

Agenda Item 7

Report to Planning Committee



Date of Meeting	3 rd September 2024
Portfolio	Councillor Daniel Meredith Cabinet Member for Regeneration and Housing
Report Author	John Van Eker
Public/Private Document	Public

Application: 23/01090/FUL	Township: Rochdale North	Ward: Healey
Applicant: Guardian Construction		Agent: Solid Void
Site Address: Land Adjacent 4 Rudman Street, Rochdale,OL12 6LJ		
Proposal: Erection of 2no. detached dwellings including associated landscaping and parking		

SITE LOCATION



DELEGATION

- 1.1 The application is referred to the Planning and Licensing Committee in accordance with the scheme of delegation, as the application has been called in by Councillor Ayrton due to concerns raised in respect of impact on access adjacent the application site.

PROPOSAL SUMMARY

- 2.1 The application seeks planning permission for the erection of 2no. detached dwellings including associated landscaping and parking.

RECOMMENDATION

- 3.1 That planning permission be **GRANTED** subject to conditions.

REASON FOR RECOMMENDATION

- 4.1 The proposed development of two dwellings would be acceptable in principle given the significant weight afforded to delivery of housing on small sites within the urban area and given its compliance with core strategy policy C1 with regards to impacts on green infrastructure and amenity.
- 4.2 The development would be constrained in places by its site constraints resulting in negative outlooks from some internal and garden spaces as well as resulting in some limited harm to surrounding neighbours and users of the footpath. These harms have been mitigated where possible but cannot fully address all site constraints. Consideration has been given to the previously approved development and the ability of the applicant to undertake certain boundary treatment works without permission.
- 4.3 Overall the proposals would largely comply with local and national policy and the identified harms are not considered to be of such significance that the proposals would represent a departure from the development plan. Whilst a balanced assessment exercise has been undertaken taken it is considered that the proposals would comprise sustainable development in accordance with the development plan and as such should be approved.

SITE

The application relates to a triangular shaped section of greenfield land to the east of 4 Rudman Street. The land is situated to the top of Rudman Street and the public highway narrows significantly into a track where it meets the north eastern boundary of the site. The site is presently cleared, having been covered by dense scrub vegetation. The site also slopes considerably, rising up from the north to the south. The site sits at the vista of Rudman Street which rises as it approaches the site.

The site is predominantly surrounded by residential dwellings. To the west and north of the site are modern bungalow properties. The street itself is a relatively narrow single lane highway consisting of a small number of dwellings. The dwellings on Rudman Street vary in design and include two bungalows, two pairs of semis, a row of traditional terrace houses and a modern two storey detached dwelling. The traditional dwellings are sited closer to the highway with the more modern dwellings set back from the highway.

The site is located within the Defined Urban Area as designated under the Proposals Map of the Unitary Development Plan (UDP).

PROPOSAL

Planning permission is sought for the development of two, three bedroomed dwellings. The dwellings will be detached and partially subterranean owing to the change in levels across the site with the first floor of each dwelling opening up towards the rear to provide level access to the rear garden areas proposed.

Each dwelling will feature an integrated garage as well as private driveway access from a shared driveway leading from the top of Rudman Street.

DEVELOPMENT PLAN

National Planning Policy and Guidance

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

Places for Everyone Joint Development Plan (PfE)

JP-S1	Sustainable Development
JP-S2	Carbon and Energy
JP-H3	Type, Size and Design of New Housing
JP-G6	Urban Green Space

- JP-G7 Trees and Woodland
- JP-G9 A Net Enhancement of Biodiversity and Geodiversity
- JP-C7 Transport Requirements of New Development

Adopted Rochdale Core Strategy (CS):

The Core Strategy was formally adopted by the Council on 19th October 2016 and partially replaces the 2006 Unitary Development Plan. The following policies are relevant:

- SP1 Rochdale Borough's Role in the City Region
- SP2 The Spatial Strategy for the Borough

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

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

- P1 Improving image
- P2 Protecting and enhancing character, landscape and heritage
- P3 Improving design of new development

