

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/01256/FUL	Chelsea Petrillo	21 st May 2024

Extension of Time: 5th June 2024

Address: Site adjacent to 962 Edenfield Road, Edenfield Road, Rochdale OL12 7TN

Proposal: Erection of one detached dwelling following demolition of existing brick structure

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

DELEGATION	Significant departure from local plan?	NO	Contrary to national policy?	NO
	Applicant a Council Member or officer?	NO	Contrary to previous decision?	NO
	Major with 10 or more objections and recommending approval?	NO	Called in or Planning Panel objection?	NO

COMMENTS	Planning Panel comments received?	NO
	Neighbour comments received?	YES

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

RECOMMENDATION	GRANT Subject to Conditions
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CHECKED AND SIGNED OFF BY: TH **DATE:** 05.06.2024

SITE

The site relates to a parcel of land in the Pennine Fringe set to the west of 962 Edenfield Road, to the south of a row of terraced back-to-back dwellings, formally known as Brickground, and in the Norden ward of Rochdale, circa 6km from the town centre. The plot abuts designated Green Belt land to the western curtilage but is located wholly within the Defined Urban Area, as allocated under saved UDP policy G/D/1. The site fronts onto Edenfield Road and is broadly square in shape, measuring approx. 103m² and is generally overgrown with vegetation and hedgerows with a dry stone wall encapsulating the plot in question.

The plot obtained reserved matters permission in 2005 for the erection of one detached dwelling where three courses of brickwork remain in situ showing the foundations of that previously approved. The development has since been abandoned however, the outline of bricks built corroborate with the plans submitted under application ref: 05/D46037. A CPE has since been approved by the LPA in 2022 relating to the lawful commencement of the development including the approval of the associated outline planning application (ref: 01/D3869) and therefore remains a valid planning permission which could be lawfully completed.

The land levels across the plot are relatively uneven where the topographical siting of the plot slopes downwards towards the south east portion of the site. Access to the plot is via an unadopted highway off Edenfield Road to the east where parking is informally facilitated.

The surrounding area is predominantly residential, albeit with a relatively mixed character, with commercial units scattered along Edenfield Road.

PROPOSAL

Planning permission is sought for the development of a two-storey, four-bedroom detached dwellinghouse following demolition of the existing brick structure on site.

The dwelling would sit relatively parallel to Edenfield Road to the south and would occupy approx. 230m² of floor space. The dwelling would be sited adjacent to the existing row of terraces to the rear, Brickground, and slightly set back of the building line set by the two adjacent properties to the east, nos. 960 and 962 Edenfield Road.

Two off road parking spaces are provided in tandem to the rear of the dwelling with a large portion of the remaining curtilage to form a patio area.

The dwelling itself would comprise a mixed material palette including a natural slate roof, brick relief panelling and vertical timber cladding. Fenestration is to be dark grey with brick soldier course detailing.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Places for Everyone (PfE) 2024:

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-Strat 14 A Sustainable and Integrated Transport Network

Sustainable and Resilient Places

JP-S1 Sustainable Development

JP-S4 Flood Risk and the Water Environment

Places for Homes

JP-H1 Scale, Distribution and Phasing of New Housing Development

JP-H3 Type, Size and Design of New Housing

Greener Places

JP-G7 Trees and Woodland

Places for People

JP-P1 Sustainable Places

Adopted Rochdale Core Strategy (CS):

SD1 Delivering sustainable development

DM1 General development requirements

SO2 Creating successful and healthy communities

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

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

T2 Improving accessibility

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

92/D27872 Outline Planning Application – One Dwelling
Granted July 1992

95/D31935 Renewal of outline planning application D27872 for the erection of one dwelling
Granted June 1996

98/D35417 Renewal of outline planning permission D31935 for the erection of one dwelling
Granted July 1998

- 01/D38689 Renewal of outline planning permission D35417 for the erection of one dwelling
Granted May 2001
- 05/D45369 Erection of 2 detached dwellings
Refused June 2005
- 05/D46037 Erection of one dwelling
Granted November 2005

CONSULTATION RESPONSES

Greater Manchester Ecology Unit

Thank you for consulting the Ecology Unit on the above planning application. There does not appear to have been any ecology reports submitted with this application. The proposals are for the erection of one dwelling. Our comments are as follows.

Birds

The trees/hedgerows and scrub have the potential to support nesting birds. All birds, with the exception of certain pest species, and their nests are protected under the terms of the Wildlife and Countryside Act 1981 (as amended). We would therefore recommend that all tree/hedgerow works and scrub clearance should not be undertaken in the main bird breeding season (March-August inclusive), unless nesting birds have found to be absent, by a suitably qualified person. We recommend that a **condition** to this effect be placed on any permission.

Biodiversity Enhancement

We would expect any such scheme to include measures to enhance biodiversity at the site and to provide a net gain for biodiversity, in line with the requirements of the National Planning Policy Framework. We would recommend that opportunities for biodiversity enhancement be incorporated into the new development. These should include:

- ☐ Bat bricks and/or slates within the new development
- ☐ Bird box (house sparrow terrace)
- ☐ Hedgerow enhancement
- ☐ Native shrub planting

In conclusion, we are satisfied that the application can be forwarded for determination and that any permission if granted is supported by the **conditions** above.

