

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE	DATE FOR DETERMINATION
24/00969/PIP	Nick Brookman	12 November 2024	14 November 2024

Address: Land at Church Avenue, Middleton

Proposal: Permission in Principle for the erection of up to 5 dwellings.

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

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

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

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

RECOMMENDATION	GRANT
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CHECKED AND SIGNED OFF BY: LA DATE: 13.11.24

SITE

The application site comprises an undeveloped piece of land located to the south of Church Avenue which is located approximately 3.8km to the north of Middleton Town Centre and 6.4km to the south of Rochdale Town Centre.

The land measures circa 0.15 hectares in size and appears to currently be unoccupied.

In terms of neighbouring and uses the north of the application site is bound by Church Avenue which provides vehicular access to several residential properties in the vicinity of the site on Grange Road and Clifton Road. The east of the site is currently open land which is presumed to be used for agricultural purposes although this land is now allocated to deliver a large mixed-use development through the recently adopted Places for Everyone Development Plan. The allocation refers to Policy JP Allocation 2: Stakehill which is expanded on below.

Land to the south is currently accessed via Hillbank Street and this appears to be privately owned and looks to be used as amenity space/storage. The land beyond this, at the end of Hillbank Street, is subject to application 24/00959/FUL for the erection of 4 dwellings with a further 2 dwellings proposed under the same application on land to the west which is currently used as a small garage plot. In addition, to this, other land appears to be used for allotments and private space perhaps associated with the residential properties located on Rochdale Road.

There is currently no direct vehicular access into the site and pedestrian access is provided via Church Avenue.

The application site is not located within a Conservation Area but is in close proximity to the Church of St John in the east which is Grade II Listed.

The surrounding area is predominantly in residential use.

PROPOSAL

The application seeks Permission in Principle (Stage 1) for the erection of up to 5 dwellings on the site. At this stage, whilst this is an application only for Permission in Principle, the applicant has submitted an illustrative layout showing 5 detached dwellings.

RELEVANT PLANNING POLICY

National Guidance

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

Local

Adopted Rochdale Core Strategy (CS):

SD1	Delivering sustainable development
SP2	The spatial strategy for the borough
DM1	General development requirements
C1	Delivering the right amount of housing in the right places
C3	Delivering the right type of housing
P1	Improving image
P2	Protecting and enhancing character, landscape and heritage
P3	Improving design of new development
G1	Tackling and adapting to climate change
G2	Energy and new development
G6	Enhancing green infrastructure
G7	Increasing the value of biodiversity and geodiversity
G9	Reducing the impact of pollution, contamination and land instability
T2	Improving accessibility

Unitary Development Plan (UDP):

G/D/2 Green Belt (see more information below)

Supplementary Planning Documents (SPD):

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

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-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-H1	Scale, Distribution and Phasing of New Housing Development
JP-H2	Affordability of New Housing
JP-H3	Type, Size and Design and New Housing
JP-H4	Density of New Housing
JP-G6	Urban Green Space
JP-G7	Trees and Woodland
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-P1	Sustainable Places
JP-P5	Education, Skills and Knowledge
JP-C1	An Integrated Network
JP-C2	Digital Connectivity
JP-C5	Streets for All
JP-C6	Walking and Cycling

In addition to the above policies, it is material to note that within the Council's UDP, the site falls within the Green Belt. However, following the adoption of PfE, Green Belt land across the Greater Manchester area was removed to facilitate several proposed allocations for strategic growth. In this instance the application site falls under PfE Policy JP Allocation 2: Stakehill which released a significant amount of Green Belt across the Rochdale and Oldham administrative boundaries to deliver up to 150,000 sqm of industrial floor space and 1680 new dwellings.

The release of this land within the Stakehill Allocation extends into the application site and beyond the boundaries of the allocation itself which means the application site is no longer subject to Green Belt policy. Figure 1 below shows this. The area of Green Belt removed is identified by the black diagonal lines, land to the east of the red line is land allocated under Stakehill and the Green dotted areas remain within the Green Belt.

