

APPLICATION NUMBER: 23/00920/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

23/00920/FUL

CASE OFFICER

Rosalind Gralton

DETERMINATION DATE 22.01.2024 EXT OF TIME 27.09.2024

Address: Land Between 13 & 15 Exeter Street, Rochdale OL11 1JN

Proposal: Residential development of 4no. terrace dwellings comprising 4 bedrooms and associated landscaping

PUBLICITY	Weekly list expired?	Y	Site notice expired?	Y
	Neighbour letters expired?	Y	Press Notice expired?	NA

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?	NA
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CONDITIONS	Pre-commencement conditions proposed?	Y
	Pre-commencement conditions agreed (or notification period expired)?	Y

RECOMMENDATION

APPROVE SUBJECT TO CONDITIONS

CHECKED AND SIGNED OFF BY: LA

DATE: 24.09.2024

SITE

The site relates to a parcel of previously developed land (brownfield land) located on the northern side of Exeter St between 13 and 15. The location plan indicates the applicant's ownership and the boundary of the site relates to the southern half of the wider parcel.

The site is not accessible from Durham Street to the north. The land is generally flat and is vacant, located within a predominately residential area, characterised by terraced properties of traditional red brick and natural slate construction.

Few infill developments are located within the surrounding area, however these are designed as to assimilate well within the established character.

It is acknowledged the existing site plan shows the site as having existing parking spaces, across the proposed application site, and the land to the north of the site. This is inaccurate as it is not currently used for parking.

The site is within the defined urban area. The site is not a heritage asset or within the setting of any adjacent heritage assets. No Tree Protection Orders affect the site.

PROPOSAL

Planning permission is sought for the erection of a terrace row, of 4 two storey dwellinghouses on the site.

The dwellings would be two storeys with a pitched roof and outrigger at the rear. The loft would be converted with rooflights.

Materials proposed include red brick, grey tiles, and white UPVC windows and doors. No location of bin storage is detailed on plans however the properties each have private rear gardens. No properties have private off street parking spaces.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Sub-Regional

Places for Everyone Joint Development Plan (PfE) 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-S1 Sustainable Development

JP- H3 Type, Size and Design of New Housing

Adopted Rochdale Core Strategy (CS):

SO1 – To deliver a more prosperous economy

- E1 – Establishing thriving town, district and local centres
- E2 – Increasing jobs and prosperity
- E5 – Encouraging the visitor economy
- E6 – Supporting and diversifying the rural economy

SO2 – Creating successful and healthy communities

- C1 – Delivering the right amount of housing in the right places

SO3 – Improving Design, image and quality of place

- P1 – Improving image
- P3 – Improving design of new development

SO4 – Promoting a greener environment

- G7- Increasing the value of biodiversity and geodiversity

SO5 – Improving accessibility and delivering sustainable transport

- T2 – Improving accessibility
- DM1 – General Development Requirements

Unitary Development Plan (UDP):

- G/R/1 – Physical Regeneration
- 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

The most recent application on the site; 19/01253/FUL relates to full parcel of land (extending from Exeter Street to Durham Street) and is therefore a larger site than this planning application relates to.

19/01253/FUL - Erection of 8no 4 bedroom dwellings – Refused 26/11/2020

The former two applications, 19/00183/FUL and 18/01251/FUL, relate to the site submitted within this pre application enquiry.

19/00183/FUL – Erection of 4no 5 bedroom dwellings – Resubmission of
18/01251/FUL – Refused 21/05/2019

18/01251/FUL – Erection of 4no four bedroom dwellings – Withdrawn 11/01/2019

All other applications relate to land considered within this current pre application enquiry and land to the north of the site, as with the most recent application on the site. It should be noted, these applications have since lapsed.

07/D496610 – 8 Terraced Two and a half storey dwellings – 25/09/2007 – Grant subject to conditions

04/D43793 – Residential Development – 18/08.2004 – Grant subject to conditions

80/D11288 – Change of use from garage site to builder's yard – Refuse 03/11/1980

CONSULTATION RESPONSES

Urban Design

Concerns regarding the plot sizes and design development. Further design detailing should be undertaken.

