



Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION REFUSED

APPLICATION REFERENCE: 24/00396/FUL

Name and address for correspondence:	Applicant name:
Mrs Sarah Pope ML Planning Consultancy Ltd Office A Bradley Hill Farm Cloughton on Brock Preston PR3 0GA United Kingdom	Mr Jack Spence

Part I - Particulars of Application

Date of Application: 17 May 2024

Proposal:	Erection of one detached dwelling with associated car parking landscaping and boundary treatment following demolition of existing detached garages
Location:	Land Off Ashdene, Rochdale OL12 6DJ

Part II - Particulars of decision

The Rochdale Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 (as amended) that planning permission has been **REFUSED** for the carrying out of the development referred to in Part I hereof for the following reason(s).

Reasons:

- 1 The trees within the application site are covered by Tree Preservation Order 003, have high group value and significantly contribute to the character and appearance of the surrounding area, particularly from Ashdene and Burwell Close. The proposed removal and pruning of trees to facilitate the development would significantly erode the group value of the trees within the Tree Preservation Order area and unduly impact on the existing character and appearance of the area. The proposed replacement tree planting would not be sufficient to overcome the harm identified. The proposal is therefore contrary to Policies P3, G6, G9 and DM1 of the adopted Rochdale Core Strategy, Policy JP-G8 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.
- 2 The proposed dwelling would be subject to undue loss of natural light from retained trees on the site, particularly to the habitable room windows of the south-east and south-west facing elevations. The overshadowing impacts would adversely impact on the residential amenity of the host residents and would result in future pressure to fell trees, thus further eroding the group value of Tree Preservation Order 003 and the visual amenity and character of the area. The proposal would therefore be contrary to Policies G6 and DM1 of the adopted Rochdale Core Strategy, Policy JP-G8 of the

adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

- 3 Insufficient information has been submitted to demonstrate that the development would not unduly impact on bats at the site, which are a European Protected Species. In the absence of a dusk survey, the development fails to meet the three tests as required by the Habitats Directive to establish that there would be a reasonable prospect of a European Protected Species Mitigation Licence being granted. The proposal therefore does not provide appropriate protection to a European Protected Species and is contrary to Policy G7 of the adopted Rochdale Core Strategy, the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.
- 4 In the absence of a completed biodiversity matrix and having regard to the site clearance which has already taken place and that which is proposed, the application fails to demonstrate that the proposals would be able to secure an enhancement to biodiversity. The proposed landscaping arrangements, in the form of replacement tree and hedgerow planting, would be unlikely to be successful in compensating the loss of biodiversity value. The proposed dwelling may also encourage further degradation of the woodland and result in further harm. The proposal would as such be contrary to Policies G6 and G7 of the adopted Rochdale Core Strategy, Policy JP-G8 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.
- 5 By virtue of its impact on the landscaped context within the site, alongside the design of the building with regards to its built form, massing, and lack of visual interest, the proposed development is not well designed. This fails to reflect the local context and would cause undue visual harm to the verdant character of the woodland and the appearance of the surrounding street scene. The proposal is not well-designed and therefore fails to accord with Policies DM1 and P3 of the adopted Rochdale Core Strategy, the Council's adopted Supplementary Planning Document 'Guidelines and Standards for Residential Development', the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

Procedure Statement:

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application.

Date Decision Issued 12 July 2024

Melanie Hale
Head of Planning Services

IMPORTANT

PLEASE ENSURE THAT YOU HAVE READ AND FULLY UNDERSTOOD THE CONTENTS OF THIS DECISION NOTICE. YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

INFORMATIVE:

The Local Planning Authority's reasons for its decision are set out in the accompanying officer's report.

For the avoidance of doubt, this Decision Notice relates to the following submitted plans:

- Location Plan - Drawing No. SP/JS/4218 Rev. 00 received 01/05/2024
- Existing Site Plan - Drawing No. SP/JS/4219 Rev. 00 received 01/05/2024
- Proposed Site Plan and Fencing Elevation - Drawing No. SP/JS/4230a Rev. 01 received 17/05/2024

- Proposed Floor Plans and Elevations - Drawing No. SP/JS/4229a Rev. 01 received 17/05/2024
- Proposed Landscaping Plan - Drawing No. SP/JS/4217 Rev. 00 received 01/05/2024
- Artist Impression Drawing - received 01/05/2024
- Tree Identification Plan - Drawing No. CA/01 Rev. 00 received 01/05/2024
- Tree Constraints Plan - Drawing No. CA/02 Rev. 00 received 01/05/2024
- Tree Protection Plan - Drawing No. CA/03 Rev. 00 received 01/05/2024