United Utilities

United Utilities has no further comment on this application.

Officer Note: UU standing advice has been published alongside the decision notice for the applicants viewing

Drainage Officer

The Applicant should note that there is a water main feeding the row of houses to the immediate north and which pass under the land of the proposed development. These properties will very likely be connected to the combined sewer in the main road, but the connecting pipe is not shown on the UU plan. This could be 'unknown' to UU or the sewer may be classed as private. Since the new dwelling will need to discharge to the combined sewer in the main road, it will be simpler to connect to the pipe running from the dwellings to the north as this would avoid works in the main road, which would require permission from Rochdale Highways. It is logical that the

Applicant should undertake some investigation to find the details and route of the private / unknown sewer that may pass through the development land.

ROOF & PATH & DRIVEWAY DRAINAGE

The provision of 'Sustainable Drainage' is the preferred method. If you want to discharge roof and paving drainage to the public (UU) combined sewer, but you need to carry out infiltration testing to demonstrate whether feasible or not, before you can persuade UU to accept connection of surface water. THERE ARE DIFFERENT METHODS OF INFILTRATION TESTING, AND REFERENCES ARE PROVIDED IN BUILDING REGS PART H (FREELY AVAILABLE ONLINE). A SIMPLE METHODOLOGY CAN ALSO BE FOUND ON <https://www.pavingexpert.com/drain08>

REDUCING RUNOFF FROM DRIVEWAYS - TO MEET PLANNING REGULATIONS

On the 1st October 2008 the General Permitted Development Order (GPDO) in England was amended by the Government (Statutory Instrument 2008 No. 2362). One of the changes introduced by the GPDO amendment is the **removal of permitted development rights for householders wishing to install hard surfacing in front gardens which exceeds 5sq. metres without making provision to ensure permeability**. There are several ways to provide a permeable driveway and the best are:

- Directing water from an impermeable surface to a rain garden, or grass, or soakaway.
- Using permeable block paving, permeable resin driveway, porous asphalt or porous concrete with permeable sub-base.

A permeable (porous) pavement allows rainwater to drain through the gaps or pores in the paving and into the voids within the sub-base (approx. 30%) where water is temporarily stored until it soaks into the sub-soil.

The sub-base for any permeable drive must use open graded gravels {MOT/ DOT Type 3} with reduced amount of fines (nearly zero fines); when compacted, the gravel sub-base retains 30% voids, which provides storage of infiltrated water before soaking into the soils.

INFILTRATION TESTING

For a single household driveway, infiltration testing is not necessary; by using open graded sub-base there is rainwater storage within the 30% voids, meaning that runoff from the driveway is significantly reduced, regardless of permeability of the underlying soil.

Although permeable paving works well for soils with permeability better than 1×10^{-6} m/s, it can also work for soil permeability's between 1×10^{-8} and 1×10^{-6} m/s because the voids in the sub-base act as attenuation storage.

SUGGESTED DRAINAGE CONDITIONS

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) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water.

- (ii) A restricted rate of surface water discharge to public combined sewer, but only if the Planning Authority agrees that infiltration is discounted by the Applicant's ground infiltration investigations; in this case, the rate should match the existing predevelopment greenfield runoff rate from the site or 4l/s, whichever is the larger value.
- (iii) Construction details for permeable paving including kerbing and cross-section of open graded sub-base, if this type of paving forms part of the sustainable drainage system.
- (iv) Levels of the proposed drainage systems including proposed ground and finished floor levels in mAOD. Foul and surface water shall drain on separate systems at least to the point of discharge from the site, in accordance with Building Control Part H Drainage requirements. The background calculations of the MicroDrainage® model or any other software or calculations that have been used for the drainage design.

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.

Environmental Health – Landfill

PRA is appropriate:

APAS CODE CW041

Preliminary Risk Assessment

Prior to commencement of the development a Phase I Report (Preliminary Risk Assessment) must be completed to assess the actual and/or potential contamination risks at the site. The Phase 1 Report must be submitted to, and approved in writing by, the Local Planning Authority and shall include a desk top study, site walk over, conceptual model, basic hazard assessment and recommendation regarding the need or otherwise for further investigation and risk assessment.

Where the Phase 1 Report has identified potential unacceptable risks, a suitable investigation, risk assessment and remedial action shall be carried out in accordance with details and within a timescale to have first been submitted to and approved in writing by the Local Planning Authority.

In the event that contamination is suspected or found at any time when carrying out the approved development that was not previously identified, or contamination is caused, the Local Planning Authority shall be notified immediately and development affected and potentially affected by the contamination must stop. An investigation and/or risk assessment and/or remediation shall be carried out in accordance with an agreed process and within agreed timescales to have first been submitted to and approved in writing by the Local Planning Authority. If contamination is not

suspected, found or caused during development, this must be confirmed in a completion letter which is subject to the approval in writing of the Local Planning Authority.

Environmental Health – Noise

This section has no objections in principle to the proposal, we would recommend a construction management plan is conditioned, to cover areas such as noise, vibration, mud and dust suppression. Given the close proximity to existing residential properties we would also recommend restricting the site hours to 08:00-18:00 Monday - Friday 09:00-14:00 Saturdays and no work on Sundays or Bank holidays

Highways and Engineering

CONSULTATION REPORT:

This proposal will not generate any significant volume of traffic.

