Planning Statement

Land at New Street

Dearnley

Littleborough

Rochdale

OL15 8XL

Erection of One Detached Dwelling

March 2021

Building Design Services (BDS)

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APPENDIX

Prepared by: Building Design Services (BDS), 6 Stock Close, Shawclough, Rochdale, OL12 6BB.

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1.0 INTRODUCTION

1.1 This planning statement is submitted by Building Design Services on behalf of the applicant 'Buraq Development Ltd' who own a small parcel of land to the rear of Thamins Indian Restaurant in Littleborough, Rochdale. The land is accessed from New Street and is fenced off. The site currently has a large black storage container, the rest of the land is unkept in an untidy state. The land is close to the to the highway of New Road.

1.2 Compared to other housing markets in the North West and Greater Manchester, the Rochdale and north east Manchester housing market is generally less attractive. The housing on offer in the borough has stark differences in terms of quality and price and it fails to address the needs of existing or future residents. An oversupply of older terraced housing and a lack of high value housing across the borough means that it fails to attract and retain residents with higher incomes.

1.3 An ambitious target of providing 460 additional homes per year is considered necessary to meet demand and to help regenerate the borough. The latest Housing Land Availability Assessment indicates that there is considerable scope to meet its housing target using previously developed sites, especially in the south, and with limited use of greenfield sites.

1.4 The Council needs to focus the right type of housing in the right areas, maintain the regeneration of older areas of housing and social housing estates and ensure that the community infrastructure necessary to support areas of housing growth are provided.

1.5 The applicant would like to work with the Council in order to secure approval for the proposed use.

2.0 SITE AND SURROUNDINGS

2.1 The application site relates to a vacant plot of land on New Street in Littleborough. The plot is positioned directly to the east of the flats on Ashley Dearnley Court and opposite number 11 New Street. The land measures 20m deep by 13m wide. The site is accessed directly from New Street and approximately half the site is hardsurfaced with loose material and the other half is covered by overgrown grass/vegetation.

2.2 The application site is located within the defined urban area and the south-east and southern boundary is screened by relatively dense vegetation/trees. Beyond these trees is an area of open land which is designated as a Greenspace Corridor. As mentioned above, to the west are the flats at Ashley Dearnley Court, accessed off New Road (A58), with a large three storey building positioned very close to the shared boundary and the Thamin Restaurant to the north.

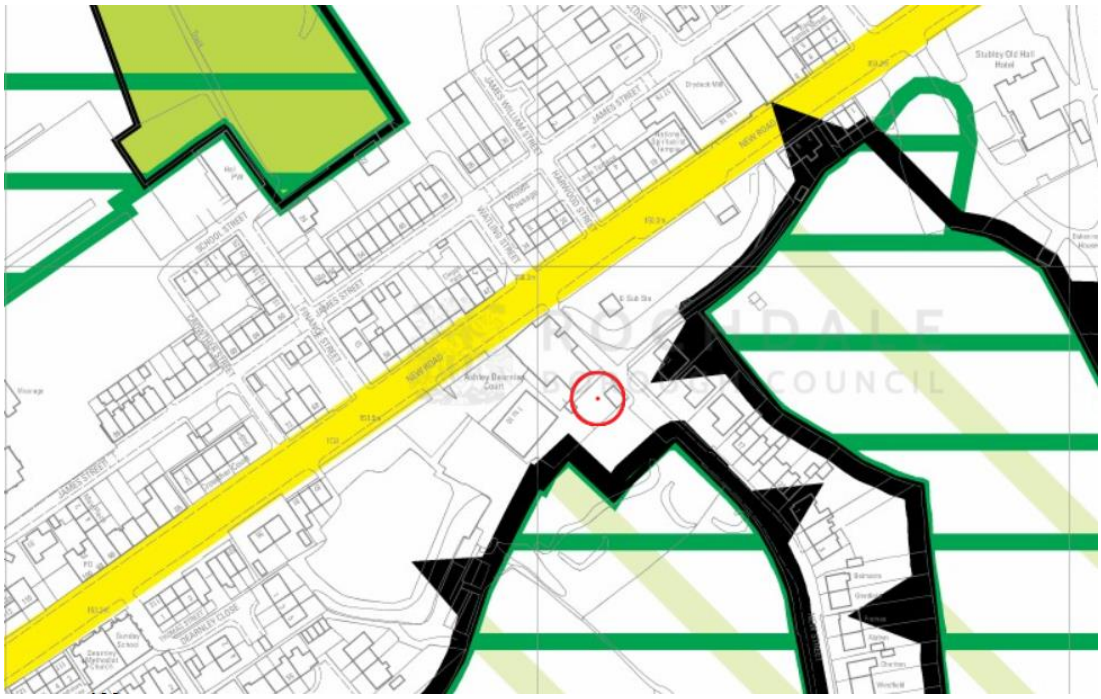
2.3 On the opposite side of the road are three relatively modern houses (11, 13 & 15 New Street) which were granted planning permission in November 2000 (00/D38228). To the south of these dwellings are more traditional semi-detached houses. Planning permission has previously been refused at the site for the erection of a dwelling on this site, and an appeal was made was also dismissed, on highways grounds. The appeal decision is provided in the Appendix. An application for a dwelling on neighbouring land to the south has also been approved in the past.

