

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00020/FUL	Claire Ringwood	2 nd May 2024

Address: Land adjacent to 27 Brookdale, Healey, Rochdale

Proposal: Erection of 2 semi-detached dwellings

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?	Y

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

RECOMMENDATION	GRANT subject to conditions
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CHECKED AND SIGNED OFF BY: RG

DATE: 03 May 2024

SITE

The application site comprises a grassed area of land between 17 and 27 Brookdale which is in a cul-de-sac position. Healey Primary School is located to the north and there is a public right of way (definitive footpath number RocDFp18) which is directly to the north between the application site and the School.

The site is surrounded by residential properties, with the exception of the School, sharing its boundary with 27, 41 and 43 Brookdale. There is one tree on site with a number of shrubs along the rear boundary. The character of properties within this cul-de-sac of Brookdale is predominantly chalet style semi-detached properties with flat roof dormers to the front roof slopes. The exception to this is 17 and 31 Brookdale which are two storey detached properties.

The site falls within a Defined Urban Area as defined in Rochdale Borough Council's saved Unitary Development Plan (UDP) Proposals Map and an SSSI Impact Risk Zone.

PROPOSAL

The application has been amended following the original submission which originally proposed 2 x 4 bedroom semi-detached bungalows with three bedrooms, en-suite and bathroom in the roof space and the dwellings faced at a 90 degree angle to each other. Following concerns raised by officers, a further amended scheme was submitted which introduced front facing dormer windows and reduced the number of bedrooms to three. Further comments from the Council's Urban Design Officer sought final amendments in order for both properties to front Brookdale.

The scheme now being considered is for 2 x 3 bedroom semi-detached bungalows which both face the road along with flat roof dormer windows to the front roof slope. Two parking spaces are proposed to each dwelling with private rear gardens.

Bin storage is proposed in the rear gardens. A dwarf wall is proposed to the frontage with timber boundary fencing along the boundaries.

The materials would consist of brick, tiles and permeable paving (secured by condition).

PLANS AND INFORMATION SUBMITTED

Location Plan
Design and Access Statement
9th January 2023

Tree Survey by Guy Smallthwaite, dated March 16 2020
25th April 2023

Drawing No: 2004 01 – Site Location Plan & Block Plan
Drawing No: 2004 02 – Proposed Site Layout
Drawing No: 2004 05 – Proposed Ground Floor Plan
Drawing No: 2004 06 – Proposed First Floor Plan
Drawing No: 2004 07 – Proposed Roof Plan
Drawing No: 2004 10 – Proposed Elevations
Drawing No: 2004 11 – Proposed Elevations
Drawing No: 2004 12 – Proposed Sections
Drawing No: 2004 20 – Street Elevations

Coal Mining Risk Assessment by adeptus consulting, Report No: A230605-R02, Date: August 2023

Land Contamination Phase 1 Desk Study by adeptus consulting, Report A230605-R01, Date: June 2023

Tree Survey Update by Guy Smallthwaite, dated May 16 2023
27th September 2023

The following amended plans were submitted 26th March 2024:

Sheet no: 01 Rev A – Proposed Floor Plans
Sheet no: 02 Rev A – Proposed Elevations
Sheet no: 03 Rev A – Proposed Roof Plan
Sheet no: 04 Rev A – Proposed Site Plan
Sheet no: 05 Rev A – Street Elevations
Sheet no: 06 Rev A – Existing Site Block Plan
Sheet no: 07 Rev A – Proposed Site Block Plan
Site Location Plan

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-S4: Flood Risk and the Water Environment
JP-H1: Scale, Distribution and Phasing of New Housing Development
JP-H3: Type, Size and Design of New Housing
JP-H4: Density of New Housing
JP-G7: Trees and Woodland
JP-G8: A Net Enhancement of Biodiversity and Geodiversity
JP-P1: Sustainable Places
JP-C8: Transport Requirements of New Development

Rochdale Core Strategy (CS):

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

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 and land stability

SO5 Improving accessibility and delivering sustainable transport

- T2 Improving accessibility

- SD1 Delivering sustainable development
- DM1 General Development requirements

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/D28216 - Residential Development. Withdrawn 10/02/1995.

18/01219/FUL - Proposed one four bed detached dwelling and one pair of four bed semi-detached dwelling. Withdrawn 14/01/2019.

CONSULTATION RESPONSES

Urban Design Advisor

Initial Comments – summary

Whilst this infill site would be suitable in repairing the urban grain, several design amendments would need to be made to ensure the development was sympathetic to the urban surroundings. The majority of the concerns are centred on the orientation of Plot 1 for the frontage not to face the street. I would advise the development to be scaled back in size so it is sensitive to the site plot and built neighbourhood.

Updated Comments – summary

The applicant has addressed the majority of concerns flagged in my earlier consultation. As a result, the streetscape visual amenity has improved. The street frontage along Brookdale is repaired and the design as a result is much more sympathetic to neighbouring dwellings. Clarify with the applicant that brick slips are replaced with actual / full bricks. The parking allocation to Plot 2 may not quite work as shown but this could be resolved.

