

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.
24/00622/FULCASE OFFICER
Nick BrookmanDATE
29th October 2025**DETERMINATION DATE (EXTENSION OF TIME)**29th October 2025**Address:** Land at Sutherland Road (north of Our Lady and St Paul's RC Primary School) and land at the junction of Lennox Walk and Argyle Street, Heywood**Proposal:** Erection of 27 affordable dwellinghouses with associated access, parking, landscaping and boundary treatments

PUBLICITY	Weekly list expired?	Y	Site notice expired?	Y
	Neighbour letters expired?	Y	Press Notice expired?	Y

DELEGATION	Significant departure from local plan?	N	Contrary to national policy?	N
	Applicant a Council Member or officer?	N	Contrary to previous decision?	N
	Major with 10 or more objections and recommending approval?	N	Called in or Planning Panel objection?	N

COMMENTS	Planning Panel comments received?	N/A
	Neighbour comments received?	N

EIA	Screening opinion completed and saved to Onbase?	N/A
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CONDITIONS	Pre-commencement conditions proposed?	Y
	Pre-commencement conditions agreed (or notification period expired)?	Y

RECOMMENDATION	GRANT SUBJECT TO CONDITIONS
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CHECKED AND SIGNED OFF BY: RK

DATE: 29/10/2025

SITE

The application site comprises two parcels of land measuring 0.638 hectares (ha) in total. The first of which (site 1) is located to the east of Sutherland Road and north of Our Lady and St Paul's RC Primary School. The second (site 2) relates to land located on Argyle Street to the south east of site 1.

Site 1 is the larger site, is square in shape and consists of previously developed land (PDL) having formerly accommodated a number of school buildings which were demolished in 2010. The site is relatively level to the west of the site before it rises into a grass banking on the eastern edge. The site now comprises hardstanding areas with grass, some mature trees and other forms of vegetation. The site is bounded by palisade fencing. Site 1 is bordered by Bury Old Road to the north with agricultural fields beyond and a playing field to the east associated with Our Lady and St Paul's RC Primary School. The school building itself is located immediately to the south of site 1 and Sutherland Road bounds the entire west boundary of the site with residential properties located further west.

Site 2 is relatively square in shape and consists of greenfield land which is grassed entirely and progressively slopes upwards from the south, rising northwards away from Argyle Street. Site 2 is open for access and is bordered by a playing field to the north associated with Our Lady and St Paul's RC Primary School. Residential dwellings are sited to the east which are located directly beyond a footpath known as Lennox Walk which is immediately adjacent to the entire east boundary of the site. More residential dwellings are located on the southern side of Argyle Street and land to the west is grassed, unused and in parts overgrown.

Both sites are in the defined urban area.

PROPOSAL

This application seeks full planning permission for the erection of 27 dwellings across the two sites in the form of either 2 bed or 3 bed dwellings across two different house types comprising of predominantly semi-detached dwellings with the addition of 1 detached dwelling.

The proposed dwellings will be constructed of facing red brick which will integrate brick courses and featured brickwork. Windows will be UPVC, fascia boards and soffits will be white UPVC, front and rear doors will be composite and rainwater good will be black UPVC. All roof structures would be pitched and all dwellings would benefit from a small flat roof canopy above the front entrance access door.

Vehicle access associated with site 1 will seek to utilise the existing point of access which once served the site. The access road will be widened to five and a half meters and will include two metre wide footways on both sides. No new junction is required to access the dwellings proposed on site 2.

All 2 bed dwellings would benefit from one parking space per dwelling with 2 parking spaces for all 3 bed dwellings. All proposed parking within site 1 would be accessible via the internal road layout apart from the parking associated with Plot 16 which would be accessed off Sutherland Road. All parking on site 2 is accessible directly via Argyle Street.

Within site 1, plots 1-10 would face onto Bury Old Road with plots 11-15 facing into the internal road layout. Plots 16 to 21 would front Sutherland Road and all 6 plots on site 2 would face onto Argyle Street.

The submitted landscape layout plan identifies a strong landscaping scheme consisting of extra heavy standard tree planting, native shrub planting, hedge and other shrub planting. Wildflower meadows would also be incorporated into the proposed layout.

Boundary treatments are made up of both 1.8 and 2.1 m high close boarded timber fencing to enclose private gardens with the addition of 1.1m high close boarded timber fencing on the southern central boundary of site 1 and the front west and east boundaries of site 2.

A retaining wall is proposed to the south east corner of site 1 in a wraparound format on the shared boundary of the adjacent Primary School and along the rear boundary of plots 11-15. The retaining wall will decrease in height from south to north (from plot 15 up to plot 11).

RELEVANT PLANNING POLICY

National Policy and Guidance

National Planning Policy Framework (NPPF) – December 2024

National Planning Practice Guidance (NPPG)

National Design Guide

National Model Design Code

Building for a Healthy Life Toolkit

Local

Adopted Rochdale Core Strategy (CS):

SP2	The Spatial Strategy for the borough
SD1	Delivering sustainable development
DM1	General development requirements
DM2	Delivering planning contributions and infrastructure
SO2	Creating successful and healthy communities
C1	Delivering the right amount of housing in the right places
C3	Delivering the right type of housing
C4	Providing affordable homes
C6	Improving health and well being
C7	Delivering educational facilities
C8	Improving community, sport, leisure and cultural facilities
SO3	Improving design, image and quality of place
P1	Improving image
P3	Improving design of new development
SO4	Promoting a greener environment
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 instability
SO5	Improving accessibility and delivering sustainable transport
T1	Delivering sustainable transport
T2	Improving accessibility

Saved Policies of the Rochdale Unitary Development Plan (UDP):

G/D/1	Defined Urban Area
EM/7	Development and Flood Risk
EM/8	Protection of Surface and Ground Water

Places for Everyone Joint Development Plan (PfE)

The Places for Everyone Joint Development Plan was adopted and became part of the statutory development plan for each of the 9 authorities covered by the plan on 21st March 2024. The following policies are relevant:

JP-S1	Sustainable Development
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-H1	Scale, Distribution and Phasing of New Housing Development
JP-H2	Affordability of New Housing
JP-H3	Type, Size and Design and New Housing
JP-H4	Density of New Housing
JP-G6	Urban Green Space
JP-G7	Trees and Woodland
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-P1	Sustainable Places
JP-P5	Education, Skills and Knowledge
JP-C1	An Integrated Network
JP-C2	Digital Connectivity
JP-C5	Streets for All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development

Supplementary Planning Documents (SPD):

- ☐ Affordable Housing (2008)
- ☐ Biodiversity and Development (January 2008 – updated February 2017)
- ☐ Climate Change Adaption (June 2012)
- ☐ Guidelines & Standards for Residential Development (June 2016)
- ☐ Oldham and Rochdale Urban Design Guide (September 2007)
- ☐ Oldham and Rochdale Residential Design Guide (September 2007)
- ☐ Provision of Recreational Open Space in New Housing (March 2008 – updated January 2017)

RELEVANT SITE HISTORY

PREAPP/00031/24

CONSULTATION RESPONSES

Highways and Engineering

Highways have advised that they do not envisage the development would generate any increase in traffic which could be considered significant on the local highway network and they have no new road safety concerns as a result of the development. Highways have also suggested that it may be necessary to relocate the bus adjacent bus shelters to accommodate the development and this should be agreed with the

public transport provider and thereafter funded at the expense of the developer. As per TfGM below, owing to the benefit of a multi-discipline site visit, it was confirmed on site that the bus stops in question do not require relocating. However, as a result of that site visit it was agreed that:

- ❑ To support the required new junction access to the site, highways would recommend the introduction of no waiting at any time (NWAAT) parking restrictions to the easterly kerb line from the rear of the bus stop clearway in a northerly direction to Bury Old Road. This would be further complemented by new NWAAT restrictions to the westerly kerb line from the top of the bus stop clearway to Bury Old Road. The introduction of these restrictions would seek to maximise the visibility splays for all road users to the proposed development site and negate instances of visitor vehicle parking (school or residential) in inappropriate locations in close proximity to the bus stops and three junctions all of which are also in close proximity to each other
- ❑ On Bury Old Road at the junction and Sutherland Road, further NWAAT are recommended on the southerly kerb line to each side of the junction. Approximately 40 metres in either direction. This again, maintains a clear visibility splay for all road users at this junction and supports the new estate access arrangements.
- ❑ The introduction of the NWAAT restrictions would require the creation of a Traffic Regulation Order and should be made part of the planning conditions.
- ❑ The extents of the School Keep Clear restrictions to the front of the school must be retained, which would provide no interruption to the proposed driveway adjacent to the northerly end of these restrictions. Regulations require the presence of the upright sign/pole to be located as close as practicable to the start/end of the restriction, so this will require locating appropriately to permit civil enforcement capabilities for non-compliance

Highways have also requested a section 106 contribution of £28,000 towards the design and improvement of walking and cycling facilities in the area.

