

Demolition of existing buildings and erection
of 20.no affordable dwellings

Pheonix Works, Brookes Street, Middleton

Planning Statement

Kwik Build Limited

November 2023

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PLANNING CONSULTANTS

1 Introduction

- 1.1 This Planning Statement has been produced by Smith & Love Planning Consultants on behalf of Kwik Build Limited ('the applicant'), in support of its full planning application for the demolition of an existing building and erection of 20 no affordable dwellings (including 2 and 3 bedroom) with associated external works at Pheonix Works, Brookes Street, Middleton.
- 1.2 It sets out the background and context of the application, providing a description of the site and surroundings, the proposed development scheme and a summary of the relevant policies of the statutory development plan. It assesses the merits of the proposal against the identified policies, the National Planning Policy Framework and all other material considerations.
- 1.3 It demonstrates that the proposed development is in accordance with the relevant strategic development, housing and general technical and development management policies of the Rochdale Core Strategy viewed as a whole, and government policy aimed at increasing the supply of housing.
- 1.4 Consequently, having regard to the development plan and all material considerations, there is a compelling case for planning permission to be granted in accordance with the presumption in favour of sustainable development at Paragraph 11c of the National Planning Policy Framework

Supporting information

- 1.5 This Statement should be read together with the following drawings, reports and supporting material submitted with the planning application;

a) Drawings:

- 21-050-P-100: Location Plan
- 21-050-P-105: Existing Site Sections
- 21-050-P-110: Proposed Site Layout
- 21-050-P-115: Proposed Street Scenes / Site Section
- 21-050-P-120: Proposed Plans and Elevations – House Type A (2b4p)
- 21-050-P-121: Proposed Plans and Elevations – House Type B (3b5p)
- 21-050-P-122: Proposed Plans and Elevations – House Type C (CAT3)
- 7181.02 Rev A: Landscape Proposals
- 23-B-13862-200: Preliminary Drainage Strategy Drawing

b) Documents:

- Application form and ownership certificate
- Design and Access Statement
- Transportation / Highway Comments

- Ground Report
- Desk Based Coal Mining Risk Assessment
- Survey and Assessment in Respect of Bat Species and Nesting Birds
- Arborticultural Impact Assessment
- Arborticultural Method Statement
- Desk Survey with Walkover Survey
- Crime Impact Statement
- Groundwise Utilities Report
- Preliminary Ecological Appraisal
- Statement of Community Involvement (refer to Planning Statement)
- Flood Risk Assessment and Drainage Strategy Report
- Energy Statement
- Biodiversity Net Gain Assessment

2 Site and surroundings

2.1 The 0.54 ha application site comprises four delapidated vacant buildings, known as Pheonix Works, a former flag pole manufacturer. The buildings are located to the north of the site and access is provided to the north west via Brookes Street. A hardstanding area surrounds the buildings to the west, used as a storage area. Dense tree cover covers the south of the site.

2.2 The site slopes gradually downwards from the south east to the north west. The site is shown on the aerial photograph at Figure 1 below.



Figure 1: Site Location (Source: Google Maps 2023)

2.3 The site is surrounded to the north, east and south by residential dwellings and an industrial estate, known as Boarshaw Trading Estate, lies to the west. A row of shops is located opposite the site access and egress point, which includes a pharmacy, convenience store, takeaways and a hair and beauty salon. A public house, the Cotton Tree Inn, is located approximately 25m west from the site access on the same side of the road. The car park for the public house is located to the west of the access road along with a car wash facility.

2.4 The wider area is predominantly in residential use and the site is located approximately 1km north east of Middleton, which provides a wide range of services and facilities including supermarkets, restaurants, cafes, banks, a pharmacy, beauty salons and Middleton Market.

2.5 Two bus stops are located within 140m from the site, on Boarshaw Road, which provide a regular service to Middleton and other local destinations.

Planning history

- 2.6 Available records indicate that there is no relevant residential planning history associated with the application site.

3 Proposed development

- 3.1 This application seeks full planning permission for the erection of 20no. dwellings. The proposed development is described in detail in the Design and Access Statement and application drawings, and is summarised below.
- 3.2 All of the properties are for shared ownership and affordable occupation. The proposed mix is shown in the table below. House type C is an accessible property with wheelchair access, a lift and one accessible parking space.