There are a few simple changes that should be implemented if the scheme were to move forward. Overall, I would have no objections to the proposal.

Final Comments

This has come a long way since the first version and the designer has been constructive with the feedback. No further comments.

Highways

There are a number of highway issues arising from this application for consideration.

The application site is directly adjacent to a public right of way which is very well used as a pedestrian access to Healey Primary School so its retention both during construction and long term is essential. The submitted plan shows a retained width of 1.4 metres for the footpath we would expect that the Councils Rights of Way Officer offers some advice on the definitive width of this right of way to ensure no encroachment on the legal alignment.

Submitted plans show a boundary fence along the site boundary to the public right of way with a proposed height of 1.8 metres. As the footway and access onto the right of way is busy with pedestrians in this location we would ask that the height of the fence is reduced to 900mm for the first 1.0 metre in length. This would provide improved visibility between vehicles entering or leaving the driveway and pedestrians accessing the public right of way.

The submitted plans show two viable parking spaces per dwelling in line with Council standards. The new driveways will require an appropriate vehicle access crossings which would need a separate permission from the Councils highway service. These approved crossings must be in place prior to the development being brought into use.

The proposed dwellings would be serviced in a similar way to adjoining properties so we raise no concern on this issue.

If approved, the development should not have any impact on road safety or highways capacity on the wider highway network.

We would also request that the applicant undertakes a condition survey, including photographs, of the adjoining adopted footway and public right of way prior to construction commencing on site. Following construction the footway and right of way must be returned to their pre-construction condition at the cost of the applicant. We also note that there is telegraph pole and telecoms cabinet bordering the site within the highway which must be protected during construction.

Taking into account the sites position adjacent to a school and the turning head of Brookdale we would ask for a Construction Method Statement to be produced for approval to ensure safe management of the highway network during construction.

Highways would raise no objection to this application subject to the suggested conditions and approval from the Councils Rights of Way Officer.

Right of Way Officer

I have observed the map attached to your email and note that a development will run adjacent to definitive footpath number RocDFp18, it does not appear to affect the route however please advise the developer of the following:

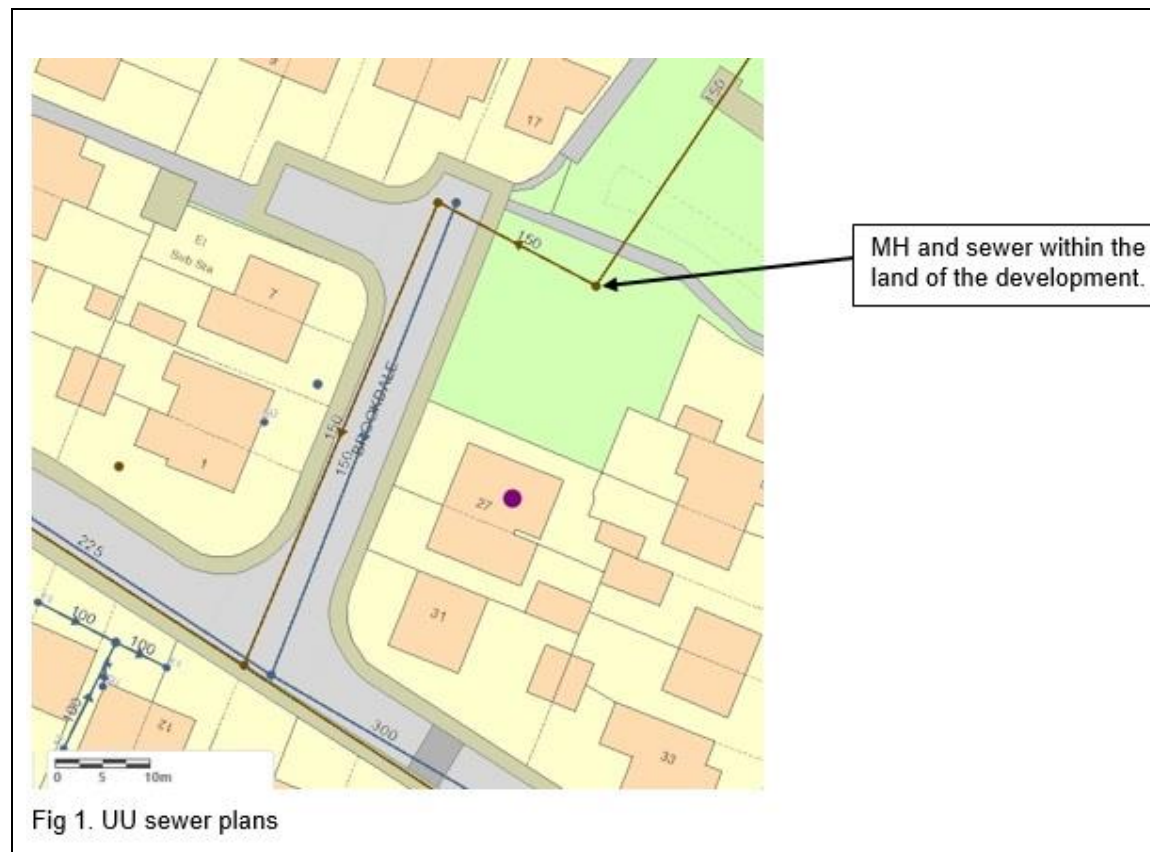
- The definitive footpath should not be obstructed by any materials or vehicles at any time prior, during and following the process of the development.
- The route should be segregated from the development with fencing to secure public safety.