Parking Provision on site is adequate.

Access to the site is along a narrow lane which is not maintained by the local authority. We have concerns construction traffic will destroy the road surface as such we will require a dilapidation survey of the road and maintenance works are undertaken upon completion. The dilapidation survey should also take into account the frontage onto Edenfield Road.

Access to Edenfield Road is below standards but well established and this intensification is only minor so we could not object on these grounds.

We have no concerns with the site layout.

No changes are proposed to the existing highway.

We have no refuse collection concerns from this location

We have no new road safety concerns as a result of this proposal.

AMENDMENTS TO CONSULTATION RESPONSE:

No amendments to report

OFFICER RECOMMENDATION:

No objections to this development as proposed subject to conditions.

CONDITIONS & INFORMATIVES

Prior to commencement a dilapidation survey of the highways leading to the site should be undertaken. Upon completion any damage apparent should be repaired so the highway is left in the same or a better condition.

Rights of Way Officer

...the right of way runs from the properties at Brick Ground, I assume they will not be building across the access to those properties.

It does appear that the development will not affect any rights of way.

Urban Design

Summary of Urban Design officers comments (Received 07-02-2024):

- Realignment of the dwelling to positively contribute to the street scene and reduce visual impact to Brickground
- Existing hedgerows to be lowered enabling views of dwelling
- Reconsideration of internal layout so break in hedgerow along Edenfield Road shows front door
- Over engineered design, reconsider design
- Utilise use of solar panels
- No issue to access onto site
- Re-utilise dry stone wall

Following comments received from the Council's Urban Design officer which were sent to the agent for reconsideration, a meeting was held with the case officer, the urban design officer, the agent and applicant and a senior officer. After further sets of amended plans, subject to recommended conditions, the scheme was considered supported for approval.

Coal Authority

The application site falls within the Coal Authority's defined Development High Risk Area. Therefore, within the site and surrounding area there are coal mining features present at surface or shallow depths. The risk these features may pose should be considered as part of the planning process.

More specifically, the Coal Authority records indicate that the plotted position of off-site mine shaft 385414-017 is adjacent to the western boundary of the application site, with its associated potential zone of influence extending into the site. Due to potential plotting inaccuracies, the actual position of the shaft could depart/deviate by several metres (c.10m) such that the feature could be present within the site. We hold no details of any past treatment of the shaft. An untreated or inadequately treated mine entry and its resultant zone of influence pose a significant risk not only to surface stability but also public safety.

We take this opportunity to highlight that any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. The Coal Authority has adopted a policy where, as a general precautionary principle, the building over or within the influencing distance of a mine entry should wherever possible be avoided. Our adopted policy on this matter can be found at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries.

In addition, our information indicates that the site lies in an area where historic unrecorded coal mining activity is likely to have taken place at shallow depth. Voids and broken ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases.

The application is accompanied by a Coal Mining Risk Assessment (April 2023, prepared by E3P). Based on a review of relevant sources of coal mining and geological information, the report concludes that the site is at high risk from mining related subsidence associated with possible unrecorded underground mine workings and the recorded mine shaft.

The report goes on to advise that a borehole investigation should be undertaken to further assess the shallow coal mining situation. It also recommends that trial trenching should be carried out to establish whether the mine shaft is present within the site (within the 10 m departure distance of its current recorded position). It advises that investigation should establish the depth to rockhead to enable the

calculation of the zone of influence of the shaft and to inform the detailed development proposals.

We note the application is also accompanied by a subsequent Mine Shaft Intrusive Investigation report (24 April 2023, again prepared by E3P). This report indicates that a trial trenching exercise was carried out across the departure area for the shaft where this extends into the application site. These works were carried out under Coal Authority Permit No. 26377.

The report author advises that no evidence of the shaft was identified in the excavations and therefore they consider it likely that it is not located on-site and lies off-site (beyond the western boundary). Based on the ground conditions encountered, the report author calculates that the potential zone of influence of a shaft collapse immediately adjacent to the boundary could extend 2.5m into the site (as shown on Figure 1.3). They go on to advise that this area should be considered a no-build zone, with an appropriate geogrid ground reinforcement incorporated within the area as a precautionary measure against ground movement associated with the shaft.

The Coal Authority's Planning & Development Team notes the professional opinions and recommendations expressed in the Mine Shaft Intrusive Investigation report. We assume that the report author, as the competent person, is satisfied that the investigation works undertaken, including their extent and spacing of the trenches, is sufficient to satisfactorily discount the shaft from being present within the site.

Whilst the recommended shaft no-build zone is not shown on the Site Plan as Proposed (Drawing No. 12, Rev. A), it is evident that the proposed dwelling would not encroach into the calculated area of instability associated with the shaft. As such, based on the conclusions of the Mine Shaft Intrusive Investigation report, we are satisfied that the proposed detailed layout of development has been suitably informed by the potential instability risks posed by the recorded mine entry.

It does not appear that the recommended investigations into possible unrecorded shallow coal mining legacy have been carried out. We wish to highlight that these further investigation should be designed and carried out by competent persons, in cognisance of the conclusions of the Coal Mining Risk Assessment, to establish the exact situation regarding shallow mining legacy and the risks it may pose to the development.

