

APPLICATION NUMBER: 23/01153/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/01153/FUL	Aimee Bovaird	4 December 2023

Address: 17 Prospect Place Heywood Rochdale OL10 4JQ

Proposal: Erection of a new block of three numbers of terraced dwellings - resubmission of 22/01531/FUL

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

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
	Neighbour comments received?	N

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

RECOMMENDATION	REFUSE
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CHECKED AND SIGNED OFF BY:

DATE:

SITE

This application relates to a circa 104 sq.m of land west of Prospect Place in a predominately residential area within the Defined Urban Area. This site is also in a physical regeneration zone (Central and East Heywood). The site is adjacent to 17 Prospect Place.

The site is covered in gravel and there was previously a garage that has been demolished.

Millers Brook is recognised as a main river by the Environment Agency which is set in a ditch which terminates into a culvert c.19m northwest of the site. The culvert runs southwest and is as close as 13m to the northwestern corner of the site.

PROPOSAL

Planning permission is sought for Erection of a new block of three terraced dwellings.

Each dwelling will have a kitchen/dinning/living area, lounge and bathroom on the first ground floor. The first floor will consist of two bedrooms and a bathroom bathroom and a store. The loft will be for storage. Each dwelling would have a rear garden and a proposed fence along the boundary.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Sub-Regional

Places for Everyone Joint Development Plan (PfE)

7. Places for Homes

JP-H 3 Type, Size and Design of New Housing
JP-H 4 Density of New Housing

9. Places for People

JP-P 1 Sustainable Places

Adopted Rochdale Core Strategy (CS):

SO1	Delivering a more prosperous economy
E1	Establishing thriving town, district and local centres
SO2	Creating successful and healthy communities
C1	Delivering the right amount of housing in the right places
C3	Delivering the right type of housing

SO3	Improving design, image and quality of place
P3	Improving design of new development
SO4	Promoting a greener environment
G6	Enhancing green infrastructure
G8	Managing water resources and flood risk
G9	Reducing the impact of pollution, contamination and land instability
SO5	Improving accessibility and delivering sustainable transport
T2	Improving accessibility
DM1	General development requirements
SD1	Delivering sustainable development

Unitary Development Plan (UDP):

G/D/1 Defined Urban Area

Supplementary Planning Documents (SPD):

Supplementary Planning Guidance note 'Guidelines and Standards for Residential Development' (June 2016).

RELEVANT SITE HISTORY

22/01531/FUL - Erection of 3no' two storey terraced dwellings and associated landscaping following demolition of existing garage – withdrawn.

CONSULTATION RESPONSES

Highways And Engineering

The following comments were received,

'Highways have previously commented on residential development on this site when considering Planning Application 22/01531 and similar highway issues arise from this application.

Prospect Place does not have the benefit of a turning head and service vehicles particularly refuse collection vehicles use the unadopted section of Prospect Place as a through route to return to Starkey Street. The proposed dwellings would extend onto the unadopted section of Prospect Place and although this may not be part of the highway it would restrict the space available for vehicles using this route. We must therefore ensure that access for service vehicles remains unaffected by the proposed development. It should however be considered that the owner of the land could erect a fence around it without the need for a planning permission that would have the same outcomes as the proposed development.

The application does not include any parking provision and the development would rely on on-street parking which is the current situation for the majority of dwellings on Prospect Place. Our concern is that this additional on-street parking would restrict access for service vehicles especially at the pinch point on the north west corner of

the development. We would raise no objection to the access issue provided that access for service vehicles is maintained.

We note from the submitted plans that a footway is proposed along the front of the dwellings to extend segregated pedestrian access along Prospect Place, we would ask that that the carriageway is also extended along the development frontage with an even bound surfaced provided. This would provide a suitable vehicular access in line with Council policies and the construction details could be delivered via a planning condition.

The servicing arrangements for the development would appear to be acceptable provided access for refuse collection vehicles is maintained.

If approved the development should not have any impact on road safety or highways capacity.

Highways raise no objection to this application subject to the suggested planning conditions.'

Lead Local Flood Authority/Drainage

The following comments were received,

'No drainage details have been provided for these dwellings. There is a watercourse close to the house, to which roof drainage could be sent, but requires crossing 3rd party land. It doesn't look like there will be much space for any infiltration, which should be located at 5m distance from any dwelling.

The plans do not show whether there are any driveways or not – unclear. If driveways were provided, they should be in permeable paving.

It looks like the only practical option would be to send roof drainage to public sewer, managed by United Utilities. The Applicant will need to contact United Utilities Developer Services to discuss options and gain agreement, in principal before submitting details to discharge the drainage condition, if the Applicant gains planning approval. UU may require some attenuation measures to be provided to restrict roof drain to sewer.'

Environmental Control (Landfill Gas)

No comments received to date.