- Any disturbance of the surface of the right of way will be repaired without delay to avoid injury.

Drainage & Flooding Officer

The notes on the proposed site plan state that both driveways will be SUDs compliant permeable paving, which is a sustainable drainage design.

According to the Applicant, UU developer services have agreed that, as long as there is a 3m easement there is no need to divert the sewer.



Although the Applicant has stated that there is no need to consult with UU if the building is more than 3m away from the sewer, the current plans show a boundary fence almost on top of the sewer. At the detailed design stage, the Applicant will need to provide a drawing detail to show how the fence installation will avoid damage to the sewer.

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.

The drainage scheme shall include:

- (i) A detailed plan of the drainage connections which should be separated i.e. if the roof isn't going to soakaway it should go to the public SW drain which is different to the foul sewer.
- (ii) Fence post foundation details in proximity to UU foul sewer.
- (iii) Construction details for permeable paving including kerb edging and sub-base details i.e. cross-sections.

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 (Noise)

This section has no objections in principle to the proposal, given the close proximity to existing residential properties we would recommend restricting the hours of construction to Monday-Friday 08:00-18:00 Saturday 09:00-14:00 no work on Sundays or Bank holidays.

Environmental Protection

The submitted report is acceptable however I will need confirmation no contamination was found that required testing, a validation report/ letter containing pictures of the garden area confirming no made ground was present would be appropriate, if it is found it will require assessment by a suitably qualified consultant.

The Coal Authority

The Coal Authority Response: **Material Consideration**

I have reviewed the site location plans, the proposals and the supporting information submitted and available to view on the LPA website. I can confirm that the site falls partly within the defined Development High Risk Area.

The Coal Authority records indicate that the northern and western portions of the application site lie in areas of recorded underground shallow coal workings, which pose a potential risk to surface stability and public safety.

We are pleased that this application has been accompanied by a Coal Mining Risk Assessment report (A230605-R02) prepared by Adeptus Consulting, dated August 2023. The report has been based upon a review of coal mining and geological information.

The report author acknowledges that the site is underlain by former mine workings, however they comment in their professional opinion that *“there is considered to be sufficient rock cover above the workings to mitigate any potential effects.”* The report author therefore goes on to conclude that no specific mitigation measures are required at the site.

<u>The Coal Authority Recommendation to the LPA</u>

The Coal Authority's Planning & Development Team considers that the content and conclusions of the Coal Mining Risk Assessment report to be sufficient for the purposes of the planning system in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The Coal Authority therefore **do not object** to the proposed development. However, further more detailed considerations of ground conditions and foundation design may be required as part of any subsequent building regulation 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.

United Utilities

Comments have been raised in regards to drainage, water pipelines, wastewater pipelines, waste and water services.

[Officer Note: the applicant has been provided with United Utilities full comments]

Strategic Housing

No comments at the time of writing.

Greater Manchester Ecology Unit (Trees)

It would be possible to deliver the development proposals without causing undue harm to the trees adjacent to the northern boundary of the site, *providing* that the Tree Protection and Mitigation Proposals as presented in Sections 13 – 17 of the Treesure Tree Survey Update (May 2023) are required to be implemented in full by a Condition placed on any permission which might be granted to the scheme.

However, Tree 6 (a Whitebeam) will be lost to the proposals. This tree is in reasonable condition and has reasonable form. While it does not merit an individual TPO, I would advise that replacement planting is sought for the loss of this tree. Two standard replacement Whitebeam trees would in my view represent adequate compensation for the loss.

Greater Manchester Archaeological Advisory Service

Having reviewed all our records, including the Greater Manchester Historic Environment Record, I am satisfied that delivery of the proposed development will not have any impact on archaeological remains. As such, no further consideration of archaeological matters is warranted in this instance.

