DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
18/01429/OUT	Mubeen Patel	11 March 2019

Address: Land Adj To 154 Belfield Road Rochdale OL16 2XN

Proposal: Outline application for residential development for 3 apartments including access, landscaping, layout and scale
with appearence a reserved matter.

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?**	Y
	Applicant a Council Member or officer?	N	**Contrary to previous decision?**	N/a
	Major with 10 or more objections and recommending approval?	N	**Called in or Planning Panel objection?**	N

COMMENTS	**Planning Panel comments received?**	Y
	Neighbour comments received?	N

EIA	**Screening opinion completed and saved to Onbase?**	N/a

CONDITIONS	**Pre-commencement conditions proposed?**	N/a
	Pre-commencement conditions agreed (or notification period expired)?	N/a

RECOMMENDATION	**REFUSE**

CHECKED AND SIGNED OFF BY: MPC **DATE:11/03/19**

SITE

The application site is located off Samson Street and to the rear of 144-154 Belfield Road. Belfield Community School is located to the south west of the site on a lower ground level. The land itself is overgrown grassland with a few small trees and public footpath to its side. The immediate area surrounding the site consists of residential dwellings and Belfield Community School, the area is made up of terraced blocks, many with single storey rear extensions. Further south along Samson Street is the access to Saxon Hall Study Centre.

The site is located within the defined urban area as allocated within the Councils UDP Proposals Map.

PROPOSAL

The application seeks outline planning permission (including access, layout, scale and landscaping, with the matter of appearance reserved) for the erection of a single storey building comprising of 3 No. 1 bed apartments. The apartments would each comprise of a lounge/kitchen area, a bedroom and a bathroom. The layout plans shows four car parking spaces would be provided in front of the building off Samson Street with amenity space and a bin store located at the back. Paladin fencing 2.1m in height would be erected around the amenity space and north eastern side boundary of the site with knee rail fencing erected along the south western boundary.

The proposed building would measure 16.2m x 10.4m and would be single storey in height and take up almost the whole width of the site. A small path from the front of the site laid with paving blocks would lead to the amenity space to the rear.

For the avoidance of doubt, the proposed elevation and floor plans of the building that have been submitted as part of this proposal are considered to be indicative.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) (Revised 2018)

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (RCS):

The Core Strategy was formally adopted by the Council on 19th October 2016 and partially replaces the 2006 Unitary Development Plan. The following policies are relevant:

SD1	Delivering sustainable development
DM1	General development requirements
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**
P1	Improving image
P3	Improving design of new development

SO4 **Promoting a greener environment**
G9 Reducing the impact of pollution

SO5 **Improving accessibility and delivering sustainable transport**
T2 Improving accessibility

Unitary Development Plan (UDP):

G/D/1 **Defined Urban Area**

Supplementary Planning Documents (SPD):

Guidelines and Standards for Residential Development (June 2016)

RELEVANT SITE HISTORY

18/00053/FUL - Erection of a single storey building containing 3 one bed apartments with associated parking, bin storage and amenity space – Withdrawn

16/01353/FUL - Proposed development of 6 apartments on land off Samson Street and adjacent to Belfield Old Road – Withdrawn.

07/D49256 - One Detached Dwelling – Refused

85/D18504 - Belfield Boiler House Belfield Old Road Rochdale - Withdrawn

CONSULTATION RESPONSES

Coal Authority

The Coal Mining Risk Assessment Report has been prepared based on a desk-based review of relevant sources of coal mining information. This information has revealed that there is a significant risk to any development of the application site, and it is the opinion of the Coal Authority that the risk and uncertainty is such that further specialist investigation is required prior to the determination of the planning application in order to ensure that the LPA can be satisfied that the application site can be safely developed.

The applicant should therefore be advised of the Coal Authority's continued objection and should be required to carry out intrusive site investigation works, subject to obtaining Coal Authority permission, to determine the extent of past coal mining activities and the implications for the layout and design for their development proposal. Any remedial, preventive and mitigation measures should then be proposed as part of a revised Coal Mining Risk Assessment Report, as necessary, to address any issues of land instability. The results of the site investigations may well necessitate revisions to the site layout to avoid construction over the mine entries or their associated zones of influence.

The Coal Authority would be pleased to receive for further consultation and comment any additional information prepared and submitted by the applicant to address the above matters.

Public Protection (Contamination)

The submitted reports do not assess the question of contamination so the following condition is appropriate:

APAS CODE CW042

Site Investigation and Assessment

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:

i) a survey of the extent, scale and nature of contamination

ii) an assessment of the potential risks to:
- 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;

iii) 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.

RBC Drainage –

I suggest that the following Drainage Conditions, or similar, are included in any Planning Approval that may be issued:-

No development shall take place until details of a scheme to dispose of foul and surface water from the site has been submitted to and approved in writing by the local planning authority. The surface water drainage scheme shall be based on sustainable drainage principles and shall incorporate adequate on site attenuation storage where necessary. For the avoidance of doubt, foul and surface waters shall be drained on separate systems, at least to the exit chamber from the site.