Environmental Protection

The following comments were received,

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

- ② a survey of the extent, scale and nature of contamination*
- ② an assessment of the potential risks to:*
 - ② human health,*

- ☐ *property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,*
- ☐ *adjoining land,*
- ☐ *groundwaters and surface waters,*
- ☐ *ecological systems,*
- ☐ *archeological sites and ancient monuments;*
- ☐ *where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s)*

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

Tree Officer

No comments received to date

United Utilities

The following comments were received (summary),

'Drainage design can be a key determining factor of site levels and layout. In the absence of a detailed plan outlining the proposed levels (including finished floor levels and ground levels) shown in metres above Ordnance Datum and an indicative foul and surface water drainage strategy (including cover and invert levels), we are unable to assess any risk of sewer surcharge. In the absence of this information, we request a pre-commencement condition relating to drainage to ensure that an appropriate, robust drainage solution is proposed and delivered. If the applicant provides the required information (above) prior to determination, we will review any new plans at the request of the Local Authority.'

REPRESENTATIONS

Letters of representation have been sent out to surrounding neighbours and a site notice displayed in the vicinity.

ANALYSIS

The proposed application site is located within the Defined Urban Area as designated under the Proposals Map of the Unitary Development Plan (UDP). New development, wherever possible and appropriate, should be concentrated within the urban area in order to support urban regeneration and to protect the countryside.

The latest published information suggests that the Council can demonstrate more than a six year supply of housing land based on the Core Strategy target; however this does not preclude the promotion of sustainable development where this can assist in delivering additional housing to meet local needs.

On the basis that the proposal would make a valuable contribution to housing supply within the Borough, whilst being in a sustainable location within reasonable proximity to local amenities and public transport facilities, it is considered that the principle of development is therefore acceptable in accordance with Core Strategy polices C1, C3 and SD1, saved UDP policy G/D/1 and the NPPF

Character and Appearance

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities

Paragraphs 131 and 135 of the National Planning Policy Framework (NPPF) state that good design is a key aspect of sustainable development and that planning policies and decisions should ensure that developments function well and add to the overall quality of the area and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, which is largely reflected within Policies DM1 and P3 of the Council's adopted Core Strategy, which requires development proposals to demonstrate high quality design.

PfE Policy JP-P1 sets out the ambition for Greater Manchester to become one of the most liveable cities in the world, consisting of a series of beautiful, healthy and varied places and sets out a number of requirements for new development to adhere to which generally conform to the guidance set out in the documents linked above. This includes creating places which respect and acknowledge the character and identity of the locality and are visually stimulating, creating interesting and imaginative environments.

The revisions to the NPPF in September 2023 are clear that development that is not well designed should be refused, and conversely, significant weight should be given to development which reflects local design policies and government guidance on design.

The proposed development continues the existing terrace, however there is a 1m separation between the existing row of terraced housing. The overall scale and form of the proposed development is reflective of houses in the area, continuing the eaves and ridge height of the existing dwellings. The proposed finish in render on the elevations is similar to existing properties which would overall, ensure that the development sits comfortably within its context.

Conditions could be attached to ensure that the materials are a suitable finish, window details are reflective of adjacent dwellings and the construction of boundary treatments are appropriate for the context.

As such, it is considered that the proposals would comprise a good standard of design. In light of this, the proposals would accord with the requirements of Policies DM1 and P3 of the adopted Core Strategy and the National Planning Policy Framework.

Impact on Amenity

Paragraph 135 of the National Planning Policy Framework advises that planning decisions should always seek to secure a high standard of amenity for existing and future users. Further to the above are the considerations of the Council's Supplementary Planning Document (SPD) 'Guidelines and Standards for Residential

Development' which states that new developments *"should be carefully designed to protect the amenity of the occupants of adjoining properties."*

PfE Policy JP-P1 requires all new development to be "Comfortable and inviting, with indoor and outdoor environments, offering a high level of amenity that minimises exposure to pollution; and addressing microclimate issues such as sunlight, indoor air quality, overheating, shade, wind and shelter. PfE Policy JP-H3 also establishes the requirement for new dwellings to be compliant with the Nationally Described Space Standards. This policy also requires all new dwellings to be built to the 'accessible and adaptable' standard in Part M4(2) of the building regulations.

The proposed development would be set 1m away from the existing side elevation of no. 17 Prospect Place. The side elevation of this property includes a window at both ground and upper level, which would completely be deprived of access to light and outlook from their side elevation. Within the previously withdrawn application it was established these are not habitable rooms, and whilst the proposal would result in loss of outlook however on balance this is considered acceptable due the windows not providing outlook for habitable rooms.

The SPD sets out space standards, '21m between directly facing principal windows of habitable rooms, at an upper floor level AND 10.5m between a principal window at an upper floor level and a directly facing boundary of the curtilage'. The second storey is 13m from the existing dwelling no. 109 Starkey Street, 16m from no. 111 and no 113. It is acknowledged these are reduced distances however due to the character of the area reduced separation distances are considered acceptable.