REPRESENTATIONS

Letters of notification were sent to all surrounding properties and the application was publicised in the local newspaper and a site notice displayed. 16 letters of representation have been received in regards to:

- Overlooking;
- Loss of privacy;
- Loss of light;
- Low quality materials will impact the quality of air around the area;
- The plot of land was set aside by the original developers as a children's play area and is well used by children;
- The play area was a condition imposed on the developer at the time;
- Loss of the green space where children play;
- Negatively impact on drainage;
- The development will mean more cars and HGV's both during and after construction;
- The street is already congested and an elderly resident needs clear access;
- Construction noise whilst studying and/or working from home which could affect residents ability to do their job effectively which could affect them financially;
- Wildlife on the green space needs to be protected;
- Loss of the trees and bushes;
- The cul-de-sac is used in the mornings and afternoons for school drop off and pick up and residents in the cul-de-sac already struggle;
- With extra cars comes pollution;
- The proposed development would cut off access to the rear of properties should an emergency situation occur;

Amended plans letters were sent to all those previously consulted including objectors on 4th April 2024. Four further letters of representation have been received, three of which reiterated their earlier objections and a further raising concerns in respect of rear boundary fencing.

ANALYSIS

Principle of Development

The application proposes two semi-detached chalet style bungalows on a grassed area of land within a cul-de-sac position on Brookdale.

Chapter 5 of the NPPF seeks to deliver a sufficient supply of homes, with paragraph 60 setting out that *'the overall aim should be to meet as much of an area's identified housing need as possible, including with an appropriate mix of housing types for the local community'*. Paragraph 63 states *'within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in housing policies'*. Paragraph 70 of the NPPF also continues that 'small

and medium sized sites can make an important contribution to meeting the housing requirement of an area’.

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 latest published information suggests that the Council can demonstrate over 5 years’ worth of deliverable housing sites, as required by national policy however, this does not preclude the promotion of sustainable development where this can assist in delivering additional housing to meet local needs. The recent adoption of PfE has also increased the housing requirement to 568 per annum through to 2025 and 616 averaged across the plan period.

As such, the principle of development of a greenfield site such as this in the urban area for residential purposes can be acceptable however, this factor must be balanced against all other material considerations, as outlined below.

It is noted that the proposal will result in the loss of a small area of green space within the urban area. The site is not allocated as recreational open space nor part of any green corridor within the UDP Proposals Map and lies within the defined urban area so is in effect incidental green space. Such spaces have value for amenity and concerns have been raised by residents in regards to the loss of this green space. However, the green space is relatively small, and sites within surrounding residential properties which are served by front and rear gardens, with a large open space and play area set at a distance of just c100m to the east. The site is also sustainably located with regards to access to services including, schools, open space, convenience shopping, and public transport links.

Careful consideration has been given to ensure the development is appropriate in terms of its sensitive design, landscaping, parking provision and space between the new and existing dwellings which ensures that the new buildings fit sympathetically into the existing surroundings as set out in later sections of this report.

On the basis that the proposal would contribute to housing supply within the Borough, whilst being in a sustainable location within reasonable proximity to local amenities and public transport facilities, it is considered that the principle of development is therefore acceptable in accordance with saved Policy G/D/1 of the Rochdale UDP, Policies C1, C3 and SD1 of the adopted Rochdale Core Strategy, Policy JP-H3 of PfE and the requirements of the NPPF in respect of housing supply and sustainability.

Design and Appearance

Policy DM1 of the Council’s Core Strategy requires all development proposals, including changes of use of land and buildings, extensions and alterations, to demonstrate that they are of a high quality design and take the opportunity to enhance the quality of the area. Policy P3 of the Core Strategy acknowledges that good design will improve the image and attractiveness of the borough as a place to live, work and visit. This policy requires all new developments to adhere to high quality design and enhance the borough’s identity and sense of place, by respecting context where it is positive and having regard to the scale, density, massing, height, layout, landscape, materials and access of surrounding buildings and areas in general.

In addition, Core Strategy Policy C3 requires a high standard of development and layout that produces attractive places. Furthermore, Paragraph 127 of the National Planning Policy Framework states that planning decisions should ensure that developments are sympathetic to local character and visually attractive as a result of good architecture, layout and effective landscaping. Policy JP-H3 of PfE states 'residential developments should provide an appropriate mix of dwelling types and sizes reflecting local plan policies'.

The proposed development has been amended significantly from the proposal that was originally submitted. The applicant has taken into consideration all the points raised by officers and the Council's Urban Design officer and has amended the scheme accordingly. The amended proposal provides two semi-detached chalet style bungalows facing into the cul-de-sac with front facing flat roof dormer windows which is similar in design to the existing chalet style bungalows within the cul-de-sac. The proposal introduces front bay windows and porches which adds interest to the street scene.

This section of Brookdale is predominantly semi-detached chalet style bungalows with two, 'regular', two storey semi-detached properties all comprising of brick and tiles. The main road of Brookdale and a second cul-de-sac on Brookdale consist of a mixture of chalet style bungalows and two storey detached and semi-detached properties. There are a few anomalies but the majority of properties within close proximity of the site follow regular building lines.