The results of the investigations should be interpreted by competent persons and used to inform any remedial works and/or mitigation measures that may be necessary to ensure the safety and stability of the proposed development as a whole, including the building and external parts of the site such as car parking areas and driveways. Such works/measures may include grouting stabilisation works and foundation solutions.

The applicant should note that Permission is required from our Permitting & Licensing Team before undertaking any activity, such as ground investigation and ground works, which may disturb Coal Authority property. Any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of a Permit application.

Mine Gas

It should be noted that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. These risks should always be considered by the LPA. The Planning & Development Team at the Coal Authority, in its role of statutory consultee in the planning process, only

comments on gas issues if our data indicates that gas emissions have been recorded on the site. However, the absence of such a comment should not be interpreted to imply that there are no gas risks present. Whether or not specific emissions have been noted by the Coal Authority, local planning authorities should seek their own technical advice on the gas hazards that may exist, and appropriate measures to be implemented, from technically competent personnel.

SuDS

Where SuDS are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

REPRESENTATIONS

Letters of notification were sent to all surrounding properties and a site notice was posted in the immediate vicinity. 10 letters of objection were received;

Design

- ☐ Scale of dwelling too large
- ☐ Proposal out of keeping with surrounding character
- ☐ Not right house type for area
- ☐ Previously approved application more suitable

Officer Response See 'design' section of report

Amenity

- ☐ Impact to existing residents outlook
- ☐ Disruption to water supply serving surrounding dwellings
- ☐ Right to light / Increased light pollution
- ☐ Loss of privacy
- ☐ Overshadowing
- ☐ Disturbance to overhead telephone cables
- ☐ 21m separation distance should be applied as per the previous application in relation to habitable spaces
- ☐ Increased noise pollution
- ☐ The serving row of terraces to the rear are single aspect dwellings

Officer Response See 'Amenity' section of report

Highways

- ☐ Disturbance to and lack of adequate and existing car parking arrangements
- ☐ Scheme dangerous to any vehicles parking or emerging from Edenfield Road

Officer Response See 'Highways' section of report

Procedural Matters

- ☐ Inaccurate description of site

Officer Response A site visit has been undertaken by the case officer to take their own view of the proposed development in relation to the existing site.

Other Matters

- ❑ Machinery used in construction will damage surface of the road

Officer Response A dilapidation survey and maintenance works have been requested from the Council's Highway Department to ensure any damage to the road surface is rectified and left in the same or better condition upon completion of the development

- ❑ Increased energy costs for surrounding dwellings
- ❑ Contrary to energy efficiency policies (i.e The Affordable Warmth Strategy, Home Energy Conservation Act)
- ❑ Increased pollen levels and leaf pollution

Officer Response The above points are not planning material considerations

- ❑ Proposal is contrary to RBC Housing Strategy
- ❑ Planning departments have no obligation to follow local plans on housing delivery
- ❑ Proposal does not contribute to aiding the local housing crisis

Officer Response See 'Principle of Development' section of report

- ❑ No support or recognition to submitted objections

Officer Response Neighbour notification letters advises that we are not able to respond to all individual comments however, all submitted comments are considered in the general assessment of the application

- ❑ Scheme will lead to local flooding of the immediate vicinity

Officer Response The Council's drainage officer has been consulted to assess the acceptability of the scheme in terms of surface water management. Following this, a pre-commencement condition has been provided from the officer for the applicant to submit an acceptable surface and foul water drainage scheme.

- ❑ Increased Noise Pollution

Officer Response The Environmental Health agency has been consulted on the proposed scheme and has raised no objection in terms of noise nuisance associated with the proposal.

- ❑ Disturbance to existing ecological and bio-diversity levels. Impact to existing wildlife

Officer Response GMEU (Greater Manchester Ecology Unit) have been consulted on the propose scheme and remain satisfied the application can be forwarded for approval subject to the relevant condition

- ❑ Soil pollution and ground disturbance

Officer Response As requested by Environmental Health, a preliminary risk assessment for land contamination is to be undertaken prior to commencement of the works as secured via condition

AMENDMENTS

The proposed development has been amended numerous times as a result of a lengthy period of negotiation with the case officer, urban design officer and agent. Notably, the amendments made have been regarding change to the initial siting of the dwelling in the interest of neighbour amenity as well as minor design changes following consultation from the urban design officer. Adjacent neighbours were re-notified of the revised plans.

ANALYSIS

Principle of Development

The site lies within the Defined Urban Area (as designated on the saved Unitary Development Plan Proposals Map) and is located to the north of the Rochdale Borough and Pennine Fringe. Policy G/D/1 of the UDP aims to locate new development in the urban area in order to support urban regeneration and to protect the countryside. Paragraph 11 of the NPPF sets out the 'presumption in favour of sustainable development' and states that development plans should be approved without delay. Having specific regard to residential developments, paragraph 60 of the NPPF requires Local Planning Authorities to "support the Government's objective of significantly boosting the supply of homes". Paragraph 70 of the NPPF also states that 'small and medium sized sites can make an important contribution to meeting the housing requirement of an area'.

PfE strategy policy JP-H1 sets out that new homes will be of good quality and design, adaptability, supported by the necessary infrastructure and amenities and the distribution will support the Plan's overall strategy which enables people to reduce the need to travel when taking advantage of key assets.