Design	Type and size of dwelling	Proposed number
House Type A	2-bedroom semi-detached	11
House Type B	3-bedroom semi-detached	8
House Type C	3-bedroom semi-detached	1
	Total	20 (100%)

- 3.3 The layout has been designed to make full use of the site and provides seamless development on the northern, southern and eastern boundaries with adjacent existing properties. The site lies in a dense urban location and so a density of development of 37 dwellings per hectare is appropriate.
- 3.4 The proposed dwellings are semi-detached and two storey, with a modern appearance with a pitched roof. Large windows are proposed on all the dwellings at both the ground and first floor level. The houses have a built in porch and make good use of brick detailing. The dwellings will be constructed of brick, tile roof, grey UPVC windows doors and rainwater goods, and will be finished to a high standard. Final materials will be agreed via condition at a later date.
- 3.5 The houses benefit from an external parking area to the front and a private garden to the rear. The existing houses within the locality are semi detached and two storey with a traditional appearance, with parking to the front and long rear back gardens. Therefore the proposal seeks to retain the character and density of the surrounding area while delivering modern affordable homes. Each rear garden is at least 10.5m in length, apart from plot 1, which is 10m. Whilst slightly shorter than a typical garden in a new development, the garden at plot 1 is wider to mitigate this.
- 3.6 Access is provided via the existing access on Brookes Street. An adopted two-way estate road will connect Boarshaw Road to the development ensuring all properties have adequate vehicular access. Access will be provided into the adjacent public house car park and car wash from the proposed access road on Brookes Street. A raised table to facilitate traffic calming is proposed on the access road. The proposed site sections gradually rise from north west to south east.

- 3.7 The front gardens of the proposed dwellings will feature a mixture of shrub, hedge and tree planting throughout. 35 car parking spaces are proposed on site, with two spaces for the three - bedroom dwellings and one space for the two-bedroom dwellings. One accessible space is provided at the front of plot 1. There are also 5 visitor parking bays throughout the development.
- 3.8 11 individual trees are proposed to be removed and 19 new trees are proposed to be planted in both front and rear gardens. See Landscape Plans (7181.02 Rev A).

Pre-Application Discussions

- 3.9 From February to April 2022, our client entered into pre-application discussions with the Council regarding the site's residential development potential.
- 3.10 Initially 21no dwellings were proposed, but this has been reduced to 20no dwellings through the pre-application process. The principle of development is considered to be acceptable because the site is located within an existing urban area and comprises previously developed land.
- 3.11 Design, layout and appearance were the Council's main concerns due to the proposed layout resulting in a dense clutter of development which would fail to preserve or enhance the local character by reason of excessive density. Insufficient car parking provision was also a concern highlighted by the Council in the pre-application response.

Statement of Community Involvement

- 3.12 In September 2022 local residents were consulted on the draft proposals. Rochdale Boroughwide Housing (RBH) led the event as it was due to manage the affordable homes. However, more recently, another registered affordable housing provider has been chosen.
- 3.13 A dedicated website was created for the development. A proposals flyer was issued to local residents and businesses requesting feedback on the draft proposals. The link to the website was also shared on social media platforms including Facebook and Linked In.
- 3.14 Feedback from the local community was generally positive particularly in relation to the redevelopment of this vacant site.
- 3.15 Local Ward Councillors were also consulted and a positive response was received from one Councillor as a result.

4 Planning policy

4.1 The Development Plan consists of the Rochdale Core Strategy and Saved Unitary Development Plan (UDP). Other material considerations include Supplementary Planning Documents, Development Plan Documents, the National Planning Policy Framework and National Planning Policy Guidance.

4.2 As shown on the Rochdale 1996-2016 Local Plan Policies Map, the site is located within a defined Urban Area, but is otherwise undesignated. The 1996-2016 Local Plan Policies Map is in place until the Allocations Development Plan is adopted, which is currently in draft form.