Environmental Health (Noise)

Environmental Health have no objection to the proposal subject to condition.

Tree Officer

On the 14th August 2024, the Council's Tree Officer Consultee commented that the application will result in the losses of high quality broadleaved trees which includes trees with high landscape and amenity value by virtue of their prominence.

The Council's appointed Tree consultee has advised that while new tree planting will form part of the proposals, replacement trees will be smaller, less prominent and for the most part will be within the curtilages of the new dwellings, with limited space available for future growth. These replacement trees may also be subject to future pruning or removal and the application should be refused because of impacts on trees and a less dense scheme should be re-designed to avoid tree losses.

Since receiving these comments the scheme has been amended and whilst the same broadleaved trees are still earmarked for removal, the proposed landscaping scheme has changed significantly. The Council's Tree Officer Consultee originally commented on Proposed Landscaping Plan Rev A and latest iteration is proposed Landscaping Plan Rev D.

However, despite being re-consulted on the amended plans on numerous occasions, further comments from the Council's Tree Officer remain outstanding.

United Utilities

Following a review of the originally submitted Drainage Strategy, United Utilities advised that the proposed strategy was not acceptable as they had not seen robust evidence to suggest that the drainage hierarchy had been thoroughly investigated. The proposals were not in line with the non-statutory technical standards for sustainable drainage systems.

For that reason they requested that an appropriately worded condition is attached to any subsequent approval.

However, a revised Drainage Strategy and Plan were submitted and UU were re-consulted on this application and they confirmed that the proposals are acceptable in principle subject to condition.

Lead Local Flood Authority (LLFA)

The LLFA originally commented that the drainage strategy to discharge to the combined sewers is not acceptable in principle and the options for discharge have not been properly assessed. Further information was therefore requested.

A revised Drainage Strategy and Plan were submitted and the LLFA confirmed that the updated information closed out the outstanding issues and they had no further comments to make.

Environment Agency

No comments received.

Sport England

In Sport England's original assessment, it had not been demonstrated that the proposed development met the requirements of Sport England's Playing Field Policy, Exception 3, nor the NPPF paragraphs 103 and 193.

In this instance there was insufficient information for Sport England to clearly advise whether or not the proposal would meet the Playing Field Policy and NPPF paragraphs 103 and 193 requirements.

Sport England therefore suggested the submission of the following:

- ② Ball Strike Risk Assessment – in relation to both sites 1 and 2 (as previously set out in the pre-application Sport England advice).
- ② Details of any required mitigation proposal as a result of the Ball Strike Risk Assessment.
- ② Construction Management Plan (showing clearly that all of the construction process will take place external to the boundary of the retained school playing field).

This information was provided and Sport England have confirmed that they are satisfied that the applicant has demonstrated that no ball strike mitigation is required and as such, the proposal development meets the requirements of Sport England's Playing Field Policy, Exception 3 and the NPPF paragraphs 103 and 193. In addition, given the location of the access to the site and the land level difference Sport England consider it unlikely that the construction process will adversely affect the playing field.

Sport England now raise no objection.

Education

Developer contributions are not required for primary places but developer contributions are required for secondary places. Government guidelines state that the amount of money that is required through developer contributions for education provision needs to reflect the current cost of providing school places.

From January 1st 2025, the calculation of contribution is in this instance:

27×0.1 (secondary yield factor) $\times$ £18,918.56¹ = £51,080.11.

Urban Design

The Council's Urban Design team originally had a significant number of design related concerns. Urban Design advised that it is disappointing the application has not taken on board comments from the pre-application, essentially terming the design process fruitless. As a consequence many of the comments made at this stage remain pertinent. There are weak building lines created by the form and arrangement of dwellings which have not been addressed. A coherent block structure is deemed necessary which would make use of strong, unbroken frontages and rear parking courts obscured by the built form. The house types can be improved with some simple tweaks. With these changes, the development proposal should be able to demonstrate high quality design that will enhance the quality of the area thus addressing concerns related to planning policy.

Following subsequent correspondence with the agent and architect, significant design changes were implemented comprising of house type design and detail changes, layout changes, levels and landscape changes. The changes allowed the Urban Design team to confirm that these were now positively received and the objection was removed.

Environmental Protection (Land Contamination)

The submitted report isn't acceptable considering the proposed end use is sensitive and for that reason a suitably worded condition should be attached to any permission.

Greater Manchester Ecology Unit

BNG

Section 187 of the NPPF 2024 states that the planning policies and decisions should contribute to and enhance the natural and local environment. 10% BNG is mandatory under Schedule 7A of the Town & Country Planning Act 1990 (as inserted by schedule 14 of the Environment Act 2021). The development will result in the loss of trees, low ecological value grassland and the existing hard standing, to be replaced primarily with development and gardens.

The ecological appraisal notes that 10% BNG cannot be achieved on the site and that off-site compensation will be required

¹ Education contribution per pupil costs are updated on the 1st January each year in line with inflation.

Originally there were discrepancies between the submitted landscape plans and habitat creation plans which result in an unclear biodiversity metric. These have now been amended and GMEU accept the revised metric which proposes a significant BNG loss.

Amendments were made to site 2 to allow for the provision of more on-site BNG as a whole but off-site compensation will be required. GMEU advised that more could be achieved in terms of on-site BNG regarding the retention of existing trees, more planting outside gardens etc. However, this would not be enough to remove the need for off-site compensation.

The developer has agreed to provide contributions to fund off-site habitat improvements through the Environment Bank to comply with the requirements and regulations. The applicant will be required to provide information on where the units are being purchased and evidence that an agreement is in place to purchase them when the applicant applies to discharge the statutory biodiversity gain condition.

For the on-site units whilst some of the habitats to be created would be regarded as significant, the units involved are such that a legal agreement would be unreasonable and that the retention of the trees outside of the gardens secured via condition for 30 years. Dependent on where the off-site units are acquired a section 106 agreement may be required.

Summary

In summary there are unlikely to be any significant ecological issues associated with this site.

Bats

Remaining trees and structure were assessed for bats. No evidence of bats was recorded and all classed as having negligible bat roosting potential. I have no reason to doubt the findings of the report. The remaining structure clearly sub-optimal and trees too young to be more than low risk. No further information or measures are required.

Other Protected Species

I am satisfied that it is very unlikely that any other protected species are present, owing to the sub-optimal habitat present and open nature of the sites. No further information or measures are required.

Nesting Birds

Trees and shrubs are proposed for removal. Potential bird nesting habitat. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. A condition is recommended.

Other Wildlife

Species such as hedgehog could utilise the site for foraging and cover. I am satisfied however that the risk of harm is very low and that all that can be reasonably requested is an informative.

Strategic Housing

Strategic Housing is strongly supportive of the provision of new affordable homes within Heywood. Strategic Housing notes the intention of the developer to provide a 100% affordable scheme and welcome this.

Following ongoing discussion and negotiation with the applicants and the Strategic Housing team the proposed housing mix has now been finalised with a split of 19 social rent units and 8 rent to buy units.

Greater Manchester Police

No comments received.

Transport for Greater Manchester (TfGM)

TfGM commented that given the siting of the two existing bus stops close to the access point of site 1, a site visit is needed to ascertain whether the stops can be retained or will require relocation. If the stops do require re-locating then the developer will need to fund this and also upgrade the bus stops at the new locations.

It was also requested that the existing stop adjacent to the application site on Bury Old Road should be upgraded too.

A site visit was undertaken on the 9th December 2024 with TfGM, the Councils Highways team and GM Police. Owing to the benefit of that meeting it was confirmed that the bus stops do not require relocating due to the low volume of traffic proposed to be generated from the new development. However, further Highway safety measures were discussed which have subsequently been resolved as referred to above.

REPRESENTATIONS

Letters of notification were sent to surrounding neighbours and site notices were posted in the vicinity of the site.