2.4 As mentioned, opposite the road are large, detached properties. The area consists of different style of buildings with most constructed of red brick.



The site is located to the rear of Thamins Restaurant and opposite No. 11 New Street.

2.5 The UDP Proposals map shows that the land is unallocated (see below), it is in the defined urban area. New Road is part of Rochdale's Strategic Highway Network which has links directly to Rochdale Town Centre. Public buses regularly run along this route. To the south of the site is Greenspace Corridor.



3.0 PROPOSED DEVELOPMENT

3.1 The applicant is applying for planning permission to construct one detached dwelling on the land. The detached dwellings will have a living room, dining room and kitchen on the ground floor and four bedrooms on the first floor. The garden area of the dwelling would be provided to the back of the property. The existing storage unit would be removed, and the land cleared.

3.2 The dwelling design originates from the existing dwellings along New Street. The property would be detached. The proposed dwelling consists of similar features including front gable design and pitched roof design with parking to the side of the property. The construction materials used would also be similar to these properties.

3.3 The elevation heights, window sizes and openings have been designed the same as neighbouring dwellings opposite. Usable garden space for the future owners of the property would be to the rear with landscaped garden areas to the front. Small replacement trees would also be planted around the edges of the site in order to reduce any hard appearance of the dwelling when viewed from the street.

3.4 In terms of parking, the proposal would provide two car parking spaces on the drive to the front and side. Access would remain as existing from New Street.

3.5 Bin storage area will be to the back of the site.

3.6 The appeal decision for a dwelling at the site was dismissed for one reason only, this was highways safety. The acceptability of the scheme is discussed below. Please see Conclusion of the Inspectors report below;

Conclusions

15. I find that the development would not result in an unacceptable reduction in the landscaped amenity space of the adjacent apartments and the positioning of the bin store of this development would not result in unacceptable living conditions for the future occupiers of the proposed dwelling. It would also result in the efficient use of a previously developed and unkempt site in a sustainable location. Nevertheless, these positive aspects of the scheme do not alter the fact that it would intensify the use of a substandard stretch of road, which would result in an increased risk to highway safety.

16. In light of the above factors, and having considered all other matters raised, I therefore conclude that the appeal must fail.

David Fitzsimon
INSPECTOR

4.0. INVOLVEMENT

4.1 Although no formal pre-application advice in this instance has been sought from the Council there have been informal discussions with the Councils planning officers regarding the type of the accommodation provided and what would be acceptable. The scheme now put forward is considered an acceptable proposal proving quality accommodation in this area.

4.2 Paragraph 39 of the NPPF states;

"Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality preapplication discussion enables better coordination between public and private resources and improved outcomes for the community.".

4.3 I would like to thank the officer in taking the time and effort to engage in early discussions which has been extremely helpful to both me and the applicant.

4.4 This planning Statement has been submitted as part of this planning proposal to provide a reasoned justification of the proposal using local and national planning policy and guidance.

4.5 The issues of Highways safety, amenity of the surrounding area, design and the principle of the development are taken into consideration in the assessment below.

