

APPLICATION NUMBER: 23/00361/OUT

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00361/OUT	Aimee Bovaird	11 September 2023

Address: Land Adjacent To 287 Oldham Road, Middleton M24 2DW

Proposal: Outline application (including access, appearance, layout and scale) for the erection of one dwelling

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

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

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

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

RECOMMENDATION	GRANT subject to conditions
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CHECKED AND SIGNED OFF BY: M Lewis DATE: 28.11.23

SITE

This application relates to an undeveloped area of land on Oldham Road in Middleton. The site is within the Defined Urban Area. The site is located between 287 and 273 Oldham Road.

The surrounding area is predominantly residential with a convenience store opposite the proposed site. The applicant has stated that land was used for advertising, before that the land was previously developed. From aerial photographs from 2000 the site has a significant amount of trees. These have been cleared and tarmac laid down therefore the site cannot be considered grassland but is a previously developed site.

PROPOSAL

Outline permission, including details of access, appearance, layout and scale is sought for the development of one dwelling. The dwelling would consist of three bedrooms, one bathroom, one washroom, a lounge/dining area and kitchen. A cycle store and a bin store is proposed along with 1.8m high closed board timber fencing and an entrance gate off Oldham Road.

RELEVANT PLANNING POLICY

National Guidance

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

Adopted Rochdale Core Strategy (CS):

- DM1 General development requirements
- DM2 Delivering planning contributions and infrastructure

SO1 Delivering and more prosperous economy

- E2 Increasing jobs and prosperity

SO2 Creating successful and healthy communities

- C1 Delivering the right amount of housing in the right places
- C2 Focusing on regeneration areas and economic growth corridors/areas
- C3 Delivering the right type of housing
- C4 Providing affordable homes
- C6 Improving health and wellbeing

SO3 Improving design, image and quality of place

- P1 Improving image
- P3 Improving design of new development

SO5 Improving accessibility and delivering sustainable transport

- T2 Improving accessibility

Unitary Development Plan (UDP)

Supplementary Planning Documents (SPD):

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

RELEVANT SITE HISTORY

80/D11387 – Change Of Use from hairdressers and living accommodation to dental surgery and living accommodation – Grant

CONSULTATION RESPONSES

Highways And Engineering

The following comments have been received,

'There are a number of highways issues arising from this application.

Council standards would require some off street parking provision for such a residential development. Historically terraced housing has existed on this site without parking provision and the character of the houses both adjoining and in the surrounding area is that they do not have the benefit of any off street parking. We would therefore say that an objection on the lack of parking provision may not be sustainable.

As with adjoining properties servicing will take place directly from Oldham Road.

We would not expect that there would be any detrimental impact on road safety or highways capacity as a result of the development.

Highways raise no objection to this application, we would however ask for a Construction Management Plan for approval as the development will be constructed adjacent to an adopted footway on Oldham Road which is also a classified Road.

Env Health - Noise/Odours

No objections received.

Environmental Health – Land Contamination

The following comments have been received,

'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'

United Utilities

No objections.

REPRESENTATIONS

Letters of notification were sent to all surrounding properties and a site notice was displayed. No comments have been received.

ANALYSIS

Principle of Development

Paragraph 119 of the NPPF requires planning policies and decisions to promote an effective use of land in meeting the need for homes, whilst safeguarding the environment and ensuring safe and healthy living conditions. Planning decisions should give substantial weight to the value of using suitable brownfield land within settlements, and support appropriate opportunities to remediate despoiled, degraded, derelict contaminated or unstable land.

Policy C1 of the adopted Core Strategy seeks to deliver the right amounts of housing in the right places, with a focus on the reuse and regeneration of vacant and underused previously developed sites.

Whilst the latest published information suggests that the Council can demonstrate in excess of a 5 year supply based on the Core Strategy target, this does not preclude the promotion of sustainable development where this can assist in delivering additional housing to meet local needs.

