

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00435/FUL	Claire Ringwood	1 st May 2024

Address: Land lying north of Blair Street, Rochdale

Proposal: Erection of bungalow associated parking, landscaping and boundary treatments

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/A
	Neighbour comments received?	Y

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

RECOMMENDATION	REFUSE
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CHECKED AND SIGNED OFF BY: RG

DATE: 17 June 2024

SITE

The application site relates to a parcel of land to the rear of properties on Blair Street, Thrush Street and Belgrave Street. The site is within a Greenspace Corridor, including Mean Wood and the River Spodden which runs directly to the east of the site. The north, south and west of the site comprises predominantly two storey residential terrace properties. The Spotland Bridge Conservation Area also lies to the west.

The site is within a Defined Urban Area (UDP Policy G/D/1 and the eastern boundary adjoins a Greenspace Corridor (UDP Policy G/8). The site is also within an SSSI Impact Risk Zone.

PROPOSAL

The application proposes the construction of a two bedroom detached bungalow. Access into the site would be from land to the side of 18 Belgrave Street with parking proposed to the front of the dwelling. The submitted Proposed Site Plan states the proposed dwelling would measure 70sqm (2B/4P).

The materials will comprise brick and tiles.

RELEVANT SITE HISTORY

Land Rear Of 14-18 Belgrave Street, Rochdale, OL12 7BY

18/00494/FUL - Erection of two dwellings. Withdrawn 20/07/2018.

18/00907/FUL - Erection of two dwellings - Resubmission of 18/00494/FUL. App returned.

Land north of Blair Street

PREAPP/00142/21 – Residential development - one pair of semi-detached dwellings. Observations sent.

The Planning Officer pre-application response stated:

The surrounding area is rigidly arranged into rows of terraced dwellings, and where later interventions have taken place, they follow conventional urban design practice, incorporating building lines, and have regard to building orientation. Given the constrained nature of the site, with features abutting each side of the site, the proposals considered to read as a clear attempt at maximising the quantum of development on site and would constitute an overdevelopment of the plot and as such, the application fails to take due consideration of its context, contrary to policy P3.

The proposed dwellings would neglect the pattern of development across the wider area and would respond poorly to its context including character, scale, form, density and layout. The highly constrained nature of the site does not lend itself to being developed for residential dwellings, and is likely why the site remains undeveloped despite the immediately adjacent areas being developed in excess of a century.

Summary

The proposed residential development would fail to respond satisfactorily to the character, scale, form, density and layout of the surrounding area. Due to the site being significantly constrained, the development would fail to provide satisfactory access or a satisfactory standard of amenity for future occupiers and the proposal

would contravene the Policies of the adopted Rochdale Core Strategy and the NPPF.

CONSULTATION RESPONSES

Highways

We would expect very little traffic as a result of this proposal.

The applicant has proposed adequate off street parking as a result of this proposal.

Access proposals are along a narrow lane from Belgrave Street. The applicant has identified this road as within their site edge and are therefore acceptable.

No changes are proposed to the existing highways layout. No new highways are proposed as a result of this development.

We have no new road safety concerns as a result of these proposals.

No PROW or Bridleway will be impacted by these proposals.

Collection of refuse must take place from Belgrave Street.

No objections to this development as proposed.

Environmental Health (Noise)

This section has no objection in principle to the proposals, we would recommend the following conditions.

- A construction management plan is conditioned, to cover areas such as noise, vibration, mud and dust suppression.
- Given the close proximity to existing residential properties we would also recommend restricting the site hours to 08:00-18:00 Monday - Friday 09:00-14:00 Saturdays and no work on Sundays or Bank holidays.

United Utilities – summary

It is the applicant's responsibility to investigate the existence of any pipelines that might cross or impact their proposed site and also to demonstrate the exact relationship between United Utilities' assets and the proposed development.

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.....The applicant should consider their drainage plans in accordance with the drainage hierarchy outlined in the NPPF.

[The applicant has been provided with the full comments provided].

Drainage & Flooding Officer

The Drainage Strategy Plan has numerous notes but provide no proper confirmation of what the Proposed Sustainable Drainage strategy for the development will actually be.

It looks like the author of the plan has collected a number of generic statements and added them to the drawing. e.g. *“connect the bungalow to the local sewage system or public sewer if available”*. The notes render the plan to be ineffective.