5.0 HISTORY

5.1 A planning history check has been undertaken online for the land at New Street; the following results were generated;

Erection Of One Detached Dwelling - Resubmission D47591

Land Off New Street, Littleborough

Ref. No: 07/D49309 | Received: Thu 24 May 2007 | Validated: Thu 24 May 2007 | Status: Decided

Erection Of Detached Dwelling

Land Off New Street, Littleborough

Ref. No: 06/D47591 | Received: Wed 28 Jun 2006 | Validated: Wed 28 Jun 2006 | Status: Decided

6.0 RELEVANT PLANNING POLICY

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that decisions should be made in accordance with the development plan unless material considerations indicate otherwise.

6.2 Rochdale's Core Strategy was adopted in July 2016 and is the key Development Plan Document. It replaces significant elements of the existing Unitary Development Plan as the document that sets out the long-term strategic policies for Rochdale's future development and will form the framework that planning applications will be assessed against.

6.3 The Core Strategy seeks to deliver sustainable development and growth in accordance with the objectives of the National Planning Policy Framework (NPPF). It aims to increase investment in the borough and to make it a more prosperous place by 2028. The Core Strategy will have a major role in guiding the regeneration of the borough, building on the investment that has already taken place in some areas and identifying where to focus on next.

6.4 It looks to build on the borough's assets, heritage and identity and on its connections and relationships with neighbouring towns. In particular, the borough needs.

6.5 The following Local Plan policies have relevance to the proposal:

DM1	GENERAL DEVELOPMENT REQUIREMENTS
P2	PROTECTING AND ENHANCING CHARACTER, LANDSCAPE AND HERITAGE
P3	IMPROVING DESIGN OF NEW DEVELOPMENT
C3	DELIVERING THE RIGHT TYPE OF HOUSING
G9	REDUCING THE IMPACT OF POLLUTION
T2	IMPROVING ACCESSIBILITY

Supplementary Planning Documents;

- Guidelines & Standards for Residential Development SPD Adopted June 2016

<u>NPPF (2019)</u>

6.6 The NPPF clearly states 'that the purpose of the planning system is to contribute to the achievement of sustainable development' (paragraph 7). Paragraph 10 confirms that 'in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development'.

Paragraph 11 states that a presumption in favour of sustainable development is at the heart of the NPPF. It goes on to say that 'for decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 59 of the NPPF states:

"To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay".

Paragraph 118 of the NPPF states that Planning policies and decisions should:

d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained, and available sites could be used more effectively.

Paragraph 122 of the NPPF states:

Planning policies and decisions should support development that makes efficient use of land, taking into account:

a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;

Paragraph 127 of the NPPF, advises that Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Paragraph 109 of the NPPF states that Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be **severe**.

The general perspective of the NPPF is that planning should proactively drive growth and support sustainable economic development. It also states that planning should make effective use of land by reusing land that has been previously developed and sets out a presumption in favour of sustainable development. The government is committed to ensuring that the planning system does everything it can to support sustainable economic growth.

In terms of retail uses the NPPF states at **Paragraph 121**;

"Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to:

a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework".

6.7 National Planning Practice Guidance (NPPG)

The government published its NPPG on 6 March 2014. This is intended to complement the NPPF and to provide a single resource for planning guidance, whilst rationalising and streamlining the material. Almost all previous planning Circulars and advice notes have been cancelled. Specific reference will be made to the NPPG or other national advice in the Analysis section of the report, where appropriate.

7.0 ASSESSMENT

7.1 The application site is Defined Urban Area as allocated under the Rochdale Unitary Development Plan. As such policy G/D/1 is relevant to any applications on the site and this establishes that development should be located in the urban area so as to support urban regeneration and protect the countryside.

Policy C1 of the Core Strategy establishes to;

Maximise the potential of previously developed sites, including empty homes and buildings within the urban area to achieve a target of 80% of new housing of previously developed land; and Ensure that sites are sustainable with good access to local services, facilities, green infrastructure, shops, jobs, schools and public transport.

Policy C3 of the core strategy is also relevant and its aims are to;

- **Ensure new development provides housing types that take account of local needs and aspirations; Promote densities that make efficient use of land whilst delivering a range of housing to widen choice in the borough and reflect local character;**
- **Ensure that sites are sustainable with good access to local services, facilities, green infrastructure, shops, jobs, schools and public transport.**

7.2 The proposed development of the land will bring a largely disused piece of land into a suitable and sustainable use that would provide quality accommodation for an existing family living in the area. It is not positioned in a prominent location to the back of a restaurant, and an opportunity has arisen where investment can be made to bring the land to a more suitable functional use and where it would not have a negative impact on the surrounding area.