It is noted that the proposed development would have a visual impact on the immediate area and represent a significant change; notably, the provision of a pair of semi-detached bungalows on green space. However, the site is within a residential area and the proposed dwellings are of a design that is sympathetic to the surrounding properties. The proposed dwellings have front gardens, driveways, rear gardens and will follow the existing building line along this side of the cul-de-sac.

The height of the development is marginally higher than the neighbouring semi-detached properties due to the site being located at the top of the cul-de-sac which is at a higher level however, the scale of the development is not unreasonable within the setting. The proposed development can be satisfactorily accommodated on the site with ample space for private gardens and parking. On this basis, and subject to a materials condition, the application is considered to accord with Core Strategy policies P3 and DM1, Policy JP-H3 of PfE and the NPPF.

Residential Amenity

Paragraph 131 of the National Planning Policy Framework advises that planning decisions should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. 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."*

Space Standards & Privacy

Section 4.1 of the SPD sets out minimum distance standards which all new residential developments should adhere to in order to ensure a satisfactory standard of amenity for surrounding, existing and future occupiers.

4.1 of the SPD requires:

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

4.3 of the SPD also states that *'exceptions to these minimum space standards may be acceptable in some circumstances and applications will be considered on their individual merits'*.

The proposed dwellings would back onto 41 and 43 Brookdale. 41 Brookdale is a chalet style bungalow with front and rear flat roof dormer windows. 43 Brookdale is a two storey detached property. The proposed bungalows have ground floor rear windows and doors with two high level rooflights to the roof each.

Due to the bungalow design, the minimum distances within the SPD do not directly apply. However, there is an approximate distance of 6.8m between the rear elevation of 41 Brookdale (taken from the extended single storey element) and the boundary with Plot 2 and 9.1m between 43 Brookdale and the boundary with Plot 1. As there are no first floor windows to the proposed dwellings, officers consider that contextual circumstances allow for a shorter distance as proposed. As the ground floor bungalow windows do not directly face upper floor windows at these neighbouring properties, and as back-to-back distances between the existing two storey properties fall below the SPD requirements, officers do not consider the proposed dwellings would result in an undue loss of privacy, outlook or light to any neighbouring properties. Conditions restricting any rear dormer windows and rooflights at the proposed dwellings along with suitable boundary treatment are considered relevant.

Windows to the side elevations are proposed at first floor level however, these are to bathrooms and a condition will be imposed restricting these to high level openings and obscure glazing to ensure the privacy of neighbouring properties. The front facing windows and doors will face into the street and are set back by the front gardens and driveways and this follows the pattern within the street. A ground floor side door and window are also proposed. 27 Brookdale is to the side of the application site and at a slightly lower level. This property has a first floor side window and a rear conservatory where windows extend along the side elevation however, with appropriate boundary fencing which is proposed to be 1.8m in height along both side boundaries other than the first 1.2m to the side adjacent with the public right of way which would be 900m in height (secure by condition), it is not considered that the living environment for the residents of this property would be harmed as a result of the proposed development.

Concerns have been raised in regards to noise and disturbance from the construction of the development and the effect this might have on people that work from home. The Council's Environmental Health Officer has reviewed the application and advised that there are no objections in principle however, due to the proximity of residential properties, a condition should be imposed restricting the hours of construction. This matter can be dealt with by way of condition. It is appreciated that there will be some noise and disturbance whilst the development is under construction but this is only short term and is not a reason to refuse an application.

Occupier Amenity

The Nationally Described Space Standards (NDSS) is a technical standards document produced to ensure internal space within new dwellings is suitable for application across all tenures. Each unit would provide approximately 115sqm of internal floorspace. The proposed residential units would meet the requirements of the Nationally Described Space Standards with approximately 6sqm of built in storage. Officers therefore consider that the occupier amenity would be satisfactory. The proposal provides adequate light and outlook for all habitable rooms.

Furthermore, each bungalow would be provided with an adequate level of private amenity space to the rear which is in line with surrounding rear garden areas.

The proposed development would provide an adequate level of amenity for future occupants. The dwellings are a sufficient distance from neighbouring properties, and being single storey in nature, would not result in a significantly detrimental impact on the amenity of neighbouring occupiers in terms of loss of light, overshadowing, loss of privacy, overlooking or harm to outlook. Subject to conditions removing permitted development rights and boundary fencing, the proposal is considered in accordance with Policy DM1 of the adopted Rochdale Core Strategy and the NPPF.

Highways

Policy T2 of the Core Strategy sets out that development and infrastructure proposals are required to satisfy the Council's accessibility hierarchy and in all circumstances, the safety, accessibility and amenity of those who live or have business in the area will have priority, while providing reliable journey times for those travelling through. Developments are required to provide parking in compliance with the Council's Maximum Car Parking Standards as set out in Appendix 5 of the Core Strategy. Policy JP-C8 of PfE states that *'we will require new development to be located and designed to encourage walking, cycling and public transport use, to reduce the negative effects of car dependency, and help deliver high quality, attractive, liveable and sustainable environments. We will do this by.....8. Ensuring that car parking provision is well integrated and unobtrusive, so it supports the street scene; and where appropriate parking provision is flexible and can be adapted over time to reflect demand'*.

