

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00331/FUL	Claire Ringwood	31 st July 2023

Address: Linkside, Sunny Brow Road, Middleton, M24 4BG

Proposal: Erection of 7 no. dwellings, associated access works, infrastructure and landscaping following demolition of the existing dwelling and buildings on site - resubmission of 22/01321/FUL

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?	Y

EIA	Screening opinion completed and saved to Onbase?	N/A
-----	--	-----

CONDITIONS	Pre-commencement conditions proposed?	Y
	Pre-commencement conditions agreed (or notification period expired)?	Y

RECOMMENDATION	GRANT subject to conditions
----------------	-----------------------------

CHECKED AND SIGNED OFF BY: RK

DATE: 01/08/2023

SITE

The application relates to the spacious grounds of a large, split-level dwellinghouse occupying a backland location off Sunny Brow Road, Middleton. The site also

includes a number of outbuildings. Access to the site is via a private driveway off Sunny Brow Road. The site is surrounded by residential properties to the east, south and west.

On site are a number of trees, four of which are protected by Tree Preservation Orders.

To the north, the application shares a boundary with a Greenspace Corridor.

PROPOSAL

The application as submitted is the same as a previous scheme (application ref: 22/01321/FUL) that was refused. The application proposes the construction of 7 dwellings of three varying types on site:

Plots 1 and 2 would consist of Type A. These would be a pair of two-storey semi-detached dwellinghouses with a maximum height of approximately 9.4 metres, width of 6 metres, and depth of approximately 12.3 metres. The dwellinghouses would benefit from a gable fronted two storey element on the front elevation, as well as a single storey rear flat roof extension, with a lantern roof light. The two dwellinghouses would benefit from a lounge, utility room, wash-cabinet and a kitchen/dining area at ground floor level. At first floor level the proposed dwellinghouse would benefit from two double bedrooms, a single bedroom, a bathroom and a study. Finally within the roof space, the properties would benefit from an additional bedroom with en-suite bathroom. Roof lights would be installed on the rear roof slope of the dwellinghouses.

Plots 3 and 4 would consist of Type B. This dwelling type would consist of a two-storey detached dwellinghouse with a maximum height of approximately 9.3 metres, width of approximately 7.4 metres and a maximum depth of approximately 13 metres. On the front elevation the dwellinghouse would benefit from a front facing two storey gable element incorporating a bay window at ground floor level, in addition to a first floor bay window, and a single storey porch extension. The rear elevation would consist of patio doors at ground floor level and two windows at first floor level. The two dwellinghouses would benefit from a lounge, utility room, wash-cabinet and a kitchen/dining area at ground floor level. At first floor level the proposed dwellinghouse would benefit from one master bedroom with an en-suite bathroom, two double bedrooms, a single bedroom, and a bathroom.

Plots 5, 6 and 7 would consist of Type C. This would be of a similar scale, height, footprint and appearance to Type B, however would include rooflights on the rear roofslope of the dwellinghouse. Internally, the dwellinghouse type would benefit from a lounge, utility room, wash-cabinet and a kitchen/dining area at ground floor level. At first floor level the proposed dwellinghouse would benefit from one master bedroom with an en-suite bathroom, two double bedrooms, a bathroom and a study. The roof space would also be habitable, with an additional large bedroom, dressing room and en-suite bathroom.

Each dwellinghouse would be provided with two parking spaces either to the side or front of each unit, and would benefit from a private amenity space to the rear.

The plans indicate that the proposed materials for the development would consist of facing brick, and slate roof tiles, stonework to cills and porch surrounds, as well as black finish UPVC double glazed windows (secure by condition).

PLANS AND DOCUMENTS SUBMITTED

Drawing No: L196-01-C - Site and Location Plans date Sept 2022

Drawing No: L196-02-A - House Type A date Sept 22
 Drawing No: L196-03 - House Type B date Sept 22
 Drawing No: L196-04 - House Type C date Sept 22
 Drawing No: L196-05 – Location Plan date Sept 2022
 Drawing No: L196-06 - Existing House date Sept 2022
 Drawing No: L196-07 - Existing Outbuildings date Sept 2022
 Drawing No: 140722JC-01 - Site survey date 15.07.22
 Supporting Planning, Design and Access Statement April 2023
 Technical Note by SCP, ref: AM/220504/TN01 – 04 September 2022
 Arboricultural Impact Assessment by James Royston Arboricultural Consultant, Ref: 220721, report completed 28th September 2022
 Drainage Strategy Report by T J Booth Associates, job ref: rep-tjba-leary-linkside-DSR-160822, date 07/10/2022
 Preliminary Ecological Appraisal Report by Collington Winter Environmental. Project ref: CW20-463, report reference: CW20-463-RPT 001, date 29/07/2022
 Nocturnal Bat Survey Report by Collington Winter Environmental, project ref: CW20-463, report ref: CW20-463 RPT 001, date 03/10/2022
 Geo-Environmental Phase 1 Desk Study by Adeptus Consulting, Report No: A220731-R01, date August 2022
 Biodiversity Net Gain Assessment Report by Collington Winter Environmental, project ref: CW20-463, report reference: CW20-463 RPT 002, date 22/03/2023
 Received 31st March 2023