Whilst the application site (edged in blue below) falls within the Stakehill Allocation, it is not earmarked for delivery within the wider allocation as confirmed by the pending hybrid planning application (reference 23/00650/HYBR). The application site therefore coming forward for development in the future would not be considered to pose any prejudicial impact on the delivery of the allocated.

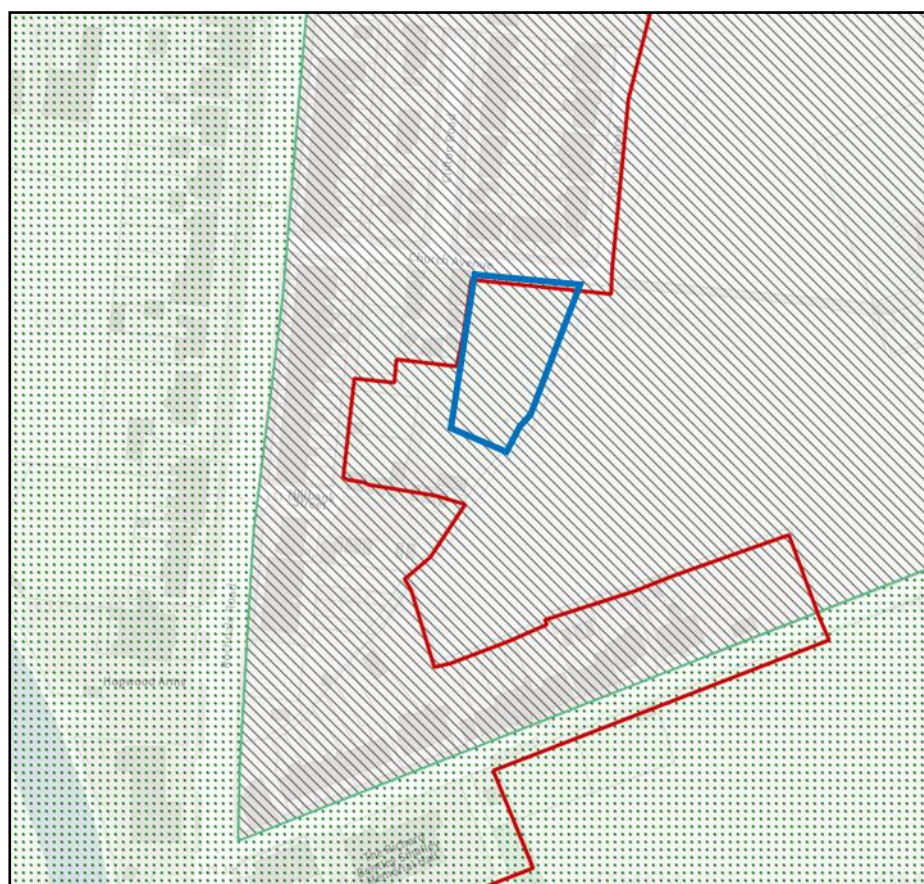


Figure 1 – PfE allocations extract

RELEVANT SITE HISTORY

There is no planning history on the application site.

CONSULTATION RESPONSES

Conservation Officer

The Council's Conservation Officer has commented that the proposal has the potential to result in some harm to the significance of the designated Heritage Asset (St John's Church and War Memorial) through inappropriate development within its setting and this is a material consideration in the planning balance. The Conservation Officer has recommended that further information is requested to address this before the application is determined (if legislation allows). If this is not possible, then this information will be required as part of the technical details stage.

Highways

Highways have advised that a development of this scale and usage would not generate a large volume of traffic and access to the site along Church Avenue is acceptable. Highways have commented that they have no objection to the development but would want clarification at the Technical Details stage as to the submission of a servicing plan for the site to ascertain the intentions for refuse collection.

GMEU – Trees

No comments received.

GMEU – Ecology and BNG

No comments received.