A total of 2 representations were received in response to the proposed development.

These raised the following comments:

- ❑ The development would cut off current disabled vehicular access to residents of 27-37 Lennox Walk and the plans needed to be amended to provide a new disabled access.
- ❑ Existing house is cracked due to buses driving by. If construction were to begin my walls could become further cracked during construction.
- ❑ Insufficient parking on the road as it is, during construction and when the houses are built there will be no more room to park.

ANALYSIS

Principle of Development

Both sites 1 and 2, comprising the 'application site' are located within the Defined Urban Area and are within an area that is predominantly characterised by residential development.

Both PfE Policy JP-H 2 and CS Policy C4 acknowledge the increasing need for affordable housing and the Greater Manchester Housing Strategy sets a target of delivering 50,000 affordable dwellings across Greater Manchester over the plan

period. To be more locally specific, the Council's latest Authority Monitoring Report 2021/2022 published in April 2024 notes that increases in house prices, both nationally and locally in recent years means that affordability continues to be a key issue in delivering new housing. The most up to date Strategic Housing market Assessment (SHMA) in 2015 concluded that the overall net authority imbalance is calculated to be 204 affordable dwellings each year which is an increase from the previous SHMA which concluded on 128 dwellings per year. The proposed development comprises a 100% affordable housing scheme and this proposal would represent a generous contribution to meeting the identified annual target.

Paragraph 124 of the National Planning Policy Framework (NPPF) sets out that *"Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses"*. Paragraph 125 of the NPPF advises that *"Planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land"*. Under sub paragraph (d) of Paragraph 125 of the NPPF, *"Planning policies and decisions should promote and support the development of under-utilised land and buildings especially if this would help to meet identified needs for housing."*

With regards to site 1, CS Policy C1 seeks to maximise the potential of previously developed sites within the urban area to achieve a target of 80% of new housing on PDL. Notwithstanding that most of site 2 is considered to be greenfield land, Policy C1 also sets out that the sustainable development of greenfield sites within the urban area would be considered providing that the development would have limited adverse impact on green infrastructure or amenity value in and around the site. It follows that green infrastructure should wherever possible, be incorporated into the scheme.

Furthermore, Core Strategy Policy G6 sets out that the Council *"will protect and improve green spaces and water bodies to ensure that their value to sustainable development and regeneration is maximised..."*. During pre-application discussions the placement of the proposed development adjacent to the existing school sports pitch to the east of site 1 and north of site 2 was assessed. The extent of recreational open space as set out under saved UDP Policy G/3. Policy G6 of the CS, the Council will expect developments to *"avoid the loss of existing urban greenspace or features unless suitable alternative provision is made, it has limited value and its development or change of use will help meet other sustainability or local regeneration objectives"*.

Notwithstanding saved UDP Policy G/3, National Planning Policy Framework paragraph 200 states that existing businesses and community facilities (such as sports clubs) should not have unreasonable restrictions placed on them as a result of development permitted after they were established. The Framework states that where the operation of an existing business or community facility could have a significant adverse effect on new development in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

The placement of new development adjacent to existing sports pitches should therefore not prejudice the use of the pitches into the future, nor should it give rise to an unacceptable relationship between the two uses from the perspective of the new occupiers. Sport England were consulted on this application and have subsequently confirmed that given the submitted assessments, Sport England is satisfied that the applicant has demonstrated that no ball strike mitigation is required and as such, the proposal development meets the requirements of Sport England's Playing Field Policy, Exception 3 and the NPPF paragraphs 103 and 200. In addition, given the

location of the access to the site and the land level difference Sport England consider it unlikely that the construction process will adversely affect the playing field.

Accordingly, in this instance, the proposed development of site 1 would comprise the efficient re-development of a sustainable site and would wholly accord with the overriding policy principle of reusing previously developed land for residential use as set out in the Core Strategy and at a national level in the NPPF.

Overall, the proposed 100% affordable housing scheme would bring substantially more benefits to the locality than the current underused application site at site 1. Accordingly, re-purposing site 1 for residential use and introducing much needed new affordable dwellings on a greenfield site in the urban area through the development of site 2, in a predominantly residential area, is acceptable in principle.

That being said however, further consideration is still required of impacts on viability, residential and visual amenity, design and impact on the character of the area, highway and access implications, ecology and biodiversity, drainage, crime impact and energy demand.

Affordable Housing

The provisions of Policy C4 of the CS and the Council's Affordable Housing SPD, set out a starting point requirement of 15% of homes to be affordable, or 7.5% of Gross Development Value. At Paragraph 66 of the NPPF it establishes that *"Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership"*.

In 2015 the Council commissioned a Strategic Housing Market Assessment (SHMA) of the Borough. As previously alluded to, this assessment indicated an annual imbalance of 204 affordable dwellings across Rochdale. The findings of the SHMA indicated a requirement for affordable housing in all townships to address shortfalls across a range of property sizes.

According to PfE, there are over 70,000 households on local authority registers and increasing the delivery of affordable housing across the plan period is a very high priority and it will be essential that new residential developments play a full role in supporting this. Accordingly, Policy JP-H2 of PfE sets out that *"substantial improvements will be sought in the ability of people to access housing at a price they can afford, including through..."*

1. *Significantly increasing the supply of new housing...*
2. *Maximising the delivery of additional affordable homes...*
3. *Supporting provision of affordable housing as part of new developments...*
4. *Working with Government to maximise the amount of public funding being directed towards the provision of new affordable housing".*

The Council's Strategic Housing team were consulted on this application and they are strongly supportive of the provision of new affordable homes within Heywood. They commented that *"as of July 2024, there are over 9,000 households on the Housing Register, the rate of which is rising exponentially. Rochdale Borough Council has declared a housing crisis. 279 households are currently in temporary accommodation; prevailing costs to the council are circa £2 million per annum and projected to rise substantially."*

Following ongoing negotiations and correspondence with the applicants, it has now been agreed that the proposed development will bring forward a development split of

19 social rent units and 8 rent to buy units which will be secured via a s106 agreement.

This provision is in accordance with the Council's needs and recent ministerial statement made by the Minister of State for Housing and Planning on 2nd July 2025. In this Statement the Minister confirmed that the government announced £39 billion for a successor to the Affordable Homes Programme over 10 years from 2026-27 to 2035-36. The new Social and Affordable Homes Programme will give Registered Providers a decade of certainty over the capital funding they will have available to build new, more ambitious housing development projects. It is integral to delivering the government's commitment to the biggest increase in social and affordable housing in a generation.

Accordingly, the proposed development for a 100% affordable dwellings scheme exceeds local policy requirement and for that reason this is a substantial material benefit of the proposed development which will be weighed significantly in favour of the planning balance.

The proposal complies with Policy C4 of the CS and the Councils Affordable Housing SPD, the NPPF and PfE Policy JP-H2.

Housing Mix and Size

Read individually or collectively, the Core Strategy, Places for Everyone and the NPPF seek to ensure that planning decisions should result in places with a high standard of amenity for existing and future users.

Paragraph 60 of the NPPF sets out that *"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. The overall aim should be to meet as much of an area's identified housing need as possible, including with an appropriate mix of housing types for the local community"*.

Policy C3 of the CS seeks to deliver the right type of homes, well designed and built to appropriate densities, to meet the overall needs and aspirations of the borough and to do this, in this instance Policy C3 seeks to *"Ensure new development provides housing types that take account of local needs and aspirations"*.

The proposed development comprises 27 affordable dwellings to be provided through two and three bedroom family homes. The development is to be provided by way of 26 semi-detached dwellings and 1 detached dwelling.

In terms of occupier amenity, the Nationally Described Space Standards (NDSS) is a technical standards document produced by the Government to ensure internal space within new dwellings is sufficient for future occupiers. Additionally, in accordance with PfE Policy JP-H3 (Type, Size and Design of New Housing), it is a requirement for all new dwellings to comply with the nationally described space standards and be built to the accessible and adaptable standard in Part M4(2) of the Building Regulations unless specific site conditions make this impracticable. These standards can be found here and any future development must adhere to the space standards: Technical housing standards – nationally described space standard - GOV.UK (www.gov.uk)

On assessment of the proposed floor plans, the proposed development meets the minimums NDSS and all dwellings are also made readily adaptable to M4(2) standards of the Building Regulations.

