APPLICATION NUMBER: 20/01133/AM

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
20/01133/AM	Rachel Carney	9 December 2020

Address: 167 Spotland Road Rochdale OL12 7AA

Proposal: Section 73 application for a minor material amendment to planning permission 18/00325/FUL for alterations to approved plans comprising various alterations to fenestration, variation of condition 7 for amendments to landscaping and removal of conditions 8 and 9 relating to tree protection.

PUBLICITY	**Weekly list expired?**	y	**Site notice expired?**	y
	Neighbour letters expired?	y	**Press Notice expired?**	y

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

COMMENTS	**Planning Panel comments received?**	n
	Neighbour comments received?	n

EIA	**Screening opinion completed and saved to Onbase?**	n

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

RECOMMENDATION	APPROVE

CHECKED AND SIGNED OFF BY: AT **DATE: 16.12.2020**

SITE

The application site is a former pub car park that is currently being development with the construction of five houses approved under planning application 18/00325/FUL.

PROPOSAL

The application proposes a minor material amendment to application 18/00325/FUL which is for the erection of 5 no. three storey townhouses with associated car parking and landscaping.

The current application proposes alterations detailed below:
- Alteration to rear elevations to replace double doors and window with large patio door.
- Alterations to the side (west) elevation windows to provide only two first floor windows to serve en-suite bathroom and family bathroom.
- Alterations to the side (east) elevation to provide double ground floor window to serve and double second floor window to serve the stairs.
- Alterations to the internal layout to provide a more open plan living space and to change the stair layout and room configuration to the first and second floors.

The application also proposes to vary condition 7 (detailed below) and a new site plan and tree planting schedule has been submitted.

Landscaping of the site shall be carried out in accordance with the scheme shown on approved drawing no. M600/SRR/LAND/01 (Schedules and Layout Plan) and the landscaping works shall be carried within the next planting season following final occupation of the development hereby permitted. 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 10 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.

It is also proposed that conditions 8 and 9 (detailed below) are removed from the permission.

Condition 8
No development or works of site preparation shall take place until all trees and hedges to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

Condition 9
Notwithstanding the details provided on Drawing no. M600/SRR/LAND/0, no above ground construction shall take place until a scheme for the construction and laying of paving beneath the retained trees has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include no excavation beneath the canopy of the retained trees and paving shall be laid using a no-dig technical solution within the Root Protection Areas to avoid damage or severance of the root system and in accordance with BS5837:2012 Trees in relation to design, demolition and construction - recommendations.

Reason: In order to protect the existing trees and hedges in the interests of the amenities of the area and in accordance with Policies G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – February 2019

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

C1 Delivering the right amount of housing in the right places
C3 Delivering the right type of housing
C6 Improving health and well being
C7 Delivering education facilities
E2 Increasing jobs and prosperity
E3 Focussing on economic growth corridors and areas
P1 Improving image
P2 Protecting and enhancing character, landscape and heritage
P3 Improving design of new development
G6 Enhancing green infrastructure
G7 Increasing the value of biodiversity and geodiversity
G9 Reducing the impact of pollution
T2 Improving accessibility
DM1 General development requirements
DM2 Delivering planning contributions and infrastructure

Unitary Development Plan (UDP):

G/D/1 Defined Urban Area
EC/3 Mixed Employment Zone

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

RELEVANT SITE HISTORY

06/D48377 – Workshop/officer development (B1 use) – Approved
11/D54994 – Erection of 5 no. town houses - Approved
18/00325/FUL - Residential development - erection of 5 no. three storey townhouses with associated car parking and landscaping – Approved
20/00597/AM - Section 73 application for a minor material amendment to planning permission 18/00325/FUL for alterations to approved plans comprising of installation of bi-fold doors on rear elevations, alterations to bathroom and hall window layout and changes to the internal layout of the dwellings - Withdrawn

CONSULTATION RESPONSES

Highways And Engineering
No comments received to date

Env Health - Noise/Odours
No comments received to date

Conservation Officer

No objections

Gtr Manchester Ecology Unit
Restricted comments to the proposed landscape amendments. The changes result in the loss of two trees, including one high ecological value native species (willow) and a cultivar of black poplar, also a native species, with a native species and an ornamental species. This would result in a net loss of biodiversity. It is therefore recommended that the ornamental pear is replaced with a native tree such as a sliver birch or rowan.

REPRESENTATIONS

The application has been publicised with neighbour notification letters, a site notice and a press notice. No letters of representation have been received.

ANALYSIS

This application seeks permission for alterations approved under application 18/00325/FUL. The PPG confirms that there is no statutory definition of a 'minor material amendment' but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.

The alterations proposed under this application include a change to fenestration rear elevation and alterations to the internal layout.