SO4 Promoting a greener environment

- G1 Tackling and adapting to climate change
- G2 Energy and new development
- 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, contamination and land instability

SO5 Improving accessibility and delivering sustainable transport

- T2 Improving accessibility

Unitary Development Plan (UDP):

- G/D/1 Defined Urban Area

Supplementary Planning Documents (SPD):

Guidelines and Standards for Residential Development (June 2016)

RELEVANT HISTORY

15/00013/OUT - Outline application with all matters reserved for the erection of one dwelling. Grant subject to conditions

18/01049/REM - Application for approval of reserved matters (access, landscaping, layout, scale and appearance of the proposed dwelling) pursuant to planning approval. Grant subject to conditions

23/00312/OUT - Outline application (including access, layout, landscaping and scale) for the erection of 2 dwellings. Application Withdrawn

CONSULTATION RESPONSES

RBC Highways

The site has adequate parking for the proposed usage and adequate access once complete. The proposed development is unlikely to generate any significant volumes of traffic once completed. We do not envisage any new refuse collection issues as a result of this proposal. We have no road safety concerns as a result of this proposal. Once construction is completed there should be no obstructions to the existing highways or Rights of Way Networks.

The main concern regarding this development has been the access requirements during construction. The applicant has provided swept path tracking plans to demonstrate how this can be safely achieved during construction. A dilapidation survey should also be provided to ensure any damage to the highway as a result of works is captured and rectified.

Public Rights of Way Officer

Confirms that the officer has received a claim of footpath that is currently being considered for the adjacent path which is not yet a definitive right of way. If the developer decides to proceed and an order is confirmed for the footpath to be implemented the developer will have to remove anything that obstructs the footpath. Unless the necessary order has been granted under relevant legislation for temporary closures.

Drainage Officer

The applicant has not yet demonstrated measures to avoid surface water runoff arriving at the public highway or that consideration has been given for the drainage hierarchy. Investigation will be required to ascertain whether a soakaway or infiltration system is feasible. Suggest standard condition requiring

a detailed drainage scheme be provided prior to commencement of development.

United Utilities

Summary: Require investigation of the surface water drainage hierarchy. Detailed drainage plans in accordance with the hierarchy must be provided. Any sewer connections requested will also be subject to demonstrating this investigation. Standard advice on UU assets and construction provided.

Greater Manchester Ecology Unit

No comments received to date.

Officer Comment: The previously withdrawn outline scheme (23/00312/OUT) received a consultation response from GMEU which reviewed the Preliminary Ecological Appraisal and highlighted that as the site had been cleared, the previous condition should be used for assessment but at that point no biodiversity net gain had been demonstrated. Further advised on conditions for restricting times of year for vegetation clearance and for dealing with invasive species. The current application has responded to the previous comments through the provision of Biodiversity Net Gain metric and report which is considered in the assessment below.

Environmental Health (Noise)

No objection in principle subject to restriction of working hours during construction.

Land Contamination Officer

Will require submission of at least a Phase I Preliminary Risk Assessment prior to commencement of development which will be secured by condition.

Greater Manchester Archaeological Advisory Service

The Historic Environment Record database contains no specific records for the proposed development site, although it is known that two tracks run along boundaries. Rudman Street was apparently part of a mid-eighteenth century turnpike. The northern boundary of the proposed development area abuts a short section of the turnpike that was never adopted into the modern road network and has remained as an unsurfaced lane. The access would cross the track/former turnpike, and there is some heritage interest and amenity value in the existence and survival of an unsurfaced section of turnpike road.

It is likely that some truncation or disturbance has already taken place at the eastern extent of Rudman Street, associated with the formal construction and maintenance of the modern road surface and sub make-up, but GMAAS would wish to see the extent of any further access or road surfacing proposed for the former turnpike is kept to a minimum (say, not beyond the junction with Sweet Briar Lane), thereby allowing the vast majority of the unadopted lane further to the north-east to remain unsurfaced and in-situ.

On this basis, GMAAS does not see any reasonable basis for placing any archaeological requirements upon the developer.