Because the footprint of the plan is such that it will not be possible to install a soakaway (for roof drainage) such that standard guidance of locating the soakaway at distance of 5m from any building, the roof drainage will need to connect to public sewer.

A detailed drainage scheme would be required by condition if any permission was granted.

Conservation Officer

The application site comprises a parcel of undeveloped land to the rear of Thrush Street in Rochdale. It is bordered on three sides by the rear boundaries of houses along Thrush Street, Blair Street and Belgrave Street. The proposal is for the construction of a bungalow with access taken from Belgrave Street.

The application site lies within close proximity of the Spotland Bridge Conservation Area, which runs along Thrush Street. Spotland Bridge Conservation Area is characterised by its distinct industrial heritage, centred on the grade II listed Spotland Bridge Mill and the terraced housing built for workers in the area's many mills.

The proposed bungalow would be in the wider setting of the Conservation Area. However, given its single storey nature and its location to the rear of existing two storey terraced properties, it would not be readily visible in or impact on key views of the Conservation Area.

Previous consultee responses identified a stone slab wall along the boundaries of the site. The plan should be updated to show the location of these and they should be retained as part of any works.

Subject to the retention of the historic wall and given the above factors, it is considered that the proposal would have a neutral impact on the significance of the Conservation Area. No heritage objections.

Environmental Protection

The supplied report and recommendation is acceptable, appropriate condition for further site investigations should be included with any permission.

Greater Manchester Ecology Unit

- ❑ The available ecological information is insufficient to determine the application. The Ecology report provided to inform the application was constrained by access restrictions and therefore does not constitute a comprehensive ecological assessment. In particular, the report advises that surveys for the protected species badgers, great crested newts and bats should be undertaken, but these surveys are lacking. The presence of protected species on an application site would be material to the determination of the application, and therefore protected species surveys should not be conditioned.
- ❑ The development will cause habitat losses and tree losses, but no proposals for mitigation or compensation for the tree and habitat losses appear to have been provided. The tree survey was also constrained by lack of access, and is therefore incomplete.

REPRESENTATIONS

Notice Under Article 13 - An advert was placed in the Rochdale Observer on 14th February 2024 by the applicant requesting any owner of the land or tenant who wishes to make representations about the application to write to the Council within 21 days of the notice.

Letters of notification were sent to surrounding neighbours. Two neutral representations have been received:

1. Unsure about the development; and
2. Only concern is the increased traffic flow, Belgrave Street already has parking issues.

18 objections (2 from the same objector and one representation from Councillor Faisal raising neighbour concerns and asking for the application to be called in to planning committee if it was recommended for approval):

1. Out of keeping with the character of the surrounding houses in terms of size and design;
2. The site is too small;
3. Lack of outdoor amenity space;
4. Loss of privacy and overlooking;
5. Loss of light;
6. Loss of view;
7. Light pollution;
8. Is the use appropriate;
9. Noise and disturbance during construction;
10. Noise and disturbance from proximity of proposed dwelling and parking;
11. Negatively affect visual amenity;
12. Impact on the Conservation Area and Listed Building;
13. Disturbance of the plot could cause damage, instability and pollution to the steep hillside to the east;
14. Existing parking problems will be made worse;
15. Highway safety;
16. Lack of safety for children who play on the street;
17. Construction vehicles will not be able to access the site;
18. Damage to the existing roads by heavy delivery vehicles;
19. Bin collection would increase street clutter;
20. Potential for damaging the old flag wall which runs along one side of the proposed build;
21. Access to the plot is by foot only, vehicle access is impossible without the use of the strip of land attached to 18 Belgrave Street;
22. Various wildlife including, deer, foxes, badger, hedgehogs and numerous species of birds use the land;
23. Loss of trees;
24. The site is very close to the River Spodden which is an important corridor/connection leading to Healy Dell Nature Reserve;
25. The land is attached to the deeds of the 12 houses on Blair and Thrush Street and there is a covenant for the land to be continuously used by these homes for recreational/enjoyment and access purposes;
26. The restrictive covenant states that the land should not be built upon and must remain for the enjoyment and use of the owners and occupiers;
27. Loss of amenity space for local residents;
28. The plot is overgrown as residents stopped cutting back bushes to deter thieves from entering the site;
29. 18 Belgrave Street use the strip of land for parking and as their garden;

