

Agenda Item 6

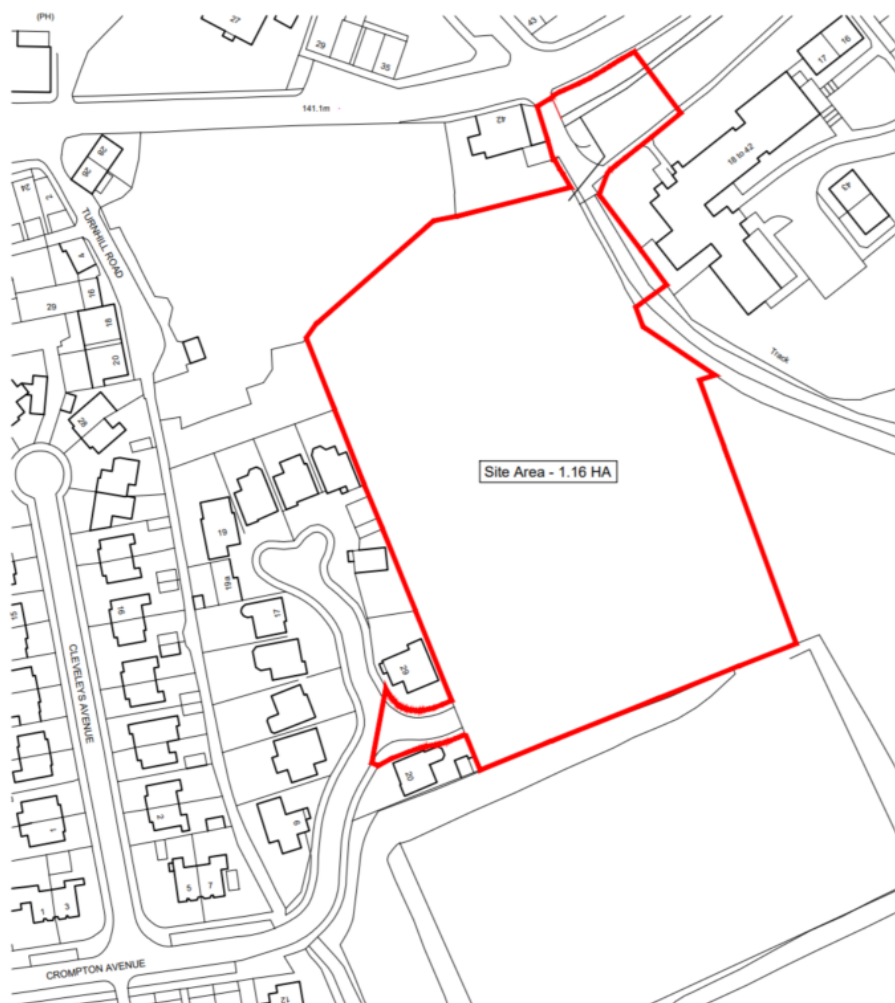
Report to Planning and Licensing Committee



Date of Meeting	25 July 2024
Portfolio	Councillor Daniel Meredith Cabinet Member for Regeneration and Housing
Report Author	Ryan Killeen
Public/Private Document	Public

Application: 23/00425/FUL	Township: Rochdale South	Ward: Balderstone and Kirkholt
Applicant: Lancet Homes		Agent: Josh Webb - WSP
Site Address: Land Off Crompton Avenue, Rochdale, OL16 4PX		
Proposal: Residential development comprising 18 dwellings (Use Class C3) with associated access, landscaping and infrastructure		

SITE LOCATION



DELEGATION

- 1.1 The application is referred to the Planning and Licensing Committee as the application is for Major development, more than 10 letters of objection have been received.

PROPOSAL SUMMARY

- 2.1 The application seeks outline planning permission for 18 dwellings with access from Crompton Avenue, SUDS pond and alteration to rights of ways.

RECOMMENDATION

- 3.1 It is recommended that the committee resolves it is **minded to GRANT** planning permission and the Head of Planning be delegated to release the decision notice subject to a Section 106 agreement which includes the heads of terms as set out within this report and to the conditions listed in this report.