United Utilities

United Utilities have not raised any objection to the application but have advised that should this application be approved, and a further application submitted for Technical Details Consent, it is important to note that their response will be based on the information that is available at the time of that response and therefore their position and advice may vary.

They have also advised that should the applicant receive Planning in Principle permission for this proposal, United Utilities will review the drainage element of any application for Technical Detail Consent in line with the surface water hierarchy. United Utilities will request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable before a surface water connection to the public sewer is considered acceptable.

United Utilities will not carry out an assessment on the acceptability of submitted drainage proposals in relation to their water pipelines when responding to a planning application. It is the applicant's responsibility to ensure that any detailed drainage plans comply with their 'Standard Conditions for Works Adjacent to Pipelines' which

can be found on their website: Working near our pipes - United Utilities. Failure to consider existing pipelines when designing a drainage proposal may result in the applicant having to redesign proposals at a later date.

Environmental Control (Land Contamination)

No comments received.

Environmental Health (Noise)

Environmental Health have commented that they have no objection in principle to this application but given the proximity to the motorway network and other potential sources of noise such as Stake Hill, they would require a Noise Impact Assessment to be undertaken to inform the design of the dwellings to ensure acceptable internal and external noise levels can be achieved. They would also require validation testing to be carried out upon completion and prior to occupation of the dwellings to ensure that acceptable noise levels have been achieved.

REPRESENTATIONS

36 objections have been received which raised the following concerns:

- ☐ The development would cause an increase in traffic.
- ☐ There will be an increased parking issue through loss of parking for existing residents.
- ☐ The site is within the Green Belt.
- ☐ Existing drainage infrastructure is inadequate to support the existing housing let alone new housing.
- ☐ Access concerns.
- ☐ Further development will exacerbate existing drainage issues and increase flood risk.
- ☐ Local roads are unsurfaced and not designed to support increase traffic.
- ☐ Development would lead to increased deterioration of roads causing safety concerns.
- ☐ Surrounding area lacks appropriate infrastructure for new development such as schools, medical services, public transport links.
- ☐ The development would impact on wildlife.
- ☐ The development would impact negatively on St Johns Church which is Grade II Listed.
- ☐ The dwellings must match the design, appearance and character of the existing area.
- ☐ The land is an area of outstanding beauty and should be protected.
- ☐ Loss of green space.

PROCEDURE

What is the permission in principle consent route?

The permission in principle consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development. The permission in principle consent route has 2 stages: the first stage (permission in principle stage) establishes whether a site is suitable in principle and

the second (technical details consent) stage is when the detailed development proposals are assessed.

A decision on whether to grant permission in principle to a site following a valid application must be made in accordance with the relevant policies in the development plan unless there are material considerations, such as those in the NPPF, which indicate otherwise.

What matters are in scope?

The scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these 'in principle' matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage.

ANALYSIS

Principle and Sustainability of the Site's Location

Firstly, it is material to note that the site forms part of the strategic allocation JPA.2 – Stakehill (referred to as JPA 2 hereafter) allocated as part of the Places for Everyone Joint Development Plan. JPA 2 seeks the delivery of up to 1,680 dwellings in addition to 150,000sqm of employment floorspace over an area of 200ha, of which this site falls within the 90ha parcel envisaged primarily for the delivery of residential dwellings. The use of this site for housing would not have any prejudicial impact on the delivery of the Stakehill allocation as application 23/00650/HYBR does not include this application site. All land immediately adjacent to the east of the application site which falls within the allocation is proposed as landscaping associated with application 23/00650/HYBR.

Since the adoption of PfE in March 2024, the site is removed from the Green Belt and thus a presumption in favour of sustainable development applies.

Paragraph 11 of the Framework contains a presumption in favour of sustainable development. It states that development proposals that accord with the development plan should be approved without delay.

The application seeks permission in principle for the construction of up to 5 dwellings and a key consideration in the determination of this application is whether the proposed development represents sustainable development or not.