Drawing No: L196-06 - Demolition Plan date Sept 2022
 Received 18th April 2023

Tree Survey by James Royston Arboricultural Consultant, Ref: 220721, report completed 28th July 2022
 Received 9th June 2023

Drawing No: L196-01-D - Site and Location Plans date Sept 2022
 Received 27th June 2023

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – July 2021

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

SO2	Creating successful and healthy communities
C1	Delivering the right amount of housing in the right places
C3	Delivering the right type of housing
SO3	Improving design, image and quality of place
P1	Improving image
P3	Improving design of new development
SO4	Promoting a Greener Environment
G6	Enhancing Green Infrastructure
G7	Increasing the value of biodiversity and geodiversity
G8	Managing water resources and flood risk

SO5 **Improving accessibility and delivering sustainable transport**
T2 Improving accessibility

DM1 General development requirements

SD1 Delivering sustainable development

Unitary Development Plan (UDP):

GD/1 Defined Urban Area

Supplementary Planning Documents (SPD):

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

RELEVANT SITE HISTORY

79/D09977	Outline Application For Three Bungalows. Withdrawn.
80/D11034	Outline Application For Two Dwellinghouses. Refused.
81/D12504	Residential Development 8 Dwelling Houses. Granted subject to conditions.
82/D14352	Approval Of Reserved Matters Two Dwellinghouses. Granted subject to conditions.
82/D14355	Private Double Garage. Granted subject to conditions.
84/D16951	Front Porch And Single Storey Extensions To Side And Rear Of Dwellinghouse. Grant subject to conditions.
84/D17178	Front Porch And Single Storey Extension To Rear Of Dwelling And Formation Of Balcony Over.
89/D24065	First Floor Side Extension To Dwelling And Formation Of Pitched Roof Over Attached Garage. Grant Permission subject to condition.
06/D47302	Residential Development - 15 Flats. Refuse.
07/D48697	Residential Development - 13 Flats - Resubmission D47302. Refuse.
08/D50870	Demolition Of Existing Dwelling And Erection Of 11 Dwellings. Refused. Appeal allowed.
12/D55180	Application For A New Planning Permission To Replace Extant Planning Permission D50870 For The Erection Of 11 New, Four-Bedroom Dwellings (Including Demolition Of Existing Dwelling). Grant subject to conditions.
22/01321/FUL	Erection of 7 no. dwellings, associated access works, infrastructure and landscaping following demolition of the existing dwelling and buildings. Refused 22/02/2023.

This application was refused for the following reason:

1. The proposed development would result in a significant loss of trees within the site, with insufficient replacement tree planting proposed in mitigation. The proposed development would therefore result in an unacceptable loss of green infrastructure and harm to visual amenity, in conflict with policy G6 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

CONSULTATION RESPONSES

Greater Manchester Ecology Unit

As you are aware the information submitted with the application includes a Preliminary Ecological Appraisal Report and a Nocturnal Bat Survey Report, which are the same reports submitted for application 22/01321/FUL, together with a Biodiversity Net Gain Report and Small Sites Metric.

Bats

The surveys found no evidence that the buildings to be demolished are being used by roosting bats. However as bats are highly mobile creatures we would advise that the following informative be attached to any permission, should it be granted:

Whilst the buildings to be demolished have been assessed as very low risk for bats, the applicant is reminded that under Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

Nesting birds

As the proposal will involve the loss of trees and shrubs that may be used by nesting birds, we would recommend that the following condition be attached to any permission, should it be granted:

No removal of or works to any trees or shrubs shall take place during the main bird breeding season 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Biodiversity Net Gain

The submitted metric shows that a net gain can be achieved at the site. However, this will be dependent on the habitats being created as claimed and managed in the long term. For, example the metric claims that species rich native hedgerows will be planted but the planting schedule on the Site and location plans includes non-native species as well as ones not locally native. We would therefore advise the following species be removed from the planting list:

Hornbeam – not locally native
Flowering currant – not native
Copper beech – not native.

Hazel would be an appropriate replacement species.

To ensure that the site is managed in the long term to achieve the outcomes claimed in the metric, a Landscape And Ecological Management Plan should be required and we would recommend that the following condition be attached to any permission:

A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement or occupation of the development. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.*
- b) Ecological trends and constraints on site that might influence management.*
- c) Aims and objectives of management.*
- d) Appropriate management options for achieving aims and objectives.*
- e) Prescriptions for management actions.*
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).*
- g) Details of the body or organization responsible for implementation of the plan.*
- h) Ongoing monitoring and remedial measures.*

The LEMP shall also include details of the legal and funding mechanism{s} by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

We also note the bat and bird boxes recommend in the Appraisal do not appear to have been incorporated into the plans. We would therefore advise that the following condition be attached to any permission:

A scheme for the bat and bird boxes, as set out in Section 5.3.2 of the Preliminary Ecological Appraisal Report (dated July 2022) by Collington Winter Environmental Ltd (ref CW20-463 RPT 001), shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall first be agreed in writing with the local planning authority) and shall be retained thereafter.

Tree Officer – 18/05/2023

I originally expressed concerns about the tree losses associated with this development, but following a site meeting with the agents, my own site inspection and consequent changes to the landscaping scheme, I amended my original comments and did not raise any overall objections to the amended scheme. My amended comments, which remain relevant to the current application, are attached.