30. Impact of the application on mental and physical health;
31. There is nothing in this development that would improve the social and environmental conditions of the area;
32. Why have the neighbours opposite Belgrave Street not been consulted;
[Officer Note: all adjoining neighbouring properties were notified by letter which is in line with regulations. Due to the number of objections received, other neighbouring properties within the locality have become aware of the application]
33. The use of a drone to survey that site; [Officer Note: this was not undertaken by the Council and any concerns relating to this should be addressed with the author of the reports]
34. Inaccurate information within the application form; [Officer Note: the inaccuracies within the application form are noted].

RELEVANT PLANNING POLICY

National Guidance

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

Sub-Regional

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-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 of 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-C8: Transport Requirements of New Development

Rochdale Core Strategy:

The following policies of the adopted Rochdale Core Strategy are relevant:-

SO2	Creating successful and healthy communities
C1	Delivering the right amount of housing in the right places
SO3	Improving design, image and quality of place
P2	Protecting and enhancing character, landscape and heritage
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
G9	Reducing the impact of pollution, contamination and land stability

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

DM1 General development requirements

Relevant saved Rochdale Unitary Development Plan (UDP):

G/D/1 Defined Urban Area
G/8 Greenspace Corridor

Supplementary Planning Documents (SPD):

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

ANALYSIS

Principle of Development

The application site is allocated as a Defined Urban Area under the Proposals Map of the Unitary Development Plan (UDP). Policy G/D/1 of the UDP aims to locate new development in the urban area in order to support urban regeneration and to protect the countryside. Paragraph 11 of the NPPF sets out the 'presumption in favour of sustainable development' and states that development plans should be approved without delay. Having specific regard to residential developments, paragraph 60 of the NPPF requires Local Planning Authorities to "support the Government's objective of significantly boosting the supply of homes". Paragraph 70 of the NPPF also states that 'small and medium sized sites can make an important contribution to meeting the housing requirement of an area'.

Policy C1 of the Core Strategy outlines that the Council will promote the reuse and regeneration of vacant and underused previously developed sites and focus only on sustainable greenfield sites which provide the best access to a range of services, jobs and facilities and have limited impact on green infrastructure and amenity.

The latest published information suggests that the Council can demonstrate over 5 years' worth of deliverable housing sites, as required by national policy however, this does not preclude the promotion of sustainable development where this can assist in delivering additional housing to meet local needs. The recent adoption of PfE has also increased the housing requirement to 568 per annum through to 2025 and 616 averaged across the plan period.

The application site relates to a parcel of land to the rear of properties on Blair Street, Thrush Street and Belgrave Street. A Greenspace Corridor runs directly to the west and to the north, south and west of the site are predominantly two storey residential terrace properties. Representations received highlight that there is a covenant on the land which is attached to the deeds of 12 houses on Blair Street and Thrush Street and states the land should not be built upon and must remain for the enjoyment and use of the owners and occupiers. Covenants are not a material planning consideration but this matter would have needed to have been addressed by the applicant had the application been acceptable. Additionally notwithstanding the irrelevance of the covenant, public enjoyment and access to the space being lost is a material planning consideration.

The application site is within an existing residential area and is in a sustainable location within good proximity to local amenities and public transport facilities. As such, the principle of development of a greenfield site such as this in the urban area for residential purposes could be acceptable however, this factor must be balanced

against all other material considerations, as outlined below. It is noted that the proposal will result in the loss of a small area of green space within the urban area. The site is not allocated as recreational open space but it does lie directly to the east of a Greenspace Corridor within the UDP Proposals Map. Saved Policy G/8 (C) of the UDP states *'any new development permitted within or adjacent to the corridors will be of a design, and use materials appropriate to, the character and setting of the corridor. Boundary treatments and landscaping should help to retain or re-establish a 'countryside' character in the corridors and contribute to nature conservation interest through design and use of appropriate species'*.

