

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
22/01273/FUL	Jake Powell	03/01/2022

Address: Footpath To Sides Of 62 & 63 Louise Gardens, Smallbridge, Rochdale

Proposal: Installation of steps and railing following removal of existing steps.

PUBLICITY	Weekly list expired?	Y	Site notice expired?	N/A
	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
	Pre-commencement conditions agreed (or notification period expired)?	N

RECOMMENDATION	GRANTED (SUBJECT TO CONDITIONS)
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CHECKED AND SIGNED OFF BY: AT

DATE: 03.01.2023

SITE

The application site relates to an area of footpath which leads between No. 62 and 63 Louise Gardens to No. 50-51 Low Hill, Smallbridge. The site currently comprises of the some concrete paved steps and paving, in addition to a gravel footbath.

Within the vicinity is a number of trees, none of which are covered by a TPO. The site is within the Defined Urban Area.

PROPOSAL

The application seeks permission for the installation of replacement paving and two sets of replacement steps on a footpath which leads between No. 62 and 63 Louise Gardens to No. 50-51 Low Hill. The paving will be in a natural paving finish, and replacement paving in-between the two sets of steps will be finished in matching materials. Each set of steps will be accompanied by a handrail in a dark grey finish.

Furthermore, an area of existing gravel pathing is to be replaced with a 'no-dig' pathway.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – July 2021

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

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

SO5 Improving accessibility and delivering sustainable transport

T2 Improving accessibility

DM1 General development requirements

Unitary Development Plan (UDP):

GD/1 Defined Urban Area

RELEVANT SITE HISTORY

No relevant planning history.

CONSULTATION RESPONSES

Greater Manchester Ecology Unit

The trees on this site are fine trees and they make a significant contribution to the local landscape, particularly the Limes. I have considered whether the path could be re-routed to avoid harm altogether, but given the local site constraints I do not think that this would be possible.

However, it ought to be possible to deliver the improvements to the steps and the pathway without causing substantive harm to the trees, or removing any trees. I would advise that the implementation of the Tree Protection Plan as described in the Arboriculture Survey and Report provided to inform the application (*Treetops, Sep 2022*) should be made a Condition of any permission which may be granted to the scheme.

Highways

There are a number of highway consideration associated with this application that will require some comment.

Most of the path in question is not adopted by the Council however there is a small section of adopted path in the middle of the proposed works that is adopted and has been identified in the submitted plans to have some resurfacing. The applicant will have to get a separate approval from the Councils Highway Team for the proposed works prior to the commencement of works on site.

The path appears to be well used by pedestrians and the applicant would need to manage those users during the proposed works therefore alternative diversion routes need to be identified with notices posted on site.

We would advise the applicant that the area around the path may contain statutory undertakers equipment such as pipes cables etc. The applicant should therefore contact those statutory undertakers prior to work commencing on site to ensure any equipment is not damaged and that works are managed safely.

Highways raise no objection to this application and request no specific planning conditions.

REPRESENTATIONS

Neighbour notification letters were sent to all neighbouring properties. No letters of representation were received.

ANALYSIS

Principle of Development

The application proposes alterations to landscaping and the installation of replacement paving and steps, within the Defined Urban Area. This form of development is considered suitable to the land designation of the site, and Officers therefore consider that the proposed development is acceptable in principle.

Visual Amenity

Policies DM1 and P3 of the Council's adopted Core Strategy requires development proposals to demonstrate high quality design. In addition, paragraphs 126 and 130 of 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.

Paragraph 134 of the NPPF states that in determining applications, significant weight should be given to outstanding or innovative designs which promote high levels of

sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

The application proposes the replacement and repaving of two existing sets of steps, the installation of two handrails and associated landscaping works within an area of green space within the Defined Urban Area.

As this area is already in use as a footway between residential properties, and that proposed steps, railings and landscaping would be of a similar appearance to existing features on site, Officers consider that the proposed would not result in an unacceptable impact on the visual amenity of the surrounding area. The proposed development is therefore in an appropriate addition to the site and surrounding area, and would comply with Rochdale Core Strategy Policies DM1 and P3, as well as the National Planning Policy Framework.

Highways

Core Strategy Policy T2 seeks to improve accessibility throughout the borough, by locating development where good access to public transport is available or can be provided, backed by measures to reduce the need for travel and effective provision for cyclists, pedestrians and people with impaired mobility.

Paragraphs 108 and 109 of the NPPF require that safe and suitable access to a site can be achieved for all users and 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 of the road network would be severe.

The application has been reviewed by the Council's Highway Engineer who raised no objection to the proposal. It was noted that as there was an existing footpath on site, the proposed development may result in some disruption to pedestrian access during the construction period, however this concern can be overcome by the creation of other diversion routes.

Nevertheless, the proposal will ensure the ongoing use of this footpath, and will provide further accessibility by the installation of handrails. The proposal is therefore in the interests of safety and accessibility of members of the public who utilise this footpath, by creating safe pedestrian access.

In light of the above, the proposal is considered to be in accordance with the Rochdale Core Strategy Policy T2, as well as the NPPF.

Trees

Policy G6 establishes that development should protect and improve green spaces. 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.

There are a number of trees in the vicinity of the proposed works which make a significant positive contribution to the local landscape. Whilst it is not ideal that the proposed works would take place in such close proximity to the root protection areas of these trees, given the constraints of the site, alternative proposals are unlikely to be acceptable.

The application has been supported by an Arboriculture Survey and Report (Treetops, Sept 2022) which outlines a Tree Protection Plan. In the event of an approval of the application, Officers consider it appropriate to attach a condition to the permission to ensure that this Tree Protection Plan is followed.

With this condition in mind, the proposal is considered to be in accordance with the Rochdale Core Strategy Policy G6 and G7, as well as the NPPF.

RECOMMENDATION

GRANTED 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:

221320-01-P3 Existing and Proposed Plans

and the development shall be carried out in complete 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. The metalwork of the hand rails hereby approved shall be colour treated dark grey upon installation unless an alternative colour treatment has been agreed in writing by the Local Planning Authority prior to installation, and shall be retained as such thereafter in perpetuity.

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

4. The proposed development as shown on the approved plans (ref. 221320-01-P3 Existing and Proposed Plans) shall be carried out in accordance with the Arboricultural Method Statement included within the provided Arboricultural Survey & Report (Treetops, Sep 2022).

Reason: To ensure that the trees within the vicinity of the proposed works are appropriately protected in accordance with policies G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Procedure Statement

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:

1. The applicant is advised that separate approval from the Councils Highway Team is required for the proposed works prior to the commencement of works on site. Furthermore, the path appears to be well used by pedestrians and the applicant would need to manage those users during the proposed

works therefore alternative diversion routes need to be identified with notices posted on site. Finally, the area around the path may contain statutory undertakers equipment such as pipes cables etc. The applicant should therefore contact those statutory undertakers prior to work commencing on site to ensure any equipment is not damaged and that works are managed safely.

Report Author Jake Powell