The BNG Assessment has been undertaken by a suitably qualified ecologist and to appropriate standards. I have no reason to disagree with the findings, which concluded that the proposals would result in a small net gain in biodiversity.

Tree Officer - 23/01/2023

I have now had the opportunity to consider further representations made on this application, update myself on previous planning applications and tree comments

relevant to the site, and to visit the site accompanied by the planning agent to inspect the trees on the site and the development proposals. It was a useful meeting and as a result I would make the following changes to my initial comments on the development (*note tree numbers are those referred to in the tree survey report provided with the application*)

- ❑ **T10, Willow protected by TPO.** Some Willows do have a natural tendency to be brittle and can crack, but this tree has clearly lost a number of branches relatively recently, is showing other signs of fracture and there are some signs of distress in the crown. Given this overall condition, and taking into account the views of the previous Tree Officer following previous branch fall that the tree did not merit further protection, I would accept that this tree could be removed to facilitate the development. It would need to be removed soon in any case due to poor condition.
- ❑ **T9, Lime on boundary protected by TPO.** This tree is in an overall reasonable condition but it has been poorly pruned a number of times in the past and as a result now exhibits a very dense crown. The tree is not yet fully mature and has some way to go before reaching its full growth potential; it is a high forest tree in a modest rear garden. It is already causing harm to boundary structures and has significant potential to cause further harm to the neighbouring property over time. It will also cause harm to residential amenity because of the dense shade which the tree will be causing, and will cause in the future. The tree will also pose significant issues for new residents of the planned housing development. I have considered whether it would be possible to further prune the tree to mitigate these issues, but this would be a temporary stop-gap measure, would likely add to the mis-shapen crown and further increase shading issues, and it will not prevent root damage to property. I have therefore concluded that I would not consider that the loss of the tree would be particularly egregious, such that the planning application could be refused for this reason.
- ❑ **T12 and T13** are good condition semi-mature trees close to site boundaries. Contrary to my previous comments, it ought to be possible to retain these trees and allow the development, although crown lifting will be required on both trees and root barriers may need to be installed during construction of the closest new houses to prevent future root encroachment.
- ❑ My comments in relation to **T3** remain unchanged – although this is a reasonable tree it does not greatly contribute to the local tree scape and I would not object to its removal.
- ❑ I note that **T22**, a Sycamore included in the TPO can now be retained (the tree may have been lost in previous iterations of the development layout).
- ❑ The hedgerow marked **G11** in the tree report comprises a poorly pruned row of Leyland Cypress. The trees had grown too large to form a coherent hedgerow and have been recently heavily topped, resulting in an unsightly and poorly functioning boundary feature which is unlikely to recover well from the pruning works. My advice would be to remove this hedgerow and replace it with a more suitable hedgerow, e.g. *Crataegus* or *Prunus laurocerasus*, as part of any new landscaping scheme.
- ❑ Other trees within the plot are essentially garden trees without particularly substantive arboricultural merit.

- It would be possible to introduce new (compensatory) tree and shrub planting into the layout, although with small, more appropriate species (e.g. *Magnolia* or *Amelanchier* sp).

Environmental Health

The supplied PRA is acceptable, will require confirmation no contamination was identified by the watching brief.

Greater Manchester Fire and Rescue Service

The above proposal should meet the requirements for Fire Service access. The Fire Service requires vehicular access for a fire appliance to within 45m of all points within the dwellings.

The access road should be a minimum width of 4.5m and capable of carrying 12.5 tonnes. Additionally, if the access road from the main road is more than 20m long, a turning circle, hammerhead, or other turning point for fire appliances will be required. The maximum length of any cul-de-sac network should be 250 m. There should be a suitable fire hydrant within 165m of the furthest dwelling

The Fire Service strongly supports the installation of domestic sprinkler systems as a positive measure to protect persons. At a small cost occupants' can be given the reassurance of a high level of protection. All developers should positively consider the viability of installing domestic sprinkler systems. The access requirements for a dwelling fitted with an approved sprinkler system can deviate from the required standard detailed above, further consultation will be required.

Highways

The application is supported by a Technical Note (TN) prepared by SCP which will be the basis of highway comments.

When considering previous residential development for this site Highways raised concerns about the access, however on appeal the Planning Inspectorate consider the access was acceptable.

The access road would not be considered suitable for adoption.

We would not expect that the development would have any impact on highways capacity.

The Technical Note has reviewed accident data in the area around the site and it would appear that there are no inherent road safety issues in the area surrounding the site.

Parking provision for the size of the development is in line with this Councils parking standards.

The Technical Note provides swept path analysis for the internal layout which indicates that there is adequate turning space for a small fire tender and a van. In Paragraph 16 of the TN it states that refuse collection vehicles will not enter the site and refuse collection would take place from a shared refuse collection and bin storage area at the site of the entrance. It appears that the submitted plans do not show the storage area and we would need to assess its position in terms of distances for residents and collectors, this issue will need addressing prior to Highways supporting this application.

From a Highways perspective the location of the bin storage area is acceptable.