Highways And Engineering

No objections. Condition recommended regarding road surfacing survey prior to commencement of development and damage to be repaired. Request a financial contribution is made to renew lining and paint on all traffic calming in the vicinity to promote safe driving.

Env Health - Noise/Odours

No objections subject to conditions regarding house of operation and construction management plan.

United Utilities

No objections subject to conditions

Lead Local Flood Authority/Drainage

No objections.

Environmental Control (Landfill Gas)

No objections subject to condition regarding Site Investigation.

Gtr Manchester Ecology Unit

No comments received to date

REPRESENTATIONS

The proposal was publicised by way of neighbour notification and site notice. No responses were received.

ANALYSIS

Principle

The 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 comprises previously developed land and is within Milkstone and Deeplish ward, where under policy C2, additional homes will be delivered on vacant and underused sites to assist in the regeneration of this area.

As the site is located within the defined urban area, is previously developed land and is within a predominately residential area, in a sustainable location within reasonable proximity to local amenities and public transport facilities, the principle of residential development on the site is acceptable.

Design

The NPPF states 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.

PfE Policy JP-P1 is consistent with the aims of the NPPF requiring new development to be well-designed in that it too seeks to ensure that new development is distinctive with a clear identity that respects and acknowledges the character and identity of the locality and is visually stimulating, creating interesting and imaginative environments.

The proposed buildings would be a terrace row of 4 two storey dwellings with a pitched roof, akin to the design of neighbouring terraces across Exeter Street. The land is the southern half of a rectangular parcel of land divided into two, with both halves of the site undeveloped, of a derelict appearance, screened by a 6ft breeze block wall around the perimeter.

The Council's Urban Design Officer was consulted on the scheme, and concerns were raised regarding the design of the dwellings. Amended plans were sought which provided the windows on the front elevation with a more vertical emphasis, in keeping with the adjacent traditional terrace row. Additionally, brick detailing and chimneys have been added. It is noted these amendments are not reflected on the rear elevation of the proposed building and that the rear elevation will be viewed from both the rear of properties on Durham Street and from the vacant half of the wider site, when viewed from Durham Street as a pedestrian. While this is not ideal and an improved design would have been encouraged, there is a reasonable prospect the northern half of the site will also be redeveloped for housing and therefore the rear elevation will not be as visible from the streetscene, and the harm to the visual amenity will be mitigated. Additionally, conditions are imposed to secure details of materials, window and door reveals, to ensure a high quality of design is maintained. In conclusion, it is considered the amendments address the concerns raised and are acceptable.

On balance, the proposals are of a design which is acceptable. The amendments sought have present a row of houses more in keeping with the character of buildings in the setting, and subject to conditions in relation to materials, window and door reveals and brick detailing, it is not considered the proposal would be unacceptable in respect of design, and would comply with Policies P1, P3 and DM1 of the Rochdale Core Strategy subject to conditions.

Occupier amenity

Policy JP-H3 of PfE states all new dwellings must comply with the Nationally Described Space Standards (NDSS).

The proposed dwellings are a 4 bedroom property across 3 floors. 6 bedspaces are provided, with bedrooms 1 and 2 being doubles and 3 and 4 being singles. The minimum bedroom sizes for one bedspace is 7.5m² and a bedroom width of 2.15m. A two bedspace bedroom must be 11.5m² in area. The proposed bedroom sizes are shown in the below table:

Bedroom number as shown on plans	Bedroom size (sqm)
Bedroom 1	17.84
Bedroom 2	11.9
Bedroom 3	11.33
Bedroom 4	8.37

The minimum NDSS internal standard for a 4 bedroom, 6 bedspace property across 3 floors is 112m². The proposed minimum space standards for the internal floorspace of all properties is exceeded. In addition, each property has a private rear garden area which provides additional outdoor space.

Each bedroom shown meets the minimum bedroom requirements of 11.5sqm for a double bedspace and 7.5sqm for a single bedspace (with a minimum width of 2.15m). The requirements of the NDSS are therefore met. Each habitable room would benefit from adequate light and no concerns are raised in this respect.

Impact on surrounding residential properties

Core Strategy Policy DM1 requires, amongst other things, that development proposals are compatible with surrounding land uses and that they do not adversely affect the amenity of residents.

