approved by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved plan.

Reason: In the interests of amenity and in compliance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement: Setting of finished floor levels is an early activity in the construction process and it is in the interest of all stakeholders to ensure that levels are appropriately set and agreed before development commences on site.

15. No development shall take place in any phase of development until an investigation and risk assessment (in addition to any assessment provided with the planning application) has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place. The submitted report shall include:

- i) a survey of the extent, scale and nature of contamination
- ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and

approved in writing by the Local Planning Authority before any of the building(s) hereby approved are first occupied.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Core Strategy Policy G9, saved UDP Policy EM/8, and the National Planning Policy Framework.

Reason for pre-commencement condition: To ensure contamination is appropriately identified and a strategy is in place before works commence on site for the protection of controlled waters and to prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers.

16. No development shall take place on any phase of development until the following information has been submitted to and approved in writing by the local planning authority for that particular phase:
- i) The submission of a scheme of intrusive site investigations for the mine entry for approval;
 - ii) The submission of a scheme of intrusive site investigations for the shallow coal workings for approval;
 - iii) A plan detailing the timetable and methods of undertaking of both of the schemes of intrusive site investigations.

In the event that the site investigations confirm the need for remedial works to treat the mine entry and areas of shallow coal mine workings to ensure the safety and stability of the proposed development, the following information should be included with the submission of any reserved matters application:

- i) The submission of a report of findings arising from both of the intrusive site investigations;
- ii) The submission of a layout plan which identifies an appropriate zone of influence for the mine entry on site, and the definition of a suitable 'no-build' zone;
- iii) The submission of a scheme of treatment for the mine entry on site for approval
- iv) The submission of a scheme of remedial works for the shallow coal workings for approval;

The remedial works shall be carried out in accordance with the approved details prior to the commencement of any development on site.

Reason: To address any issues of unstable land and ensure safety and stability of new development in accordance with policies DM1 and G9 of the Adopted Rochdale Core Strategy.

Reason for pre-commencement condition: To ensure the need for any remedial works is appropriately identified and a strategy is in place before works commence on site to ensure the safe development of the site in the interests of the amenity of future occupiers.

17. No development shall take place on any phase of development until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works for that particular phase. The works

are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by the Local Planning Authority. The WSI shall cover the following:

a). A phased programme and methodology of investigation and recording to include:

- a historic building survey
- archaeological evaluation
- informed by the above, more detailed targeted excavation (subject of a new WSI)

b). A programme for post investigation assessment to include:

- analysis of the site investigation records and finds
- production of a final report on the significance of the archaeological and historical interest represented.

c). Dissemination of the results commensurate with their significance.

d). Provision for archive deposition of the report and records of the site investigation.

e). Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason: To record and advance understanding of heritage assets impacted on by the development and to make information about the archaeological heritage interest publicly accessible in accordance with the requirements of Core Strategy Policy P2 and the National Planning Policy Framework.

Reason for pre-commencement condition: To ensure the opportunity for archaeological investigation is undertaken as part of pre-commencement works on site in the public interests of recording and advancing understanding of the archaeological heritage of the site.

18. The submission of any reserved matters application should be accompanied by an updated Drainage Strategy for foul and surface water based on sustainable drainage principles. The strategy shall be in accordance with the principles established in Chapter 12 Drainage and Flood Risk of the submitted Environmental Statement and Appendix 12.1 Flood Risk Assessment and Surface Water Management Strategy of the submitted Environmental Statement. The updated Foul and Surface Water Drainage Strategy shall include the following details as a minimum:

a. the proposed foul connection points to the existing public sewerage infrastructure for the entire site;

b. no surface water, highway drainage or land drainage shall discharge directly or indirectly into the existing public sewerage systems;

c. any drainage infrastructure connections (foul and surface water) including the volume of flows between the different phases / development parcels of the development defined by Condition 13.

d. details and timing for the abandonment and disconnection of existing foul and surface water drainage arrangements from the buildings to be demolished; and

e. identify any parts of the site where pumping is necessary. Thereafter, the strategy shall minimise the number of pumping stations throughout the site.

The Foul and Surface Water Drainage Strategy shall also include an assessment of the site conditions and the potential for an infiltration solution for that phase in accordance with paragraph 12.88 of the submitted Environmental Statement. Where infiltration is identified as feasible by the site investigations, an infiltration scheme shall be implemented.

Reason: To ensure the appropriate disposal of foul and surface waters and to manage the risk of flooding and pollution in accordance Core Strategy Policy G8, saved UDP policies EM7 and EM/8, the National Planning Policy Framework and as required by United Utilities.

Reason for pre-commencement condition: Drainage is an early activity in the construction process and it is in the interest of all stakeholders to ensure that an acceptable scheme is agreed before development commences on site.

19. No development shall take place within any phase of development until a foul drainage scheme for that phase including full details of any connections to the foul sewer network and any necessary infrastructure has been submitted to and approved in writing by the local planning authority. The details shall include the timing arrangements, storage requirements and rate of discharge for any pumped foul discharge. Foul and surface water shall drain on separate systems. The details for each part or phase must be consistent with the updated Foul and Surface Water Drainage Strategy submitted and approved pursuant to Condition 18 above. No housing or other development shall be occupied for that phase until the approved foul drainage scheme for that phase has been completed in accordance with the approved details.