Rochdale Core Strategy

4.3 The Rochdale Core Strategy was adopted on 19th October 2016.

4.4 The following Local Plan policies are relevant in the determination of the application:

- Policy SO2 To create successful and healthy communities
- Policy SO3 To improve design, image and quality of place
- Policy SO4 To promote a greener environment
- Policy SO5 To improve accessibility and deliver sustainable transport
- Policy C1 Delivering the right amount of housing in the right places
- Policy C3 Delivering the right type of housing
- Policy C4 Providing affordable homes
- Policy P1 Improving Image
- Policy P3 Improving design of new development
- Policy T2 Improving accessibility
- Policy DM1 General development requirements
- Policy DM2 Delivering planning contributions and infrastructure
- Policy G2 Energy and new development
- Policy G6 Enhancing green infrastructure
- Policy G7 Increasing the value of biodiversity and geodiversity

Rochdale Borough Unitary Development Plan

4.5 The Rochdale Borough Unitary Development Plan was adopted in June 2006 and contains the following saved polices relevant to the determination of this application:

- Policy H/5 Residential density
- Policy H/6 Provision of recreational open space in new housing development
- Policy H/7 Affordable housing
- Policy A/10 Provision of parking
- Policy BE/2 Design criteria for new development
- Policy EM/3 Noise and new development

- Policy NE/3 Biodiversity and development
- Policy NE/8 Development affecting trees, woodlands and hedgerows

Other material considerations

Supplementary Planning Documents

4.6 The following SPDs may be relevant to the planning application;

- Affordable Housing SPD - adopted March 2008
- Provision of Recreational Open Space in New Housing SPD – adopted January 2017
- Guidelines and Standards for Residential Development SPD – adopted June 2016
- Design and Planning Process Good Practice Guide SPD – undated
- Residential Design Guide – undated

National Planning Policy Framework 2021

4.7 The NPPF sets out the Government's planning policies for England and how they should be applied. It requires local planning authorities to apply a presumption in favour of sustainable development which means, as paragraph 11c explains, that development which accords with an up-to-date development plan should be approved without delay. Relevant policies of the NPPF include;

Paragraph 7 The purpose of the planning system is to contribute to the achievement of sustainable development;

Paragraph 11 The presumption in favour of sustainable development lies at the heart of the Framework. For decision-taking this means approving development where it accords with an up-to-date development plan, or where there are no relevant development plan policies or where the policies which are most important for determining the application are out-of-date, granting permission unless adverse impacts would significantly and demonstrably outweigh the benefits, or policies in the Framework indicate development should be restricted.

Paragraph 60 A key objective of the Framework is to significantly boost the supply of homes by ensuring a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are met and that land with permission is developed without unnecessary delay;

Paragraph 62 The size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children,

older people, students, people with disabilities, service families, travellers, people who rent and people wishing to commission or build their own homes).

- Paragraph 65 Where major development involving the provision of housing is proposed, planning decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development; a) provides solely for Build to Rent homes; b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students); c) is proposed to be developed by people who wish to build or commission their own homes; or d) is exclusively for affordable housing, an entry-level exception site or a rural exception site.
- Paragraph 74 To maintain the supply and delivery of housing, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.
- Paragraph 92 Planning decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible, and enable and support healthy lifestyles.
- Paragraph 104 Transport issues should be considered from the earliest stages of development so the potential impacts of development on transport networks can be addressed and to encourage opportunities to promote walking, cycling and public transport use.
- Paragraph 105 Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.
- Paragraph 111 Development should only be prevented 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;
- Paragraph 119 Planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions;
- Paragraph 124 Development should make efficient use of land taking into account the need for different types of housing and other development and the availability of

suitable land; market conditions and viability; availability and capacity of infrastructure; the scope to promote sustainable travel; the desirability to maintain the character and setting of an area or promote regeneration; and the importance of creating well-designed, attractive, healthy and safe places;

- Paragraph 126 Development should achieve good design and create high quality buildings and places;
- Paragraph 159 Inappropriate development should avoid areas at highest risk of flooding and should be safe for its lifetime without increasing flood risk elsewhere;
- Paragraph 169 Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate;
- Paragraph 180 When determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- Paragraph 183 Development sites should be suitable for proposed use/s taking account of ground conditions and any risks arising from instability and contamination.
- 4.8 In determining planning applications, the 2021 Framework expects local planning authorities to;
- Paragraph 38 Approach decisions in a positive and creative way. They should work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible;
- Paragraph 55 Consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition, and;
- Paragraph 57 Planning obligations must only be sought where they meet tests of being; a) being necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development.
- Paragraph 58 This explains that it is up to an applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the

decision maker having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force.