MEMBER REPRESENTATIONS

A call in request from Councillor Tricia Ayrton has been received in which the following reason for determination by committee has been given.

In the public interest – this directly affects the local community and close residents and their customary access adjacent to this land.

PUBLIC REPRESENTATIONS

Letters of notification were sent to surrounding properties and a notice was posted in the vicinity of the site.

A total of 38 objections, of which 6 are noted as being from outside of Rochdale or have not provided an address, were received in association with this application. The letters of objection relate to the following matters:

Objection	Officer's Response
Impact to highways/more traffic/pedestrian safety and parking issues	Assessed in the 'Highways' section of the report
Concerns surrounding the proposed access and the safety of the three way junction at of Rudman St/ New St./Shawclough Road.	Assessed in the 'Highways' section of the report
Loss of privacy and overlooking	Assessed in the 'Amenity' section of the report
Current drains cannot cope with surface run off	Assessed in the 'Drainage and Flood Risk' section of the report
Proposed development is not in keeping with street scene	Assessed in the 'Design' section of the report
Increase in noise (including construction phase)	Assessed in the 'Amenity' section of the report

Harm to trees and adverse impact on nature and biodiversity	Assessed in the 'Trees, Ecology and Biodiversity' section of the report
Concerns relating to the presence of Japanese Knotweed	Assessed in the 'Trees, Ecology and Biodiversity' section of the report
Concerns of overdevelopment of the site	Overdevelopment is not in its own right a material planning consideration and must demonstrate harmful impacts. Planning must consider the impacts of the development.
Existing utilities may need upgrading	The provision of utilities is covered under separate regulatory requirements and is not considered through the planning application.

ANALYSIS

Principle of Development

1. CS Policy C1 seeks to maximise the potential of previously developed sites within the urban area to achieve a target of 80% of new housing on previously developed land (PDL). The site is currently unoccupied covered in low lying vegetation and as such, can be taken to comprise previously undeveloped, or greenfield land.
2. CS Policy C1 notes that the development of greenfield sites within the urban area will be considered where it is demonstrated that the development would have limited adverse impact on green infrastructure or amenity value in and around the site, and green infrastructure is wherever possible, incorporated into the scheme.
3. PfE Policy JPH-1 sets out the requirement for Rochdale to deliver 10,472 dwellings over the plan period to 2039, at an average of 616 dwellings per year, increasing periodically, with the delivery target at 568 dwellings over 2022-25. This supersedes the targets previously established within CS Policy C1.
4. The proposed development is adjacent to an existing track to the northern and eastern boundaries connecting a roughly triangular loop from

Shawclough Road through Rudman Street, around the site and down Wellbrow Terrace before connecting back to Shawclough Road / Falinge Road. The proposed development avoids development on this route other than to initially cross the track off Rudman Street to access the site. The remainder of the path, which may in future become a definitive right of way would remain just outside of the developed area.

5. The most notable impacts would be the construction of boundary treatments necessary between the path and the development and the loss of openness created by the site at present. Given the private ownership of the site it is accepted that boundary treatments creating this effect could be installed without the need for planning permission and thus it is not considered reasonable to assess this as having a significant impact on the amenity value. Furthermore, given the retention of the path there is no loss of amenity in terms of permeability and connectivity around the site.
6. With regards to Green Infrastructure, the site has been cleared previously and due to the site being in private ownership, the council do not have control over the continued maintaining of the site in a cleared condition. The proposals seek to introduce a planting scheme around the properties, including some tree planting outside of the curtilage alongside the southern end of the retained path. As such the proposals are considered to have a limited adverse impact on green infrastructure and has incorporated additional infrastructure where possible in accordance with CS Policy C1.
7. The need for additional housing is clearly demonstrated by local and national policy and the contribution of small sites in sustainable locations attracts significant weight in the planning balance. Rochdale can currently demonstrate suitable supply of housing land, however it is always anticipated that small sites will make up part of this provision. Whilst only at consultation stage and as such afforded negligible weight, national government is currently undertaking consultation on planning reforms which would see significant pressure to identify additional land for housing across the country. It is not yet expected that the updated housing requirements will take effect where local plans such as Places for Everyone have taken effect, it is nonetheless an indication of the weight likely to be given towards new housing by future national policy.
8. On the basis that the proposal would comprise a valuable contribution to the small sites delivery of housing, which would be well located in respect of amenities and public transport. The proposal would comply with the requirements of Policies C1 and C3 of the Core Strategy, PfE Policy JP-

G6 and the NPPF and the principle of development, within an existing residential area is considered acceptable.