Reason: To ensure the appropriate disposal of foul waters and to manage the risk of flooding and pollution in accordance Core Strategy Policy G8, saved UDP policies EM7 and EM/8, the National Planning Policy Framework and as required by United Utilities.

Reason for pre-commencement condition: Drainage is an early activity in the construction process and it is in the interest of all stakeholders to ensure that an acceptable scheme is agreed before development commences on site.

20. No development shall take place within any phase of development until a surface water drainage scheme for that phase has been submitted to and approved in writing by the local planning authority. The submitted scheme shall include details of a: surface water regulation system and means of disposal for that phase or part phase, based wholly on sustainable drainage principles and the hierarchy of drainage options in the national planning practice guidance with evidence of an assessment of site conditions and an assessment of the potential for infiltration shall be submitted to and approved by the local planning authority in writing. A management and maintenance plan for the lifetime of the development which shall include the arrangements

for adoption by any public authority or statutory undertaker and any other arrangements is also required to be submitted.

The details for each part or phase must be consistent with the updated Foul and Surface Water Drainage Strategy submitted and approved pursuant to Condition 18 above. No housing or other development shall be occupied for that phase until the approved surface water drainage scheme for that phase has been completed in accordance with the approved details.

Reason: To ensure the appropriate disposal of surface waters and to manage the risk of flooding and pollution in accordance Core Strategy Policy G8, saved UDP policies EM7 and EM/8, the National Planning Policy Framework and as required by United Utilities.

Reason for pre-commencement condition: Drainage is an early activity in the construction process and it is in the interest of all stakeholders to ensure that an acceptable scheme is agreed before development commences on site.

21. No development shall take place (including any site clearance works) on any phase of development until a Construction Method Statement (CMS), which shall include the following:

- i) the amount of construction vehicles movements and vehicular routes
- ii) construction delivery hours
- iii) the parking of vehicles of site operatives and visitors;
- iv) loading and unloading of plant and materials;
- v) storage of plant and materials used in constructing the development;
- vi) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- vii) wheel washing facilities;
- viii) measures to control the emission of dust and dirt during construction;
- ix) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- x) details of noise reduction measures
- xi) measures for the protection of the natural environment from accidental spillages, dust and debris;
- xii) hours of construction, including deliveries; and
- xiii) measures for protection of the existing water mains and sewers within the site.
- xiv) Details of post construction restoration of public rights of way.

For that particular phase has been submitted to, and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved CMS during the construction period.

Reason: In order to ensure that appropriate measures are put in place to limit noise, nuisance and disturbance to the adjacent premises and users during the construction of the development in accordance with the requirements of Core Strategy Policy G9, and the National Planning Policy Framework.

Reason for pre-commencement condition: As the development will include site clearance, demolition works, ground works and engineering works an understanding will therefore be necessary of what measures will be put in

place to protect the amenity of adjacent premises and users, prior to commencement of any works taking place.

22. No development shall take place within any phase of development, including any works of excavation or demolition, until a detailed Construction Traffic Management Plan (CTMP) to include the following:

- Construction operating hours and vehicle delivery hours.
- Location of proposed construction compounds and lay-down areas.
- On-site construction vehicle parking and manoeuvring.
- Staff parking arrangements and details of supporting staff /operative travel management initiatives, including encouraging staff travel outside of the traditional AM & PM 'rush hour' periods.
- Off-site construction HGV routing for each delivery phase.
- Driver incentive / disciplinary procedures to ensure suitable HGV routing.
- Construction HGV haulage route signage strategy.
- Construction vehicle cleansing procedures and details of load sheeting / covered load policy.
- Management and procedures for access by abnormal loads.
- Programmed duration and timing of short term material import / export HGV campaigns.
- Programmed temporary road closure / temporary traffic management works and details of supporting information campaigns as relevant.

For that particular phase has been submitted to, and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved CTPM during the construction period.

Reason: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase in accordance with Policies DM1, P3, T2, G8 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As the development will generate a number of vehicular movements an understanding will therefore be necessary of what measures will be put in place to protect the amenity of adjacent premises and users, prior to commencement of any works taking place.

23. No development shall take place on any phase of the development (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: biodiversity) for that particular phase has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) for each phase shall include the following:

- i) Identification of "biodiversity protection zones".
- ii) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- iii) The location and timing of sensitive works to avoid harm to biodiversity features.

- iv) The times during construction when specialist ecologists may need to be present on site to oversee works.
- v) Responsible persons and lines of communication.
- vi) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP for each phase shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment during the construction phase in accordance with Policies DM1, P2 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As the development will include site clearance, demolition works, ground works and engineering works an understanding will therefore be necessary of what measures will be put in place to protect the amenity of the natural environment and the area in general, prior to commencement of any works taking place.

24. No development shall take place on any phase of development until a scheme of noise mitigation measures has been submitted to and approved in writing by the Local Planning Authority, demonstrating that all residential units within that particular phase of development shall achieve the following internal and external noise levels:

- 35 dB(A) Leq (16 hour) in the bedrooms between the daytime hours 7 am and 11pm to protect daytime resting;
- 30 dB(A) Leq (8 hour) in the bedrooms between the night-time hours of 11pm and 7am;
- 35 dB(A) Leq (16 hour) in the living room/s between the daytime hours of 7 am and 11pm;
- 40 dB(A) Leq (16 hour) in any dining rooms during daytime hours;
- Noise in external amenity areas shall aim to achieve the guideline values given in BS8233:2014 and ProPG or the lowest practicable levels in accordance with BS8233:2014 and ProPG; to a maximum of 58 dB(A);
- Maximum instantaneous sound levels should not exceed 45 dB(A) Lmax,fast measured in bedrooms more than 10 times per night; and
- Any sound associated with existing and/or proposed industrial/commercial premises shall not result in the predicted Rating Level exceeding the existing typical Background Sound Level at the closest existing or proposed receptors (LA,r = LA90).