United Utilities

Following our review of the submitted Drainage Strategy Ref: rep-tjba-leary-linkside-DSR-160822, Dated 07/10/2022, prepared by: T J Booth Associates, we can confirm that whilst the proposals are acceptable in principle, there is insufficient information on the detail of the drainage design. Should planning permission be granted we request a condition for details of a sustainable surface water drainage scheme and a foul water drainage scheme to be submitted to and approved in writing by the Local Planning Authority.

A further condition regarding a management and maintenance regime for any sustainable drainage system that is included as part of the proposed development to be submitted.

[A full copy of United Utilities comments have been provided to the applicant].

Drainage

The Drainage Officer has reviewed the report and agrees with the principles summarised above, which will ensure that sustainable drainage will be provided in accordance with the UK's National Planning Policy Framework. However, regarding the calculation of current Brownfield runoff to be 12.8 l/s, which assesses the impermeable area as 1500 sq.m., the Drainage Officer does not think that all the impermeable area runoff flows are captured and sent to public sewer because some of the hardstanding will shed to surrounding ground. As Drainage Officer, I would set the maximum rate of discharge to public sewer to be 5 l/s; United Utilities should advise on whether they are happy to increase the rate to 6.4 l/s or not.

SEWER CAPACITY ISSUE RAISED BY LOCAL RESIDENT

A complaint about the sewer capacity by one of the objections:-

*The **sewers** on Johnson Grove are fed by 5 houses and have blocked up on a number of occasions. We question whether the current sewer at Linkside will cope with the waste from 7no. houses. We have to assume a good developer will have addressed this.*

The Johnson Grove sewer is a 225mm dia. sewer and is managed by United Utilities. If there is a problem with this sewer, the matter should be raised by residents with UU. It is not a material consideration in this planning application. Any proposed connection to public sewer from the new development will be reviewed and accepted, or conditions imposed by United Utilities. It is more likely that the connection would be made to the Sunny Brow sewer.

REPRESENTATIONS

The application was publicised by way of neighbour notification letters. 19 letters of representation have been received and the comments are summarised below:

1. Request the existing perimeter fencing is replaced with minimum 1.8m concrete and full wood panel fencing;
2. Satisfied with the development if amendments include fencing and hedgerow, removal of electric gate and reference to Oak tree in hedge planting schedule removed;

3. The new development will be better for the area, the site is overgrown with trees which are causing numerous issues with restricting light, falling branches and leaves being a real issue;
4. The application being a re-submission appears to address the reason for refusal by delivering a Biodiversity Net Gain of more than 10%;
5. The development would result in the loss of trees within the site but the trees are ill-managed and the site is overgrown. The proposed replanting and hedgerow can only improve the site;
6. The proposals are disproportionate for the size of the plot which will have a detrimental effect on residents with regards to noise, air and light pollution, increase in volumes of traffic and plant machinery accessing the site during construction;
7. Congestion is already too much due to a school and nursery close by;
8. There is already too much land being developed on and taking away from local residents;
9. Impact on trees and wildlife;
10. Noise pollution caused by construction would be disruptive to neighbouring properties, as well as vehicles accessing the site;
11. Existing access to Linkside is only 1 car width and doesn't make sense to use access to home 7 dwellings;
12. Difficult for bin lorries or a fire engine to access the site due to the width of the access;
13. The local primary school is already over-subscribed and adding more families will cause future disappointment for children unable to receive a place;
14. The Archer Park area is not suitably structured for a growth in population;
15. Impact on air quality from traffic when children play next door to the plot;
16. Safety risk for children attending the nursery school;
17. Impacts of the development from noise and air pollution on the health of young children who are vulnerable;
18. Some trees for removal are on neighbouring land, consent is not given to removing them;
19. Loss of privacy from tree removal;
20. Location of bin storage close to neighbouring properties is not acceptable;
21. Danger to children at local nursery due to construction.
22. Separation distances between properties should be reviewed;
23. Proposed development will negatively impact sunlight;
24. Overlooking and loss of privacy;
25. Harm to existing views;
26. The location of the proposed dwellings sits tight to the border of the golf course close to a specific Landing Zone for the 17th hole. The hedge of the existing property provides natural protection to the buildings and occupiers. Removal of this natural defence and the proximity of the proposed dwellings to the golf course will expose the dwellings to possible stray golf balls which can cause serious injury or property damage. Should these concerns be overlooked, North Manchester Golf Club will not accept responsibility for any injuries or damages to person(s) or property.

The points raised in relation to the health implications of the proposed development, as well as the safety of children at the local nursery are not material planning considerations. In regards to damage or injury from stray golf balls, hedging and tree planting is proposed to the rear boundary with the golf course and it would be expected that any future occupiers of the proposed dwellings would be aware of the golf course behind. There are also other existing properties which back onto the golf course, in close proximity to the application site which have similar sized rear gardens to those proposed. However, an informative will be added to the decision advising of the concern raised.

Officers acknowledge the concerns raised however, planning permission cannot be refused on these grounds and as such will not be included in the analysis of this recommendation.

However, the points raised in regards to the highway implications of the proposal, potential impact on the amenity of neighbouring properties by way of privacy, outlook, sunlight and noise, in addition to drainage and ecological impact of the proposal are all relevant planning considerations which will be discussed.

Officers consider it appropriate to attach a condition in the event of an approval of the permission for construction hours to be limited to an acceptable timeframe. Furthermore the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation, and that any works undertaken which impact unreasonably upon the surrounding area may be subject to action by the Councils Environmental Health Department.