Residential Amenity

9. Read individually or collectively, the Core Strategy, Places for Everyone and the NPPF seek to ensure that planning decisions should result in places with a high standard of amenity for existing and future users.

Future Occupiers

10. Each dwelling across the development is generously proportioned against the relevant NDSS requirement, with functional internal layouts and individual room sizes. Rear garden spaces are also relatively generous in size.
11. The greatest constraint to the internal and external amenity of future occupants would however be the significant retaining structures and boundary treatments associated with the proposals. Due to the topography of the site, in order to create development plateaus for the homes and gardens, significant excavation and retaining structures are required to the rear and sides of the properties.
12. The proposals have sought to make use of the level changes to provide non-habitable spaces including garages and home gyms within the partially subterranean floors, whilst the first floors will have level access to the raised gardens to the rear. Nonetheless the rear gardens and the windows facing these will feel significantly enclosed by the retaining structures including some at distances which fall notably below the council's SPD standards for separation between principal windows and windowless elevations. Whilst these instances are somewhat offset by the shape of the plots which afford gardens stretching further back as each plot moves southwest. It is still considered to result in a substandard outlook. The applicant has sought to address this further through the provision of multi-aspect rooms with windows also providing additional natural light and outlook towards the front and side of the properties from key habitable rooms.
13. Overall the provision of amenity for future occupiers is a mixed picture in that quantum of space provided internally and externally is strong and provides good quality accommodation. However this is hampered by these strong spaces having such limited outlooks and restricted natural light. Overall it is considered that the quality of accommodation due to the constraints of the site does not achieve the full aspirations of the councils

design policies. However it is accepted that potential purchasers will have full understanding of the shortfalls of the properties and may choose to compromise on these matters for the quality of internal spaces and size over the properties and gardens. It is also acknowledged that many existing properties in urban areas do not meet the standards set out in the council's SPD by virtue of historic urban grains, or will have constrained natural light due to orientation or existing buildings or trees and this does not preclude them forming attractive homes for residents.

Impacts on surrounding homes

14. The proposed development would impact on a small number of surrounding homes. The site lies directly adjacent 4 Rudman Street to the west. House A would be situated approximately 14 meters to the east and whilst not parallel would share a similar orientation as the existing home. Whilst it would sit slightly further to the south it is not considered that this has any significant additional impact on shadowing, overlooking or overbearing given the separation space and levels found on site.
15. The existing dwelling at 19 Rudman Street would see the most noticeable impact due to its positioning and orientation in relation to the proposed dwellings. This property would be approximately 29 meters away from House A with orientations roughly facing towards each other but with Plot A sited on slightly higher ground (approximately 0.6m higher in FFL) and with a notably higher ridge height (approximately 6.5m higher). The separation requirement in the SPD is 21m but with additional consideration of height differences. The additional 8m in separation is considered to be acceptable against the 6.5m height difference in this instance. In assessing this, consideration has also been given to the previously approved 18/01049/REM which was assessed under the same policy and which saw a property situated more than 10m closer and which was set higher in terms of finished floor levels, albeit with a lower overall height to ridge.
16. The exiting dwelling would also be impacted by House B which would be situated closer at approximately 19m but is entirely offset from the property meaning views would not be directly towards each other. House B would result in some overlooking of the side garden of 19 Rudman Street which benefits from wrap around side and rear garden spaces. However, the property is again offset from the existing dwelling and is aligned between 19 Rudman Street and 57 Blackthorn Close meaning that overlooking or overbearing impacts are largely felt at the boundary between the existing properties where the new property would be directly facing the more mature planting in this area. Compared with the impacts

of the previously approved scheme, this again is not considered to significantly greater in terms of impacts as the previous schemes obscure glazing approach has been replaced with a different orientation and offset positioning.