All works which form part of the approved scheme shall be completed before the residential units within that phase are occupied and retained thereafter.

Reason: To safeguard the living conditions of future residents in accordance with Core Strategy Policy G9 and the National Planning Policy Framework.

Reason for pre-commencement condition: Design and provision of adequate protection for future residential occupiers is fundamental to good design practice and it is necessary to understand the performance of a future phase or plot prior to its construction.

25. No development shall take place on any phase of development until a Landscape and Habitat Creation and Management plan (LHCM) for that particular phase has been submitted to, and be approved in writing by, the local planning authority. The content of the LHCM shall include the following.

- a) Description and evaluation of features to be created and/or managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LHCM should set out how net gain in biodiversity (**habitat enhancement**) will be achieved on the site and include details of the legal and funding mechanism{s} by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The Plan should also set out (where the results from monitoring show that conservation aims and objectives of the Plan are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved Plan should be implemented in accordance with the approved details.

Reason: To ensure the protection of wildlife and supporting habitat and to secure opportunities for the enhancement of the nature conservation value of the site in accordance with Core Strategy Policies G6 and G7 and the National Planning Policy Framework.

Reason for pre-commencement condition: To ensure satisfactory details for that phase or plot which will enhance nature conservation value.

26. No development shall take place on any phase of development, until a scheme of works, which shall include a detailed method statement, for the control and disposal of the invasive plant species and Japanese Knotweed, within that particular phase, has been submitted to and approved in writing by the Local Planning Authority. The agreed scheme of works and method statement shall be implemented in full throughout the course of the development.

Reason: To secure the satisfactory disposal of this invasive species of plant, which under the terms of the Wildlife & Countryside Act 1981, as amended, it

is an offence to be caused to spread in the wild, in accordance with the general principles of Policy G6 of the adopted Rochdale Core Strategy.

27. No development shall take place on any phase of development until a further Arboricultural Impact Assessment report detailing the impact on the trees within and adjacent to the site relating to that particular phase of development has been submitted to and approved by the Local Planning Authority. The assessment shall include a scheme of tree and hedgerow protection measures in accordance with BS 5837:2012 'Trees in Relation to Design, Demolition and Construction' incorporating both above and below ground measures to be implemented during the construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the protection measures contained within the duly approved scheme throughout the construction period.

Reason: In order to protect existing trees on the site and ensure a satisfactory appearance in the interests of visual amenity in accordance with policies P3, G6 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As the development will include site clearance, demolition works, ground works and engineering works an understanding will therefore be necessary of what measures will be put in place to protect the amenity of the natural environment and the area in general, prior to commencement of any works taking place.

28. No development shall take place until details of the means of ensuring the water mains within the site boundary are protected from consequential damage during the construction and operational life of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In the interest of public health and to ensure protection of the public water supply, and as required by United Utilities.

Reason for pre-commencement condition: To ensure the public water supply is appropriately identified and a strategy is in place before works commence on site to ensure the safe development of the site in the interests of the amenity of future occupiers.

29. No development shall take place in any phase which includes the proposed playing fields until:

- a. A detailed assessment of ground conditions of the land proposed for the new/retained/replacement playing field land shall be undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and
- b. Based on the results of this assessment to be carried out pursuant to (a) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality (including appropriate drainage where necessary) shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England.

The works shall be carried out in accordance with the approved scheme within a timescale to be first approved in writing by the Local Planning Authority after consultation with Sport England.

Reason: To ensure the provision of an adequate quality playing field and improved sports facilities in accordance with policies G6 and C8 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: To ensure satisfactory details for that phase or plot which will provide adequate facilities for the proposed development.

30. No development shall take place on any phase of development that is to be accessed off Manchester Road until the details of the associated highway access scheme for that particular phase have been submitted to and approved in writing by the Local Planning Authority. No buildings in that phase of development shall be occupied until the associated access junction has been constructed in accordance with the approved details.

Reason: To ensure the safety of highway users in accordance with Policies DM1 and T2 of the adopted Rochdale Core Strategy.

Reason for pre-commencement condition: To ensure satisfactory details appropriate to the construction of a development of this significance.

31. Notwithstanding the access junction arrangements hereby approved, any submitted reserved matters application that contains over 200 residential units or includes the primary access to the proposed school or local centre, shall be accompanied by details of updated capacity testing of the access arrangements. No development shall take place on that phase of development until these details are approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure highway safety, and to limit the effects of the increase in travel movements in accordance with Policy DM1, and T1 and T2 of the adopted Rochdale Core Strategy.

Reason for pre-commencement condition: To ensure satisfactory details appropriate to the construction of a development of this significance.

32. No development shall take place in the phase of the development that will include the 151st residential unit until the details of a junction improvement scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved junction improvement scheme before the occupation of the 151st residential unit.

Reason: To ensure highway safety and to limit the effects of the increase in travel movements in accordance with Policy DM1, and T1 and T2 of the Rochdale Core Strategy.