ANALYSIS

The application is the same as the previous application (22/01321/FUL) other than it addresses the reason for refusal. As such, there are no changes to the previous officer comments in relation to other areas of the proposal as discussed in the analysis below.

Principle of Development

The proposed application site is located within the Defined Urban Area as designated under the Proposals Map of the Unitary Development Plan (UDP). New development, wherever possible and appropriate, should be concentrated within the urban area in order to support urban regeneration and to protect the countryside.

Policy C1 of the Core Strategy outlines that the Council will promote the reuse and regeneration of vacant and underused previously developed sites, seeking to provide 80% of new housing on previously developed land (PDL).

The latest published information suggests that the Council can demonstrate more than a five year supply of housing land based on the Core Strategy target; however this does not preclude the promotion of sustainable development where this can assist in delivering additional housing to meet local needs.

The principle of redevelopment of the site for residential use would be compatible with the surrounding residential area. The site is located in close proximity to Middleton Town Centre. It is therefore considered that the site is well located in terms of access to jobs, shops and services by modes of transport other than the private car. The site is therefore in a sustainable location.

Furthermore, the proposal would make efficient use of land within the Defined Urban Area and would contribute to the supply of housing in a sustainable location within the borough. The principle of the development is therefore acceptable and in accordance with the adopted Core Strategy, saved policies within the Unitary Development Plan and the NPPF.

Visual Amenity

Policy DM1 of the Council's Core Strategy requires all development proposals, including changes of use of land and buildings, extensions and alterations, to demonstrate that they are of a high quality design and take the opportunity to enhance the quality of the area. Policy P3 of the Core Strategy acknowledges that

good design will improve the image and attractiveness of the borough as a place to live, work and visit. This policy requires all new developments to adhere to high quality design and enhance the borough's identity and sense of place, by respecting context where it is positive and having regard to the scale, density, massing, height, layout, landscape, materials and access of surrounding buildings and areas in general.

In addition, Core Strategy policy C3 requires a high standard of development and layout that produces attractive places. Furthermore, Paragraph 130 of the National Planning Policy Framework states that planning decisions should ensure that developments are sympathetic to local character and visually attractive as a result of good architecture, layout and effective landscaping.

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 site is located within the Defined Urban Area and in an area of Rochdale which is characterised by residential development. The area is predominantly defined by two-storey detached dwellinghouses, with average sized private amenity spaces to the rear. The materials used within the surrounding area vary, incorporating both red and grey brick, as well as red and grey roof tiles. The roof form is defined by gable ended properties, although there are some examples of hipped roofs.

The application proposes to construction 7 dwellinghouses of three varying types, and whilst differing between semi-detached and detached, all would share similar characteristics. Considering the proposed dwellinghouses would be of a similar scale to the surrounding area, and sharing similar characteristics such the gable elements, and choice of materials, Officers consider that the proposed development would relate well in terms of design to the surrounding area. This view is further compounded as the proposed development would be set back from the highway, and largely un-viewable from the streetscene.

Furthermore, the installation of a replacement boundary treatment to the eastern boundary would be considered an appropriate addition to a residential area, which would not detract from the character and appearance of the area.

Subject to suitably worded conditions for details of the materials used in the proposed development to be submitted to and approved by the LPA in the event of an approval, Officers consider that the proposed development would accord with the adopted Rochdale Core Strategy polices P3 and DM1 as well as the National Planning Policy Framework.

Residential Amenity

Paragraph 130 of the National Planning Policy Framework advises that planning decisions should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. Further to the above are the considerations of the Councils Supplementary Planning Document (SPD) 'Guidelines and Standards for Residential Development' which states that new developments *"should be carefully designed to protect the amenity of the occupants of adjoining properties."*

Space Standards & Privacy

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

The proposed dwellinghouses at plots 3-7 would back onto open land to the rear of the site, and would not result in an undue loss of privacy, outlook or light to any neighbouring properties.

With regards to the proposed semi-detached dwellinghouses at plots 1 and 2, paragraph 4.1 of the *Guidelines and Standards for Residential Development 2016 (SPD)* states "the following minimum space standards will be applied to all new residential developments and developments which affect existing residential properties:

- 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 (Figure 2);
- ii. 14m between a principal window and any directly facing two storey elevation which does not contain a principal window to a habitable room (Figure 3);
- iii. 10m between a principal window and any directly facing single storey elevation which does not contain a principal window to a habitable room (Figure 4).

The rear of the proposed dwellinghouses at Plot 1 and Plot 2 would back onto the rear boundary of the properties at 5 and 7 Lime Gardens. Between first floor windows situated on the rear elevation of the proposed dwellinghouses and the first floor habitable room windows of the properties at 5 and 7 Lime Gardens, there is a distance of approximately 23 metres. Furthermore, there is approximately 11.3 metres between the first floor rear windows of the proposed dwellinghouse and the rear boundaries of these neighbouring properties.

Considering the proposed rear building line of the single storey extension of these proposed dwellinghouses is approximately 20.7 metres away, and that the proposal would comply with point i) of paragraph 4.1 of the SPD with regards to properties to the rear, Officers are satisfied that these proposed dwellinghouses will not result in a detrimental impact on the residential amenity of 5 and 7 Lime Gardens through a loss of outlook, light or privacy.