CS Policy C1 sets out that, inter alia, in the south of Rochdale Borough (which includes the township of Middleton), the opportunity to provide new housing in sustainable locations will be maximised. Housing should be located in key economic growth areas and/or within town centres.

CS Policy C3 sets out that the Council will deliver the right types of homes, well designed and built to appropriate densities to meet the overall needs and aspirations of the borough. This will be done via several measures, and includes but is not limited to, ensuring that new development provides housing types that take account of local needs and aspirations requiring a high standard of design and layout that produces attractive places and takes account of energy efficiency and climate change. Specifically, in the south of the borough, (this location), the focus is on

widening housing choice and delivering housing that better suits the needs of existing and future residents and the Council will support lower density housing where it delivers higher value dwellings of a type and size that is currently in short supply across the borough.

Paragraph 70 of the NPPF sets out that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly.

Paragraph 123 of the NPPF sets out that *“Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses”*. Paragraph 124 of the NPPF advises that *“Planning policies and decisions should promote and support the development of under-utilised land and buildings especially if this would help to meet identified needs for housing..”*.

Further to those relevant policies as identified in the Rochdale Core Strategy, relevant policies in Places for Everyone (PfE) have been identified. PfE Policy JP-S 1 sets out that development should seek to maximise economic, social and environmental benefits. PfE Policy JP-H2 states that there should be a significant increase in the supply of new housing, including, specifically, the supply of low-cost market housing. Furthermore, as set out in PfE Policy JP-H4, new housing should be delivered at a density appropriate for the location and taking into account the site's accessibility.

In terms of accessibility to local services and amenities, the site is located 0.3km to the north of a Londis Convenience Store and the local public house known as The Hopwood Arms. The site is however not located within reasonable walking distance of a larger designated local service centre where a cluster of amenities and services would typically be available.

Notwithstanding the above, the site is located 0.3km away from Thornham Lane bus stops which travel in both a northern and southern direction providing public transport accessibility to Rochdale, Bamford and Norden in the north and Middleton and Shudehill Interchange in the south, in northern Manchester City Centre. Services are predominantly provided by the No.17 bus which arrives almost every 10 minutes from 5am until Midnight. As such, the opportunity to utilise public transport services is exceptionally convenient and the potential to walk to the nearest bus stop would not be restricted.

It is therefore considered that the proposal would lead to the provision of five residential dwellings in a sustainable location and this development is acceptable in principle.

Design and Visual Amenity

The applicant has only provided a layout drawing and location plan as part of this application. In any case, approval of matters relating to the appearance, layout, scale and landscaping of the development is not a consideration at this stage as only Permission in Principle is sought. The scope of Permission in Principle applications is limited to location, land use and amount of development.

Nevertheless, the site has been released from the Green Belt under PfE but the site is undeveloped and has a semi-rural feel given its proximity to properties in the north

and west and there is agricultural land immediately adjacent to the east. Inevitably the proposal of erecting up to 5 dwellings on the site would introduce a large built development and even in the absence of detailed plans, there would clearly be a significant change to the character and appearance of the site.

Whilst it may be possible to accommodate 5 dwellings on this site, any design will need to take into account the character and appearance of the locality as well as ensuring that any development respects the visual amenity of the area. Scale, massing and appearance should be at the forefront of the design of the proposed dwellings making sure that the development would complement the existing street scene but utilising a strong and respectful material palette.

At this stage it is not possible to make a planning judgement on the design of the proposed development and this would be explored in any future Technical Details Consent application. To that effect however, any application would need to ensure it addressed policies P1, P2, P3 of the Rochdale Core Strategy as well as design policies contained within the NPPF and PfE.

Heritage

As discussed previously, the scope of permission in principle is limited to location, land use and amount of development. Matters relating to statutory requirements, such as those involving Listed Buildings would apply at the Technical Details Consent stage as set out in Planning Practice Guidance Paragraph 003 Reference ID: 58-003-20190615.