PfE policy JP-H3 states that a key part of the overall strategy is to maximise the amount of development on brownfield sites in the most accessible locations and minimise the loss of greenfield and Green Belt land as far as possible.

It is noted the land in its current state is considered to constitute greenfield land however, aforementioned above, the site obtained planning permission in 2005 for the erection of one dwellinghouse to which the foundations remain in-situ and thus can be considered to compromise previously developed land in this regard however, noted not to be at the extent the policy would consider such land as 'previously developed'. Given the land has largely returned back to its previous state, albeit with the existing foundations visible, on the balance of any ambiguity, the land is considered greenfield by virtue of the non-fulfilment of the original permission.

The previous approval also generates a realistic fall-back position for development on this land should the application be refused in which a dwelling can be erected by way of a valid planning permission. In light of this, the proposal would deliver a single dwelling on previously developed land and thus make a contribution to the Council's housing supply target and is therefore accepted in principle.

Accommodation Standards and Impact on Residential Amenity

Core Strategy policy DM1 requires all development proposals to demonstrate that they will not have a negative impact upon the amenity of future residents and occupiers, with policy P3 requiring new development to adhere to high standards of design, of which the amenity of occupiers is intrinsically linked. Policy G9 requires that sensitive new developments such as housing are not adversely affected by existing sources of pollution, including noise, from certain types of industry. Paragraph 135 of the National Planning Policy Framework advises that planning

decisions should result in places with a high standard of amenity for existing and future users.

Policy C3 of the Core Strategy refers to the delivery of the right type of housing and is therefore relevant to this application. It sets out aims for development proposed within the north of the Borough to which it states that there will be a focus on providing a range of higher value housing to attract and retain residents. In doing so lower density development is supported providing it delivers a high value dwelling of a type and size that are currently in short supply across the borough

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, and is applicable across all tenures. The NDSS are not adopted within the Local Plan however, do form a material consideration in the assessment of adequate floor space. Table 1 sets out the minimum gross internal floor area requirements for new dwellings, across varying number of bedrooms, occupants and floors.

Below is an extract from the Nationally Described Space Standard, which specifically details the Gross Internal Area requirements for new 4 bedroom dwellings, as are proposed within this application:

Number of bedrooms (b)	Number of bed spaces (persons)	2 storey dwellings (sq.m)	Built-in storage (sq.m)
4b	5p	97	3.0
	6p	106	
	7p	115	

The submitted floor plans indicate that the dwelling would achieve 184m² of internal floor area at each level for a total of 368m², largely in excess of the required minimum floor area for a four-bedroom, two-storey dwelling and would therefore be sufficient in this regard. The NDSS requires 3m² of internal storage area which is achieved in cupboards at each floor level.

Paragraph 7.33 of the Places for Everyone notes that the provision of appropriate outdoor private amenity space is vital in delivering high quality homes that support good health, where it can lead to homes being less able to be adaptable, contribute to poor health and overcrowding, and overall lead to a lower quality of life. Places for Everyone Policy JP-P1 seeks to deliver healthy places which are visually stimulating, comfortable and inviting, with indoor and outdoor environments which offer a high level of amenity. The National Design Guide includes nature as a component of well-designed places, and requires open spaces to be high quality, robust and adaptable over time so that they remain fit for purpose.

The proposed private garden area would be located to the western curtilage and directly border the expanse of adjacent open space benefitting from a spread of uninterrupted views. The SPD does not set expectations for the size of garden areas in new development, however section 5.4 seeks to ensure that an amount of garden area should be retained to meet the reasonable needs of existing and future occupiers where extensions to existing dwellings are proposed. Whilst this application relates to a new dwelling, the contents of this guidance remain relevant.

The reasonable needs of occupiers is considered to cover both functional and recreational requirements proportionate to the size of the household, taking into account the surrounding context. Consideration is given to the potential for the

private amenity space at the application property to be overlooked by the adjacent upper floor windows of the row of terraces at Brickground. Similarly, consideration is given to these row of terraces which may be impacted by the boundary treatment needed to facilitate a private garden space at the application property. In order to achieve an appropriate planning balance between amenity of both parties, it is considered prudent to attach a condition to the decision notice for the approval and implementation of a suitable and appropriate landscaping scheme to be achieved through the assessment of the individual merits of the application as so to not impact upon neighbour and occupier amenity.

The internal layout of the proposed dwelling would have sensibly laid out (habitable) rooms, and where it achieves the minimum space standard within the NDSS, it also surpasses the technical requirements of the NDSS in relation to individual room sizes.

Section 4.1 of the SPD sets out guidance in relation to separation distances for principal windows serving habitable rooms and is therefore relevant. The relevant habitable rooms would be served with adequate light and outlook and would accord with minimum separation distances where appropriate. The SPD requires *“14m between a principal window and any directly facing two storey elevation which does not contain a principal window to a habitable room”* which the proposed development is considered to be in accordance with. Where it is noted that the adjacent row of terraces to the rear are south facing single aspect dwellings, the amended siting of the dwelling is considered to provide relief to these windows which would retain adequate light to and would not visually dominate the outlook.