The side elevation of the Plot 1 will face the neighbouring property at 34 Sunny Brow Road. It is acknowledged that this neighbouring property benefits from a single storey rear extension, which has not been indicated on the provided Site Plan. Nevertheless, the distance between the rear elevation of this existing neighbouring extension and the side elevation of the proposed dwellinghouse at Plot 1 would measure approximately 15 metres. This is in line with paragraph 4.1 ii) of the SPD and therefore the proposal would not result in an unacceptable level of outlook or overbearing appearance to this neighbouring property. Furthermore, as no window is proposed at first floor level on the side elevation of the dwellinghouse at Plot 1, the proposal would not result in a significant loss of privacy. A condition restricting any future side windows will be imposed to ensure privacy is retained.

The proposal would therefore have an acceptable impact on neighbouring residential amenity.

Occupier Amenity

The application proposes seven substantial dwellinghouses, which would provide adequate floor space, private amenity space, and adequate levels of light and outlook to all habitable rooms.

Conclusion

It is considered that the scheme would have no undue impact on the amenity of adjoining residents through loss of outlook, overshadowing, loss of daylight or loss of privacy and would provide a more than satisfactory standard of occupier amenity and therefore meets the requirements of CS policy DM1 and the NPPF.

Highways

Policy T2 of the Core Strategy sets out that development and infrastructure proposals are required to satisfy the Council's accessibility hierarchy and in all circumstances, the safety, accessibility and amenity of those who live or have business in the area will have priority, while providing reliable journey times for those travelling through. Developments are required to provide parking in compliance with the Council's Maximum Car Parking Standards as set out in Appendix 5 of the Core Strategy.

A Technical Note has been submitted with the application which has been reviewed by the Council's Highways Engineer. A previous appeal decision at the application site for 11 dwellings was allowed by the Inspector who considered that the proposed access into the site was acceptable (application ref: 08/D50870). The parking provision for the size of the development is in line with the Council's parking standards (and will be secured by condition).

The Technical Note provides swept path analysis for the internal layout which indicates that there is adequate turning space for a small fire tender and a van. Paragraph 16 of the Technical Note states that refuse collection vehicles will not enter the site and refuse collection would take place from a shared refuse collection and bin storage area at the site entrance.

An amended Site and Location Plan has been provided showing the location of the bin storage area to the east side of the access drive when entering the site from Sunny Brow Road. No details of the storage unit has been provided (which can be secured by condition) however, from a Highways perspective there are no objections to this location. Although adjacent to the side boundary with 36 Sunny Brow Road subject to suitable storage facilities along with any improvement to the boundary fencing at this point, if necessary, will ensure there is no detrimental impact to the residents of neighbouring properties.

Officers consider that the proposed parking would have an acceptable impact on the highway network.

Drainage and Flooding

Policy G8 of the adopted Rochdale Core Strategy, seeks to promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. The Policy aims to prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface water from development sites.

The application has been reviewed by the Council's Lead Drainage Officer who agrees with the principles summarised in the submitted Drainage Strategy Report (T J Booth Associates, October 2022). It is noted that the Drainage Officer disagrees with the views provided on impermeable area runoff, however this would not warrant

refusal. United Utilities provided comments on the application, and although they confirmed the proposals are acceptable in principle there is insufficient information on the detail of the drainage design. Further details can be provided by way of a suitably worded condition. Officers consider the proposed development would comply with Policy G8 of the adopted Rochdale Core Strategy.

Contamination

Policy G9 requires that any risks associated with contaminated land are identified and addressed prior to development. In addition, the borough has been subjected to past coal mining activity, which has left a legacy. It is therefore important that ground conditions are fully considered by developers as part of new development proposals and, where necessary, appropriate remedial measures must be set out and implemented to address any issues of unstable land and ensure safety and stability of new development.

Paragraph 174 of the NPPF states that planning decisions should contribute to and enhance the local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability, and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

A Geo-Environmental Phase 1 Desk Study (*Adeptus Consulting*, August 2022), has been submitted which concluded on the basis of the available information, that no potentially significant pollutant linkages have been identified and the proposed development is therefore considered to present a low risk to human health and the environment. The application site previously fell within gardens to a large house to the west and was essentially undeveloped prior to construction of the current dwelling, Linkside, and residential use is not considered a potential source of significant contamination.

This supporting information has been reviewed by the Council's Environmental Health Officer, who accepted the conclusions of the submitted desk study, on the basis that a suitably worded condition be attached to the permission in the event of an approval for a watching brief to ensure that no contamination risks are identified during development.

With this condition in mind, Officers consider that the proposed development would comply with Policy G9 of the adopted Rochdale Core Strategy, as well as the National Planning Policy Framework.

Arboricultural Impacts

Policy G6 establishes that development should protect and improve green spaces and where trees are to be removed they should be replaced at a ratio of 2:1. Policy G7 of the Core Strategy requires developments to protect existing biodiversity including trees and vegetation. The NPPF also requires the planning system to contribute to and enhance the natural and local environment.

The Council's Ecologist originally expressed concerns about the tree losses associated with the development however, following a site meeting and their own site inspection along with changes to the landscaping scheme, raised no objection to the proposed development.