Accordingly, the design, scale and massing of the proposed dwellings for example and their impact on the setting of the nearby Listed Building would be considered at Technical Details Consent stage.

It is however worth bearing in mind at this stage that the Council's Conservation Officer has commented that the proposal has the potential to result in some harm to the significance of the designated heritage asset, through inappropriate development within its setting and this is a material consideration in the planning balance. The Conservation Officer noted specifically that there are concerns that plot 1 and its indicative siting so close to the road boundary could impede on this key view, particularly if it is two or more storeys in height and the proposal therefore has the potential to impact on the setting of the Listed Church.

Any application for Technical Details Consent would need to be accompanied by a Heritage Statement so that any impacts can be properly understood and assessed accordingly.

Impact on Surrounding Land Uses and Residential Amenity

Matters associated with the design, siting and fenestration of the proposed dwellings are not for consideration at this stage.

The Council's Supplementary Planning Document (SPD)'Guidelines and Standards for Residential Development', which establishes minimum space standards will be applied to all new residential developments and development which affect existing residential properties.

The minimum space standard set out in the SPD are:

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

These separation distances would need to be met but given the separation distances and orientation of the dwellings as proposed on the indicative layout and the siting of neighbouring properties, there is no reason to believe at this stage that a scheme cannot be designed to avoid causing detriment to the daylight, privacy or outlook of any nearby residential properties.

Highways

The Local Highway Authority have raised no objection to the proposal. Highway related matters involving the proposed access to the site for example could be adequately addressed under a technical details stage application. Highways have however commented that whilst they have no objection to the development, they would want clarification at the Technical Details Consent stage as to the submission of a servicing plan for the site to ascertain the intentions for refuse collection.

Ecology

No comments were received from Greater Manchester Ecology United but Policy G7 requires that sites and features of biodiversity and geodiversity importance are given full and appropriate recognition and protection and that opportunities for enhancing biodiversity and geodiversity will be supported. It is expected that development proposals will protect and include existing biodiversity and take opportunities to promote biodiversity and create new habitats using landscaping and building and construction features wherever possible. CS Policy G7 requires that no development should result in a net loss of biodiversity and geodiversity.

PfE Policy JP-G9 seeks to deliver a net enhancement of biodiversity resources through a collective of measures which are broadly aligned with the approach to BNG outlined within the Environment Act (2021), the NPPF and supporting guidance documents. The provisions of the Environment Act in respect of BNG are now a statutory requirement for planning applications and so the proposed development should achieve net gains for biodiversity via species enhancement as guided by the NPPF (paragraphs 180d and 185 b) to achieve demonstrable net gain for biodiversity.

When determining planning applications paragraph 186 of the NPPF sets out that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Opportunities to improve biodiversity in and around developments should also be integrated as part of their design, especially where this can secure measurable gains

As of 2nd April 2024, BNG of 10% for minor planning applications is mandatory for development in England under Schedule 7A of the Town and Country Planning Act 1990. Any Technical Details Consent application would therefore need to account for statutory Biodiversity Net Gain.

Trees

Linking in with the above, it is noted that there are a number of existing trees on site.

The NPPF recognises the important contribution of trees to the character and quality of urban environments, and their role in mitigating and adapting to climate change. Policy JP-G2 of the adopted PfE identifies trees and woodland as vital elements of the green infrastructure network and key features of urban green spaces, which Policy JP-G8 seek to protect and enhance through conserving and managing existing trees of heritage and/or aesthetic value. Policy G6 of the adopted Rochdale Core Strategy sets out provision for enhancing green infrastructure and requires regard to local landscape character and contribute to its conservation or enhancement. Developments should avoid the loss of existing urban greenspace or features e.g. trees unless suitable alternative provision is made, it has limited value and its development or change of use will help meet other sustainability or local regeneration objectives. Policy G6 requires a tree replacement ratio of at least 2:1.

Additionally, Policy G7 requires developments to protect existing biodiversity including trees and vegetation.