The SPD defines a habitable room as one where the occupants are likely to spend significant amounts of time. The upper floor room labelled at gym/studio is considered a habitable room and would accord with the relevant separation distances outlined in the SPD where appropriate. Nonetheless, regard is given to the size of the proposed window serving this room on the eastern side elevation which would directly face the rear garden of no.962 Edenfield Road at an approx. distance of 16m to which it is not considered that this window would pose any overlooking impact to the adjacent rear garden by virtue of the separation distance. Further to this, regard is given, but not wholly justified by, the presence of the dwellings within Baitings Close which also currently overlook this space.

In respect of surrounding occupiers, section 4.1 of the SPD also requires 10.5m to the facing boundary of upper floor windows where there is a directly rear facing dwelling. Given the omission of habitable rear facing windows, no concerns are had in respect of the privacy of surrounding occupiers.

Brickground is a row of single aspect dwellings to which the windows directly facing onto this parcel of land have had a relatively unobstructed outlook across the application site, however, planning permission was granted in 1992 for the development of one dwelling on this site, the siting comparable to that under this application but notably at a larger scale, which obtained a formal certificate of existing use from the Local Planning Authority in 2022 for the implementation of that previously approved given Condition 01 relating to the standard three year time limit which had been satisfied. This therefore creates a realistic fall-back position which remains as a valid permission to which, when assessed in relation to the adjacent row of terraces, would present a similar degree of impact.

Where boundary treatments to the rear have been proposed, in the interest of balancing a good level of amenity between the application property and surrounding occupiers, a landscaping scheme is considered prudent via a pre-commencement

condition to ensure that planting details and boundary treatments do not result in significant harm to the outlook of the existing dwellings on Brickground.

The site is relatively constrained to the rear by virtue of the presence of the existing row of terraces therefore in light of this, permitted development rights must be constrained to ensure any development that takes place is appropriately assessed by the LPA prior to implementation.

As such, it is considered that subject to the satisfaction of the conditions, the proposal would have a satisfactory relationship with surrounding land uses and the proposal would therefore comply with the requirements of Places for Everyone Policy JP-P1, the *Guidelines and Standards for Residential Development* SPD, Policy DM1 of the adopted Core Strategy and the National Planning Policy Framework.

Visual Impact

The revisions to the NPPF make it very clear that significant weight should be given to development which reflects local design policies and government guidance on design. In support of this, the Government has produced a suite of guidance documents including the National Model Design Code and the National Design Guide which form material considerations in the assessment of the design of development proposals, and aid Local Authorities and developers alike in understanding if development proposals are well-designed.

The National Design Guide sets out good practice examples, much of which respects the existing urban grain and responds to local context.

The area surrounding the site is characterised by the arrangement of rows of terraces to the rear, early twentieth century housing development to the east and a variety of house types along Edenfield Road.

The site as existing has an un-kept appearance, largely overgrown with vegetation contained by a retaining wall which provides no notable or significant contribution to the street scene therefore considered neutral in the weighing up of the planning balance.

The application proposes a large two storey dwelling constructed with a dual pitched roof and a contemporary material palette. A contrasting brick laid in a soldier course arrangement is used to create a feature on the windows of all elevations and roof lights, small in scale, are proposed to the rear elevation. Brick relief panels and vertical timber cladding are utilised for visual interest and windows proportions are considered large in overall scale.

The proposed form, materiality and detailing of the proposed dwelling is considered to be a reasonable attempt to reference the form and appearance of surrounding terraced dwellings, which are constructed in varying materials, most notably red brick and buff natural stone. The proposal would read as a clear modern addition to the street scene however the deviation from the traditional design vernacular with the use of contemporary materials would avoid the dwelling appearing pastiche. The placement of fenestration across all elevations of the dwelling raise no concern and would acceptably align. It is noted the rear elevation contains a large portion of blank elevation at both ground and first floor level towards the eastern side elevation appearing slightly unresolved however, given the obscurity of this portion of the dwelling from key views throughout the area, the harm is not considered so significant it would warrant a refusal.

The arrangement of boundary treatments other than to the front elevation is fairly consistent with the existing arrangement and would have no greater impact in this

respect however, this is to be further clarified via a landscaping scheme to be submitted by condition and agreed in writing by the LPA. The proposal retains a neutral relationship to Edenfield Road in this respect. The alignment and siting of the dwelling would not surpass the building line of the adjacent row of terraces. Overall the proposal would address the complex layout of the site in respect of bordering uses.

Car parking is to be provided to the rear of the proposed dwellinghouse in a common arrangement and would be mostly obscured by the dwelling itself, minimising the visual impact of parked vehicles.

The external amenity area would be mostly paved with limited soft-landscaping included, excluding that proposed along the boundary. The arrangement of the rear garden area to the eastern portion of the site is of a standard design and would be largely enclosed by virtue of the existing hedges. It is recommended that full landscaping details be sought by condition.

Highways

The proposal relates to a single dwelling situated on a mixed-use street in a relatively sustainable area. Whilst the siting is not particularly close to any designated local centres, the area is of mixed use benefitting from wide range of development types including retail, local schools, sports facilities and food services. Sited approx. 100m to the west of the site is a bus stop with regular services into Rochdale town centre. This availability would reduce somewhat the reliance of future occupants on private vehicles for travel.