REASON FOR RECOMMENDATION

- 4.1 The proposed development of eighteen dwellings would be acceptable in principle in respect of being suitable for residential development. The development would provide high quality, large family homes which contribute positively to local character and deliver on the policy aspirations to deliver high value housing which is afforded significant weight. The loss of a small area of land designated as protected recreational open space is outweighed by the protection of the most valuable features whilst also enhancing landscape and ecological features within this part of the site, with access for the wider public.
- 4.2 The development is also acceptable in terms of its impact to neighbour amenity, highways and ecological impacts. Requirements are met or can be met by way of condition and legal agreement with regards to affordable housing, drainage, contaminated land, open space and sports provision, biodiversity enhancement, tree and ecological protection. The diversion of the PROW has been weighed in the planning balance and is considered an appropriate design response which has sought to make enhancements where possible while accounting for the constraints on site.
- 4.3 Overall the proposals would represent a sustainable development which has been carefully considered and well designed. The application is considered in the planning balance to accord with local and national policy and is therefore recommended for approval.

SITE

The application relates to a 1.16ha broadly rectangular parcel of land in the Balderstone area of the borough, circa 1.6km south of Rochdale town centre. The site does not appear to have ever been developed and is predominantly grassed with mature trees set to the periphery, the most significant cluster of which is set to the northeast, occupying much of the space between the site and Broad Lane. Dwellings on Crompton Avenue bound the site to the west, with boundary fences clearly delineating private ownership boundaries. Land to the south is in use as a playing field and is set slightly above the level of the site. A number of designated heritage assets exist around the site, with flagstone walls to the north and east, and nos.31-35, 61-73 and 75-77 Broad Lane all listed at grade II. Nos.29 and 42 Broad Lane are also included within the Council's list of non-designated heritage assets due to their age and architectural significance. A section within the north of the site is designated as recreational open space under saved UDP Policy G/3.

PROPOSAL

Planning permission is sought for the development of 18 4 and 5 bedroom dwellings each accompanied with dedicated off-street parking for two vehicles and either integral or detached garages, and private amenity space.

Access for the development is taken from Crompton Avenue. To the north of the site, dwellings fan out to front onto an area of open space comprising a SUDS pond and wildflower meadow along with other structured landscaping.

The proposals also include the diversion of a public right of way (PROW) which presently crosses the site and connects to the turning head at Crompton Avenue. The diverted route would follow the newly created access road towards the north before being directed along a resin bound gravel path running north east past the landscaped open space before connecting back to the local network.

AMENDMENTS

Initial concerns were raised over the design and appearance of the proposals. The proposed site layout and housetypes design have each been amended to create a more engaging street scene and ensure dwellings are more reflective of local character.

DEVELOPMENT PLAN

National Planning Policy and Guidance

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

Adopted Rochdale Core Strategy (RCS):

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

SP1 Rochdale Borough's Role in the City Region
SP2 The Spatial Strategy for the Borough
SP3/M The Strategy for Middleton

DM1 General development requirements
DM2 Delivering planning contributions and infrastructure

SO2 Creating successful and healthy communities

C1 Delivering the right amount of housing in the right places
C2 Focusing on regeneration areas and economic growth corridors/areas
C3 Delivering the right type of housing
C4 Providing affordable homes
C6 Improving health and wellbeing
C7 Delivering education facilities
C8 Improving community, sport, leisure and cultural facilities

SO3 Improving design, image and quality of place

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

SO4 Promoting a greener environment

G1 Tackling and adapting to climate change
G2 Energy and new development
G6 Enhancing green infrastructure
G7 Increasing the value of biodiversity and geodiversity
G8 Managing water resources and flood risk
G9 Reducing the impact of pollution, contamination and land instability

SO5 Improving accessibility and delivering sustainable transport

T2 Improving accessibility

Unitary Development Plan (UDP):

G/D/1 Defined Urban Area

G/3 Protection of Existing Recreational Open Space

EM/7 Development and Flood Risk

EM/8 Protection of Surface and Ground Water

Places for Everyone Joint Development Plan (PfE)