Reason for pre-commencement condition: To ensure satisfactory details appropriate to the construction of a development of this significance.

33. The submission of any reserved matters application should be accompanied by subsidiary Full Travel Plan(s) (FTP) for each phase of development. The FTP must be submitted to and approved in writing by the Local Planning Authority, and shall be implemented and reviewed in accordance with the timetable set out in the Framework Travel Plan. The FTP shall then be implemented as approved.

Reason: To provide for sustainable travel and to limit the effects of the increase in travel movements in accordance with Policies T1 and T2 of Rochdale Core Strategy.

Reason for pre-commencement condition: To ensure satisfactory details appropriate to the construction of a development of this significance.

34. No development shall take place within any phase of development until details of all external lighting relevant to that phase has been submitted to and approved in writing by the local planning authority. The lighting shall be installed, operated and maintained in accordance with the approved details.

Reason: In the interests of amenity and highway safety in compliance with policies DM1, P3, T2 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Design and provision of adequate protection for road users and future residential occupiers is fundamental to good design practice and it is necessary to understand the performance of a future phase or plot prior to its construction.

35. The submission of any reserved matters application, where layout is to be considered, should be accompanied by a full Crime Impact Statement, which appraises the design and layout of the developed proposals for each phase or part phase. Each full Crime Impact Statement shall incorporate the recommendations contained within section 3.3 and section 4 of the appendices, of the submitted Crime Impact Statement dated (31/08/2017 – URN:2017/0359/CIS/01). The development shall thereafter be constructed in accordance with the approved details.

Reason: For the avoidance of doubt and in the interests of public safety and security in accordance with Core Strategy Policy P3, and the National Planning Policy Framework.

Reason for pre-commencement condition: Design and provision of adequate protection for future residential occupiers is fundamental to good design practice and it is necessary to understand the performance of a future phase or plot prior to its construction.

Construction Compliance Conditions

36. No drainage system for the infiltration of surface water drainage into the ground where contamination has been identified is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is

no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Core Strategy Policy G9, saved UDP Policy EM/8, and the National Planning Policy Framework.

37. Other than for the 30 dwelling units shown on plot A and 30 dwelling units shown on plot B of the submitted plan SP(90)58E (at a housing density not exceeding 40 dwelling units per hectare) No dwellings shall be located within the middle zone of the high pressure gas pipeline unless a scheme to reduce the risks from the pipeline has been submitted to and approved in writing by the Local Planning Authority in consultation with HSE and Cadent Gas Ltd. Subsequently the development shall be implemented in accordance with the approved details and retained thereafter.

Reason: To ensure health and safety and the protection of the public in accordance with policies DM1 and G9 of the Adopted Rochdale Core Strategy.

38. No clearance of trees and shrubs in preparation for (or during the course of) development shall take place during the bird nesting season (March - August inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority which provides for the protection of nesting birds during the period of works on site. The development shall be carried out in accordance with any agreed mitigation strategy.

Reason: In order to prevent disturbance to any nesting birds that may be present in accordance with Policies G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

39. The playing field hereby permitted shall be used for outdoor sport and for no other purpose (including without limitation any other purpose in Class D2 Use Classes Order 2005, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To ensure the provision of improved sports facilities in accordance with policies G6 and C8 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

40. Prior to first use of the playing pitches and ancillary facilities a community use scheme has been submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England. The scheme shall apply to all pitches, changing rooms and car parking and shall include details of pricing policy, hours of use, access by non-members, management responsibilities, a mechanism for review and a programme for implementation. The approved

scheme shall be implemented upon the start of use of the development and shall be complied with for the duration of the use of the development.

Reason: To ensure community access to the sports facilities hereby approved in accordance with policies G6 and C8 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

41. The development shall be carried out in accordance with the Framework of actions' in Chapter 7 of the Employment and Training Statement dated August 2017 and prepared by Russell Homes, which aims to promote training and employment opportunities during the construction phase for local people
Reason: In the interests of promoting economic and training opportunities in accordance with Core Strategy Policy E3 and the National Planning Policy Framework.

42. All buildings approved in any reserved matters application for use within Use Class B8 and B2 of the Town and Country Planning (Use Classes) order (as amended) shall achieve Excellent rating under BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme). The building/s shall not be brought into use until a final Certificate has been issued certifying that a BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating of Excellent has been achieved by the development and a copy of the Certificate has been provided to the local planning authority.

Where the BREEAM requirement is not achieved, a scheme to offset the development's impact on the global environment, in accordance with the advice and standards set out in the Council's Supplementary Planning Document, 'Energy and New Development.' shall have been submitted to and approved in writing by the Local Planning Authority before any building/s or that part of the building/s under construction is first occupied. The approved scheme shall thereafter be fully implemented before the relevant building is occupied.

Reason: to support sustainable development objectives in accordance with Core Strategy Policy G9, and the National Planning Policy Framework.

Rochdale Borough Council
Number One Riverside
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OL16 1XU

Date: 22 November 2023
Our ref: 1917\65444512.2\126984.1\4022
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Dear Sirs

**PLANNING APPLICATION 22/01410/FUL BY TRAMMELL CROW CO
LOGISTICS (HEYWOOD) LIMITED RELATING TO LAND AT
MANCHESTER ROAD, HEYWOOD**

We act on behalf of Russell Homes (UK) Limited who are a Landowner adjacent to the above planning application site and are bringing forward development on the allocated South Heywood Masterplan Area. We write to object to the planning application on a series of grounds. We set out each of these below.