Access to the site would be from Brookdale which is an existing road leading to established residential properties. Two parking spaces for each dwelling is proposed which is in line with the Council's standards. The new driveways will require appropriate vehicle access crossings which will need separate permission from the Council's Highways section (advise through an informative) and these crossings must be in place prior to the development being brought into use (secure by condition).

The Council's Highways officer has also requested a condition survey, including photographs of the adjoining footway and public right of way prior to construction commencing in site. Following construction the footway and right of way must be returned to their pre-construction condition (secure by condition). A telegraph pole and telecoms cabinet bordering the site within the highway must be protected during construction (secure by condition).

Taking into account the sites position adjacent to a school and the turning head of Brookdale, a Construction Method Statement will also be required (secure by condition) to ensure safe management of the highway network during construction.

The Council's Highways Officer has reviewed that application and advised the boundary fence along the public right of way a reduction in the height of boundary fencing to 900mm for the first 1m was required. The applicant amended the height of the boundary fencing

to reflect this as shown on the amended plans. This provides improved visibility between vehicles entering and leaving the driveway and pedestrians accessing the public right of way.

The site is opposite a public right of way and the Council's Rights of Way Officer has reviewed the application and advised the proposal does not appear to affect the route of the right of way however, a condition will be imposed to ensure the footpath is not obstructed by any materials or vehicles at any time prior, during and following the process of the development; the route should be segregated from the development with fencing to secure public safety; and any disturbance of the surface of the right of way will be repaired without delay to avoid injury.

Concerns have been raised in regards to existing difficulties with parking in the area and Brookdale being used by parents to drop off and pick up school children. Concerns state the proposed dwellings will compound the existing parking problem. The proposed dwellings provide two off-road parking spaces which meet the Council's Standards. It is acknowledged that general parking on the street will be less accessible as access to the driveways will be required however, the loss of the on-street parking is not sufficient to warrant refusal of the application and the provision of two additional dwellings is not considered to significantly impact on the existing parking arrangements.

Bin storage is proposed to the rear gardens and bin collection would remain the same as for the existing neighbouring properties (secured by condition).

Taking the above matters into consideration and subject to relevant conditions, the proposed development is in accordance with policy T2 of the adopted Rochdale Core Strategy and JP-C8 of PfE.

Drainage and Flooding

Policy G8 of the adopted Rochdale Core Strategy, seeks to promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. The policy aims to prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface water from development sites. JP-S4 of PfE states flood risk will be managed by '2. Working with natural processes and adopting a natural flood management approach to slow the speed of water drainage and intercept water pollutants'.

The application has been reviewed by the Council's Lead Drainage Officer who raised no objection to the proposal on the basis that the applicant provides further information regarding details of a sustainable surface water drainage scheme and a foul water drainage scheme including fence post foundation details in proximity to United Utilities foul sewers (secured by way of a pre-commencement condition). United Utilities have also made detailed comments as noted above and which have been provided to the applicant (include informative).

With the above condition in mind, Officers consider that the proposed development would accord with policy G8 of the adopted Rochdale Core Strategy, Policy JP-S4 of PfE and the NPPF.

Contamination and Land Stability

Policy G9 requires that any risks associated with contaminated land are identified and addressed prior to development. In addition, the borough has been subjected to past coal mining activity, which has left a legacy. It is therefore important that ground conditions

are fully considered by developers as part of new development proposals and, where necessary, appropriate remedial measures must be set out and implemented to address any issues of unstable land and ensure safety and stability of new development.

Paragraph 180 of the NPPF states that planning decisions should contribute to and enhance the local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability, and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

A Land Contamination Phase 1 Desk Study and a Coal Mining Risk Assessment has been submitted as part of the application which has been reviewed by the Council's Environmental Protection Officer and The Coal Authority.

The Council's Environmental Protection Officer advised that the submitted report was acceptable however, confirmation no contamination was found that required testing and a validation report would be required. This matter can be dealt with by way of a suitably worded condition.

The application site falls partly within the defined Development High Risk Area and The Coal Authority records indicate that the northern and western portions of the site lie in areas of recorded underground shallow coal workings which pose a potential risk to surface stability and public safety. The Coal Authority has reviewed the Coal Mining Risk Assessment and has advised that the content and conclusions of the Assessment to be sufficient for the purposes of the planning system demonstrating that the application site is, or can be made, safe and stable for the proposed development and The Coal Authority therefore do not object. However, more detailed considerations of ground conditions and foundation design may be required as part of any subsequent building regulation application.