17. Properties at Blackthorn Close, Heights Avenue and Heights close will all see some impacts from the loss of openness across the site and the inclusion of boundary treatments. However as previously assessed, the boundary treatments would be possible without planning permission and the loss of openness of views in these instances is not considered significantly detrimental or outside of the SPD expectations.

Conclusions on Amenity

18. The proposed homes would provide generally high quality accommodation albeit limited by the site constraints which result in poor outlooks from some internal spaces and gardens. The impacts of the proposals on neighbouring properties would also result in some harmful impacts due to the change from its current impact and the loss of openness. There would be a greater sense of overlooking, overbearing buildings, and some shadowing. However the proposals have been designed to minimise these impacts through orientation, siting, and use of topography onsite. Consideration has also been had to the previous approval's impacts on these properties alongside acknowledgement of the private nature of the land and the ability to form boundary treatments without a need for permission. Overall the identified harms have been mitigated to a degree and as such these are afforded some limited weight in the planning balance. The proposals largely accord with local and national policies, but do not fully meet the high aspirations of these policies due to the site constraints and fail to meet certain SPD standards in full.

Character, Appearance and Design

19. The NPPF makes it clear that significant weight should be given to development which reflects local design policies and government guidance on design. In support of this, the Government have produced a suite of guidance documents including Building for a Healthy Life (BHL), the National Model Design Code (NMDC) and the National Design Guide (NDG) which form a material consideration in the assessment of the design of development proposals, and aid Local Authorities and developers alike in understanding if development proposals are well-designed.

20. The development comprises of two dwellings of similar footprints and design with slight differences to accommodate the shape of the site and both dwellings consisting of 3 bedrooms which are set out over three storeys with a ground floor, first floor and second floor proving habitable room in the eaves of either property. The development would be read in context of existing contemporary single storey housing at the top of Rudman Street and it is acknowledged that the surrounding area has significant variance in the local vernacular, with a very broad ranging material palette and style of homes.
21. The proposed development incorporates grey roof slates, render and timber cladding, with dark grey window frames, door surrounds and aluminium curtain walling systems to the main entrances.
22. To the front, the properties will utilise the same access with a shared driveway leading to a private driveway and then integrated garages to each respective dwelling. The design of thresholds are suitable in mitigating the visual impact of parked vehicles; each dwelling's parking arrangements are kept separate from one another, and landscaping and front boundary treatments are plentiful as to provide further visual relief.
23. It is also noted that the materials are selected in part due to the applicant seeking to expedite the build programme using modern methods of construction with the render and cladding systems requiring fewer large vehicle deliveries to minimise impacts during the construction phase. Whilst the properties would appear relatively distinct in their appearance, they would be viewed largely in isolation and within a wider area which does not have a strongly defined architectural style precedent. The properties are suitably designed and subject to full details of materials and other architectural details, it is considered that the proposals would satisfy the overarching aims and objectives set out in local and national design guidance in addition to Policies P1, P2, P3 and DM1 of the adopted Core Strategy, Policies JP-P1 and JP-P2 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Highways

24. The site is in a sustainable location with local amenities in close proximity along Shawclough Road along with nearby bus stops with regular services towards the town centre. The town centre can also be accessed by walking in under 25 minutes and by bicycle in approximately 8 minutes.

25. The site would be served by a single vehicular access from Rudman Street. In light of the existing properties along this section of Rudman street, the LPA is satisfied that the highway is capable of accommodating the servicing and refuse needs of residents.
26. Given that parking provision across the development accords with the Council's maximum standard, the LHA are content that this would not give rise to any unacceptable highways safety impacts.
27. While a number of objections surrounding highway safety concerns are noted, it is considered that the proposed development and cumulative impact of two additional dwellings at this location would not compromise the safety of residents as the existing arrangement serves residential properties adequately at this location.
28. The highways authority key concern was in relation to construction vehicles accessing the site. Further to the submission of the Construction Management Strategy and the supplied swept path drawings, highways officers are satisfied that the site can be adequately delivered.
29. Accordingly, the proposal is considered to meet with the relevant requirements of CS Policies T2 and DM1 and the National Planning Policy Framework.