7.3 The site is well located in relation to residential dwellings, typical family housing accommodation in an urban area so as to support urban regeneration and protect the countryside.

7.4 The proposal would provide good housing accommodation, which is much needed in this inner urban area, close to Rochdale town centre and very close to Littleborough local centre to the east. It would complement the character of the area by bringing a derelict unused land into functional use. The proposal would consider the needs of the local community, protect the surrounding built environment and provide the future occupiers with services within walking distance and reducing the need to travel.

7.5 The effect on residential amenity by reason of noise or other nuisance would be minor given its location amongst other similar residential uses. There may be some noise penetration from traffic on the busy New Road, and from Thamins Restaurant, however this is not considered to be overwhelming, furthermore, good level of acoustics would be provided throughout the construction of the dwelling to meet regulatory standards.

7.6 It is also considered that the proposal would not have a detrimental effect on the safe and efficient operation of the existing transport and road infrastructure. Highways safety is further discussed in the relevant section below.

7.7 In respect of the above policies, the surrounding area is predominantly mixed-use commercial and residential and therefore residential is considered as a complimentary use to the existing character of the area, in addition the site is located in a sustainable area with good access and facilities and which makes efficient use of the land whilst delivering an appropriate use for the site. The NPPF as mentioned above states the Government's objective of significantly boosting the supply of homes.

7.8 In light of the above it is considered that the principle of providing a residential unit at the application site is acceptable.

7.9 Policy DM1 of the Core Strategy sets out a number of basic planning considerations that apply to all development. Further to this, paragraph 17 of the NPPF, containing the 'core planning principles', advises that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

Policy G9 of the Core Strategy sets out that the Council will seek to reduce all forms of pollution by requiring that development does not have impacts that lead to an unacceptable increase in air, water, noise, light or other pollution.

7.10 It has already been established above that the principle of providing residential accommodation at the site would be acceptable, consideration should also be given to the immediate surrounding area and mainly to the existing dwellings opposite. The area in general and in its wider context is described as established mixed use, and the proposal would therefore complement the existing land uses around the area. It is however important to ensure that the proposal would not impact unduly on matters such as noise and other pollution effects.

7.11 In relation to noise it should be acknowledged that there would be some noise from nearby commercial land uses such as Thamins Restaurant and potentially road noise etc, most of the noise is considered to impact from the busy New Road with vehicles moving in and out of the main town centre of Rochdale. However, the site is close to existing residential properties, and in this mixed use location with its main frontage facing New Street and some distance from new Road, and the rear elevations facing the garden area of the flats to the rear, the noise from neighbouring uses and the road will not have a significant impact on the amenity of future occupiers or from external noises.

7.12 In respect of smells and odour. Th positioning of the bon store ay the neighbouring apartment block is not considered to compromise the living conditions of the future occupiers of the dwelling, particularly as it has been built smaller than its approved size. Also, the bins store is closer t the apartment block than it would be to the proposed dwelling. On this basis, it seems logical that any inconsiderate storage of the bins or refuse would have a greater effect on the occupiers of the nearest apartments than the occupiers of this new dwelling.

7.13 Also, the bin storage area would be screened by new fencing and planting along the boundaries of the site and separated by the access path/drive garage. The bin storage would be an acceptable distance to not cause odour nuisance. This was also the view take by the Inspector in his decision.

7.14 In respect of other matters, it is important that the development provides adequate space about buildings. Rochdale's SPD provides guidance;

'The following minimum space standards will be applied to all new residential developments and developments which affect existing residential properties:

(i) 21m between directly facing principal windows of habitable rooms, at an upper floor level and 10.5m between a principal window at an upper floor level and a directly facing boundary of the curtilage;

(ii) 14m between a principal window and any directly facing two storey elevation which does not contain a principal window to a habitable room;

(iii) 10m between a principal window and any directly facing single storey elevation which does not contain a principal window to a habitable room.

7.15 The guidance goes on to state that 'Exceptions to theses minimum space standards may be acceptable in some circumstances and applications will be considered on their individual merits. For example, where the character and density of the surrounding area would be best preserved by reduced distances and this would not detract from the general levels of privacy and amenity typical in the area, then exceptions may be made'.