5 Planning assessment

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 refers to the development plan as a whole, and states that 'if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise'. Section 39 of the Act requires decision makers to exercise their functions with the objective of contributing to the achievement of sustainable development. These requirements are embodied in the 2019 Framework which is a principal material consideration and should be given substantial weight.
- 5.2 On this basis, the key issues to be considered in determining the planning application are;
- The principle of development;
 - Character and appearance;
 - Residential amenity;
 - Planning contributions;
 - Environmental and technical considerations.
- 5.3 Each of these matters is considered below after which, the overall planning balance is drawn.

The principle of development

- 5.4 As shown on the Rochdale 1996-2016 Local Plan Policies Map, the site is located within a defined Urban Area, but is otherwise undesignated. Delapidated vacant buildings, known as Pheonix Works occupy the site and therefore, it is classed as a previously developed site. The principle of development is therefore acceptable and in accordance with Core Strategy Policy C1 and NPPF paragraph 60. This is confirmed with the pre-application response issued by Rochdale Borough Council in April 2022.

Effect on local character and appearance

- 5.5 Core Strategy Policy DM1 requires all development proposals to take the opportunity to enhance the quality of the area. Core Strategy Policy P3 seeks to improve the design of new development.
- 5.6 Currently the site is vacant and the buildings are falling into a state of disrepair. Development on the site is necessary to avoid further dereliction.
- 5.7 The development is designed, in terms of layout and house types, massing, height and external materials, to blend and integrate with the various styles and ages of surrounding housing which characterise the neighbourhood.
- 5.8 The proposed dwellings are semi detached and two storey, with a modern appearance with a pointed roof. The houses benefit from an external parking area to the front and a private garden

to the rear. The existing houses within the locality are semi detached and two storey with a traditional appearance, with parking to the front and long rear back gardens. Therefore the proposal seeks to retain the character and density of the surrounding area while delivering modern affordable homes. Each rear garden is at least 10.5m in length, apart from plot 1, which is 10m, and width has been added to compensate for the shorter garden length.

- 5.9 The development will similarly retain existing trees and hedgerows where possible and introduce new street tree planting and landscaping. 11 individual trees are proposed for removal and 19 new trees are proposed on the site mainly within front gardens/car parking areas, which helps soften the appearance of the proposed parking spaces in front of the dwellings.
- 5.10 30 car parking spaces are proposed on site with an additional 5 visitor parking bays. The one bedroom dwellings have 1 parking space, and the two bedroom dwellings have two spaces each. The proposal is not fully policy compliant with Rochdale parking standards but the site is located within a sustainable area with local facilities and services within a walkable distance.
- 5.11 Each property has a designated bin storage area to the rear and a dedicated alleyway to bring the bin to the front on the dedicated bin collection day.
- 5.12 The access road, Brookes Street, is proposed to be landscaped and a footpath added to allow for vehicle and pedestrian access. This will create a sense of arrival into the development.
- 5.13 Overall, it is considered that the development can be successfully accommodated on the site and incorporated into the existing urban area and pattern of development without appearing out of place and harming the character and appearance of the local area. The proposed development will provide a betterment from the existing unsightly site and create a high-quality and well-designed residential living environment and sustainable new neighbourhood for its residents, and is thereby in accordance with Policies DM1 and P3 of the Rochdale Core Strategy and the relevant policies of the NPPF on this basis.

Effect on residential amenity

- 5.14 Core Strategy Policy DM1 requires that development proposals are compatible with surrounding land uses and that they do not adversely affect the amenity of residents.
- 5.15 The proposed development lies adjacent to existing housing development on its northern, eastern and southern boundaries. The proposed layout, positioning and relative orientation of the proposed dwellings has been carefully considered to ensure the residential amenities of surrounding neighbours and occupiers are adequately and appropriately protected in terms of minimising any overlooking (loss of privacy); providing and maintaining adequate levels of

daylight and sunlight to windows and rear gardens; and protecting outlook / aspect for existing residents wherever possible.