1. SUMMARY

- 1.1 The Council has no power to lawfully determine the planning application. The Committee Report discloses a series of legal errors which would mean that any decision to grant planning permission based upon it would be unlawful. The application must

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therefore immediately be withdrawn from the agenda or planning permission should be refused.

2. THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017

- 2.1 Regulation 3 imposes an absolute obligation upon Rochdale Borough Council as the Local Planning Authority to, *“not grant planning permission... for EIA development unless an EIA has been carried out in respect of that development”*.
- 2.2 This proposal amounts to EIA development; whilst the Council has issued a screening opinion to the contrary view, that opinion is incorrect. In the circumstances, the Council therefore has no power to grant planning permission for this development and to do so would be unlawful and directly contrary to the absolute prohibition on doing so imposed by Regulation 3.
- 2.3 The proposal is clearly an industrial estate development in excess of 5ha and therefore falls within Schedule 2, paragraph 10 (a). It is then necessary to consider the development against the selection criteria set out within Schedule 3 of the Regulations.
- 2.4 In respect of the consideration of those matters, it would appear from the screening opinion that information was submitted by the Applicant on 8th June 2022; that information has not been made publicly available and therefore the basis for the conclusions reached in the screening opinion is unknown and is therefore flawed.
- 2.5 The approach taken to paragraph 1(a) of the selection criteria is wrong because it focuses on the difference between the existing floorspace and the proposed new floorspace. That approach is

clearly incorrect because the proposal involves the demolition of all of the existing floorspace and its replacement with new floorspace. The operations to be assessed therefore include the demolition and the creation of the total amount of new floorspace of 44,566 sqm. That scale of development includes significant buildings with heights of up to 21m. Both demolition and construction and the new building must be assessed, hence the scale of the development is therefore very significant indeed and is likely to have significant effects in relation to inter-alia landscape and visual impact assessment.

- 2.6 Paragraph 3(g) of Schedule 3 of the Regulations requires the following to be taken into account: *“The cumulation of the impact with the impact of other existing and/or approved development.”* The assessment of cumulative impact is fundamentally flawed. It takes as its starting point the fact that the South Heywood Masterplan Area was subject to an Environmental Statement and that that concluded there were no significant adverse environmental impacts. The screening opinion then leaps to the conclusion that therefore there are no cumulative impacts. It totally fails to address the cumulative effects of the planning application taken together with the approved South Heywood Masterplan Scheme. There has therefore not been any assessment of cumulative effect and therefore no compliance whatsoever with paragraph 3(g). Further, in relation to traffic impacts, the screening opinion simply states that detailed modelling of the new signalised junction on Manchester Road will be required. Therefore, the Cumulative Impact Assessment is not based on the consideration of relevant information. Put simply, there is insufficient evidence to reach a conclusion on the cumulative highway effects, and equally

there is insufficient information to know what the traffic, air quality and noise impacts at the development are and whether they are likely to give rise to significant environmental effects. The screening opinion is therefore based on a total lack of evidence and is therefore legally flawed.

- 2.7 It is suggested at various places during the screening opinion that effects can be controlled via planning conditions. However, for that to be the case it is necessary to have sufficient information on which to be able to reasonably conclude that conditions would be effective and capable of mitigating the effects. In the absence of sufficient information on the likely effects of the development such a conclusion cannot be reached and is therefore legally flawed.
- 2.8 The wholly invalid approach of the screening opinion is highlighted under paragraph (a) of the subsection “*Types and Characteristics of the Proposed Impact*”. That identifies that impacts could be “substantial”. However, it goes on to refer to that being “*subject to detailed design*” and identifies the requirements for an assessment of landscape and visual impact and daylight and sunlight and the impacts on the Manchester Road Junction. That unequivocally demonstrates that the conclusions in relation to likely significant environmental effects are not based on any evidence whatsoever and consequently, are invalid.
- 2.9 In conclusion therefore, the ultimate view in the screening opinion that “*the proposal, whether alone or in cumulation with the existing proposed development, would be unlikely to give rise to significant effects on the environment*” is clearly not based on any evidence, not based on any proper assessment of cumulative impacts, and is based on a series of flawed judgements. The proposal therefore

does not comply with the regulations. The screening opinion is incorrect and therefore the prohibition in Regulation 3 applies because the proposal on a precautionary basis, must be treated as EIA development. Planning permission therefore cannot lawfully be granted for it.

3. THE FALLBACK POSITION

- 3.1 The Committee Report places very significant reliance upon the fallback position to support its conclusions. However, the assessment of the fallback position is wrong as a matter of law. The conclusions based upon that analysis of the fallback position are therefore also wrong and consequently, the report and its recommendations are incorrect and unlawful.
- 3.2 The law in relation to the materiality of the fallback position is clearly set out in *Samuel Smith Old Brewery (Tadcaster) v Secretary of State for Communities and Local Government* [2009] in the Court of Appeal and also in *Mansell v Tonbridge and Malling Borough Council* [2017], also in the Court of Appeal. A fallback position where the applicant demonstrates that the grant of planning permission would be less harmful than a use or development which has been previously permitted is capable of being a material consideration. However, it is clear as a matter of law that the fallback position has to have a real prospect of occurring. The Committee Report correctly identifies the legal test but totally fails to apply it to the facts of the case. It merely jumps to the conclusion that substantial weight should be given to the fallback position without any evidence or proper detailed analysis. The analysis is contained in a single paragraph and whilst recognising the outdated nature of the buildings, does not descend

to applying any consideration of whether there is market interest for the re-use of those buildings in their existing condition. The reliance upon the fallback position in the analysis of various issues within the application is therefore wholly incorrect and weight cannot be attached to the fallback position because there is no evidence to support a realistic prospect of reuse. Consequently, the conclusions of the Committee Report and the recommendation are incorrect as a matter of law.