The Coal Authority also advised 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 and these risks should always be considered by the Local Planning Authority. The Council's Environmental Protection Officer has been consulted on this matter and advised the submitted Desk Study includes a basic gas risk assessment which has been accepted and there is no evidence of a problem in the area. An informative will be included in the decision advising the applicant to of this matter.

Subject to an appropriate conditions and informatives in respect of the above, the requirements of Policy G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework in relation to contamination and land stability would have been satisfied.

Trees and Ecology

Policy G6 establishes that development should protect and improve green spaces and where trees are to be removed they should be replaced at a ratio of 2:1. This is reinforced in Policy JP-G7 of PfE which states 'where development would result in the loss of existing trees, requiring replacement on the basis of two new trees for each tree lost, or other measures that would also result in a net enhancement in the character and quality of the treescape and biodiversity value in the local area, with a preference for on-site provision'. Policy G7 of the Core Strategy requires developments to protect existing biodiversity including trees and vegetation. The NPPF also requires the planning system to contribute to and enhance the natural and local environment.

The proposal involves the removal of a small Whitebeam tree within the site and although this tree is in reasonable condition, it does not merit an individual TPO. Two replacement trees are proposed and the Council's Ecologist has advised that these should be Whitebeam trees which would represent an adequate compensation for the loss (secure by condition).

There is a row of Ash trees located behind the boundary fencing of Healey Primary School which runs to the side of the public right of way. The Council's Ecologist has reviewed the submitted Tree Survey Update by Treesure (dated 16 May 2023) and has advised that it would be possible to deliver the development proposals without causing undue harm to the trees adjacent to the northern boundary of the site, providing that the Tree Protection and Mitigation Proposals as presented in Sections 13 – 17 of the survey are required to be implemented in full by way of a condition.

No biodiversity enhancements have been submitted as part of the scheme however, this matter can be dealt with by way of a condition.

Concerns have been raised in regards to the loss of trees and bushes on site and the wildlife that occupies the site. As highlighted above, one tree is to be removed as part of the proposed development and two trees will be required as replacements. There are a number of existing shrubs/hedges to the rear of the site and these may need to be removed as part of the scheme however, a condition restricting when works can take place to trees and shrubs during the bird nesting season.

Officers are satisfied that the proposed development would therefore have an acceptable impact on trees and ecology subject to relevant conditions and would accord with Policy G6 and G7 of the adopted Rochdale Core Strategy.

RECOMMENDATION

GRANT subject to the following 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:

Sheet no: 01 Rev A – Proposed Floor Plans
Sheet no: 02 Rev A – Proposed Elevations
Sheet no: 03 Rev A – Proposed Roof Plan
Sheet no: 04 Rev A – Proposed Site Plan
Sheet no: 05 Rev A – Street Elevations
Sheet no: 07 Rev A – Proposed Site Block Plan
Site Location Plan
Received 26th March 2024

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 specifications of materials to be used externally on the dwellings 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. 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 in accordance with Policy P3 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

4. No dwelling hereby permitted shall be occupied until the vehicle access serving it has been constructed in accordance with the plans hereby approved.

Reason: In the interests of road safety in accordance with Policies T2 and DM1 of the Rochdale Core Strategy.

5. The dwellings hereby permitted shall not be occupied until all vehicle parking spaces have been provided in accordance with the plans hereby approved. The spaces shall be kept available for parking at all times thereafter.

Reason: To ensure that the development is provided with adequate parking facilities to meet the needs of future occupiers and reduce the likelihood of roadside parking which could be a danger to other road users in accordance with of policies T2 and DM1 of the Core Strategy.

6. The dwellings hereby permitted shall not be occupied until the refuse and recycling storage has been provided in accordance with the plans hereby approved. The spaces shall be kept available for refuse and recycling at all times thereafter.

Reason: In the interests of general amenity, to ensure convenience of arrangements for refuse and recycling storage and collection and to ensure that no obstruction is caused on the adjoining highway, in the interest of highway safety and in accordance with policies T2 and DM1 of the Rochdale Core Strategy.

7. 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.

8. The definitive footpath shall not be obstructed by any materials or vehicles at any time prior, during and following, the process of development hereby approved. The route shall be segregated from the development with fencing to secure public safety and disturbance of the surface of the right of way will be repaired without delay.

Reason: To avoid any injury to members of the public using the footpath and to ensure the any disturbance to the route is reinstated in accordance with Policies DM1 and T2 of the Core Strategy and the National Planning Policy Framework.

9. No development shall take place (including any demolition) until a condition survey, including photographs of the adjoining adopted footway and public right of way have been submitted to, and approved in writing by, the Local Planning Authority. Following construction the footway and the right of way must be returned to their pre-construction condition at the cost of the applicant. A telegraph pole and telecoms cabinet bordering the site within the highway shall be protected during construction.

Reason: To ensure the adopted footway and public right of way not damaged during construction to avoid injury to members of the public in accordance with Policies DM1 and T2 of the Core Strategy and the National Planning Policy Framework.

10. 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.