The Council's 'Guidelines and standards for residential developments SPD' provides guidance on design of residential development. Section 4.1 of this states:

'The following minimum space standards will be applied to all new residential developments and developments which affect existing residential properties:

- (i) 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 (Figure 2);*
- (ii) 14m between a principal window and any directly facing two storey elevation which does not contain a principal window to a habitable room (Figure 3);*
- (iii) 10m between a principal window and any directly facing single storey elevation which does not contain a principal window to a habitable room (Figure 4).'*

Section 4.3 states *'Exceptions to theses minimum space standards may be acceptable in some circumstances and applications will be considered on their individual merits. For example, where the character and density of the surrounding area would be best preserved by reduced distances and this would not detract from the general levels of privacy and amenity typical in the area, then exceptions may be made.'*

The proposed dwellings are 11.1m from the directly facing windows on the southern side of Exeter Street, set against an SD requirement of 21m. This is consistent with the neighbouring terraces and would be in keeping with the streetscene. While a bedroom window would directly face a principle room window at upper floor, it is not considered this instance would be unacceptable given the circumstances, and a key characteristic of the surrounding area being high density properties.

The distance to the rear boundary of the site is 8.4m. While this falls below the 10.5m required in Section 4 of the SPD, the dense nature of the surrounding terrace properties would mean this is typical of the character of the area and would not be unacceptable from a design perspective. Additionally, it is not considered the occupiers of the proposed habitable room windows at the rear of the property would be unacceptably overlooked by the proposed development, and reasonable space is available for a similar development on the northern half of the site to come into fruition. As a result, the proposed dwellings would be acceptable when considering the amenity of the occupiers.

In relation to the rear elevation, the proposals would face onto what is currently open land, which is the northern half of the site. Officers are mindful any development secured shall not prejudice the possibility of future residential properties on the land to the north of the site. The property's rear first floor windows, relating to Bedroom 2, are the closest rooms to the rear boundary and are 8.4m from the rear boundary of the site. The depth of the property, including the outrigger, is 10m. For comparison, the nearest adjacent terraced property at No 13 has a depth of 16m including the outrigger. As such, while the projection of the proposed outrigger is slightly beyond the building line of the terraces, the overall layout would result in the buildings appearing less intrusive than those currently either side of the plot. In the instance a development of terraces came forward on the opposite site, it is considered that with the proposed site's layout in mind, the rear facing windows would be able to have a reasonable window to window distance.

It is acknowledged that the properties located on the surrounding perimeter will be impacted as a result of the presence of the proposal replacing land which was previously undeveloped. It is noted however the proposal would provide valuable housing for the borough, and has been designed sensitively with the adjacent properties in mind. A landscaping plan is secured via condition to ensure suitable fencing and soft landscaping is incorporated into the scheme. The case officer is aware a 'landscaping plan' has been approved as part of the approved plans, however further detail shall be provided with the attached condition.

The Council's Environmental Health Officer was consulted regarding the application. A condition was requested regarding a construction management plan to cover areas such as noise, vibration, mud and dust suppression. A condition is also recommended restricting site hours between 08:00-18:00 Monday - Friday 09:00-14:00 Saturdays and no work on Sundays or Bank Holidays. Officers have considered the requested conditions against the NPPF tests (paragraph 55). The site is cleared and as such, demolition is limited to the remaining boundary walls and it is not considered that the small scale construction of 4 dwellings necessitates a construction management plan to control matters such as dust and debris, or wheel washing. Controlling the hours of construction is rarely necessary as it is controlled by other legislation should it present as a statutory nuisance. Again, considering the small scale nature of the proposed development, it is not considered necessary to control the hours of construction.

The proposed development would therefore be in accordance with the requirements of Core Strategy Policies P1, P3 and DM1, and the policies within the NPPF.

Highways

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.

The Council's Highways Officer was consulted on the application. The Officer noted that the proposal does not provide any off street parking, however is within close proximity to public transport (approximately 80m west of a bus stop), within walking distance (less than a 300m walk) of Rochdale Train Station, and Milkstone Road local centre is located 80m away. While driveways on the properties may have been considered preferable to provide off street parking and comply with the Council parking standards, the Highways Officer confirms the revised standpoint in this location is that driveways could be unexpected and cause issues with people pulling out unexpectedly. As such, the provision of no dedicated parking is considered acceptable in this instance.