Taking the above into consideration, the principle of a residential use in this location would be acceptable if it was in accordance with Policy G/8 of the UDP and G6 of the Core Strategy however, the proposal fails to comply with these policies as it does not in any way fulfil the requirements set out in the policies by way of retaining or re-establishing the character of the greenspace and its wider green infrastructure, or contribute to nature conservation due to the level of hardstanding and built form which cover the majority of the site. Therefore the principle of development is considered unacceptable as the proposal is contrary to Policy G/8 of the UDP and G6 of the Core strategy.

Character, appearance and 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 135 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.

Policy JP-H3 of PfE requires development 'to incorporate a range of dwelling types and sizes' and a key aim of the Plan is to boost the supply of well designed, adaptable new homes with appropriate access to private space.'

Paragraph 139 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 proposed dwelling has been designed to overcome previous concerns raised under application 18/00494/FUL and pre-application PREAPP/00142/21 as noted above. These schemes proposed 2 x 2 storey semi-detached dwellings. The officer response to the pre-application enquiry identifies that the nature of the site is constrained and there were issues with lack of outdoor amenity space, bin collection, access and parking. The officer response also highlights *'the highly constrained nature of the site does not lend itself to being developed for residential dwellings, and is likely why the site remains undeveloped despite the immediately adjacent areas being developed in excess of a century'*.

The proposal as submitted is for a two bedroom single storey bungalow with a hipped roof. Just under half of the site would be taken up by a front paved driveway and the proposed dwelling occupies the majority of the remainder of the site. Although the proposed development has been amended to overcome previous concerns with 2 x 2 storey semi-detached properties, the overall floor area taken up by the proposed bungalow is very similar. Although the site is not in a prominent position and will not therefore be visible from the road, the proposed dwelling is considered cramped on the plot due to the location to boundaries and would have an awkward visual relationship with the existing dwellings which are two storey terraces which is considered to have a detrimental impact on the character and appearance of the site and its surroundings.

The proposed dwelling is simple in design comprising brick and tiles. The submitted Design & Access Statement states 'the bungalow has been designed to complement the existing architectural character of the neighbourhood'. Officers do not agree with this statement as the proposed design is not considered to complement the existing architectural character of the surrounding two storey terrace properties.

The application site lies within close proximity of the Spotland Bridge Conservation Area, which runs along Thrush Street. Spotland Bridge Conservation Area is characterised by its distinct industrial heritage, centred on the grade II listed Spotland Bridge Mill and the terraced housing built for workers in the area's many mills. The proposed dwelling, by way of its bungalow design, would not be readily visible in or impact on key views of the Conservation Area. However, the Council's Conservation Officer has identified a historic stone slab wall along the boundaries of the site. The submitted plans do not show the location of the stone slabs however, they should be retained as part of any works. Had the application been acceptable in all other regards an amended plan showing the location of the historic wall and its location would have been required and its retention would have been secured by way of condition. Given the above factors, it is considered that the proposal would have a neutral impact on the significance of the Conservation Area and the character and appearance preserved.

Notwithstanding the design or the neutral impact on the significance of the Conservation Area, the proposed development is considered to relate poorly to its plot and would have an awkward visual relationship with the existing dwellings which are two storey in nature. The proposal includes a large area of hardstanding and an inadequate level of outdoor amenity space for any meaningful landscaping adjacent to the Greenspace Corridor. The proposed development is therefore unsympathetic and insensitive to its surroundings and is an overdevelopment of the site. The proposal is therefore considered contrary to Policies P3 and DM1 of the Core Strategy, Policy JP-H3 of PfE, Policy G/8(c) of the UDP and the NPPF.

Residential amenity

Paragraph 131 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 occupants.

4.1 of the SPD requires:

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

4.3 of the SPD also states that *'exceptions to these minimum space standards may be acceptable in some circumstances and applications will be considered on their individual merits'*.

The proposed dwelling is surrounded on three sides by two storey terrace properties with a number of single storey rear extensions other than 18 Belgrave Street which has a two storey rear gable (which has no rear windows). Due to the bungalow design, the minimum distances within the SPD do not directly apply. There is an approximate distance from elevation to elevation on Blair Street and Thrush Street of 20m and 15.8m between Belgrave Street which taking the single storey nature of the bungalow into consideration is acceptable. However, there is only an approximate distance of 3.45m between the side elevation of the proposed dwelling and the rear boundary of properties on Thrush Street, a minimum of 3.2m to a maximum of 5.3m with the rear boundaries of properties on Blair Street and approximately 10m to the rear boundaries of properties on Belgrave Street. Although there are no first floor windows to the proposed dwelling which reduces the impact on neighbouring properties in regards to loss of privacy and overlooking, the close proximity between boundaries reinforces the cramped nature of the plot.