Reason: To prevent an increased risk of flooding as a result of the development, to ensure that surface water discharge rates are limited to pre-development levels in accordance with the submitted Flood Risk Assessment and to ensure satisfactory disposal of surface and foul water from the site in accordance with policy G8 of the adopted Rochdale Core Strategy, saved policy EM/7 of the Unitary Development Plan and the National Planning Policy Framework.

Manchester Ecology Unit

No ecological information appears to have been submitted with the application but from aerial photography the area appears to be of low ecological value. The site does support some tree and scrub that could be used by nesting birds. We would therefore recommend that the following condition (BS 42020:2013) be attached to any permission, if granted, to protect wild nesting birds:

No removal of or works to any trees or shrubs shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Highways and Engineering –

I have no highways objections to this proposal. The development is unlikely to generate problematic volumes of traffic. Parking for the site is within acceptable levels of provision for 3 one bedroom apartments. The onsite layout is acceptable. Servicing the properties can be done easily from the adopted highway. I can identify no serious road safety issues.

We have no objections to these proposals.

United Utilities –

With reference to the above planning application, United Utilities wishes to draw attention to the following as a means to facilitate sustainable development within the region.
There is a public sewer close to the boundary of this site and we may not permit building over it. We will require an access strip width of six metres, three metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement. Therefore a modification of the site layout, or a diversion of the affected public sewer at the applicant's expense, may be necessary. To establish if a sewer diversion is feasible, the applicant must discuss this at an early stage with our Developer Engineer at wastewaterdeveloperservices@uuplc.co.uk as a lengthy lead in period may be required if a sewer diversion proves to be acceptable.
Deep rooted shrubs

Advise that the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way in accordance with the drainage hierarchy set out in the NPPG.

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Ensure that landscaping is definitely carried out.

REPRESENTATIONS

Letters of notification were sent to surrounding neighbours and a notice displayed within the vicinity of the site. No observations have been received.

ANALYSIS

Principle of Development

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 site is considered to represent an area of previously un-developed Greenfield, land. Policy C1 of the Core Strategy outlines that the Council will promote the reuse and regeneration of vacant and underused previously developed sites and focus only on sustainable Greenfield sites which provide the best access to a range of services, jobs and facilities and have limited impact on green infrastructure and amenity.

The Local Planning Authority is also mindful that paragraph 59 of the NPPF requires Local Planning Authorities to 'boost significantly the supply of housing'.

The principle of the site for residential use would be compatible with the surrounding residential area. The site is located on Samson Street close to Albert Royds Lane where regular bus services operate into Rochdale town centre and other areas of the borough. The site is also within reasonable walking distance of Rochdale Town Centre. It is therefore considered that the site is well located in terms of access to jobs, shops and services by modes of transport other than the private car. The site is therefore in a sustainable location.

Therefore, the proposal would make efficient use of the land within the Defined Urban Area and would contribute to the supply of housing in a sustainable location within the borough. The principle of the development is therefore acceptable and in accordance with the adopted Core Strategy and the aims of the NPPF.

Layout

Policies P1, P2 and P3 of the Core Strategy set out a requirement for good design, improved image and protection and enhancement of character, landscape and heritage. Paragraph 127 of the revised National Planning Policy Framework states that 'decisions should ensure that developments will function well and add to the overall quality of the area and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping'.

The detail of appearance of the building is reserved at this stage and would be determined by way of a future application.

The site lies to the back of the terraced properties on Belfield Road whilst access into the site would be taken from Samson Street. The layout plans shows four parking spaces would be provided adjacent to the highway in front of the building. It is considered the amount of cars parked along the frontage in a prominent position along Samson Street for the purpose of a car parking area would result in a large stretch of land being dominated by parked cars. This would appear conspicuous in the street scene hard up to the highway.

The plans submitted show the building length would be 16m, as such it would extend beyond the outbuildings at No's 150- 154 Belfield Road and would extend up to the rear elevations of 148 and 146 Belfield Road. The distance from the rear elevations of these residential dwellings to the side elevation of the proposed building would be 8.5m. The councils Residential SPD sates in relation to minimum space standards that 10m between a principal window and any directly facing single storey elevation which does not contain a principal window to a habitable room should be retained. Therefore, given the distance, the proposal would result in a significant impact on the amenity of neighbouring occupiers and result in significant harm resulting in loss of natural light and outlook for occupiers of these neighbouring dwellings.

In addition, private amenity space would be provided to the back of the proposed development which again would be at a distance of 8.5m from the terraced dwellings No. 142 – 146 Belfield Road. Given the windows in the rear elevations of these neighbouring properties serve habitable rooms, the distance between the proposed garden space and these dwellings would cause a significant loss of privacy for the future occupiers of the development and therefore would not provide a quality form of development required for residential developments of this type.

Indicative floor plans and elevations have been submitted which show habitable rooms windows facing the residential terraced block on Belfield Road, concerns are therefore raised in relation to overlooking into and from these windows which could be detrimental; furthermore, some of the bedrooms shown appear to be small in size where they would not appear to provide quality accommodation. However this is something that could only be considered at a later stage under a reserved matters application.