This application is considered to make a positive contribution to the housing supply within the borough, it is considered that the principle of development is acceptable in accordance with adopted Rochdale Core Strategy policies C1, C3 and SD1, saved UDP policy G/D/1 and the NPPF.

Amenity and Impact on Surrounding Occupiers

Paragraph 130 of the National Planning Policy Framework advises that planning decisions should always seek to secure a high standard of amenity for existing and future users. Further to the above are the considerations of the Council's Supplementary Planning Document (SPD) 'Guidelines and Standards for Residential

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

It sets out the minimum space standards for new development, '21m between directly facing principal windows of habitable rooms, at an upper floor level AND 10.5m between a principal window at an upper floor level and a directly facing boundary of the curtilage; (ii) 14m between a principal window and any directly facing two storey elevation which does not contain a principal window to a habitable room; (iii) 10m between a principal window and any directly facing single storey elevation which does not contain a principal window to a habitable room.'

The proposed development does not meet the minimum space standards, as there is only 13m between habitable rooms on the front elevation and directly facing principle windows of habitable rooms. On balance this is considered acceptable as it reflects the surrounding character of the area. On the first floor Bedroom 3 does not have a window on the rear elevation, there is a window on the west elevation that will provide sufficient outlook without having a negative impact in terms of privacy on surrounding dwellings

The proposal will comply with the SPD or policy DM1 of the core strategy.

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

The proposed development would be built in a red brick with a grey roof and this is similar to the existing residential properties and considered acceptable. The front elevation will be similar in appearance to the existing street scene

The proposed bin store does not have any details of materials, if the application is approved details of the bin store could be conditioned.

The proposed timber fence is considered acceptable and will not have a negative effect on surrounding occupiers.

Policy G9 of the Core Strategy sets out that the Council will require that development does not have impacts that lead to an unacceptable increase in air, water, noise, light or other pollution. Paragraph 185 of the NPPF sets out that planning decisions seek to ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment.

The Council's Environmental Health Officer has been consulted and raised no objections. The proposal is a dwelling within a row of terraced housing therefore a Noise Impact Assessment will not be necessary.

The existing residential dwellings east and west of the proposal will not lose any privacy as there are no proposed windows on the side elevations. The proposed development complies with the 'Guidelines and Standards for Residential Development'.

Highways and refuse collection

Policy T2 of the adopted Core Strategy seeks to improve accessibility by locating development where good access to public transport is available or can be provided and in all circumstances, prioritises the safety, accessibility and amenity of those who live or have business in the area. Policy DM1 also states that all development proposals should provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements taking into account of the proposed use and location. Paragraph 111 of the National Planning Policy Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 112 (d) of the NPPF states that application for development should allow for the efficient delivery of goods, and access by service and emergency vehicles. The *Guidelines and Standards for Residential Development* SPD states that bin storage areas that require excessive movements from the storage area to the street should be avoided and any bin storage areas and access arrangements, including access routes for collection vehicles, should be provided in accordance with all relevant legislation and guidance, such as any relevant local planning documents, Building Regulations and Highways requirements.

Our Highway Department raised no objections to the bin store and if the application is approved asked for a Construction Management Plan.

On this basis, the application would accord with the requirements of Policies DM1 and T2 of the adopted Core Strategy and the National Planning Policy Framework.

RECOMMENDATION

GRANT subject to conditions

1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:
 - (a) The expiration of three years from the date of this permission; or
 - (b) The expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The approval of the Local Planning Authority shall be sought in respect of the following matters before the development is commenced **landscaping**.

Reason: The application is granted in outline only under the provisions of Article 5 of the Town and Country Planning (Development Management Procedure) Order 2015 and details of the matters referred to in the condition have not been submitted for consideration.

3. 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 G9 of the Rochdale Core Strategy.

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

4. The dwelling shall not be occupied until such a time as full details of the bin storage have 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.

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

Notes for Applicant:

Report Author Aimee Bovaird