- 5.16 The closest back to back neighbour to the southern boundary is located approximately 22m from the proposed dwellings. To the east existing dwellings are located approximately 37m from the proposed dwellings. To the north the existing dwellings are located 40m from the proposed dwellings. This provides sufficient interface distances between the existing and new residents.
- 5.17 Relationships between the proposed dwellings within the development are similarly designed to provide adequate rear garden space and to avoid poor and unacceptable positioning and relationships between properties. The dwellings are designed to provide a high standard of accommodation with adequate daylight to all rooms.
- 5.18 Plot 14 is located closest to the existing surrounding neighbours, no 25 Jubilee Terrace. Care has been taken to reduce any overlooking or overbearing impacts of the development on this existing resident specifically. Both plot 14 and no. 25 Jubilee terrace are orientated the same way so both rear gardens align. Due to the site topography, no. 25 Jubilee Terrace will sit at a more elevated position in comparison to plot 14 and therefore the proposed development will not overbear or overlook no. 25 Terrace Gardens.
- 5.19 Therefore, the proposed development is in accordance with Core Strategy Policy C1 and accords with the standards set out in the Council's 'Guidelines and Standards for Residential Development' SPD.

Planning Contributions

- 5.20 Core Strategy Policy DM2 seeks to deliver planning contributions for new residential developments which include affordable housing, open space provision and maintenance, health and well-being, education facilities and/or community facilities.
- 5.21 The proposal is for a 100% affordable housing scheme which will be secured via a section 106 agreement. As the development comprises 100% affordable homes it would be unviable to make any financial planning obligations.

Environmental and technical considerations

- 5.22 In considering the suitability and sustainability of the application site for the proposed housing development, the following environmental and technical matters have been considered;
- Biodiversity
 - Drainage and Flood Risk
 - Ground conditions

- Access and transportation
- Trees and landscaping
- Energy

a) Biodiversity

- 5.23 The application is supported by a Preliminary Ecological Appraisal undertaken by Arbtech in November 2023. The report describes the baseline ecological conditions at the site, evaluates habitats within the survey area in the context of the wider environment and describes the suitability of those habitats for notable or protected species. A desk study and a field survey was undertaken as part of this.
- 5.24 There are no notable habitats within the site and habitats comprise areas of low value such as sealed surface and buildings. Other habitats present such as lines of trees and areas of scrub are considered to be of higher ecological value although these habitats are isolated due to the site's location and presence of boundary fencing. No protected or notable plant species were recorded during the survey.
- 5.25 The trees on site have negligible value for roosting bats due to a lack of potential roost features and therefore bats are highly unlikely to be roosting on the site.
- 5.26 It is recommended that habitat removal should be undertaken outside the period 1st March to 31st August inclusive.
- 5.27 The following habitat creation and enhancement opportunities could be incorporated into the development:
- Inclusion of additional tree planting;
 - Instillation of hedgehog holes within new and existing site boundaries to allow or increased movement;
 - Native hedgerow and scrub planting; and
 - Inclusion of species rich or wildflower grasslands.
- 5.28 A Biodiversity Net Gain Assessment was undertaken in November 2023 by Arbtech. The baseline habitat value of the site is 1.62 units, comprising of developed land including buildings (no value), 0.15 units of modified grassland and 1.47 units of mixed scrub. The post development habitat value of the site is 0.67 units, comprising the creation of buildings and hardstanding (no value), 0.27 units of urban garden, modified grassland (0.19 units) and urban trees (0.21 units). This results in a net change in biodiversity of -58.42% (a net loss).
- 5.29 The baseline hedgerow value of the site is 0.82, comprising 0.71 units of native lines of trees and 0.11 units of ornamental and non-native trees. The post development habitat value of the

site is 0.76 units, comprising the retention of part of the ornamental line of trees (0.04 units) and the inclusion of native hedgerows (0.72 units). The results in a net change in biodiversity of -7.90% (a net loss).