Bin storage would be located adjacent to the garden space to the back of the site, this location is considered to be acceptable where they would be stored out of public view and avoid dominating the street.

It is therefore considered the layout proposed, with substandard space standards between properties and the dominance of the car parking arrangement to the front of the site would have a negative impact on the street scene and have a detrimental impact on the living conditions of existing neighbouring occupiers and the future residents of the proposed building contrary to Policies DM1 and P3 of the adopted CS, and the NPPF.

Landscaping and Ecology

It is appreciated that there would be some trees that would be lost to make way for the proposal, however the trees are considered to be small and of limited visual value. The layout pan also submitted shows the amenity space to the rear of the dwelling would be provided with some planting and shrubbery along the southwestern side and rear boundary of the site with the rest of the garden grass seeded. This is considered to acceptable in this residential area.

The application site contains a number of small trees and scrub however no ecological information appears to have been submitted with the application. The Greater Manchester Ecology Unit have been consulted and state that ‘the area appears to be of low ecological value’, however ‘the site does support some tree and scrub that could be used by nesting birds’. As such a condition shall be attached to any approval for no removal of trees and shrubs during the main bird breeding season unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds.

Scale

The proposed building would be single storey in height. Although the majority of surrounding dwellings are terraced blocks that are two stories in height, the proposed height of the building and its length and size would not appear dominant and out of character and is considered acceptable.

Highways and Access

Policy T2 of the Core Strategy acknowledges that development that offers greater access for all forms of travel will assist the borough's continuous improvement to becoming more sustainable, healthier, greener and prosperous.

Access into the site would be from Samson Street with parking provided for four vehicles in front of the proposed building. The Council highways officer has been consulted and has stated that 'the development is unlikely to generate problematic volumes of traffic and parking for the site is within acceptable levels of provision for 3 one bedroom apartments. Servicing the properties can be done easily from the adopted highway and no serious road safety issues can be identified'. As such the highways officer offers no objections to the proposal.

In light of the above, it is considered that the application would provide safe and suitable vehicular access to the development and would provide adequate parking, manoeuvring and servicing arrangements. Accordingly, the proposal would not result in a severe impact to highway safety and is in accordance with the requirements of Policies DM1 and T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Drainage and Coal Mining

United Utilities and the Councils Drainage Engineer were consulted on the application, and require a detailed drainage scheme to be submitted, with foul and surface water drained separately. A relevant condition is therefore recommended. It is therefore considered that, subject to such a condition, the requirements of Policy G8 of the Core Strategy and the National Planning Policy Framework have been met.

Policy G9 of the Council adopted Core Strategy states that the Council will reduce all forms of pollution, contamination and land instability in the borough, by: e. Requiring that any risks arising from contaminated land or land instability, and appropriate actions to address these risks, are identified prior to any development taking place on that land and the identified actions taken.

The Coal Authority's records indicate that there are two mine entries (shafts, 391413-010 and 391413-011) located adjacent to the application site with their associated zones of influence extending into the site. The Coal Mining Risk Assessment Report submitted has been prepared based on a desk-based review of relevant sources of coal mining information. This information has revealed that there is a significant risk to any development of the application site.

The Coal Authority has been consulted in relation to the report and have stated that 'it is the opinion of the Coal Authority that the risk and uncertainty is such that further specialist investigation is required prior to the determination of the planning application in order to ensure that the LPA can be satisfied that the application site can be safely developed'. The Coal Authority's therefore objects to the proposal and advises the applicant to carry out intrusive site investigation works, subject to obtaining Coal Authority permission, to determine the extent of past coal mining activities and the implications for the layout and design for their development proposal. Any remedial, preventive and mitigation measures should then be proposed as part of a revised Coal Mining Risk Assessment Report, as necessary, to address any issues of land instability. The results of the site investigations may well necessitate revisions to the site layout to avoid construction over the mine entries or their associated zones of influence.

Given the details and information submitted, further specialist investigation in required and which has not been provided as part of this proposal and therefore there is risk and

uncertainty relating to the stability of the land. Given the lack of detail the Council is unable to conclude that the proposed development would not be contrary the Policy G9 of the Core strategy.

RECOMMENDATION

Refuse for the following reason;

1 The proposed development by reason of its layout, scale and close proximity to the habitable windows of neighbouring properties on Belfield Road would cause a significant loss of natural light and outlook to the occupiers of these neighbouring properties. The garden area of the proposal would also be significantly overlooked by these neighbouring properties and thereby result in a loss of privacy to the future occupiers of the proposed development. The proposed development would therefore be contrary to Policy DM1 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

2 By reason of its layout and prominent position along the frontage of Samson Street the proposed car parking area would result in a large stretch of land being dominated by parked cars. This would appear conspicuous in the street scene and would thereby be contrary to Policies DM1 and P3 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

3 The Coal Authority's records indicate that there are two mine entries (shafts, 391413-010 and 391413-011) located adjacent to the application site with their associated zones of influence extending into the site. The desk-based Coal Mining Risk Assessment Report does not provide sufficient information to demonstrate that the application site can be safely developed. Given the lack of detail the proposed development is considered to be contrary the Policy G9 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework**.**

Procedure Statement

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application.