The application would result in the loss of a number of trees on site, including TPO trees indicated as T9 and T10 within the provided supporting information. T9 is a

lime tree on the boundary with the neighbouring property at 13 Lime Gardens. This tree is not fully mature, but is already causing harm to the boundary of this property, and has significant potential to cause further harm to the neighbouring property over time by way of dense shading. It was considered by GMEU that works cannot be done to the tree to improve the impact on neighbouring properties, and as such the loss of this tree would not be considered particularly egregious. T10 is a willow which is in a poor condition, and its removal would therefore be considered acceptable. With these views in mind, the proposed loss of these TPO trees would not be considered to be unacceptable.

Further comments by GMEU state that T12 and T13 are good condition semi-mature trees and it ought to be possible to retain these along with T22. Officers raised concerns in the previous application over the number of trees to be removed on site. The previous officer report noted the loss of approximately 32 trees. However, the submitted Tree Survey states the survey included 22 trees and/or groups of trees. The proposal retains several of these trees and in replacement of the trees to be removed, 20 new trees will be planted.

A Biodiversity Net Gain Assessment has also been submitted which demonstrates that the proposed development will deliver a Biodiversity Net Gain of more than 10% at the site which would be a benefit to the scheme.

Officers are therefore satisfied that, on balance, the failure to deliver 2:1 replacement planting as required by Policy G6 would nevertheless be acceptable as the proposed development would still provide an acceptable level of tree planting along with measurable biodiversity net gain and landscaping in accordance with Rochdale Core Strategy Policy G6, as well as the National Planning Policy Framework. Suitable conditions will be applied in respect of tree planting, tree protection and landscaping.

Ecology

Paragraph 131 of the NPPF states that trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Paragraph 174 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.

The application is supported by a Preliminary Ecological Appraisal Report, as well as a Nocturnal Bat Survey (*Collington Winter Environmental*, September 2022). This supporting information has been reviewed by the Greater Manchester Ecological Unit (GMEU), who raised no objections to the proposal. The supporting information indicates that there is no evidence of roosting bats in the existing buildings on site. However, as bats are mobile creature, the GMEU has suggested an informative be attached regarding ceasing work should bats be found on site.

In relation to birds, the application would result in the loss of trees and shrubs that may be used by nesting birds. On the recommendation of the GMEU it is considered appropriate in the event of an approval to attach a suitably worded condition for the protection of habitats on site, by way of limiting the removal of shrubbery and foliage to outside of bird nesting periods.

A Biodiversity Net Gain Assessment has been submitted with the application which concludes that the proposed habitat creation and enhancements create a net gain of

biodiversity within the site of +13.96% in habitat units and an increase in hedgerow units of 321.34%. The Council's Ecologist has reviewed this assessment and advised that the net gain will be dependent on the habitats being created as claimed and managed in the long term. To ensure that species rich native hedgerows will be planted (rather than non-native species as shown on the Site and location plans) a condition requiring the submission of a Landscape and Ecological Management Plan will be included in the decision.

With these conditions and informative in mind, Officers consider that the proposal would have an acceptable impact on habitats and ecology in line with Policy G6 and G7 of the adopted Rochdale Core Strategy, as well as the National Planning Policy Framework.

RECOMMENDATION

GRANT subject to the following conditions:

1. The development must be begun not later than three years beginning with the date of this permission.

Reason. Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. This permission relates to the following plans and documents:

Drawing No: L196-02-A - House Type A date Sept 22

Drawing No: L196-03 - House Type B date Sept 22

Drawing No: L196-04 - House Type C date Sept 22

Drawing No: L196-05 – Location Plan date Sept 2022

Arboricultural Impact Assessment by James Royston Arboricultural Consultant, Ref: 220721, report completed 28th September 2022

Received by the Local Planning Authority on 31st March 2023

Drawing No: L196-01-D - Site and Location Plans date Sept 2022

Received by the Local Planning Authority on 27th June 2023

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

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

3. Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and / or full specifications of materials to be used externally on the dwellings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

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

4. The dwelling(s) hereby permitted shall not be occupied until all vehicle parking space(s) have been provided in accordance with the plans hereby

approved. The space(s) shall be kept available for parking at all times thereafter.

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

5. Notwithstanding the approved drawings, the development hereby permitted shall not be occupied until details of refuse and recycling storage sufficient for the intended development has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented before first occupation and the areas of land so provided shall not be used for any purposes other than the storage (prior to disposal) or the collection of refuse and recycling and shall be thereafter retained and maintained as such, unless otherwise agreed in writing by the Local Planning Authority.

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

6. No development shall take place (including any demolition) until a Construction Method Statement (CMS), has been submitted to, and approved in writing by the Local Planning Authority, which shall include the following:
 - i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding;
 - v) measures for the protection of the natural environment from accidental spillages, dust and debris including dedicated protection measures (including high visibility fencing) for the retained trees during and after construction;
 - vi) a lighting plan designed to direct any temporary lighting away from the retained trees and hedgerow during and after construction.
 - vii) hours of construction, including deliveries (which should not take place outside of the hours of 08:00-18:00 Monday to Friday and 09:00-14:00 Saturday, with no work taking place on Sundays or Bank Holidays).

The development shall be carried out in accordance with the approved CMS.