5.30 Our client is aware that biodiversity net gain needs to be achieved on site and this is currently being worked towards with the landscape architect. The following alterations to the current landscaping proposals are being considered:

- Instillation of neutral grassland as opposed to modified grassland;
- Retention of more tree lines on the site; and
- Planting additional native hedgerows.

b) Drainage and Flood Risk

5.31 A Flood Risk Assessment and Drainage Strategy Report was undertaken in September 2023 by Carley Daines and Partners Limited. The site is located in Flood Zone 1 on the EA Flood Map – an area considered to have the lowest probability of fluvial flooding. Flooding from other sources has been assessed as low.

5.32 The proposed development will limit proposed hardstanding on site through the introduction of residential gardens and peripheral soft landscaping to limit the amount of proposed impermeable areas on site to comply with current NPPF recommendations.

5.33 Early infiltration testing in accordance with BRE 365 and a ground intrusive Phase 2 Site Investigation should be undertaken to determine the ground suitability to discharge water via infiltration.

5.34 Should it be confirmed that the ground conditions are unsuitable for infiltration, the discharge rate will be further reduced to greenfield run-off rates and attenuation provided on site to accommodate all storm events up to and including the 1 in 100 yr + 45% cc event.

5.35 Should infiltration be found to be not possible, direct contact should be made to the LLFA to agree whether a discharge of surface water can be permitted into the White Brook watercourse, subject to an OWC consent application.

5.36 Positioning of attenuation (where required) will be considered at detailed design stage.

5.37 Other SuDS systems and methods which would discharge water directly into the ground have been considered but are believed to be unsuitable or inappropriate for this development for factors outlined in detail above.

- 5.38 A full site topographical survey along with existing drainage invert levels should be undertaken to determine whether direct gravity connections from site are possible, or whether the discharge from the site would need to be pumped.
- 5.39 Overall, the development is considered to be acceptable in terms of flood risk and drainage. It is in accordance with Policy DM1 of the Rochdale Core Strategy.

c) Ground conditions

- 5.40 The application is supported by a Desk Survey with Walkover Survey undertaken by Sub Surface in July 2023. The walkover survey was undertaken on 29th June 2023.
- 5.41 The conceptual ground model indicates that an intrusive ground investigation is required to assess the ground conditions. The ground investigation should obtain soil samples for contamination analysis and asbestos detection and, where possible, groundwater and surface water samples for contamination analysis.
- 5.42 In addition, the conceptual ground model indicates that ground and mine gases might be present and hence gas standpipes should be installed and monitored over an extended period of time to allow for an assessment to be made.
- 5.43 In addition to this, the application is supported by a Desk Based Coal Mining Risk Assessment undertaken in July 2022 by LK Group. The northeast part of the site lies within a Development High Risk Area, shown as 'Probable Shallow Coal Mine Workings'. The remainder of the site lies outside the Development High Risk Area. A watching brief is recommended in all coal mining areas, which part of the site covers.
- 5.44 LK Group conclude that the possibility for shallow workings can only be ascertained from site investigation, however, the site could be safely developed with regards to shallow mining subject to an appropriate site investigation and, if required, appropriate mitigation measures which may include some of those measures as detailed above.
- 5.45 Overall, the development is considered to be acceptable in terms of ground conditions and is in accordance with the relevant policies of the NPPF.

c) Access and transportation

- 5.46 The application is accompanied by Transportation / Highway comments which confirms that;
- the proposed development will not result in any detrimental impact on the operation or safety of the highway network which might be considered severe.
 - The on-site parking meets anticipated demand.

- The site is accessible enough that residents do not have to rely on motor vehicles, with employment sites, schools, local services and public transport links with an easy walking/cycling distance.

- 5.47 Although the proposal is not compliant with adopted parking standards, it is in a sustainable location within close proximity to bus stops providing a service to local destinations and town centres. Due to the scheme being 100% affordable, it is assumed that not every occupier will have a car and therefore this allows car parking numbers on site to be more flexible.
- 5.48 There is a new junction arrangement at the access point which will create better access and egress into the site than the current arrangements. A footway is proposed on the east side of the junction and a dropped kerb allows access into the adjacent existing care park to the Cotton Tree Inn and the car wash.
- 5.49 Overall, the development is considered to be acceptable in terms of access and transportation. It is in accordance with Policy T2 and Policy DM1 of the Rochdale Core Strategy and the relevant policies of the NPPF, and there are no reasons why planning permission should be refused on highway safety or traffic generation grounds.