Overall therefore, the proposed development is compliant with the Council's housing policies and the NDSS.

Highways and Access

Policy T2 of the CS requires development to comply with the Council's car parking standards and policy DM1 requires that development provides satisfactory vehicular access with adequate parking, manoeuvring and servicing arrangements, taking into account the proposed use and location.

Access to the site would be via a new junction from Sutherland Road providing access into site 1 with access to the proposed dwellings on site 2 taken directly from Argyle Street itself. The development would require the footway and kerbline fronting the development would require reconstruction under a S278 Agreement. The proposed access arrangements comply with nationally adopted guidance which would see a five and a half metre wide carriageway and footways of two metre widths implemented.

The application is accompanied by a Transport Statement and Highway Services have reviewed the application and have offered no objection to the proposed development.

Policy JP-C8 of PfE requires new development to be located and designed to enable and encourage walking, cycling and public transport use to reduce the negative effects of car dependency and help deliver high quality, attractive, liveable and sustainable environments. With this in mind, the submitted Transport Statement highlights that the site is well located in terms of access to local amenities and facilities by foot, cycle and public transport allowing residents the option to travel sustainably by non-car travel modes which reduces the overall reliance on the private car.

The Transport Statement determines that the proposed development is anticipated to generate an additional 19 two way vehicle movements during the generic AM peak hour and 17 two way movements during the generic PM peak hour during a typical week day. For that reason, it is recognised that the influence of the proposed development on the existing road network would be imperceptible and would not create additional congestion. Highway Services have confirmed that they do not envisage the proposed development would generate any increase in traffic which could be considered to be significant on the existing local network. They have also commented that they are no new road safety concerns as a result of the proposed development.

Highway Services have confirmed that the site is located adjacent to bus routes on both Sutherland Road and the adjacent Bury Old Road and for that reason the site is considered to be semi-sustainable which allows for the proposed parking provision below 200% to be acceptable. Highway Services also consider that the layout of the internal layout pertinent to site 1 is acceptable with adequate turning heads for the servicing and refuse collection.

Highway Services have recommended that the carriageway in the vicinity of the application site will require a dilapidation survey prior to the commencement of development and this will be required through a suitably worded condition.

In accordance with the Bee Network Map, the site has been identified by Highways Services as being on a 'Line of Severance' (Bury Old Road) and a 'Busy Bee Way' (Sutherland Road) which are in need of improvement with regard to cycle and walking facilities. As a result, Highway Services have requested a contribution of

£28,000 towards the design and improvement of walking and cycling facilities in the area.

Highways have also requested the inclusion of a condition to secure the NWAAT restrictions which would require the creation of a Traffic Regulation Order. In addition to this, the existing raised table adjacent to the proposed site access for site 1 is to be re-located in accordance with Drawing RHC-24-234-03 Rev A as agreed by Highways.

On the basis of the above, it is considered that the proposed development would make satisfactory arrangements for vehicle access, manoeuvring and parking, and would facilitate safe and convenient pedestrian circulation to and from the site. The scheme is not considered to have an adverse impact on highway safety and would not generate a level of additional traffic which would have a detrimental impact on the safe and efficient operation of the immediate local highway network, or strategic routes. Highways Services have raised no objections and subject to the relevant conditions, the proposals comply with the requirements of CS Policies T1 and T2, Policy JP-C8 of PfE and the NPPF.

Design and Layout

The NPPF is unambiguous in its stance on the importance of design. Paragraph 131 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 135 goes on to state that planning policies and decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change. Policy P2 states that the Council will protect and enhance the Borough's character, including the quality of its countryside. New development is required to integrate successfully.

Paragraph 136 confirms that *"trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible"*.

Additionally, paragraph 139 sets out that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

The National Design Guide (NDG) states that *"The long-standing, fundamental principles for good design are that is it: fit for purpose; durable; and brings delight"*. The NDG advises that scale, appearance materiality and detailing of buildings are key components for well-designed places. The Building for a Healthy Life guidance document states that building forms and materials should be used to reflect local character.

The above considerations are largely reflected within Policies DM1 and P3 of the Council's adopted Core Strategy which ultimately require development proposals to demonstrate high quality design.

The surrounding area is residential in character with the addition of St Paul's RC Primary School to the immediate south of site 1. Neighbouring residential properties

around both sites 1 and 2 comprise a relatively mixed material palette consisting of red, buff or brown brick, concrete tiled roofs and upvc windows and doors.

The application is accompanied by a Design and Access Statement which identifies that the proposed external materials of construction comprise grey roof tiles feature brickwork with decorative brick detailing and brick band detail. UPVC windows, composite doors and white UPVC fascia's and soffits will also incorporated into the design of the proposed dwellings.

It is acknowledged that UPVC windows and red and brown brick are the prevailing materials used on neighbouring existing dwellings adjacent to both sites 1 and 2. Therefore the material appearance of the proposed dwellings would complement the predominant material in the locality and the additional proposed use of brick detailing and featured brickwork would add further design quality owing to the benefit of discussions between Officers and the applicant and their architect. Full details of materials will however be required prior to commencement of development.

In terms of the proposed layout, street design of new development is a significant factor to take into account in the overall quality of a proposed scheme. As proposed, the proposed layout of site 1 would include a row of 5 semi-detached properties facing onto Bury Old Road (plots 1-10). Plots 11-15 are located on the east boundary of site 1 and these plots would consist of 1 detached dwelling and 2 pairs of semi-detached dwellings and Plots 16 to 21 would face onto Sutherland Road on the west boundary. Plots 1, 11 and 21 benefit from dual frontages and enhanced fenestration through the addition of a bay window being incorporated on their side elevations. Plots 1 and 21 are the two most prominent dwellings of site 1 and the additional bay window introduces a more visually inspiring addition to the host dwellings and street scene.

A retaining wall is required to facilitate the development of site 1 and this is proposed in the south east corner of the site. Originally the scheme proposed 28 dwellings with 22 dwellings proposed on site 1. Formerly, plot 16 was located to the south of plot 15 but Officers had significant concerns as to the outlook and future occupier amenity for residents of this plot given the extremely oppressive and overbearing appearance the proposed retaining wall would create. Accordingly, this plot was removed from the scheme and a landscape buffer has been incorporated in the former position of plot 16 which will significantly soften the appearance of the retaining wall. The retaining wall will still span along the rear boundaries of plots 11-15, decreasing in height along the wall to the north. The design and appearance of the retaining wall will be subject to condition with material samples required prior to the commencement of development.

The layout of site 1 seeks to incorporate a strong landscaping scheme consisting of street trees and semi-mature trees along the street scene with native hedge and shrub planting. Trees will be planted along the frontage of dwellings facing onto both Bury Old Road and Sutherland Road which will positively contribute to the street scene and the proposed internal access road also seeks to incorporate street tree planting. Given the loss of the former Plot 16, this area has now become subject to additional landscaping.

Street trees will also be incorporated into the front of site 2 which will help to soften the built appearance of this site and a meadow area is to be planted behind the rear boundary fencing of all the plots on site 2.

The layout of site 2 comprises a row of 3 pairs of semi-detached dwellings with frontage parking for vehicles. Each dwelling's parking arrangements are kept separate from one another, and landscaping and front boundary treatments are plentiful as to provide further visual relief.

More generally, house types are reasonably varied across the development to promote visual interest within the street scene and are considered to be of an acceptable standard of design taken individually or collectively. The scale and form of the proposed dwellings is entirely appropriate in this location.

Subject to full details of materials and other architectural details, and hard and soft landscaping, it is considered that the proposals would satisfy the overarching aims and objectives set out in local and national design guidance in addition to Policies P1, P2, P3 and DM1 of the adopted Core Strategy, Policies JP-P1 and JP-P2 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Residential and Neighbouring Amenity

Policy DM1 of the adopted Core Strategy requires that all development proposals are compatible with surrounding land uses, both in terms of its impact upon those uses and the impact of the surrounding land uses upon the amenities of future residents.

Development should not affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy and development should mitigate against any impacts due to noise, dust, light and odour pollution. Policy G9 also requires that sensitive new development such as housing, are not adversely affected by existing sources of pollution such as roads and certain types of industry.

This SPD sets out minimum space standards that should be applied to all new residential development and development which affects existing residential properties. These distances are:

- ☐ 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 a directly facing boundary of the curtilage;
- ☐ 14m between a principal window and any directly facing two storey elevation which does not contain a principal window to a habitable room; and
- ☐ 10m between a principal window and any directly facing single storey elevation which does not contain a principal window to a habitable room.