4. THE STATUTORY TEST

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. That section reinforces provisions in the Town and Country Planning Act 1990 including Section 70(1) which requires the Local Planning Authority to have regard to material considerations. Having regard to material considerations requires, as a matter of law, that those considerations are identified and are properly and thoroughly addressed on an analysis of technical and evidential information and that proper decisions are taken in respect of the weight to be attached to them. It is clear from analysis of the issues below that a number of technical material considerations are not properly or accurately or thoroughly analysed and that conclusions are based upon no evidence or an incorrect or flawed understanding of the circumstances. All of those matters lead to a breach of the statutory duties in relation to the identification and assessment of material considerations.

5. LANDSCAPE AND VISUAL IMPACT ASSESSMENT

- 5.1 In relation to this issue, it is pertinent to note that planning permission exists for the erection of residential properties on the adjacent South Heywood site in very close proximity to the boundary at the Trammell Crow site. The existing buildings on the Trammell Crow site will be demolished and will be replaced by new buildings which are significantly higher. Further, the analysis fails altogether to take account of the additional height implications of the creation of a development platform upon which the new Trammell Crow employment buildings will be erected.
- 5.2 At its narrowest point on the north-western boundary, the buffer between the proposed development and the approved housing development would be only 5m and no intervening landscape bunds or planting is set out. That will result in very significant effects upon the housing when it is constructed. That highlights the total failure to take account of the need to orientate new development so that it is sufficiently far away from residential properties as not to be overbearing and domineering and to allow sufficient space for proper landscape bunding and significant boundary planting.
- 5.3 As our client's landscape consultants, Barnes Walker, have noted in previous submissions sent to the Council, there is a failure to comply with certain aspects of the Guidelines for Landscape and Visual Impact Assessment 3 and also with the Landscape Institute Technical Guidance Note. In relation to the latter, the lack of verified views is clearly significantly problematic in assessing the actual effects of the development.
- 5.4 The Ryder Landscaping Consultant information we have received today established that in August 2023, both the Council's Planning

Officers and Ryder Landscape Consultants concluded that there is an adverse impact from the increased scale and massing of the proposed buildings, which caused harm to the Site and adjacent high sensitivity residential receptors (existing and Russell Homes future housing).

- 5.5 Ryder Landscape Consultants recommended modifications to the size of the proposed employment buildings reducing the footprints and heights to make it easier to set them within the surrounding residential area.
- 5.6 They have set out that further tree planning will have a limited impact on mitigation and the buildings will be visible above the tree canopy. Moreover they have highlighted the difficulties in establishing tree stock because of its perched nature within the buffer and this being above the ground water. They advise that the positive landscape effects of the proposals to be considered in the planning balance are minimal.
- 5.7 They have recommended seeking amendments to the South Heywood masterplan by siting high density 4 storey (18m) apartment blocks along the eastern boundary of the Russell Homes site. This would include undercroft parking and have a single sided aspect facing west only to mitigate the impact of the proposed employment units on this housing phase.
- 5.8 It is not possible to achieve this recommendation without changing the parameters established within the approved planning permission, specifically the Design Code and Phasing Plan. Moreover this clearly assumes that Russell Homes should amend an existing planning permission to accommodate this employment proposal which is considered to cause adverse impact on the site and surrounding area.

5.9 In summary, landscaping and visual impact effects are insufficiently analysed and the conclusions in the applicant's work and in the Council's Committee Report understate the effects and fail to take account of the need for a much greater degree of mitigation and a different layout and orientation of the proposed development to minimise landscape and visual impact effects generally and also specifically in respect of the approved housing layout on the adjacent site.

6. FAILURE TO DISCLOSE BACKGROUND INFORMATION

6.1 The Committee Report expressly refers to and addresses in one paragraph a report commissioned by the Council for external consultants, Ryder Landscape. Notwithstanding requests by my client pursuant to the Access to Information provisions, the Council has not disclosed the report to the general public on the planning file or the planning application website. This leads to a fatal legal error and to a basis on which any approval of planning permission would be overturned by the courts. In this regard, we specifically refer to the case of *Holborn Studios Limited v The London Borough of Hackney* [2020] where the High Court dealt with the issue of a failure to provide viability information. It quashed the decision of the Council to grant planning permission. This report is clearly background information upon which the Committee Report was based and the failure to provide it means that the reasoning in the Committee Report is opaque and incoherent and potentially any decision based upon it would be similarly flawed. There is a legitimate expectation and also an expectation under the Access to Information provisions that the Ryder Report must be fully disclosed to the general public. The failure to disclose that report

is the failure to disclose a material consideration which has been taken into account in the Committee Report and the decision making process and therefore constitutes a clear and material legal error, preventing objectors from making representations upon a material document.