The bungalow only provides ground floor windows and doors and would not therefore directly face upper floor windows at neighbouring properties. If the application had been acceptable in all other regards, a condition restricting any rear dormer windows and rooflights would have been imposed to ensure there was not overlooking or loss of privacy to neighbouring properties.

Appropriate boundary fencing would be proposed and had the application been acceptable this would have been required by way of condition. Boundary treatment would need to include the retention or repair of the historic wall. Ideally boundary fencing should be 1.8m in height to ensure the living environment of residents of the neighbouring properties would not be harmed as a result of the proposed development but this may not be achievable depending on the location of the historic wall. Had the application been acceptable in all other regards additional information on the historic wall would have been required.

Overshadowing and Overbearing Impact

The outlook for existing residents would change significantly however, the bungalow design would not result in significant overshadowing and loss of light. The proposal would however result in a significantly degraded outlook for existing residents which, whilst not overbearing, would constitute poor design that is devoid of its context.

Noise and Disturbance

It is considered unlikely that a residential use would result in a significantly increased level of noise and disturbance considering the existing residential uses close by. A

residential use, and the activities reasonably expected from such a use, would be compatible with the surrounding residential use. There will be some noise and disturbance during construction however, this matter would be short term only. Conditions restricting the hours of work along with the submission of a construction management plan to cover areas such as noise, vibration, mud and dust suppression would have been considered necessary to ensure there was no unreasonable noise and disturbance given the close proximity to existing residential properties had the application been acceptable.

An access to the side of 18 Belgrave Street would provide the access for the proposed dwelling which is currently used by the residents of this neighbouring property. Although land ownership is unknown for this access, 18 Belgrave Street own an area of land directly to the east of this access. This arrangement is unusual as the side access only leads to the parcel of land at the rear. The use of this access would increase noise and disturbance to the residents of this neighbouring property and would result in an intensification of use of this access by pedestrians and vehicles however, vehicle movements associated with one dwelling is not considered to be significant enough to warrant a reason for refusal although officers do acknowledge that it would significantly alter the way the residents of 18 Belgrave Street use this land at the side of their house and how they access their own land.

In light of the above, it is considered that the proposal would not have an adverse impact on the amenity of residents of the neighbouring properties and the proposal accords with the relevant requirements of Policy DM1 of the adopted Core Strategy and the Council's SPD.

Living conditions for future residents

The Nationally Described Space Standards (NDSS) is a technical standards document produced by the Government to ensure internal space within new dwellings is suitable for application across all tenures. Whilst not a standard formally adopted by the council it has been used more recently to seek to improve the size and quality of new homes in the borough it has become part of the Council's adopted framework PpE. Table 1 of this document sets out the minimum gross internal floor area requirements for new dwellings, across varying number of bedrooms, occupants and floors. A 2 bedroom / 4 person dwelling would be required to have a minimum internal floor area of 70sqm. The proposed dwellings measure 70sqm which meets the minimum requirements of the NDSS for a four person dwelling.

The internal configuration provides suitable living and kitchen to bedroom ratio and all habitable rooms benefit from windows to ensure an adequate level of light and outlook would be achieved to these rooms.

As highlighted previously, the proposed dwelling does not provide sufficient private outdoor amenity space due to the proximity of the proposed dwelling to boundaries and the large area of hardstanding. By reason of the sites location adjacent to the Greenspace Corridor, the proposed development would be expected to incorporate a high level of boundary treatment and landscaping. However, there is little meaningful outdoor space to accommodate the level of landscaping required, not only in regards to its location next to the Greenspace Corridor, but for future residents of the property.

Had the application been acceptable, a condition would have been recommended to restrict permitted development rights to ensure no extensions or outbuildings are subsequently erected to further reduce the amenity space.