Reason: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase in accordance with Policies DM1, T2, G7, G8 and G9 of the Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As the proposals require ground works and engineering works an understanding will therefore be necessary of what measures will be put in place to protect the amenity of nearby residents prior to commencement of any building or engineering works on site.

7. No construction, demolition or associated deliveries shall take place outside the hours of 0800hrs to 1800hrs Mondays to Fridays, and 0800hrs to 1300hrs

on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays without prior written approval from the Local Planning Authority.

Reason: In order to protect occupiers of nearby properties from unreasonable disturbance from works connected with implementing this permission in accordance with Policies DM1 and G9 of the Rochdale Core Strategy.

8. Notwithstanding the details shown on the approved plans, prior to first occupation of the dwellings hereby approved, a scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall specify means of treatment for hard surfaced areas, means of enclosure including mammal gaps where appropriate, specify species (which should include Hazel as a replacement species to Hornbeam, Flowering currant and Copper beech), planting sizes, spacing and numbers of trees/shrubs to be planted (including replacement trees and tree pit specifications where appropriate, and must include a maintenance programme detailing all operations to be carried out in order to allow successful establishment of planting.

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

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

9. Prior to first occupation of the dwellings hereby approved, a landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism{s} by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To ensure that the site is managed in the long term to achieve the outcomes claimed in the metric and in accordance with Policy G7 of the Core Strategy and the National Planning Policy Framework.

10. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. If any retained tree is removed, uprooted or destroyed or dies (as a consequence of the development), another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.

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

11. The erection of fencing for the protection of any retained tree or trees shall be undertaken in accordance with the Arboricultural Impact Assessment by James Royston Arboricultural Consultant, Ref 22072, Report completed 28th September 2022 before any equipment, machinery or materials are brought on to the site. Such protection as required by the above condition shall be retained throughout the entire period of construction and until all equipment, machinery and surplus materials have been removed from the site. No materials, soil, rubbish or vehicles shall be deposited or stored in any area fenced in accordance with this condition and no fires shall be lit, and no raising or lowering of ground levels shall take place within this area. No drains, pits, ditches or trenches shall be dug in or run across the area protected by the fencing, at any time before, during and after the development of the site, unless otherwise agreed in writing by the Local Planning Authority.

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

12. A scheme for the bat and bird boxes, as set out in Section 5.3.2 of the Preliminary Ecological Appraisal Report (dated July 2022) by Collington Winter Environmental Ltd (ref CW20-463 RPT 001), shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall first be agreed in writing with the local planning authority) and shall be 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.

13. No removal of, or works to, any trees or shrubs shall take place during the main bird breeding season 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there

are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

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

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

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

Reason for pre-commencement condition: Boundary treatment will need to be implemented prior to commencement of above ground works and a scheme therefore needs to be agreed in advance of the same.

15. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority.

The drainage scheme shall include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with Guidance note BRE365.
- (ii) A restricted rate of surface water discharge to public sewer agreed with the local planning authority, if it is agreed that infiltration is discounted by the investigations. The rate shall be 5 l/s unless United Utilities agree that 6.4 l/s would be acceptable.
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in mAOD. Foul and surface water shall drain on separate systems at least to the point of discharge from the site, in accordance with Building Control Part H Drainage requirements.
- (iv) The background calculations of the MicroDrainage® model or any other software or calculations that have been used for the drainage design.
- (v) Construction details for permeable paving including sub-base details e.g. cross-section, if this type of paving forms part of the sustainable drainage system.
- (vi) Provision of a 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 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.

16. A watching brief for contamination shall be maintained when carrying out the approved development. If during any works on site contamination is suspected or found or contamination is caused, the Local Planning Authority shall be notified immediately. A suitable investigation and/or risk assessment and/or any remedial action shall be carried out in accordance to an agreed process and within agreed timescales to the approval of the Local Planning Authority. If contamination is not suspected, found or caused during development this must be confirmed in a completion letter which is subject to the approval in writing of the Local Planning Authority.

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

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) no windows other than those shown on the approved plans shall at any time be placed in the side elevations of the dwellings hereby permitted without the grant of a separate planning permission from the Local Planning Authority.

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

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

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

19. Notwithstanding the provisions of Part 1, Schedule 2, Article 3, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no development within Class A (enlargement, improvement or other alteration), Class B (enlargement of a dwellinghouse consisting of an addition or alteration to its roof), Class D (erection or construction of a porch outside any external door) or Class E (building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse) shall be carried out within the curtilage of the dwelling without express planning permission from the Local Planning Authority.

Reason: Due to the constrained nature of the site and as unrestricted development could harm the amenities of neighbouring properties through overlooking or being overbearing and harm the appearance of the main house and the area in general and should therefore be controlled in accordance with Policy DM1 of the Core Strategy and the National Planning Policy Framework.

Procedure Statement

The Local Planning Authority worked proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition.

Notes for Applicant:

Bats

Whilst the buildings to be demolished have been assessed as very low risk for bats, the applicant is reminded that under Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

North Manchester Golf Course

The applicant is advised that the North Manchester Golf Club is to the rear of the application site and close to a specific Landing Zone for their 17th hole. North Manchester Golf Club will not accept responsibility for any injuries or damages to person(s) or property from stray golf balls.