The site is accessed via an unadopted road to the west of the site which is not maintained by the local authority. The Council's Highways Department have been consulted regarding the acceptability of the scheme to which concern was raised as to the construction traffic facilitating the development which has the potential to impact negatively on the existing road surface. A condition has therefore been recommended for a dilapidation survey to be submitted ensuring the road is left in the same or better condition.

The proposals would provide two off-street parking spaces with additional space within the internal garage which would be the maximum standard for a dwelling of this size in an out-of-town centre location. Whilst the development may partially prejudice existing informally facilitated off-road parking arrangements for residents of Brickground, the impact would not be so great as to warrant refusal.

In light of the above, the proposals would accord with the relevant requirements of Policies DM1 and T2 of the adopted Core Strategy and the National Planning Policy Framework.

Other Matters

The site does not present any notable constraint in respect of achieving sustainable drainage solutions and matters of a detailed drainage design can be resolved via condition. This would however need to account for surface water drainage and the impacts of additional building and hard landscaping.

It could be anticipated that some form of contamination may exist on site resulting from the previous development. Notwithstanding, the full extent of the contamination could be explored and a remediation strategy produced as required via condition, with a verification report being provided prior to first occupation if contamination is found.

The site lies partly within an identified Coal Development High Risk Area. The Coal Authority has been consulted on the application and their consultation responses are noted above, which addresses a Coal Mining Risk Assessment submitted with the application. The consultation response indicates that further investigation into shallow mining legacy and potential risks, and propose that approval be subject to a condition to secure this further investigation, as well as confirmation from a suitably competent person that the site (subject to any necessary mitigation) is safe and stable). Subject to these conditions it is considered that the proposal would be acceptable in terms of ground stability and would therefore comply with the relevant requirements of policies G9 and DM1.

In the absence of any ecological features on site including any forms of vegetation, the site has a neutral ecological value, which would be enhanced through the provision of a biodiversity enhancement plan which may include hedgehog highways, bat boxes and/or bird boxes. Full details could be obtained via condition to ensure an enhancement ecological value of the site. Any potential threat to nesting birds or bats in the existing building on site could be dealt with via an informative reminding the applicant of the statutory protection afforded to these species.

CONCLUSIONS

The proposed development would provide one residential dwelling within the Defined Urban Area and would contribute to the supply of housing. The dwelling would be of a high standard. The proposal would therefore accord with saved policy G/D/1 and PfE policy JP-H1, and is considered to be acceptable in principle.

The proposed development is not considered to raise any significant concerns in terms of access, highways safety, surface water management and flood risk, ecological considerations, ground stability, or residential amenity and public health, subject to matters subject of further consideration via conditions. The proposed dwelling is considered to achieve a high standard of building design.

For the above reasons, it is considered that the proposal is acceptable in terms of the relevant policies of the NPPF, the Places for Everyone joint development plan, the Rochdale Core Strategy, and the saved policies of the Rochdale UDP, subject to matters to be further considered via condition.

The proposal would therefore comprise sustainable development, and the application for planning permission therefore is recommended for approval, subject to the following conditions.

RECOMMENDATION:

GRANT Subject to 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:
 - Dwg. 01 Location Plan
 - Dwg. 16 Proposed Site Plan
 - Rev C Amended Site Section Plan
 - Dwg. 08 Rev C Ground Floor Plan
 - Dwg. 09 Rev D Proposed First Floor Plan
 - Dwg. 11 Rev E Proposed Side and Front Elevations

- Dwg. 10 Rev E Proposed Front and Rear Elevations
and the development shall be carried out in accordance with the approved drawings.

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. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the buildings including but not limited to doors, windows, cladding, headers, cills, brick bond and brick detailings) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. For the avoidance of doubt, the submitted details should also include the composition and source of replacement masonry and roof materials and mortar specification. The development shall be carried out in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity and preserving the historic significance of the building in accordance with Policies DM1, P2 and P3 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

4. Prior to commencement and notwithstanding the details shown on the approved plans, no development hereby approved shall commence until full details of a suitable landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The details shall include, but are not limited to, boundary treatments inclusive of the retaining wall, the formation of any vegetation to be planted along with planting plans, maintenance plans and schedules (including planting size, species and numbers/densities) and any fences or gates within or around the site.
 - (a) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted
 - (b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in the interest of visual and residential amenity in accordance with Policies P3, DM1 G6 and G7 of the adopted Rochdale Core Strategy, Places for Everyone and the National Planning Policy Framework.

Reason for pre-commencement condition: Residential amenity must be balanced therefore the assessment needs to be carried out prior to any development taking place to assess the acceptability of the development of surrounding residents.