In light of the above and subject to relevant conditions, the proposed development is not considered to unduly impact upon the amenity of the occupants of adjoining

properties which accords with Policies P3 and DM1 of the Core Strategy, the Councils SPD and the NPPF. However, the proposal provides insufficient outdoor amenity space which is not considered acceptable to the living conditions for future occupants of the proposed dwelling which is contrary to Policies P3 and DM1 of the Core Strategy, the Councils SPD and the NPPF.

Highways

Policy T2 of the adopted Core Strategy is regarding improved accessibility and parking. Policy JP-C8 of PfE states 'we will require new development to be located and designed to enable and encourage walking, cycling and public transport use, to reduce the negative effects of car dependency, and help deliver high quality, attractive, liveable and sustainable environments'.

Access to the proposed dwelling would be to the side of 18 Belgrave Street and an area of hardstanding is proposed to the front of the proposed dwelling where two car parking spaces are to be provided.

Concerns have been raised in regards to the increase in traffic, road safety and HGV's accessing the site. The Council's Highways Officer has reviewed the application and advised that they would expect very little traffic as a result of this proposal and there are no road safety concerns as a result of the development. Refuse collection would need to take place from Belgrave Street and this matter could have been secured by way of condition. The addition of bins for one dwelling is not considered to add to the clutter on the street where there are other residential properties requiring bin collections. Had the application been acceptable, a construction method statement would have been required to ensure construction vehicles do not unduly impact on neighbouring properties or road safety.

Subject to conditions the application is acceptable in this regard and in accordance with Policy T2 of the Core Strategy, Policy JP-C8 of PfE and the NPPF.

Flood Risk and Drainage

Policy G8 of the Core Strategy sets out the Council's strategy for managing water resources and flood risk more effectively in the interests of public safety, protecting property and infrastructure and the conservation of the natural environment. Policy JP-S4 of PfE states 'an integrated catchment-based approach will be taken to protect the quantity and quality of water bodies with reference to the North West River Basin Management Plan and managing flood risk, by: 2) Working with natural processes and adopting a natural flood management approach to slow the speed of water drainage and intercept water pollutants'.

The Council's Drainage & Flooding Officer has also reviewed the submitted information and has advised that the Drainage Strategy Plan does not confirm what the Proposed Sustainable Drainage Strategy will actually be. Because the footprint of the plan is such that it will not be possible to install a soakaway (for roof drainage) such that standard guidance of locating the soakaway at a distance of 5m from any building, the roof drainage will need to connect to public sewer.

As such, this matter could have been dealt with by way of a sustainable surface water drainage scheme and a foul water drainage scheme condition, which would then be in accordance with Policy G8 of the Core Strategy, Policy JP-S4 of PfE and the National Planning Policy Framework.

Landscaping, trees, ecology and the loss of green space

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. This is

reinforced in Policy JP-G7 of PfE which states 'where development would result in the loss of existing trees, requiring replacement on the basis of two new trees for each tree lost, or other measures that would also result in a net enhancement in the character and quality of the treescape and biodiversity value in the local area, with a preference for on-site provision'. 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.

An Arboricultural Survey has been submitted with the application. At the time of the officer site visit, the site was overgrown and comments received suggest the site has been left to deter break-ins. Concerns have been raised in regards to the loss of this green space although the space appears underutilised for recreation despite the apparent rights of access, however it is acknowledged that this now enhances the biodiversity value of the site.

The Council's Ecologist has reviewed the submitted reports and advised that the development will cause habitat losses and tree losses and no proposals for mitigation or compensation for the tree and habitat losses have been provided. The tree survey was also constrained by lack of access to the site and is therefore incomplete.

The site itself is constrained and the outdoor amenity space is limited in size and scope to provide significant green infrastructure. No landscaping has been shown on the submitted plans and officers consider the sites location adjacent to a Greenspace Corridor is particularly important where a high level of landscaping and tree planting would be required. Due to the limited outdoor space, any significant planting would reduce the amenity space further and would have the potential to cause undue ham to the living environment of future residents.

Biodiversity

Policy G7 states that development proposals which would affect a species protected by law or its habitat will not be permitted unless it can be demonstrated that there is no adverse impact on the species concerned, and damage to habitats is minimal and alternative habitat provision is effective in maintaining those species. Policy G7 continues 'no development should result in a net loss of biodiversity or geodiversity interest in the borough and overall development in the borough should result in a net gain'. Chapter 15 of the NPPF establishes that local authorities should aim to protect and enhance biodiversity. Policy JP-G8 of PfE states that 'through local planning and associated activities a net enhancement of biodiversity resources will be sought'.