6.2 Pursuant to a Freedom of Information Request, our clients have received 3 documents, two of which are stated to be drafts and are undated, and none of which confirm who the author is. Those documents refer to other documents and correspondence that has not been provided. This limited incomplete information has only been disclosed to our clients pursuant to a Freedom of Information Request. It has not been disclosed to anybody else and particularly not to the general public because it is not available on the planning file or the planning applications website. That means that there is a continuing failure to comply with the legal duties relating to the disclosure of background information to Committee Reports under the Access to Information provisions.

6.3 Such information as has been provided was only received at 12:01 by my clients today. My clients have therefore only been able to review it at a very high level and without being able to give it detailed consideration alongside their professional consultant team. We require sufficient time to be able to carry out that exercise and it is prejudicial to our clients' position if further time to do so by deferring the consideration of the planning application is not given. Even on the very short time available, it is clear that a number of points can be made following a cursory reading.

- Night time effects are not considered.
- Development platform height effects are not considered.

- Wireframe viewpoints are not verified and therefore less reliable.
- 6.4 Of the 15 key criticisms levelled by our clients' consultants, Barnes Walker, it would appear that the authors of these documents strongly agree with 5 of those and partly agree with 10 of those.
- 6.5 These demonstrate that LVIA matters have not been fully considered. We reserve the right upon fuller consideration of the documentation to raise further points, representations and objections.

7. HIGHWAYS

- 7.1 Our clients have raised significant concerns in relation to the submitted highways information. This leads to issues regarding the assessment of the impacts of the scale of the redevelopment proposals and the likelihood that they will generate material safety and capacity issues at the site access junction with Manchester Road and at the adjacent junction of the A6045 Manchester Road with QE2 Way. That there is a likely significant problem that has not been addressed is identified within the highways section of the Committee Report where at paragraph 68 it is stated that it is "*necessary*", that a detailed Junction Arrangement Plan is submitted for approval prior to first occupation of the development and that the scope of the requirements for "the junction improvement will be clarified and implemented prior to first occupation". It is self-evident that there has been no complete and thorough analysis of the junction, nor of the implications of the development upon that junction. It is clearly unknown as to whether or not the works that are "*necessary*" to improve that

junction are capable of being delivered or indeed whether such works are capable of being identified.

- 7.2 This is a clear failure to take account of an important material consideration in the determination of the application. It further emphasises the flawed conclusions of the Environmental Impact Assessment Screening Opinion. It also means that there is no proper application of the National Planning Policy Framework's requirement for highways assessment and specifically the Council is therefore unable to say whether the impacts upon that junction would or would not be severe. The approach fails further to take account of the cumulative impacts of the improved development at South Heywood and the Northern Gateway. Further, we note that notwithstanding that our clients' highways consultants made significant representations in respect of highways and transportation issues, those are not properly or fully addressed within the Committee Report.

8. NOISE

- 8.1 Our clients' consultants have made detailed representations in relation to noise matters which again are not properly or thoroughly analysed within the Committee Report. There is clearly a lack of proper analysis within the Committee Report as a whole and a failure to properly analyse and consider the situation. For example, at paragraph 53 of the report, it is noted that no barrier has been installed in relation to the south elevation of Unit 3. The Committee Report states that, *"the proposed wall and associated batter would be expected to achieve appropriate noise mitigation"*. However, there is simply no analysis of that which is an entirely unsupported conclusion based on no evidence and therefore cannot be given

any weight or credence. The analysis also takes an incorrect approach to the proposed housing development. The proposed adjacent housing development already has planning permission and therefore should be taken full account of. However, the approach in the noise analysis and consequently within the Committee Report is to give less weight and apply different considerations to the proposed housing given that it has not yet been built. That is clearly wrong as a matter of both good practice in relation to noise and law. The noise analysis fails to adopt an appropriate precautionary approach given that there is no named occupier for either of the units within the development. It is sought to address this by recommending conditions imposing noise limits. However, the proposed noise levels on the Applicant's own figures would not be met by the development. This is therefore an improper condition and should lead to a refusal of planning permission upon noise grounds. The effects assessed are not a worse-case scenario based upon 100% usage and intensive operational practices by an operator. A generalist approach is adopted and therefore the possible noise impacts upon residential and other receptors are not analysed and are potentially understated and not taken account of which is a failure to take account of a material consideration. The effects of the proposal upon the delivery of already approved housing on an allocated site are simply not taken full account of.

9. IMPACT UPON THE DELIVERY OF THE SOUTH HEYWOOD MASTERPLAN

- 9.1 The proposed development in relation to noise, traffic and landscape and visual impact in particular, but also generally,

raises significant conflicts with the policy aspirations and requirements for the delivery of the South Heywood Masterplan Area. Those impacts and harms are material considerations in the determination of this application to which significant weight should be given. The Committee Report in failing to provide detailed analysis of this issue does not take account of an important material consideration in the determination of the planning application. Our clients' planning consultants have written to the Council in relation to this issue and also submitted a detailed Viability Impact Assessment of the effect of the granting of the Trammell Crow Planning Application upon the deliverability of the South Heywood Masterplan.