7.16 The only properties that could potentially be affected by the proposal are the houses opposite at 11 – 15 New Street, and the flats and restaurant to the north. With regard to the flats, these are not positioned directly in line with the proposed building, they would be in line with the rear garden area, and therefore there would be no direct views into or from the rear elevation of the proposed house and the existing flats, which are set at a higher level than the application site. Also, to the north is the Thamin Restaurant which fronts onto New Road and the rear (kitchen) elevation of the restaurant would face the blank gable of the proposed dwelling, and therefore the restaurant would not be unduly affected by the proposal.

7.17 It is considered that there would be no concerns regarding the distance to the front and rear elevations, more than 21m would be provided between neighbouring buildings. The windows in the side elevation are not habitable room windows. These distances are therefore in accordance with the guidance provided in the SPD.

7.18 As argued and explained above, the proposed development would adequately provide the level of amenity that would be expected at a residential property within this area. The proposal would be compatible with the density and character of the surrounding development.

7.19 With regard to the living conditions of future occupiers of the property, it is noted that each habitable room within the building would be provided with natural light and ventilation, with an outlook onto the garden areas and New Street beyond.

7.20 Bin storage areas would be provided to the back of the site away from the main public vantage points and away from the New Street frontage. Sufficient garden space would be provided to the rear of the dwelling for children to play and for residents to sit out. Landscaping would ensure the space remains private to the occupiers of the property.

7.21 In light of the above, it is considered that the development would provide adequate space about buildings, so as to protect future residents from any excessive levels of overshadowing and/or loss of privacy and a good standard of living accommodation. The application is therefore acceptable in this respect and would meet with the expectations of Policies along with the relevant requirements of the National Planning Policy Framework.

7.22 **Policy P3 of the adopted Core Strategy requires all new developments, regardless of location in the borough, to adhere to high standards of design. Policy DM1 of the Core Strategy states that all development proposals will be expected to demonstrate that they are of high-quality design and take the opportunity to enhance the quality of the area, in addition to requiring a number of other basic planning considerations.**

Paragraph 127 of the revised National Planning Policy Framework states that 'decisions should ensure that developments will function well and add to the overall quality of the area and are visually attractive because of good architecture, layout and appropriate and effective landscaping'. Policies P2 and P3 of the Core Strategy set out a requirement for good design, improved image and protection and enhancement of character, landscape, and heritage.

7.23 The property externally has been designed to continue the features of the adjacent properties' numbers 11-15 New Street. The external features of similarity include window sizes and front gable design, fenestrations, and a hipped roof.

7.24 The brickwork, roof materials, windows frames and doors used would match those used on these neighbouring dwellings, the materials for the dwelling and their detail can be confirmed as a condition of an approval if necessary.

7.25 A sizeable split-level area of hard and soft landscaping would remain to be provided to the back of the apartment building. This is readily available for the occupiers to use and enjoy and compares favourably with similar apparent schemes in Rochdale. The inspector des not feel this should be included as part of the apartment building amenity space.

7.26 In light of the above, the proposal would result in no undue harm to visual amenity and would be acceptable to the overall character and appearance of the area and the street scene. The application would therefore accord in this regard with policies P3 and DM1, the NPPF and SPD.



Above image shows the existing storage unit on the site, the proposed dwelling design would share similar features to those properties opposite and would fit into the surrounding design character of the area - see below.



Newly constructed properties on the opposite side of New Street.

7.27 Policy T2 of the adopted Core Strategy relates to accessibility and Policy DM1 requires all development to provide satisfactory vehicular access with adequate parking and manoeuvring arrangements provided.

7.28 The current site is seldom used and is vacant, as such the proposed development would be intensive by comparison. The site is located in close proximity to New Road and amongst existing dwellings, and therefore in an accessible location. The plans show two on-site parking spaces would be provided which would be sufficient for a dwelling of this size.

7.29 Access to the site would be obtained directly from New Street, which is a residential highway, and it is considered that this would facilitate safe and convenient access and circulation for vehicle traffic to and from the site relative to the scale, type and location of the development in accordance with policies of the Local Plan.

7.30 It is not considered that one additional dwelling would result in a significant increase in traffic in the area. Also, relatively new dwellings have been constructed opposite, and these dwellings would have had more of an impact upon the highway than the single house proposed. The proposed development would provide two off-road car parking spaces for the dwellinghouse which would ensure that the development would not significantly increase the demand for on-street parking in the locality. The proposal is therefore in accordance with the requirements of Policy.