A Preliminary Ecological Appraisal has been submitted with the application which states that further surveys in the way of a full Preliminary Ecological Appraisal, a Construction Ecological Management Plan, Preliminary Roost Assessment and a low impact lighting strategy would be required to obtain accurate information regarding habitats and species as the Consultant was not able to access the site and the site was assessed using a drone and from adjacent roads.

The Council's Ecologist has reviewed the submitted appraisal and has advised that the available ecological information is insufficient to determine the application. The Ecology report provided to inform the application was constrained by access restrictions and does not constitute a comprehensive ecological assessment. In particular, the report advises that surveys for the protected species badgers, great crested newts and bats should be undertaken, but these surveys are lacking. The presence of protected species on an application site would be material to the determination of the application, and therefore protected species surveys should not be conditioned.

In light of the above, the proposal has failed to (i) provide a comprehensive ecological assessment and a complete Tree Survey and (ii) demonstrate that adequate mitigation or compensation for the habitat and tree losses can be secured. The proposals would result in unquantified losses in biodiversity value and would also fail to take into offer improved access to the site for public benefit. The application therefore does not accord with Policies G6 and G7 of the Core Strategy, Policies JP-G6, JP-G7 and JP-G8 of PfE and the NPPF.

Contamination

A Phase 1: Preliminary Risk Assessment has been submitted as part of this application. The Council's Environmental Protection Officer has reviewed this report and advised that the report and recommendations are acceptable. Subject to a condition requiring the submission of an investigation and risk assessment the requirements of Policy G9 of the Core Strategy G9 and the NPPF will have been met.

A concern has been raised in regards to land stability and pollution to the steep hillside to the east if the land was disturbed. The condition recommended by the Council's Environmental Protection Officer in in regards to contamination and Building Regulations would be required to ensure the development is built safely.

RECOMMENDATION

REFUSE for the following reasons:-

1. The proposal fails to comply with Core Strategy Policy G6 and saved Policy G/8 of the UDP as it would fail to enhance the recreational, ecological or landscape and amenity value of the Greenspace Corridor. The development would not have regard to the local landscape character or contribute to its conservation or enhancement due to the level of hardstanding and built form which cover the majority of the site without adequate consideration of the impacts or necessary mitigation.
2. The proposed development is considered overdevelopment and would appear cramped on the plot and would have an awkward visual relationship with the existing two storey dwellings. By reason of its overall footprint and the level of hardstanding, the proposed development also provides an inadequate level of outdoor amenity space for future residents with insufficient space for any meaningful landscaping that is required due to the close proximity to the Greenspace Corridor. The proposed development is therefore unsympathetic and insensitive to its surroundings which is contrary to Policies P3 and DM1 of the Core Strategy, Policy JP-H3 of PfE, Policy G/8(c) of the UDP, the Council's Guidelines and Standards for Residential Development SPD and the NPPF.
3. The proposal has failed to (i) provide a comprehensive ecological assessment and a complete Tree Survey and (ii) demonstrate that adequate mitigation or compensation for the habitat and tree losses can be secured which is contrary to Policies G6 and G7 of the Core Strategy, Policies JP-G6, JP-G7 and JP-G8 of PfE and the NPPF.

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.

Notes for Applicant:

The assessment of this application is based on the following drawings:

Drawing No: A103 Rev P1 – Proposed Elevations

Drawing No: A104 Rev P1 – Proposed Plans and Views

Drawing No: A105 Rev P1 – Existing and Proposed Street Scene Elevations

Drawing No: A106 Rev P1 – Outline Drainage Strategy
Design and Access Statement

Arboricultural Survey by Arbtech, Dated: 25 July 2023

Preliminary Ecological Appraisal by Arbtech, Final Issue 2, Dated: 2-8-23

Phase 1: Preliminary Risk Assessment by L K Consult, Job Number: LKC 23 1432,
Date: 25th July 2023

Received 25th September 2023

Drawing No: A101 Rev P1 – Location and Existing Site Plan

Received 10th October 2023

Drawing No: A102 Rev P1 – Proposed Site Plan

Received 30th October 2023