d) Trees

- 5.50 An Arboricultural Impact Assessment and an Arboricultural Method Statement was undertaken in March 2022 by We Know Services. The survey identified 30 tree features on site consisting of 17 individual trees and 13 groups. Of these 8 tree features were classed as category B, 19 tree features were classified as category C and 2 tree features were classed as category U.
- 5.51 As a result of the development, a total of 11 individual trees, 9 groups and 1 group in part are proposed for removal. The remaining tree features on site can be retained. 19 new trees are proposed on the site – see the proposed landscaping plan for further details (drawing ref 7181.02 rev A).
- 5.52 The pre-application response requires a replacement planting ratio of 2:1. This has not been achieved on site. 22 new trees would provide a 2:1 ratio, whilst the scheme proposes 19 new trees. Whilst there is a slight short fall the overall landscaping proposals should be considered as a whole within the context of bringing this derelict site back into use.
- 5.53 Overall, the development is considered to be acceptable in terms of tree planting and is in accordance with the relevant policies of the Rochdale Core Strategy and the NPPF.

e) Energy

- 5.54 An Energy Statement was undertaken in September 2023 by Energy Counsel which evaluated the technical and economical feasibility of using passive, low and zero carbon technologies and assess the practical levels of co2 reduction possible for the development to comply with planning requirements as set out in the National Planning Policy Framework and the Rochdale Core Strategy. SAP calculations are provided within the Statement.
- 5.55 Measures for this development include, enhanced building fabric to meet the new Building Regulations ADL1 2021, enhanced air tightness and thermal bridging, efficient continuous extract ventilation system using System 3 MEV, heating and hot water provided by highly efficient air source heat pumps and efficient lighting strategy primarily using LED type fittings.
- 5.56 The principles of a 'be lean, be clean, be green' philosophy have been applied, resulting in a 60.23% carbon emissions improvement and a 19.69% primary energy improvement over Building Regulations Part L1 2021, as indicated in Table 1 of the Assessment.
- 5.57 Therefore, the development is acceptable in terms of energy and new development and is in accordance with Core Strategy Policy G2.

Planning Balance

- 5.58 The proposed planning application for the construction of 20 affordable dwellings with associated access, car parking and landscaping, is in full accordance with the relevant strategic development, housing and general technical and development management policies of the Rochdale Core Strategy viewed as a whole.
- 5.59 Material considerations underline this support and do not point to a contrary view, whereby the proposed development;
- is in full accordance with the relevant policies and objectives of the 2021 NPPF and the Planning Practice Guidance in respect of the critical need to increase the supply and widen the range and choice of housing;
 - will contribute to meeting the strategic requirement for affordable housing in Rochdale and maintaining the Council's five-year housing land supply position;
 - will make effective and beneficial use of land; and,
 - will deliver a wide range of significant and compelling social, economic and environmental benefits to which substantial weight must be attached.
- 5.60 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the planning application to be determined in accordance with the adopted development plan unless material considerations indicate otherwise, which they do not in this case.

- 5.61 On that basis and in accordance with the presumption in favour of sustainable development at paragraph 11c of the NPPF, it is clear that planning permission should therefore be granted without delay.

6 Summary and conclusion

- 6.1 This Planning Statement has been produced to support an application for full planning permission for a development of 20 affordable dwellings with associated access, car parking and landscaping on land at Pheonix Works, Brookes Street, Middleton.
- 6.2 It assesses the merits of the application against the up-to-date policies of the development plan, the NPPF, the Planning Practice Guidance and all other relevant material considerations, and it demonstrates that the proposed development will create a high-quality, well-designed scheme which will deliver compelling social, economic and environmental benefits for the Borough and local area.
- 6.3 The Statement concludes that the proposed development is in full accordance with relevant policies of the adopted Rochdale Core Strategy and Government policy aimed at increasing the supply of housing.
- 6.4 Consequently, and having regard to all relevant material considerations, there is a compelling case for planning permission to be granted without delay, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and the presumption in favour of sustainable development at paragraph 11c of the National Planning Policy Framework.

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