The SPD advises that where these separation distances cannot be achieved, proposals should be “compatible with the density and character of surrounding development”.

The scheme complies with the SPD in terms of its prescribed separation distances from existing dwellings and in respect of distances between proposed dwellings. Officers are therefore satisfied that there would be no detrimental visual intrusion, overbearing impact, overshadowing, or loss of privacy from directly adjoining neighbouring properties.

Consideration has however been given to the location of the proposed retaining wall to the rear of Plots 11-15. An initial assessment by Officers considered that the proposed retaining wall was detrimental enough to the former location of Plot 16 that warranted the removal of this Plot from the entire scheme to address significant concerns of this feature appearing overbearing. Officers consider that the distance

between the rear elevation of Plots 11-15 is sufficient to ensure that acceptable level of light is received by these properties. The measured distance is 10.8m away from Plot 11 to the retaining wall and 14m away from Plot 15.

With regards to outdoor amenity space for future occupiers, as defined within the Council's Residential Development SPD residential amenity is; *'The benefit enjoyed from physical external space which is part of the private home. The level of enjoyment is dependent on a number of factors, including location, size, orientation, sounds, noise, accessibility and enclosure, and general quality of space.'*

Under paragraph 7.33 of PfE, the provision of appropriate outdoor amenity space is defined as being *'vital in delivering high quality homes that support good health'*.

The reasonable needs of occupiers would need to be met and this would need to cover both functional and recreational requirements proportionate to the size of the household, taking into account the surrounding context. On reflection of the proposed layouts, the proposed private garden area sizes to the rear of each dwelling appear to be adequate and they would cover the above aforementioned recreational requirements.

With regards to noise and disturbance to the existing environment, whilst the resulting scheme by its very nature would not cause any significant impacts in terms of noise and disturbance, given its location (adjacent to our Lady and St Pauls RC Primary School and in close proximity to existing residential dwellings) and the type and amount of construction works involved (including excavation and re-profiling of the land), it is considered necessary to require a Construction Method Statement to ensure the development is carried out having due regard for neighbour amenity and highway safety.

Subject to condition, the scheme is considered acceptable in terms of amenity in accordance with Policy G9 and DM1 and the Council's Guidelines and Standards for Residential Development SPD.

Ecology and Biodiversity

Policy G7 requires that sites and features of biodiversity and geodiversity importance are given full and appropriate recognition and protection and that opportunities for enhancing biodiversity and geodiversity will be supported. It is expected that development proposals will protect and include existing biodiversity and take opportunities to promote biodiversity and create new habitats using landscaping and building and construction features wherever possible. CS Policy G7 requires that no development should result in a net loss of biodiversity and geodiversity.

PfE Policy JP-G9 seeks to deliver a net enhancement of biodiversity resources through a collective of measures which are broadly aligned with the approach to BNG outlined within the Environment Act (2021), the NPPF and supporting guidance documents. The provisions of the Environment Act in respect of BNG are now a statutory requirement for planning applications and so the proposed development should achieve net gains for biodiversity via species enhancement as guided by the NPPF (paragraphs 187d and 192b) to achieve demonstrable net gain for biodiversity.

When determining planning applications paragraph 193 of the NPPF sets out that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Opportunities to improve biodiversity in and around developments should also be integrated as part of their design, especially where this can secure measureable.

The Greater Manchester Ecology Unit (GMEU) were consulted on this application and they have commented as follows:

Bats

Remaining trees and structure were assessed for bats and there was no evidence of bats being recorded and all trees were classed as having negligible bat roosting potential. GMEU have no reason to doubt the findings of the submitted Ecological Appraisal and the remaining structures are clearly sub-optimal and the trees are too young to be considered more than low risk. No further information or measures are required.

Other Protected Species

GMEU are satisfied that it is very unlikely that any other protected species are present on site owing to the sub-optimal habitat present and open nature of the two sites. No further information or measures are required.

Nesting Birds

GMEU noted that Trees and shrubs are proposed for removal which comprise potential bird nesting habitat. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. GMEU have therefore recommended that a suitably worded condition be applied to any permission restricting the removal of trees and shrubs between 1st March and 31st August unless a nesting bird survey has been submitted to and agreed in writing with the LPA.

Other Wildlife

GMEU are satisfied that the risk of harm to other wildlife is very low and they have requested the addition of an informative reminding the applicant that under the Wild Mammal (Protection) Act 1996, it is an offence to inflict unnecessary suffering to wild mammals.

Biodiversity Net Gain

The application is accompanied by an Ecological Appraisal and Biodiversity Net Gain Statement with an associated Biodiversity Metric.

It is noted that the site is not allocated for nature conservation under local planning policy and nor is the site subject to any statutory or non-statutory nature conservation designations.

Overall, the proposed development equates to a 78.70% net loss. Based on the proposed BNG calculations there is a deficit of 3.76 habitat units which must be delivered both on-site and off-site in order to achieve the 10% net gain target. To satisfy trading rules this must comprise habitats of medium or higher distinctiveness including grassland, shrubs and trees. Officers consider that the site has responded to constraints on site and a positively designed scheme has now been put forward which incorporates positive landscaping features. The additional need for offsite contributions is due to the nature of the development and the pre-development state of the application site. A 30 year management plan for onsite habitats will be required to secure onsite net gain and this will be secured by condition.

The developer has agreed to provide contributions to fund off-site habitat improvements through the Environment Bank to comply with the requirements and regulations. The applicant will be required to provide information on where the units are being purchased and evidence that an agreement is in place to purchase them when the applicant applies to discharge the statutory biodiversity gain condition. GMEU are satisfied with this approach.

Subject to conditions requiring full details and implementation of the above biodiversity features, the proposed development would accord with the requirements of Policies G6 and G7 of the adopted Core Strategy, JP-G8 of PfE, and the National Planning Policy Framework.

Trees and Landscaping

Paragraph 136 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 180 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. CS Policy G6 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. Development proposals are also expected to replace removed trees from a site at a ratio of 2:1.

As referred to above, CS Policy G7 requires that no development should result in a net loss of biodiversity and geodiversity.

The development would directly affect existing trees on both sites 1 and 2 and accordingly, the application is accompanied by a Tree Survey and Arboricultural Impact Assessment (AIA). This identifies that there are a total number of 12 trees within the site on site 1 and along its boundaries which have been categorised between Class A, B and C and comprise of 4 category A1/2 trees, 5 category B1/2 trees and 3 category C1/2 trees. All trees are proposed to be removed and none are to be retained.

The Councils Tree Officer consultee commented that the proposed tree replacements will be smaller, less prominent and for the most part will be within the curtilages of the new dwellings with much more limited space for future growth. These trees may also be subject to future pruning or removal altogether.

To address the tree loss, the originally proposed landscaping scheme was revised and the application is now supported by a landscaping plan referenced as Drawing No. 7300.01 Rev D which shows the proposed development seeks to introduce the planting of 50 new trees across the application site. Therefore, in its totality, this would represent a replacement ratio far greater than two for one. The proposed landscaping would incorporate extra heavy standard tree planting and semi-mature tree planting.

In terms of a direct comparison, the table below sets out the difference between Proposed Landscape Plan Rev A as originally proposed compared to Proposed Landscape Plan Rev D which is the latest iteration.

Proposed Landscape Plan Rev A	Proposed Landscape Plan Rev D
Trees – 32	Trees - 50
Native Hedge Mix – 86.01m	Native Hedge Mix – 118.6m
Hedges – 220.87m	Hedges – 223.40m

Accordingly, the proposed landscaping has changed significantly and the overall development now provides a much stronger landscaping scheme. But, owing to the proposed tree loss, the development would fail to comply with elements of Policy G7 as it does not protect or include existing biodiversity within the new development. The proposed tree losses also result in the removal of high quality trees of which some, currently have a very strong prominence and high amenity value in the locality. The proposed loss of mature high quality trees is noteworthy, however, the provision of a replacement ratio much greater than 2:1 is proposed. The significance of the proposed tree loss will therefore be weighed in the planning balance as a whole but it is recognised that a significantly strong tree replacement and landscape plan is proposed.