7.31 The development would not lead to an increased level of traffic generation which would cause undue congestion of the highway network, either adjacent to or further away from the site. Adequate areas for

vehicle parking, access and manoeuvring would be provided as part of the application in order to ensure that the development would have no detrimental impact on road safety.

7.32 Also, given its location along a main road into the main town centre, with excellent bus links and parking available on side streets and in the vicinity, sufficient provision for a development of this size in a location as sustainable as this (close to the main town centre and on a major bus route); is justified.

7.33 It is not expected that this proposal would impact negatively upon the surrounding highway network.

7.34 Bin storage would be provided in the rear yard area where refuse would also be collected from.

7.35 Given the details, it is considered the proposed development can safely be provided without resulting in harm to pedestrian and highway safety. The proposed development as demonstrated would be in accordance with Policies T1 and T2 of the Councils Local Plan and the NPPF where the proposal would not have a severe cumulative impact to warrant refusal of the application.

8.0 CONCLUSION

8.1 It has been demonstrated that the proposed development can be carried out in full compliance with the Council's polices in the Local Plan and the National Planning Policy Framework. The development would provide good quality family accommodation which would bring a positive contribution into the local area of Rochdale without creating a significant detrimental impact on the amenity of the local occupiers and residents.

8.2 The proposed residential development of this site would contribute to the delivery of national and local housing targets and would not harm the character, quality or amenity value of the land and its surroundings. The scheme would be sympathetic to the pattern and character of surrounding housing by virtue of its design – including size, scale, height, massing, layout and materials, and would have no adverse impact on the appearance of the street scene.

8.3 The proposed dwellinghouse would have an acceptable relationship with neighbouring uses, both in terms of its impact upon these uses and the impact of surrounding uses upon the amenity of future residents, and the development would not unduly affect the privacy and amenity of adjoining occupiers through overlooking, overshadowing, loss of outlook or loss of daylight.

8.4 Suitable provision of private garden space would be made for the proposed dwelling, including appropriate landscaping as part of the layout. Appropriate access and parking arrangements would be achieved in order to ensure that the development would have no detrimental impact on the safe and efficient operation of the highway network, either adjacent to or further away from the site.

8.5 The Proposed development should be approved without delay.

APPENDIX

Appeal Decision

Site visit made on 20 February 2008

by David Fitzsimon MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

The Planning Inspectorate
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Temple Quay House
2 The Square
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Decision date:
2 April 2008

Appeal Ref: APP/P4225/A/07/2060687
Land off New Street, Littleborough

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by John Martin Developments against the decision of Rochdale Metropolitan Borough Council.
- The application (Ref 07/D49309), dated 23 May 2007, was refused by notice dated 19 July 2007.
- The development proposed is a single detached dwelling.

Decision

1. I dismiss the appeal.

Main issues

2. I consider there to be three main issues;
   - The effect of the proposal on highway safety;
   - Whether the proposal would result in an unacceptable reduction in the level of landscaped amenity space available to the neighbouring apartment development; and
   - The implications of the neighbouring bin store on the living conditions of the future occupiers of the proposed dwelling in terms of odours, noise and disturbance.

Reasons

Highway safety

3. Although details of 'X' and 'Y' distances have not been presented to me, it was abundantly clear from my site visit that visibility at the junction of New Street and New Road is very good in both directions. Nonetheless, New Street has no footpaths and is not of sufficient width to enable two cars to pass along the stretch between the appeal site and this junction. Despite the provision of a right turn lane on New Road, and a reasonable degree of forward visibility, I find it highly probable that the narrowness of this part of the road already leads to some degree of vehicle conflict, particularly when a vehicle is already committed to entering New Street from New Road.

4. To my mind, it is inevitable that this situation must, at times, result in vehicles reversing down the steep gradient of this part of New Street in order to allow the oncoming vehicle to pass. Although this situation may encourage most road users to drive with caution, as reflected in low levels of recorded accidents, I consider it to be far from ideal and not without danger.

5. The appeal proposal would result in only a modest increase in vehicular traffic within New Street, given the number of houses it already serves. However, I

am of the view that any increase in the intensity of the use of this substandard stretch of road would exacerbate instances of vehicle conflict, and the associated risk to highway safety would rise accordingly.