11. Notwithstanding the details shown on the approved plans, prior to first occupation of the dwellings hereby approved, a scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall specify means of treatment for hard surfaced areas, means of

enclosure including mammal gaps where appropriate, specify species (which should include two Whitebeam trees as a replacement species to the removal of one Whitebeam tree), planting sizes, spacing and numbers of trees/shrubs to be planted (including replacement trees and tree pit specifications where appropriate, and must include a maintenance programme detailing all operations to be carried out in order to allow successful establishment of planting.

Planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the occupation of the building(s) or in accordance with a timetable agreed in writing with the Local Planning Authority. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, to be agreed in writing by the Local Planning Authority.

Reason: In the interest of ensuring that the landscaping of the development enhances the visual local environment and in accordance with Policy G6 of the Rochdale Core Strategy.

12. Tree protection and mitigation proposals shall be undertaken in accordance with Sections 13-17 of the Tree Survey Update by Guy Smallthwaite, dated May 16 2023, received by the Local Planning Authority on 27th September 2023. These measures shall be undertaken before any equipment, machinery or materials are brought on to the site. Such protection as required by the above condition shall be retained throughout the entire period of construction and until all equipment, machinery and surplus materials have been removed from the site. No materials, soil, rubbish or vehicles shall be deposited or stored in any area fenced in accordance with this condition and no fires shall be lit, and no raising or lowering of ground levels shall take place within this area. No drains, pits, ditches or trenches shall be dug in or run across the area protected by the fencing, at any time before, during and after the development of the site, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure that retained trees are adequately protected, in the interests of the visual amenities of the locality in accordance with Policy G6 of the Rochdale Core Strategy.

13. No removal of, or works to, any trees or shrubs shall take place during the main bird breeding season 1st March and 31st August 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.

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

14. No development shall commence until details of the proposed boundary fencing to all boundaries has been submitted to, and approved in writing by, the Local Planning Authority. The details shall include retained, repaired and replaced fencing, height, materials and any additional measures/specifications. The details

shall include 900mm fencing to the first 1.2m adjacent to the public right of way and replacement fencing at a height of 1.8m to the rear boundary.

Reason: To safeguard the amenities of the adjoin neighbouring properties from overlooking and loss of privacy and in the interests of visual amenity and the character of the area in accordance with Policies P3 and DM1 of the Rochdale Core Strategy and the Council's Guidelines and Standards for Residential Development SPD.

Reason for pre-commencement condition: Boundary treatment 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.

15. No above ground works shall take place until a scheme of biodiversity enhancements for the site including, but not limited to, bird boxes, mammal gaps, bat bricks and bat boxes to be integrated to the fabric of the buildings and elsewhere within the site 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.

16. 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.
The drainage scheme shall include:

- (i) A detailed plan of the drainage connections which should be separated i.e. if the roof isn't going to soakaway it should go to the public SW drain which is different to the foul sewer.
- (ii) Fence post foundation details in proximity to UU foul sewer.
- (iii) Construction details for permeable paving including kerb edging and sub-base details i.e. cross-sections.

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.

17. In the event that contamination is found at any time when carrying out the approved development not previously identified, development shall be halted on that part of the site and the contamination reported in writing to the Local Planning Authority.

An assessment of the nature, and extent of contamination, shall be undertaken and where remediation is necessary a remediation scheme, together with a timetable for its implementation, shall be submitted in writing to the Local Planning Authority for its written approval.

The measures in the approved remediation scheme shall be implemented in accordance with the approved timetable. Halted works shall not be recommenced until the measures identified in the approved remediation scheme have been completed and a validation report has been submitted to and been approved in writing by the Local Planning Authority.

Reason: To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas in accordance with Policy G9 of the Rochdale Core Strategy and the National Planning Policy Framework.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the proposed first floor side windows to the dwellings hereby approved shall not be openable below a height of 1.7 metres when measured from the floor level of the room within which it is located. The window shall be glazed with obscure glass to a minimum of level 3 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity) before first occupation of the development hereby approved and shall be maintained as such at all times thereafter.

Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy in accordance with Policy DM1 of the Core Strategy and the National Planning Policy Framework.

19. 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 C (other alterations to the 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 and 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:

INFORMATIVE(S):

The applicant is advised that although The Coal Authority do not object to the development hereby approved they have advised that more detailed considerations of ground conditions and foundation design may be required as part of any subsequent building regulation application.

The applicant's attention is drawn to the comments received by The Coal Authority who advised that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases. The applicant needs to be aware of this and act appropriately if mine gas is identified.

The applicant is advised that 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.

The Council's Highways section should be contacted at Number One Riverside, Smith Street, Rochdale, OL16 1XU, telephone: 0300 303 8879, email: highways@rochdale.gov.uk to agree the access construction details and to grant a licence before any work is carried out within the highway.

The applicant is advised to refer to the advice given by United Utilities dated 11th October 2023.