Ecology and Trees

30. Paragraph 180 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity, providing net gains where possible, and contributing to the Government's commitment to halt decline. Policy G6 of the adopted Core Strategy expects development proposals affecting green infrastructure to avoid the loss of existing features such as trees unless suitable alternative provision is made or they have limited value. Core Strategy policy G7 requires that no development should result in a net loss of biodiversity and geodiversity.
31. The site has been predominantly cleared but was previously covered by dense scrub vegetation. An area of Japanese knotweed measuring circa 5m x 5m is located in the north east corner of the site. An appropriately worded condition has been attached to ensure appropriate remediation takes place. A Preliminary Ecological Appraisal was submitted with the proposals alongside a Biodiversity Net Gain Metric and Report.

Protected & Notable Species

32. Given the size and condition of the site, the habitats associated with the site are considered to be of low suitability for bats. In respect of other protected and notable species, the report deems the site to be of limited suitability, however does note that there may be a risk to any such species crossing the site during the construction phase of development. Recommendations relate to measures to be included within a construction management plan and physical measures to be implemented within the final development such as hedgehog highways and bird and bat boxes.

Biodiversity Net Gain

33. For the avoidance of doubt, the application is exempt from statutory BNG requirements as it was submitted before the legislation came into force. Notwithstanding, the provisions of the NPPF and local policy which require an enhancement to the natural environment still apply.
34. The application is supported by a Biodiversity Net Gain matrix which concludes that the development would result in a 0.12 habitat unit gain representing 24% net gain. Subject to suitable conditions requiring full planting and landscaping details, alongside treatment of invasive species and biodiversity enhancements, the proposals would accord with Policies G6 and G7 of the adopted Core Strategy, JP-G8 of PfE, and the National Planning Policy Framework.

Boundary Treatments and Retaining Structures

35. The application includes various significant retaining structures along with a variety of boundary treatments. The impacts of these have been considered earlier in this report with regards to design. The applicant has sought to incorporate climbing planting to the wall which is visible from the street scene between properties. Given the impact on future occupiers of the retaining structures, it is considered necessary to ensure these are designed sympathetically and used advantageously to add visual interest and ecological value wherever feasible. As such it is considered that these rear retain structures should incorporate soft landscaping features to mitigate the harm to the outlook of the residents. This should be in the form of climbing plants or robust screening planting. Full details of these will be required by condition but this must incorporate resilient and shade tolerant species due to the orientation and should include management plans that can be provided to inform future residents. Similarly the treatment of boundary fencing to the path should be sympathetically designed to ensure this remains attractive as a pedestrian option for

current users. Further details of the fencing to these boundaries will be required by condition and should seek to add visual interest.

Drainage and Flood Risk

36. The site falls wholly within Flood Zone 1 and is therefore at a low risk of flooding (less than 1 in 1000 or 0.1% annual probability of river or sea flooding in any year).
39. In accordance with the NPPF and the NPPG, the site should be drained in the most sustainable way. The drainage scheme for surface water for the development shall be in accordance with the NPPG hierarchy, in the following order of priority:
- into the ground (infiltration);
 - to a surface water body;
 - to a surface water sewer, highway drain, or another drainage system;
 - to a combined sewer.
40. United Utilities need to minimise surface water flows entering the foul sewerage network to avoid a detrimental impact on the public sewer network. No drainage details have been provided, nor have any details of permeable hard-paving which will be necessary. This matter can be dealt with by way of a suitably worded condition for the submission of a sustainable surface water drainage scheme. Subject to this, the drainage of the site would be acceptable and in accordance with policy G8 of the Core Strategy. The concerns raised with regards to flooding should be mitigated by way of this condition where the drainage scheme will need to be submitted to, and approved in writing by, United Utilities and the Council's Drainage & Flooding Officer.