6. The appellant argues that planning permission has been granted for several dwellings along New Street in recent times, and that planning permission was granted for a dwelling on the adjacent plot because it provided a footpath along its frontage. Whilst the appeal proposal would provide a similar footpath, I am of the view that the resultant benefit to pedestrians would not outweigh the overall increased risk to highway safety that I have identified.

7. Prior to the erection of the apartments, the appeal site was part of a larger storage yard, and generated a commensurate level of commercial vehicle movements. Although it is argued that this use continues on a smaller scale today, the documentation provided by the Council indicates that the land has been included within a recently constructed apartment development as part of its approved amenity area, and is required to be landscaped and retained for this purpose by condition 2 of planning permission ref 05/D46450. On this basis, there does not appear to be a 'fallback' commercial use. In any event, the appellant accepts that the vehicle movements associated with a family dwelling are likely to be greater than those generated by the commercial activity.

8. For the above reasons, I conclude that the proposal would pose an increased risk to highway safety. To this end, it conflicts with policy H/3 of the Rochdale Borough Unitary Development Plan (UDP).

Landscaped amenity space

9. The appeal site sits directly to the east of a recently constructed block of 10 apartments. As explained, the site has been included as part of the amenity areas of the apartment development and a condition imposed on the planning permission requires it to be landscaped and retained for this purpose. At the time of my visit, the appeal site had not been landscaped and appeared very much segregated from this development.

10. Nevertheless, in addition to the appeal site, an attractive and sizeable split level area of hard and soft landscaping is situated directly to the rear of the apartments. This is a readily useable area for its occupiers to enjoy, and in my experience, compares favourably with the size and quality of landscaped amenity areas provided by many similar apartment schemes. Furthermore, in the absence of any adopted development plan policy outlining specific requirements for the provision of landscaped amenity space within such developments, the level of provision must be balanced against the requirement of national planning guidance to develop land efficiently, particularly in sustainable, urban locations.

11. Given these factors, I conclude that the proposed dwelling would be compatible with the neighbouring apartment block, and would not result in an unacceptable reduction in level of landscaped amenity space available to its residents. It therefore complies with policy H/3 of the UDP in this respect.

Living conditions

12. The Council considers that the positioning of the bin store of the apartment block would compromise the living conditions of the future occupiers of the proposed dwelling, particularly as it has been built smaller than its approved size, and cannot accommodate all of the apartments' bins. It is true that the occupiers of the new dwelling would have no control over how the bins of the apartments were stored, or how they would be emptied on collection day. Nonetheless, the bin store is closer to the apartment block than it would be to the proposed dwelling. On this basis, it seems logical to me that any inconsiderate storage of bins or disposal of refuse would have a greater effect on the occupiers of the nearest of the apartments than the occupiers of the new dwelling, and is likely to be policed accordingly.

13. Furthermore, the bin store would be partially screened from the proposed dwelling and its rear garden by a timber panel boundary fence, which could be improved further if necessary. The bin store would also be separated from the dwelling by the access path, and the proposed vehicular drive and detached garage. For these reasons, and in the absence of any technical evidence to the contrary, I am satisfied that the bin store would be an adequate distance from the proposed dwelling so as not to cause an unacceptable odour nuisance. I am also of the view that any associated noise and disturbance caused by the general filling of the bins or their emptying on bin collection day would be limited and would be similar to that experienced in many urban situations.

14. For the above reasons, I conclude that the relationship of the bin store to the proposed dwelling would not result in unacceptable living conditions for its future occupiers in terms of odours, noise or disturbance. Accordingly, it complies with policy H/3 of the UDP in this respect.

Conclusions

15. I find that the development would not result in an unacceptable reduction in the landscaped amenity space of the adjacent apartments and the positioning of the bin store of this development would not result in unacceptable living conditions for the future occupiers of the proposed dwelling. It would also result in the efficient use of a previously developed and unkempt site in a sustainable location. Nevertheless, these positive aspects of the scheme do not alter the fact that it would intensify the use of a substandard stretch of road, which would result in an increased risk to highway safety.

16. In light of the above factors, and having considered all other matters raised, I therefore conclude that the appeal must fail.

David Fitzsimon
INSPECTOR