Drainage and Flood Risk

Policy G8 requires that new development does not lead to any increased form of flooding locally or further downstream, does not impede natural water and flood risk management, is not detrimental to existing or potential flood storage areas, contributes where possible to alleviating existing flood risk and is itself well protected from flood risk and ensures prudent use of water resources.

Policy JP-S4 (Flood Risk and the Water Environment) of PfE expects developments to manage surface water runoff through sustainable drainage systems and development should achieve greenfield run-off rates unless it is demonstrates to be impracticable.

The site is located within Flood Zone 1, having a less than 1 in 1,000 annual probability of flooding but the site does fall within the Heywood Critical Drainage Area.

A Flood Risk Assessment and Sustainable Drainage Strategy has been submitted with the application and the proposed drainage strategy has been amended following initial objections from the LLFA and United Utilities.

The proposed drainage system will be based on SUDS principles for the attenuation and treatment of the surface water run off as shown on the accompanying drawing BDL-1763-01-DS-001 P3 Drainage Strategy.

The first consideration in the SUDS hierarchy is infiltration to ground. According to BGS data, there is relatively impermeable Coal Measure geology present at or near the surface of the site. There is also the possibility of Made Ground in some areas of the site. BRE365 soakaway testing was commissioned by Inspire Design and Development to further assess the feasibility of infiltration at the application sites. Full results from Humberside Laboratories can be found in Appendix G of the submitted Drainage Strategy report. The report concluded that infiltration was feasible at Site 1, with infiltration rates of between 1×10^{-5} and 1×10^{-6} . At Site 2, infiltration rates were observed at Trial Pit 5 at 3×10^{-5} , however, no soakage was observed at trail pit 6 within Site 2.

Consequently, as infiltration is feasible at both sites, the proposed drainage strategy will incorporate infiltration to ground. The runoff from roofs, private driveways, and adoptable access roads will be conveyed to soakaways as shown on the drawing BDL1763-01-DR-001 P3 Drainage Strategy.

As it is possible to infiltrate to the ground, the remaining steps of the sustainable drainage hierarchy have not been assessed at this stage, as it is considered that infiltration to ground would be favoured over a discharge to surface water sewer

The proposed drainage system will be sufficient to cater for the 1 in 100-year rainfall event with 45% climate change allowance in accordance with the EA Guidance Flood Risk Assessments: Climate Change Allowances, May 2022.

Following implementation of the surface water drainage system, there will be no significant risk of surface water flooding at the site.

Foul sewerage will be disposed of the public sewers in Sutherland Road (Site 1), and Argyle Street (Site 2).

Overall, through consulting the LLFA and United Utilities, the site is suitable for the proposed development and subject to the implementation of the proposed Drainage Strategy, the proposed development may be occupied safely and adequately drained without increasing flood risk overall. Accordingly, it is considered that the proposal meets the requirements of the NPPF and CS Policy G8.

Contamination

Policy G9 requires that any risks arising from contaminated land are identified and that any appropriate actions are taken. A Stage 1 Risk Assessment has been submitted with the application and reviewed by the council's Public Protection Officer.

Section 5.1 of the submitted Risk Assessment identified that *"The preliminary environmental risk assessment, when considered within the context of the proposed end-use, indicates that some potential contaminant linkages may present an unacceptable level of risk to human health in relation to the identified source-pathway-receptor linkages for the site. On this basis, it is considered that further works are warranted prior to the site's redevelopment so that site-specific data can be obtained"*.

It is therefore considered that at this stage, until site specific data can be obtained, there remains a risk of unacceptable levels of contamination or associated risks to human health and the application is currently unacceptable in respect of this element of policy G9.

Nevertheless, it has been confirmed through consultation with the Council's Environmental Protection team that this matter can be dealt with by a suitably worded condition.

In light of the above, and subject to the imposition of an appropriate condition as recommended, it is considered that all contamination risks can be suitably addressed and there is no conflict with the requirements of CS Policy G9 or the Framework.

Crime Impact

Policy P3 of the CS requires all new developments to incorporate design measures that design out crime and ensure developments and spaces are safe to use and access. Similarly Policy DM1 requires all development proposals to minimise opportunities for crime against people or property.

The application is supported by a Crime Impact Statement (CIS) which concludes that given the sites current vacant condition and surrounding similar residential

projects, the proposed development will not negatively impact crime. The CIS states that continuing the regeneration of the area to provide formal and well cared for properties will likely have a positive influence on the aesthetics of the area and the fear of crime as well as reducing opportunities for crime as a whole.

Greater Manchester Police have been consulted on this application but they have not provided any comments. Notwithstanding the absence of any comments from Greater Manchester Police, Planning Officers consider that the proposed development has been considered to minimise opportunities for crime and the development is appropriately designed with natural surveillance.

Energy Demand and Climate Change Adaptation

Core Strategy Policy G1 sets out measures to address climate change and emissions, whilst Policy G2 requires that new development adhere to the energy hierarchy.

Policy JP-S1 of PfE requires development to aim to maximise its economic, social and environmental benefits simultaneously, minimise its adverse impacts, utilise sustainable construction techniques and actively seek opportunities to secure net gains across each of the different objectives.

Greater Manchester's vision is to be at the forefront of action on climate change and to make its fair contributions to international commitments by becoming a carbon neutral city region by 2038. To meet this target, PfE endorses the following commitments:

- ☐ Be carbon neutral by 2038
- ☐ Hold cumulative carbon dioxide emissions to without the carbon budget
- ☐ Initiate a programme of mitigation to reduce emissions including by:
 - o Significantly upscaling solar photovoltaic energy;
 - o Reducing heat demand in homes;
 - o Moving away from carbon intensive gas as the primary source of heat;
 - o Reducing heating and cooling demand for public and commercial buildings;
 - o Increasing biofuel use;
 - o Enable sustainable choices for travel and decarbonise transport;
 - o Significantly upscaling building retrofit; and
 - o Increase the delivery of nature-based solutions and biodiversity net gain.

PfE Policy JP-S1 also refers to Part L of the Building Regulations which was announced in December 2021 and which took effect on 15 June 2022. This is to be precursor to the introduction of the Future Homes Standard which is anticipated to take effect in 2025. The policy position will follow the trajectory of FHS in relation to carbon reduction with applicants demonstrating how savings have been maximised following the energy hierarchy.

In this instance, the application is supported by an Energy Standards Statement which confirms the proposed development has been designed with a fabric first approach with U-values, design air permeability and ventilation targets all aspiring to exceed Building Regulations Part L.

It is proposed that Air Source Heat Pumps will be installed within each dwelling properties and this lower/zero carbon technology would provide a 63.4% reduction in CO₂. The feasibility of other renewable and low carbon technologies was assessed but these were either not chosen or considered to be unviable. PfE notes under paragraph 5.15 that:

“As the electricity grid becomes more decarbonised the ability of renewable energy to offset carbon emissions minimises. However the contribution of such technologies to energy demand reduction and running costs become significant as services move to all electric solutions. The research has shown that in a low carbon context, the use of heat pumps alone could lead to higher running costs (as they consume energy, not generate), increasing the potential for more households being in fuel poverty, production of waste heat and an increased risk of creating local network capacity issues”.

The proposed dwellings will exceed Building Regulations Part L and the proposed development would result in a 63.4% reduction in carbon emissions over the residual emissions which meets the requirements of CS Policies G1 and G2.

Developer Contributions and Viability

CS Policy DM2 requires developers to provide, or contribute towards the cost of physical, environmental 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. However, this policy also requires consideration to be given to the need to ensure that schemes remain viable whilst taking into account the need for contributions or infrastructure required to make the scheme acceptable in planning terms. In the case of residential development such as this, the Core Strategy specifically requires contributions towards affordable housing (Policy C4), open space provision and maintenance (Policy G6) and education facilities (Policy C7).

Paragraph 59 of the NPPF also states that where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at 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. All viability assessments should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.

The applicant has submitted a viability appraisal in which they highlight that the scheme constitutes a 100% affordable housing provision above and beyond Core Strategy policy requirements and the development is also proposed to be financially supported by grant funding provided by Homes England at £59,000 per plot.

The applicant makes the case that the scheme would not be viable without even taking into account any section 106 monies.

In assessment of the applicants Viability Assessment, the Council instructed an Independent Financial Viability Appraisal to be carried out and since its publication the applicant has accepted the requested S106 payments.

In this instance, the following contributions have been requested.