Highways have requested a contribution to renew the lining and paint on all traffic calming in the vicinity to promote safe driving. Paragraph 56 of the NPPF states 'Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development permitted, enforceable, precise and reasonable in all other respects'. Having reviewed the requested condition by highways for a financial contribution to renew the lining and paint on traffic calming in the vicinity, it is not considered that as a direct result of the development – the erection of 4 houses, that the requested condition is necessary to mitigate harmful highways impacts of the development. The proposed line painting is an existing maintenance concern in the locality, and should be carried out regardless of this development. As such, it is not considered the proposed condition for financial contributions is necessary in this instance.

An additional request for the renewal of the footway and kerb line has been requested by Highways and should be provided on completion of the development. Given the site is only accessed via the frontage on Exeter Street, there is a reasonable probability that damage would occur to the footway, which would then require the renewal of the kerb. As such, a condition restricting occupation of the properties until the necessary renewal of the kerb has been carried out, is secured to the decision notice.

Contamination

Core Strategy Policy G9 states that the Council will ensure that any risks arising from contaminated land or land instability are identified, and that any appropriate actions to address these risks are taken, prior to development taking place. As part of the application the applicant has submitted a Phase I Preliminary Risk Assessment which has concluded an intrusive investigation should be undertaken to ensure the most up to date geotechnical parameters for the design foundations, floor slabs and pavement construction are gained. In addition soil samples shall be taken for chemical analysis.

The Council's Environmental Protection Officer was consulted on the application and proposed a condition relating to a Phase II Site Investigation condition and details of remedial work. A separate condition is attached to ensure a validation study is also provided and a satisfactory quality of land is provided to ensure the land properties are safe for future end users. Subject to this the requirements of the Core Strategy and NPPF are considered to have been met.

RECOMMENDATION: APPROVE 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, files and documents:-

Location Plan – PL07 Rev A

Amended Proposed Floor Plans – PL03 Rev A

Amended Roof and Second Floor Plan – PL04 Rev A

Amended Proposed Elevations – PL05 Rev A

Amended Proposed Rear Elevation and Streetscene – PL06 Rev A

Amended Proposed and Existing Streetscenes, Side Elevations and Sections – PL09 Rev A

Proposed Landscaping Plan

Proposed Site Plan

Phase I Geo-Environmental Assessment prepared by Earth Environmental & Geotechnical Ltd, dated November 2023, Appendix 1 Groundsure Report

and the development shall be carried out in complete accordance with these drawings hereby approved unless otherwise required by the conditions below.

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

3. Notwithstanding any information submitted with the application, no development shall take place until an investigation has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place. The submitted report shall comprise:

ii) where potential risks are identified by the Preliminary Risk Assessment, a site investigation survey of the extent, scale and nature of contamination and;

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) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy.

Reason: To ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

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

4. No above ground construction works shall take place until samples on site and full specifications of materials to be used externally on the building(s) 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. The development shall be carried out in accordance with the approved details. These materials shall include red brick to the elevations and natural slate to the roof.

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

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

Reason: In the interests of visual amenity and in accordance with policies P1, P2, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework

6. Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

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.

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.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with Core Strategy Policy G6 and G7 and the National Planning Policy Framework.

7. Pursuant to condition 3, and prior to first occupation of any dwelling, a verification report, which validates that all remedial works undertaken on site were completed in accordance with those agreed with the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

8. Before the development hereby permitted is occupied, full details of the alignment, height and appearance of all fences and walls and gates to be erected (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to occupation of the final dwelling.

Reason: In the interests of visual and residential amenity and in accordance with policies P1, P2, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

9. No dwelling hereby approved shall be occupied until any damage caused to the footway along the site frontage of Exeter Street during construction has been repaired and renewed and the kerb line reinstated to its full height.

Reason: In this case construction vehicles are likely to be limited to using Exeter Street for access. Any damage to the footway and kerb during construction shall be repaired in the interests of pedestrian safety, in accordance with Policies T1 and T2 of the Rochdale Core Strategy.

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.

Report Author Rosalind Gralton