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

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: An inspection for nesting birds will need to be determined prior to any works to existing trees on site

6. The dwelling hereby approved shall not be occupied until such time as a scheme of biodiversity enhancements for the site including, but not limited to, the provision of bird boxes, bird bricks, bat boxes and bat bricks to be situated externally on, or integrated to the fabric of the dwellings hereby approved has been submitted to and approved in writing by the Local Planning Authority. The duly approved scheme shall be implemented in full prior to first occupation of the dwellings 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 and the National Planning Policy Framework

7. 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:

- (v) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water.
- (vi) A restricted rate of surface water discharge to public combined sewer, but only if the Planning Authority agrees that infiltration is discounted by the Applicant's ground infiltration investigations; in this case, the rate should match the existing predevelopment greenfield runoff rate from the site or 4l/s, whichever is the larger value.
- (vii) Construction details for permeable paving including kerbing and cross-section of open graded sub-base, if this type of paving forms part of the sustainable drainage system.
- (viii) Levels of the proposed drainage systems including proposed ground and finished floor levels in mAOD. Foul and surface water shall drain on separate systems at least to the point of discharge from the site, in accordance with Building Control Part H Drainage requirements. The background calculations of the MicroDrainage® model or any other software or calculations that have been used for the drainage design.

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.

8. Prior to commencement of the development a Phase I Report (Preliminary Risk Assessment) must be completed to assess the actual and/or potential contamination risks at the site. The Phase 1 Report must be submitted to, and approved in writing by, the Local Planning Authority and shall include a desk top study, site walk over, conceptual model, basic hazard assessment and recommendation regarding the need or otherwise for further investigation and risk assessment.

Where the Phase 1 Report has identified potential unacceptable risks, a suitable investigation, risk assessment and remedial action shall be carried out in accordance with details and within a timescale to have first been submitted to and approved in writing by the Local Planning Authority.

In the event that contamination is suspected or found at any time when carrying out the approved development that was not previously identified, or contamination is caused, the Local Planning Authority shall be notified immediately and development affected and potentially affected by the contamination must stop. An investigation and/or risk assessment and/or remediation shall be carried out in accordance with an agreed process and within agreed timescales to have first been submitted to and approved in writing by the Local Planning Authority. If contamination is not suspected, found or caused during development, this must be confirmed in a completion letter which is subject to the approval in writing of the Local Planning Authority.

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

Reason for pre-commencement condition: Contamination measures 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.

9. No construction, demolition or associated deliveries shall take place outside the hours of 0800hrs to 1800hrs Mondays to Fridays, and 0900hrs to 1400hrs on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays without prior written approval from the Local Planning Authority.

Reason: In order to protect occupiers of nearby properties from unreasonable disturbance from works connected with implementing this permission in accordance with Policies DM1 and G9 of the Rochdale Core Strategy.

10. No development shall take place (including any demolition) until a Construction Method Statement (CMS), has been submitted to, and approved in writing by the Local Planning Authority, which shall include the following:
 - i. the parking of vehicles of site operatives and visitors;
 - ii. loading and unloading of plant and materials;
 - iii. storage of plant and materials used in constructing the development;
 - iv. the erection and maintenance of security hoarding;
 - v. measures for the protection of the natural environment from accidental spillages, dust and debris including dedicated protection measures (including high visibility fencing) for the retained trees during and after construction;
 - vi. a lighting plan designed to direct any temporary lighting away from the retained trees and hedgerow during and after construction.
 - vii. hours of construction, including deliveries (which should not take place outside of the hours of 08:00-18:00 Monday to Friday and 09:00-14:00 Saturday, with no work taking place on Sundays or Bank Holidays).

The development shall be carried out in accordance with the approved CMS.

Reason: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase in accordance with Policies DM1, T2, G7, G8 and G9 of the Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As the proposals require ground works and engineering works an understanding will therefore be necessary of what measures will be put in place to protect the amenity of nearby residents prior to commencement of any building or engineering works on site.

11. Prior to the commencement of any development, a full condition survey of the unadopted highway around the site shall be submitted to and approved in writing by the Local Planning Authority, in coordination with the Local Highways Authority. The unadopted highway around the development site shall be returned to its pre-development condition or better, to the satisfaction of the Local Highways Authority and at the applicant's cost, no later than 12 months following the first occupation of any element of the approved development.

Reason: in the interest of highways safety in accordance with policy DM1 of the Rochdale Core Strategy

Reason for pre-commencement condition: The condition relates to the construction phase of development.

12. Notwithstanding the provisions of Part 1, Schedule 2, Article 3, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no development within Class A (enlargement, improvement or other alteration), Class B (enlargement of a dwellinghouse consisting of an addition or alteration to its roof), Class D (erection or construction of a porch outside any external door) or Class E (building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the

dwellinghouse) shall be carried out within the curtilage of the dwelling without express planning permission from the Local Planning Authority.

Reason: Due to the constrained nature of the site and as unrestricted development could harm the amenities of neighbouring properties through overlooking or being overbearing and harm the appearance of the main house and the area in general and should therefore be controlled in accordance with Policy DM1 of the Core Strategy, the SPD, PfE and the NPPF.

13. No above ground development shall commence (excluding the demolition of existing structures) until;
- a) A scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
 - b) any remediation works and/or mitigation measures to address land instability arising from shallow coal mining legacy and recorded off-site mine shaft 385414-017, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authorities UK guidance

14. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

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.

INFORMATIVE

United Utilities

The applicant is advised to refer to the advice given by United Utilities dated 11th October 2023 which is to be published alongside the decision notice.

The Coal Authority

The applicant is advised to refer to advice provided by the Coal Authority in relation to potential implications of coal mining legacy risk for any sustainable urban drainage schemes which may be proposed as part of the scheme. This is available within the planning consultation response from the Authority, published on the Council's webpage for the application.

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