Education

The Council's standard calculation for school places would result in a requirement for a secondary education contribution of £51,080.11. There is no requirement for a contribution toward primary school places.

Open Space and Outdoor Sports Provision

CS Policy G6 requires that residential development should provide or contribute financially towards recreational open space in accordance with the standards set out in the Provision of Recreational Open Space in New Housing SPD.

The SPD sets out that developments of more than ten dwellings with less than 100 bedrooms in total will not need to make provision for recreational open space on site, but will be expected instead to make a financial contribution towards the provision / improvement of an area or areas of recreational open space in the locality. In this instance, the total number of bedrooms within the development is 68.

Based on the updated table of charges valid from 1st February 2020, the expected contribution for Offsite Local Open Space would be £33,945.42. Following input from the Council's Environmental Management team, contributions in respect of this development will be allocated to Argyle Street Play Area.

An Outdoor Sports Provision contribution of £37,340.06. The Council's Environmental Management team have asked that this contribution be allocated to the AGP Project at Heywood Central Sports Site.

In this regard, given the confirmation by the Applicant, the proposed development is compliant with the requirements of policies G6 and DM2 of the adopted Rochdale Core Strategy, the Supplementary Planning Document 'Provision of Recreational Open Space in New Housing' (2008, updated January 2017) and the NPPF.

Cycling and Walking Facilities

In accordance with the Bee Network Map, the site has been identified by Highways Services as being on a 'Line of Severance' (Bury Old Road) and a 'Busy Bee Way' (Sutherland Road) which are in need of improvement with regard to cycle and walking facilities. As a result, Highway Services have requested a contribution of £28,000 towards the design and improvement of walking and cycling facilities in the area.

Planning Balance and Conclusions

The proposed development of 27 affordable dwellings would be acceptable in principle in respect of being suitable for residential development.

The development would provide 27 high quality affordable homes which would be designed positively against the local character of the area and deliver on the policy aspirations to deliver much needed affordable housing within the urban area which is afforded significant weight. The loss of a small area of greenfield land on site 2 is outweighed by the many wider benefits the provision of 27 affordable dwellings would provide as a whole.

It is recognised that the proposed development will result in the loss of high quality broadleaved trees with high landscape and amenity value by virtue of their prominence along Bury Old Road which is a well-used highway. Notwithstanding the

proposed tree loss, the proposed replacement tree planting is significant. However, it is recognised that these trees will be smaller, less prominent and for the most part within curtilages of the new dwellings with limited space for future growth. The latest iteration of proposed tree planting proposes 50 trees and maximises the provision of these within the public realm and in accordance with PfE Policy JP-G8, the proposed development would adequately mitigate against the harm to biodiversity and would adequately compensate for the harm caused by contributing to BNG offsite. Notwithstanding the impact on the existing biodiversity, the proposed development is acceptable in terms of its impact to neighbour amenity, highways, drainage, land contamination and energy impacts. Taking these matters into account and principally, the fact that the proposed development in the main would deliver a sustainable development of 27 much needed affordable dwellings is acceptable in the planning balance.

Policy requirements are met or can be met by way of condition and a legal s106 agreement comprising of financial contributions with regards to education, open space and sports provision and cycling and walking facilities in the vicinity of the site is agreed.

The proposed development would provide biodiversity enhancements and would adopt a landscape approach to development, it would exceed Building Regulations Part L and the proposed development would result in a 63.4% reduction in carbon emissions adopting a fabric first approach.

Overall the proposals would represent a sustainable development which has been carefully considered and well designed. The application is considered in the planning balance to be acceptable and is therefore recommended for approval.

RECOMMENDATION

It is recommended that permission is **Granted** subject to a Section 106 Legal Agreement to include:

- a) A financial contribution of £51,080.11 toward secondary education.
- b) A financial contribution of £33,945.42 toward off-site local open space which is to be allocated to Argyle Street Play Area.
- c) A financial contribution of £37,340.06 toward outdoor sports provision which is to be allocated to Heywood Central Sports Site.
- d) A financial contribution of £28,000 toward cycling and walking facilities in the local area.
- e) An obligation to provide an Affordable Housing Scheme for the development being 100% Affordable Housing comprising 19 social rent units and 8 rent to buy units and the identify of a Registered Provider to take the transfer of the site and the nomination rights to be granted to the Council.

And upon execution of the above S106 Legal Agreement, 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:

- ☐ Location Plan Drawing No 100
- ☐ Site Clearance Plan Drawing No 102

- ☐ Proposed Site Plan 01 Drawing No 105 Rev 10
- ☐ Proposed Site Plan 02 Drawing No 106 Rev 3
- ☐ Proposed Site Plan (Both Sites) Drawing No 107 Rev 6
- ☐ Proposed Boundary Treatment Plan Site 01 Drawing No 108 Rev 4
- ☐ Proposed Boundary Treatment Plan Site 02 Drawing No 109 Rev 1
- ☐ Proposed 2B3P House T1 Proposed Floor Plans Drawing No 110 Rev 5
- ☐ Proposed 2B3P House T1 Proposed Elevations Drawing No 111 Rev 2
- ☐ Proposed 3B4P House T1 Proposed Floor Plans Drawing No 116 Rev 6
- ☐ Proposed 3B4P House T1 Proposed Elevations Drawing No 117 Rev 2
- ☐ Proposed 3B4P House T2 Proposed Floor Plans Drawing No 119 Rev 6
- ☐ Proposed 3B4P House T2 Proposed Elevations Drawing No 120 Rev 2
- ☐ Proposed 3B4P House T3 Proposed Floor Plans Drawing No 122 Rev 7
- ☐ Proposed 3B4P House T3 Proposed Elevations Drawing No 123 Rev 4
- ☐ Proposed 3B4P House T4 Proposed Floor Plans Drawing No 127 Rev 2
- ☐ Proposed 3B4P House T4 Proposed Elevations Drawing No 128
- ☐ Proposed 2B3P House T3 Proposed Floor Plans Drawing No 129 Rev 4
- ☐ Proposed 2B3P House T3 Proposed Elevations Drawing No 130
- ☐ Proposed Street Elevations 1/2 Drawing No 124 Rev 6
- ☐ Proposed Street Elevations 2/2 Drawing No 125 Rev 6
- ☐ Site Sections Drawing No 126 Rev 3
- ☐ Site Plan 01 Indicating Adopted Areas Drawing No 140 Rev 2
- ☐ Site Plan 02 Indicating Adopted Areas Drawing No 141 Rev 1
- ☐ Landscape Proposals Drawing No 7300.01 Rev D
- ☐ Raised Table Location Drawing No RHC-24-234-03 Rev A
- ☐ Materials Tracker (Mottram Multi, RAL 9010 UPVC windows, RAL 9005 Doors and Modern Smooth Grey Tile)
- ☐ Sustainable Strategy Plan Drawing No BDL-1763-01-DR-001 Rev P3 Dated 26th June 2024.
- ☐ Sustainable Drainage Strategy Rev P4 Dated 22nd January 2025
- ☐ Noise Impact Assessment
- ☐ Transport Statement Referenced RHC-23-234-TS Revision A
- ☐ Arboricultural Impact Assessment July 2024 (Site 1)
- ☐ Arboricultural Impact Assessment November 2024 (Site 2)
- ☐ Stage 1 Risk Assessment Referenced GUK-0224-05

and the development shall be carried out in accordance with these details hereby approved unless otherwise required by the conditions below.

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 Rochdale Unitary Development Plan and the National Planning Policy Framework.

3. No dwelling shall be occupied until a Management and Maintenance Plan for all public and communal areas has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, this includes all

public areas identified on Drawing No 140 Rev 2. The approved Management and Maintenance Plan shall be adhered to for the lifetime of the development.

Reason: To ensure a ensure a satisfactory standard of visual amenity and repair for the lifetime of the development in accordance with CS policies DM1 and P3, PfE policy JP-P1 and the National Planning Policy Framework.

4. The drainage for the development hereby approved, shall be carried out in accordance with the principles set out in the submitted Foul & Surface Water Drainage Design Drawing BDL-1763-01-DR-001, Rev P3 - Dated 21/01/2025 which was prepared by Inspire Design & Development. 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.

5. No above ground works shall take place until samples of all external facing materials have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved and retained as approved thereafter. For the avoidance of doubt, these details should relate to windows, doors, roof slates and all elevation materials (including brick and brick detailing).