In respect of the fenestration changes these comprise replacement of the previously approved ground floor door and window to the rear elevations of the properties with patio style doors. Sited to the rear of the properties, this new window layout would be in keeping with the style of the property properties, allowing residents increased access to their areas of residential curtilage. The main outlook of the properties, onto Spotland Road, would not be altered and the properties would retain an acceptable appearance within the street scene. The Council's Conservation Officer has confirmed no objections in terms of the impact on the setting of heritage assets. It is considered that this change to fenestration would be acceptable, protecting visual amenity in accordance with policies P1, P2, P3 and DM1 of the Core Strategy.

In terms of internal layout the reconfigured rooms would not alter how the properties function and alter their impact on surrounding development. The main elevations to the properties would remain to the front and rear and the internal configuration would retain adequate space about buildings, ensuring no undue harm to existing and future residents.

Landscaping and trees

The application also seeks to amend the landscaping and tree planting and protection conditions through the removal of conditions 8 and 9 and the variation of condition 7. Development has commenced on site and it is clear that conditions 8 and 9 can no longer be adhered to.

The conditions in questions sought to protect the retained trees on site and ensure an acceptable landscaping scheme that was in accordance with details previously submitted. The trees that were to be retained on the site have since been removed

and the new landscaping scheme seeks to offset the losses to biodiversity that have arisen through these works.

The application has been referred to GMEU for comment and they have advised that currently the proposed landscaping scheme would result in a net loss of biodiversity on the site. This is because the application seeks to replace the native lost trees (a willow and Lombardy poplar) with one native tree and one ornamental species (a field maple and an ornamental pear). This is not acceptable and the proposed ornamental pear should be replaced with a native tree such as a silver birch or rowan.

Amended plans have subsequently been sought from the applicant and these replace, as requested, the ornamental pear with Rowan (Sorbus Aucuparia). This is in accordance with the advice provided by GMEU and is considered to represent an acceptable landscaping scheme which will offset the loss of the felled trees and provide biodiversity enhancements to the site.

With the amended plans the development would acceptably off-set the biodiversity losses that have arisen through the felling of trees and in this regard the application accords with policy G6 and G7 of the Core Strategy.

Summary

The proposed amendments to the approved plans are acceptable. The alterations to the external elevations are relatively minor and would not adversely impact on the external appearance of the development. The new internal layout would also be acceptable and protect residential amenity.

There were initially concerns with the landscaping plan proposed but with amendments that show native tree planting this is considered acceptable. The tree planting proposed would off-set the losses to biodiversity that have occurred through the felling of trees on the site and the amendment condition 7 and removal of conditions 8 and 9 can be accepted.

The amendments would not impact on the development in any other manner and all other matters remain acceptable.

In respect of conditions, development has commenced on site and is well underway and a number of details for conditions have been accepted. The conditions from the original approval will therefore need amending accordingly.

RECOMMENDATION **APPROVE**

1. This permission relates to the following plans:-

- Location Plan & Existing Site Plan – Drawing no. 167SR/002B
- Proposed External Works – Drawing no. 640-STRL200 Revision A
- Proposed Plan and Elevations – Drawing no. 2019 171 002 Revision 5
- Proposed Floor Plans – Drawing no. 2019 171 001 Revision 5
- Proposed Section – Drawing no. 2019 171 004 Revision 3
- Part Section and Plans – Drawing no. 2019 171 005 Revision 3

and the development shall be carried out in complete accordance with these drawings hereby approved.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

2. The development hereby approved shall be first constructed of materials approved under application 20/00941/DOC and retained thereafter.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity and in accordance with policies P1, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

3. The windows and doors shall be first installed in accordance with the details approved under application 20/00319/DOC and retained thereafter.

Reason: In the interests of visual amenity and to accord with policies P1, P2, P3 and DM1 of the Core Strategy and the National Planning Policy Framework.

4. Foul and surface water drainage of the site shall be fully installed in accordance with the details approved under application 20/00319/DOC and retained thereafter.

Reason: To ensure the appropriate disposal of foul and surface waters and to manage the risk of flooding and pollution in accordance Core Strategy policy G8, saved UDP policies EM7 and EM/8 and the NPPF.

5. Landscaping of the site shall be carried out in accordance with the scheme shown on approved drawing no. 640-STRL200 Revision A (Proposed External Works) and the landscaping works shall be carried within the next planting season following final occupation of the development hereby permitted. 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 10 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.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and to secure biodiversity mitigation in accordance with Policies P3, G1, G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

6. The contamination protection measures and actions approved under application 20/00319/DOC shall be fully implemented and a validation report confirming that the required actions have been undertaken shall be submitted to and approved in writing prior to first occupation of the development hereby approved.

Reason: To ensure that any contamination of the site is correctly managed and to accord with policy G9 of the Rochdale Core Strategy and policy in 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.

Notes for Applicant:

Report Author Rachel Carney