Any Technical Details Consent application would need to account for loss of trees and provide the required mitigation for any losses, however it must first be demonstrated that the losses are unavoidable.

Drainage and Flood Risk

The site is located within Flood Zone 1, having a less than 1 in 1,000 annual probability.

United Utilities were consulted on this application and have strongly recommended that the applicant contacts United Utilities using their pre-development enquiry service to discuss their proposals directly with the Developer Services team.

United Utilities strongly encourage all developments to include sustainable drainage systems to help manage surface water and to offer new opportunities for wildlife to flourish. They request that Local Planning Authorities and applicants do all they can to avoid surface water entering the public sewer. The flows that come from this surface water are very large when compared with the foul water that comes from toilets, showers, baths, washing machines, etc. It is the surface water that uses up a lot of capacity in their sewers and results in the unnecessary pumping and treatment of surface water at pumping stations and treatment works. If new developments can manage flows through sustainable drainage systems that discharge to an alternative to the public sewer, it will help to minimise the likelihood of sewers spilling into watercourses and the flooding of homes and businesses.

Any Technical Details Consent application would need to ensure the drainage hierarchy is followed and that the proposed development would not increase the risk of flooding elsewhere off site.

Land Contamination

Paragraph 180 of the NPPF seeks to prevent 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. Core Strategy Policy G9 similarly seeks to ensure that sensitive new forms of development are not adversely affected by existing sources of pollution.

There are no known contamination risks on the site, and the application site is not within an identified landfill buffer. Any potential contamination risks associated with development could be dealt with in a future Technical Details Consent application through the submission of a phase 1 contaminated land report.

Noise

Core Strategy policy G9 sets out the Council's requirements approach to all forms of pollution including the risk of noise, as they relate to new development.

Environmental Health were consulted on this application and have advised that they would have no objection in principle to the proposed residential development. However, given the close proximity to the motorway network and other potential sources of noise such as the Stake Hill industrial estate, they would require a Noise Impact Assessment to be undertaken to inform the design of the dwellings to ensure that satisfactory noise levels could be achieved both internally and externally. Upon completion of development and prior to occupation, Environmental Health would also require validation testing to be carried out to ensure the desired noise levels have been achieved.

These above matters would be required to be submitted with any subsequent Technical Details consent application.

Conclusion

The scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these 'in principle' matters are therefore considered at this stage and have been assessed above as being acceptable. All other material planning consideration matters are to be considered at the Technical Details Consent Stage.

In conclusion, the application site is bounded by residential dwellings to the north and west and the principle of providing up to 5 residential dwellings on this site, taking into account location, land use and amount of development, is acceptable and the recommendation is for approval.

RECOMMENDATION

Grant

Informative

The applicant's attention is drawn to the comments received on the application from the various consultees which may contain advice relating to the expected level of detail to be submitted alongside an application for Technical Details Consent. These comments can be provided upon request.

The applicant's attention is also drawn to the Council's Validation Checklist, which is available online, but the Local Planning Authority would expect the following documents as a minimum to be submitted with any application for Technical Details Consent:

- ☐ Location Plan at a 1:1250 or 1:2500 scale
- ☐ Existing and Proposed Site Plans at 1:200 or 1:500 scale
- ☐ Proposed Elevation Drawings at 1:50 or 1:100 scale
- ☐ Street Scene and Section Drawings
- ☐ Topographical Survey
- ☐ Design and Access Statement
- ☐ Biodiversity Net Gain Statement
- ☐ Preliminary Ecology Appraisal and accompanying surveys
- ☐ Phase 1 Site Investigation
- ☐ Heritage Statement
- ☐ Noise Impact Assessment
- ☐ Planning Statement / Supporting Statement/Letter
- ☐ Tree Survey and Arboricultural Impact Assessment
- ☐ Drainage Strategy
- ☐ Proposed Hard and Soft Landscaping Plan
- ☐ Boundary Treatment Plan
- ☐ Servicing Plan (for domestic waste/refuse collection)

Report Author Nick Brookman