- 9.2 That Viability Impact Statement prepared by Knight Frank focuses upon the deliverability and viability of the Hareshill Road North Residential Scheme. It notes the significant impact of noise caused by the Trammell Crow Scheme upon the site as referenced above. It notes the intensity and scale of the Trammell Crow application and that that would significantly undermine the residential character and sense of place being sought to be delivered within the Hareshill Road North site due to the dominance and scale of the proposal. The conclusion of Knight Frank is that there will be an adverse impact upon sales revenue and sales rates and thus an adverse impact upon the deliverability of the Hareshill Road Development. Whilst it is not the purpose of the planning system to protect the profitability of a development for a developer, it is a significant material consideration because it impacts upon the deliverability of a scheme which is a clear planning policy aspiration and requirement. If the Hareshill Road North Scheme is not viable, as Knight Frank state, then it is not

deliverable. The failure to deliver a significant element of housing is contrary to the aims of the development plan and is therefore a significant adverse material consideration to be taken account of in the determination of the Trammell Crow Planning Application. That consideration is not addressed. That is a failure to take account of and properly address a material consideration contrary to the requirements of the statute.

10. BIODIVERSITY NET GAIN

- 10.1 The Committee Report in noting the comments of the Greater Manchester Ecological Unit records that no biodiversity metric has been included as part of the application. It then goes on to assert, on the basis of no evidence whatsoever, that *“it is considered that the proposed landscaping would achieve a net gain in biodiversity.”* That is clearly a conclusion which has no basis in fact whatsoever given the lack of a Biodiversity Net Gain Assessment and to ascribe any weight to it is clearly an error or law.

11. THE COMMITTEE REPORT’S CONCLUSION

- 11.1 At paragraph 88 it is clear that the fallback position is ascribed significant weight in the planning balance. For the reasons set out above, that is a totally flawed conclusion and therefore a legal error. It underpins and therefore leads to a significant failure to take proper account of and ascribe appropriate weight to various material considerations. In particular, at paragraph 19 it notes in its second sentence that, *“a similar relationship is proposed between residents and the DWP’s use has long existed”*; that is clearly a total misstatement of the factual position, namely that the Department for Work and Pensions Use of the existing premises is low impact whereas the proposal itself introduces very large

buildings with significantly increased operational activities and intensity of effects. A proper assessment of those effects has not been undertaken and there is no basis in evidence to ascribe weight to the fallback position.

12. OVERALL CONCLUSION

12.1 The following key points should be made:

12.1.1 The proposal amounts to EIA development and requires an Environmental Statement. Regulation 3 therefore imposes a prohibition on the grant of planning permission by the Council.

12.1.2 The weight given to the fallback position has no evidential basis whatsoever and therefore there is an error of law.

12.1.3 The failure to disclose the Ryder Report amounts to a failure to provide background information to the public and is prejudicial and contrary to law.

12.1.4 There is a clear failure to analyse material considerations in relation to noise, traffic and landscape and visual impact in particular and to consider and apply appropriate weight to those considerations. That is a failure to comply with the statutory provisions including Section 38(6) and Section 70.

12.2 Overall, the Committee Report is flawed and does not disclose a lawful basis for the grant of planning permission. The application should be refused or at the very least deferred to allow for the provision of the Ryder Landscaping Report to objectors and full representations to be prepared and submitted in relation to that

and for the Council to reconsider the entirety of the Committee Report and its approach to the issues outlined in this letter.

Yours faithfully,

A handwritten signature in blue ink that reads "Gateley Legal". The signature is written in a cursive, flowing style.

Gateley Legal

**RE: THE PROPOSED REDEVELOPMENT OF THE HEYWOOD STORES SITE,
MANCHESTER ROAD, HEYWOOD.**

FURTHER OPINION

1. We are again asked to advise the Trammell Crow Company (“TCC”) in relation to the application for the redevelopment of the Heywood Stores site on Manchester, Road, Heywood.
2. We have both had extensive previous involvement in this matter and need not set out any of the background. It suffices to say that Russell Homes have, this morning, sent yet further objections to the local planning authority. The Council’s Planning Committee is due to consider the application today. We have not seen the objections, but we understand that they comprise:
 - a. An allegation that the development is EIA development. We note that the application has already been negatively screened for EIA purposes by the Council;
 - b. A 200 page viability assessment; and
 - c. An allegation that the proposed decision would be unlawful.
3. The Council is not bound to accept such late information, particularly a 200 page report on a topic that Russell Homes raised itself in its letter of 27th September 2023.
4. The Council’s legal obligation is to act fairly and in accordance with the relevant legislation. Section 71 of the Town and Country Planning Act 1990 empowers the

Secretary of State to make a Development Order which obliges the LPA to take into account representations which are made within a such period as may be prescribed. That provision is made by Art 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The prescribed periods have long since passed in this case.

5. Whilst the duty to act fairly means that, for example, representations should sometimes be accepted after the prescribed period (such as scheme amendments and the like), we consider that there is nothing which obliges the Council to take into account a vast new report on an issue which Russell Homes itself raised as long ago as its letter of 27th September 2023. The requirement to act fairly does not require serial opportunities to be given to expand the same argument or plug gaps in representations. Russell Homes has had ample repeated opportunities to make its case against the scheme.
6. It is also highly relevant to note that it has obviously been a deliberate tactic of Russell Homes to drip feed objections to the Council, particularly close to Committee dates. There is a strong impression of them adopting obstructive tactics, rather than ventilating legitimate concerns as soon as the grounds for expressing them arise. We therefore consider that it would be legally defensible for the Council to refuse to entertain the later viability report at this extremely late stage.

Kings Chambers

Manchester – Leeds – Birmingham

PAUL G TUCKER KC

MARTIN CARTER

23rd November 2023