Other Matters

37. The council's environmental health officers have considered the application in terms of noise and land contamination impacts. There are no significant concerns in both of these regards and as such subject to suitable conditions, these would not present technical barriers to the proposals.
38. GMAAS have also advised that the proposals do not require any further archaeological work. They sought for the proposals to limit the extent of any impacts on the potentially historic tracks and the submitted proposals would impact less of an extent than that referred to by GMAAS.

39. Finally the path running along the boundaries of the site is subject to a claim as a definitive right of way. Should this be made a definitive right of way there would be additional restrictions on the applicant over any works which would impact the path. These should be considered in full if necessary and any temporary stopping up or diversions in the event the path is made a PROW, and where required by construction, would be dealt with through separate legislative requirements under the 1980 Highway Act or the 1990 Planning Act.

Planning Balance and Conclusions

40. The proposed development of two dwellings would be acceptable in principle given the significant weight afforded to delivery of housing on small sites within the urban area and given its compliance with core strategy policy C1 with regards to impacts on green infrastructure and amenity.
41. The development would however be constrained in places by its site constraints resulting in negative outlooks from some internal and garden spaces as well as resulting in some limited harm to surrounding neighbours and users of the footpath. These harms have been mitigated where possible but cannot fully address all site constraints. Consideration has been given to the previously approved development and the ability of the applicant to undertake certain boundary treatment works without permission.
42. Overall the proposals would largely comply with local and national policy and the identified harms are not considered to be of such significance that the proposals would represent a departure from the development plan. Whilst a balanced assessment exercise has been undertaken taken it is considered that the proposals would comprise sustainable development in accordance with the development plan and as such should be approved.

RECOMMENDATION

It is recommended that the Planning and Licensing Committee resolves to **GRANT planning permission** subject to the following conditions:

1 Time Limit

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 Plans

This permission relates to the following plans:

Site and Location Plans ref RSR-SVA-ZZ-ZZ-DR-A-2000
Proposed Site and Location Plans ref RSR-SVA-ZZ-ZZ-DR-A-2001 rev C
Proposed House A Floor Plans ref RSR-SVA-ZZ-ZZ-DR-A-2005 rev B
Proposed House B Floor Plans ref RSR-SVA-ZZ-ZZ-DR-A-2006 rev A
Proposed Elevations House A ref RSR-SVA-ZZ-ZZ-DR-A-2010 rev B
Proposed Elevations House B ref RSR-SVA-ZZ-ZZ-DR-A-2011 rev B
Existing/Proposed Section HT A ref RSR-SVA-ZZ-ZZ-DR-A-2020 rev B
Existing/Proposed Section HT B ref RSR-SVA-ZZ-ZZ-DR-A-2021 rev B
Street Scene Elevation ref RSR-SVA-ZZ-ZZ-DR-A-2030 rev A
Southern Boundary Elevation ref RSR-SVA-ZZ-ZZ-DR-A-2035 rev A
Western Boundary Elevation ref RSR-SVA-ZZ-ZZ-DR-A-2036 rev A
Northern Boundary Elevation ref RSR-SVA-ZZ-ZZ-DR-A-2037 rev A

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

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

3 Nesting Season

No clearance of trees and shrubs in preparation for (or during the course of) development shall take place during the bird nesting season (March - August inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority which provides for the protection of nesting birds during the period of works on site.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with policy G7 of the adopted Rochdale Core Strategy, Policy JP-G9 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

4 CMS

The development shall be carried out in complete accordance with the approved Construction Management Strategy (LB/230570/TN01 – Rev C).

Reason: To minimise detrimental effects to the amenity of surrounding residential occupiers and dangers to highway safety during the construction phase in accordance with Policies DM1, T2, and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

5 Contamination

No development shall commence on site including demolition and any preparatory works until an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced and shall have been first submitted to and approved in writing by the Local Planning Authority before development commences. The report of the findings must include:

- i. a survey of the extent, scale and nature of contamination
- 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,
 - archaeological sites and ancient monuments;
- iii. where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s)

The development shall thereafter be completed in full accordance with the approved recommendations.