Reason: In order to ensure use of appropriate materials which are sympathetic to the character of the building and the surrounding area in the interests of visual amenity and heritage and to comply with the requirements of Core Strategy Policies P1 and P3 and the National Planning Policy Framework.

6. No above ground works shall take place until full details of the alignment, height and appearance of all boundary treatments (fences and walls) to be erected to the site boundaries (notwithstanding any such detail shown on previously submitted plans) have been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall not be occupied before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.

Reason: In order to ensure use of appropriate materials which are sympathetic to the character of the building and the surrounding area in the interests of visual amenity and to comply with the requirements of Core Strategy Policies P1 and P3 and the National Planning Policy Framework.

7. No above ground works shall take place until details of the colour, form and texture of all hard landscaping (ground surfacing materials) (notwithstanding any such detail shown on previously submitted plans) have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved and shall be completed in all respects before the final completion of the development and thereafter retained.

Reason: In order to ensure use of appropriate materials which are sympathetic to the character of the building and the surrounding area in the interests of visual amenity and heritage and to comply with the requirements

of Core Strategy Policies P1 and P3 and the National Planning Policy Framework.

8. No above ground works shall take place until full details of the proposed retaining wall (including elevation appearance and specification details) to the rear of plots 11-15 (notwithstanding any such detail shown on previously submitted plans) have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved and shall be completed and thereafter retained in all respects before the first occupation of all plots 11, 12, 13, 14 and 15.

Reason: In order to ensure use of appropriate materials which are sympathetic to the character of the building and the surrounding area in the interests of visual amenity and heritage and to comply with the requirements of Core Strategy Policies P1 and P3 and the National Planning Policy Framework.

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.

The submitted report shall include:

- i) a survey of the extent, scale and nature of contamination
- ii) an assessment of the potential risks to:
 - o human health,
 - o property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
 - o adjoining land,
 - o groundwaters and surface waters,
 - o ecological systems,
 - o 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 be carried out in accordance with the approved remediation strategy thereafter.

No part of the development shall be occupied until a verification report demonstrating that the approved remediation has been implemented has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy G9 of the adopted Rochdale Core Strategy, Policy JP-S1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Reason for pre-commencement condition: Further investigation will be necessary prior to commencement of any building or engineering works on site.

10. All proposed planting set out within Proposed Landscaping Plan Drawing No. 7300.01 Rev D shall be carried out in accordance with the approved details within the first planting and seeding seasons following the very first occupation of the development (or in accordance with a phased timing plan to be submitted to and agreed in writing by the Local Planning Authority). Any trees, plants or shrubs which within a period of 5 years from the completion of the development 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: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with Policy G7 of the adopted Rochdale Core, Policies JP-P1 and JP-G2 of the Places for Everyone Plan and the NPPF.

11. No part of the development hereby permitted shall be occupied until a scheme of biodiversity enhancements has been submitted to and approved in writing by the Local Planning Authority. Such measure shall include, but not limited to, the provision of bird boxes, bird bricks, bat boxes and bat bricks to be integrated to the fabric of the buildings hereby approved, bug hotels, hibernaculum, wildflower seeding and hedgehog habitat (including provision of 'Hedgehog Highways') The duly approved scheme shall be implemented in full prior to final occupation of the phase of development to which the measures relate and retained thereafter.

Reason: In the interests of enhancing biodiversity and habitat provision within the site in accordance with Policy G7 of the adopted Rochdale Core Strategy, Policy JP-G8 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

12. No part of the development shall be occupied until revised road markings on Sutherland Road and the highway lining immediately adjacent to the proposed Site 1 access is refreshed in line with a scheme that has first been submitted to and approved by the Council as Local Planning Authority.

Reason: In the interests of highway safety and to ensure the functionality of the wider highway network in accordance with the Core Strategy policy T2 and the National Planning Policy Framework.

13. No part of the development shall be occupied until a scheme for highway improvement works (including the proposed junction works with Sutherland Road and the proposed site access for Site 1) has been implemented in accordance with details (including their layout, design and surfacing) which have first been submitted to and approved in writing by the Local Planning Authority. For the avoidance of any doubt, these details shall also include the introduction of no waiting at any time parking restrictions at the new junction with Site 1 and Sutherland Road and at the existing junction on Bury Old Road and Sutherland Road.

Reason: In the interests of highway safety and to ensure the functionality of the wider highway network in accordance with the Core Strategy Policy T2 and the National Planning Policy Framework.

14. Prior to the commencement of the development, a detailed construction management plan outlining working practices during construction shall be submitted for approval in writing by the Council, as Local Planning Authority, which for the avoidance of doubt should include:

- ☐ Display of an emergency contact number;
- ☐ Details of Wheel Washing;
- ☐ Dust Management Plan;
- ☐ Compound locations where relevant;
- ☐ Location, removal and recycling of waste;
- ☐ Routing strategy, vehicular access point, vehicular activity associated with construction and swept path analysis; and,
- ☐ Parking of construction vehicles and staff.

The development shall be carried out in accordance with the approved construction management plan throughout the construction period.

Reason: To safeguard the amenities of nearby residents and businesses, highway safety and air quality, pursuant to policies DM1 and T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for Pre-commencement Condition: Construction/clearance works on-site have the potential to impact residential health and amenity, and the natural environment/habitats from the initial stages. Appropriate safeguards should therefore be put in place prior to works starting.

15. Prior to first occupation of the development hereby approved, a Habitat Management and Monitoring Plan (the HMMP), shall have been submitted to, and approved in writing by the Local Planning Authority. The HMMP shall be prepared in accordance with the approved Biodiversity Gain Plan and include:

- (a) a non-technical summary;
- (b) the roles and responsibilities of the people or organisation(s) delivering the [HMMP];
- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,

The development shall thereafter be undertaken in accordance with the approved plan.

Reason: To ensure that the requirements of The Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 are fulfilled and in order to ensure the delivery of a net gain in biodiversity in accordance with the requirements of Policy G7 of the adopted Rochdale Core Strategy, Policy JP-G8 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

16. No works to install any solar PV panels or Air Source Heat Pumps shall take place until full details and specifications of such features including large scale drawings at a scale of not less than 1:50 have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details thereafter.

Reason: In the interests of ensuring a satisfactory visual appearance to the development and in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy, Policies JP-S2 and JP-P1 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

17. The development hereby approved shall be constructed in accordance with the noise mitigation measures set out within the submitted Noise Impact Assessment by Braiden Acoustics Ltd dated 4 July 2024 and referenced Report No: 11219. The noise mitigation measures shall be retained as installed thereafter in for the lifetime of the development.

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, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

18. The development hereby approved shall not be occupied until such time as the access, servicing and parking provisions as shown on the approved site plans have been installed in accordance with the approved plans and made available for use. The parking spaces shall be retained as such thereafter.

Reason: In the interest of highway and pedestrian safety and in accordance with Policies T2 and DM1 of the adopted Rochdale Core Strategy, Policy JP-C8 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent Order following the revocation and re-enactment thereof, the dwellings hereby approved shall not be altered or extended, and no buildings or structure shall be erected within their curtilage under Schedule 2, Part 1, Classes B and D of the above Order except with the prior written approval of the Local Planning Authority.

Reason: To prevent undue harm to the amenity of existing and future occupiers and in the interest of visual amenity and in accordance with Policies P3 and DM1 adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

BIODIVERSITY NET GAIN

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority,

and;

- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Rochdale Council.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

For the purposes of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990, a biodiversity gain plan is a plan which:

- (a) relates to development for which planning permission is granted,

and;

- (b) specifies the matters referred to below:

The biodiversity plan must include:

- (a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- (b) the pre-development biodiversity value of the onsite habitat;
- (c) the post-development biodiversity value of the onsite habitat;
- (d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- (e) any biodiversity credits purchased for the development; and
- (f) any such other matters as the Secretary of State may by regulations specify.

Procedure Statement

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively to issue the decision without delay.

Informatives

The applicant is reminded that, under the Wild Mammal (Protection) Act 1996 it is an offence to inflict unnecessary suffering to wild mammals. Planning consent does not provide a defence against prosecution under this act.

The applicant is reminded that, under the Wildlife and Countryside Act 1981 it is an offence to intentionally or recklessly disturb a schedule 1 bird on or near a nest containing eggs or young, when it's building a nest or it's dependent young.