The proposal includes a single storey rear projection that through amends has been reduced and this will keep some level of outlook for rear facing ground windows.

In respect of the internal layout of the proposed bedrooms meet the requirements of the NDSS. This provides an acceptable standards of amenity for occupiers.

All the bedroom have a sufficient amount of outlook and light. There is also a small rear garden and on balance this garden is considered acceptable in the context of the area.

As such, it is considered that the proposals would comprise a good standard of amenity for future occupiers and surrounding occupiers and accords with the requirements of Policies DM1 and P3 of the adopted Core Strategy and the National Planning Policy Framework.

Highways and refuse collection

Policy T2 of the adopted Core Strategy seeks to improve accessibility by locating development where good access to public transport is available or can be provided and in all circumstances, prioritises the safety, accessibility and amenity of those who live or have business in the area. Policy DM1 also states that all development proposals should provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements taking into account of the proposed use and location. Paragraph 115 of the National Planning Policy Framework states that development should only be prevented or refused on highways grounds if there

would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 116 (d) of the NPPF states that application for development should allow for the efficient delivery of goods, and access by service and emergency vehicles. The *Guidelines and Standards for Residential Development* SPD states that bin storage areas that require excessive movements from the storage area to the street should be avoided and any bin storage areas and access arrangements, including access routes for collection vehicles, should be provided in accordance with all relevant legislation and guidance, such as any relevant local planning documents, Building Regulations and Highways requirements.

It is noted that the proposals do not include the provision of any off-street parking spaces which is largely a characteristic shared with surrounding terraced dwellings, and on-street parking is generally a common feature in the area.

The Council's Highway Officer has been consulted and raised no objection to the proposal as this is common in the area. They noted Prospect Place does not have a turning head for refuse collection and service vehicles and if the application was to be approved it could be ensured by condition that access for vehicles would remain unaffected by the development. If the application was to be approved they would ask the carriageway is extended, however this would fall beyond the powers of what can be achieved via condition given that it would fall out of the site boundary, thus not being relevant.

The proposal accords with the requirements of Policies T2 and DM1 of the adopted Core Strategy and the National Planning Policy Framework

Drainage

Policy G8 of the adopted Core Strategy seeks to ensure new development does not lead to an increase in flooding and incorporate appropriate measures for the management of surface water. Rochdale's Unitary development Plan sets out in EM/7 that development should not be carried out unless an appropriate flood risk assessment has been carried out.

The Council's Drainage Officer has been consulted and has requested a condition to secure drainage details.

It is noted that the Environment Agency previously raised concerns over the proximity of the development to the culverted Millers Brook. Since the previous application, it has been established via United Utilities SafeDig plans that the development would not come so close to the culverted course of the brook as to require a flood risk activity permit from the Environment Agency.

RECOMMENDATION

GRANT 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

Proposed Site Plan Ref IPS/R/17/OL104JQ REV D
Proposed Floor Plan IPS/R/17/OL104JQ REV D
Proposed Elevations IPS/R/17/OL104JQ REV D
Proposed Elevations Incl Boundary IPS/R/17/OL104JQ REV D

and the development shall be carried out in complete accordance with these drawings 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. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. United Utilities may request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable before a surface water connection to the public sewer is acceptable.

The drainage scheme shall include:

- (i) A plan of surface water and foul drains from the new development and any connection to public sewer.
- (ii) The background calculations of the MicroDrainage® model or any other software or calculations that have been used for the drainage design.
- (iii) Construction details for permeable paving including sub-base details e.g. cross-section, if this type of paving forms part of the sustainable drainage system.
- (iv) Confirmation of any approvals required from United Utilities for connections.

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

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

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

4. No development shall take place until an investigation and risk assessment (in addition to any assessment provided with the planning application) has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place.

The submitted report shall include:

- i) a survey of the extent, scale and nature of contamination
- ii) an assessment of the potential risks to:
 - 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 thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the buildings hereby approved are first occupied.

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 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.

5. No part of the development shall be occupied until details of the type, siting, design and materials to be used in the construction of boundaries have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

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

6. Notwithstanding any description in the application, no above ground works shall take place until full product specifications for the windows, external doors, roof lights, and detailed designs of the window and door reveals, at a scale of not less than 1:50, to be used on the development hereby approved, have been submitted to and approved in writing by the Local Planning Authority. The windows and doors shall be installed in accordance with the approved details thereafter.

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

7. Notwithstanding any details submitted as part of the application, no part of the development shall be occupied until details of the type, siting, design and materials to be used in the construction of boundaries, screens or retaining walls have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

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

Procedure Statement

The Local Planning Authority worked proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition.

Informatives:

The applicant is reminded that they are responsible for any damage caused to the local highway network, whether adopted or unadopted, through the construction phase of development. The applicant is advised to undertake a dilapidation survey of surrounding roads prior to the commencement of development to inform the works necessary to return the road to a state which is at least equivalent of that prior to works first taking place.

Report Author Aimee Bovaird