Any identified remedial works necessary must include a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. This

verification plan shall be submitted to and approved in writing prior to occupation of the development.

Reason: These details are required due to insufficient information being contained within this submission and 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 Core Strategy and the NPPF.

Reason for pre-commencement condition: Due to insufficient information being contained within this submission and 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.

6 Piling and other foundation designs

Piling or other foundation designs using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed activity does not harm groundwater resources in line with paragraph 180 of the National Planning Policy Framework and Position Statement J of the 'The Environment Agency's approach to groundwater protection'.

7 Drainage

No development (other than works of site preparation) shall take place until further 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 plan of the drainage system, including invert levels of manhole chambers to confirm gravitational connections.
- (ii) Construction details for the attenuation tanks, the flow control chambers and the headwall for the outfall to the Ordinary Watercourse, which can be prefab or of masonry construction.
- (iii) The Causeway® model of the drainage design, if requested by the LLFA Officer.
- (iv) Details of agreements with landowners regarding drainage pipework easements, if such apply.
- (v) Construction details for permeable paving including sub-base details e.g. cross-section, if this paving forms part of the sustainable drainage system.

- (vi) Provision of a short Maintenance Document explaining how the surface water scheme will be maintained and managed after completion.

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, Policy JP-S4 of the adopted Places for Everyone Joint 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.

8 Materials

No above ground works shall take place until such time as a detailed specification of materials to be used externally in the construction of the development have first 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 duly approved details thereafter.

Reason: In the interests of ensuring a satisfactory visual appearance to the development and in accordance with Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 and JP-P2 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

9 Windows, Doors & Rooflights

Notwithstanding any description in the application, no above ground works shall take place until full product specifications for the windows, external doors, roof lights, and 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 ensuring a satisfactory visual appearance to the development and in accordance with Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 and JP-P2 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

10 Landscaping, Boundaries and Retaining Structures

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, specify species, planting sizes, spacing and numbers of trees/shrubs to be planted (including replacement trees and tree pit specifications where appropriate). The scheme shall also include full details of the proposed retaining structures and boundary treatments proposed, including details of climbing and/or screening planting. The scheme shall include a management plan which shall be provided to residents prior to occupation.

Planting shall be carried out in accordance with the approved details prior to occupation of the dwellings hereby approved. 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: To ensure that the site is satisfactorily landscaped having regard to the impact on the streetscene, outlook for future residents, and the amenity value of users of the nearby path in accordance with Core Strategy Policies G6 and G7, Policies JP-G6 and JP-G7 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

11 Biodiversity Enhancement

No above ground works shall take place until a scheme of biodiversity enhancements for the site including, but not limited to, the provision of bird and bat boxes and/or bricks, and Hedgehog Highways 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.

12 Highway Dilapidation Survey

No works shall commence in relation to the construction of the hereby approved extension until a dilapidation survey photographic survey showing the pre-development photographic condition of the immediate highway surrounding the building shall be submitted to and approved in writing by the Local Planning Authority.

Reason: Construction traffic associated with the development has the potential to cause further deterioration of the road's surface. The developer is required to undertake works of repair to the road surface where deterioration arises as a result of its use by heavy construction vehicles in order to facilitate safe and convenient access and circulation for vehicle traffic in accordance with the requirements of Policy T2 of the adopted Core Strategy.

13 No External Lighting

No external lighting shall be installed on the building or elsewhere on the site unless a scheme for such lighting has first been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be fully implemented.

Reason: To ensure that any lighting to be installed on the site does not cause a nuisance to surrounding occupiers in accordance with policies P3, G9 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

14 Japanese Knotweed

No development shall take place until a scheme of works, which shall include a detailed method statement, for the control and disposal of the invasive plant species "Japanese Knotweed" within the site has been submitted to and approved in writing by the Local Planning Authority. The scheme of works and method statement, as agreed, shall be implemented in full throughout the course of the development with any variation to that scheme first being agreed in writing by the Local Planning Authority.

Reason: To ensure the satisfactory disposal of this species of plant, which under the terms of the Wildlife & Countryside Act 1981, as amended, it is an offence to be caused to be spread in the wild.