5. Sustainable and Resilient Places

JP-S1	Sustainable Development
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-S5	Clean Air

7. Places for Homes

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

8. Greener Places

JP-G6	Urban Green Space
JP-G7	Trees and Woodland
JP-G9	A Net Enhancement of Biodiversity and Geodiversity

9. Places for People

JP-P1	Sustainable Places
JP-P2	Heritage
JP-P7	Sport and Recreation

10. Connected Places

JP-C4	Streets for All
JP-C5	Walking and Cycling
JP-C7	Transport Requirements of New Development

Supplementary Planning Documents (SPD):

Affordable Housing (March 2008)

Biodiversity and Development (January 2008/February 2017)
Guidelines and Standards for Residential Development (June 2016)
Provision of Recreational Open Space in New Housing (March 2008/January 2017)
Residential Design Guide (September 2007)

RELEVANT HISTORY

N/A

CONSULTATION RESPONSES

Conservation Officer

Summary: Subject to minor amendments to revise timber fencing along northern boundary, it is likely that a neutral impact on the significance of the identified heritage assets can be achieved.

Urban Design Officer

Summary: Recommend conditions in respect of boundary treatments, feature brickwork, materiality and glazing specification including reveals.

Greater Manchester Police

No response received

Drainage Officer

Summary: Minor queries on connection point to a nearby stream, recommend condition for detailed drainage design.

United Utilities

Summary: Recommend standard condition for detailed drainage design. Advice provided.

Environment Agency

No response received.

Greater Manchester Ecology Unit

Summary: No overall objections to the above planning application on either Ecology or Arboriculture grounds. Habitat losses will not involve notable habitats, and tree losses will not be substantive.

To achieve a 10% net gain in Biodiversity a contribution for off-site habitat creation and/or enhancement will need to be sought. The Net Gain calculation states that 3.58 Biodiversity Units would be needed to achieve a 10% gain.

Environmental Health (Noise)

Summary: No objections in principle to the proposal, we would recommend a construction management plan is conditioned

Environmental Health (Air Quality)

Summary: No objection subject to dust management plan and implementation of EV Charging points

Officer Note: dust management measures to be included within a construction management plan, EV charging points are a requirement under the Building Regulations.

Land Contamination Officer

Summary: Recommend standard condition for the submission of a remediation scheme.

Local Highways Authority

Summary: The scope of the TS has been agreed with Highways. The layout meets adoptable standard and swept path analysis demonstrates that it can accommodate the turning movements of an 11.2m refuse vehicle.

The TS forecasts an additional 10 vehicle trips in the morning peak hours and 11 vehicle trips in the evening peak. There are also no inherent road safety issues and the low number of vehicle trips generated by the development should have little impact on the current situation.

The application includes a Construction Method Statement which we find to be acceptable.

Transport for Greater Manchester

Summary: The quantum of development does not trigger TfGM's requirement for a highway impact review.

Greater Manchester Fire and Rescue Service

Summary: The length of the single access cul de sac and the distance from the furthest house to the nearest fire hydrant would exceed GMFRS standard access requirements. The service would strongly recommend installing domestic sprinklers to mitigate these exceedances.

Public Rights of Way Officer

Summary: Object to the proposals on the basis that the proposal does not provide a genuine diversion due to the general public would having to use the adopted highway. Diversion along the adopted highway should be considered as a last resort and alternatives should be considered. Also raise concerns in respect to the open nature of the existing PROW and the loss of access to nature.

Environmental Management

Summary: Contributions towards Open Space should be put towards Balderstone Park.

Strategic Housing

Summary: Given the current high demand for affordable housing, Strategic Housing would welcome of the inclusion of affordably rented properties within this development or via a commuted sum.

TOWNSHIP PLANNING PANEL

Rochdale (South) Planning Panel – Monday 17th July 2023

The Panel is concerned about the loss of a Public Right of Way

MEMBER REPRESENTATIONS

None.

PUBLIC REPRESENTATIONS

Letters of notification were sent to surrounding properties and a notice was posted in the vicinity of the site in addition to an advert being issued in the local press. A total of 18 responses were received with 17 objections from 14 individual respondents and 1 supporting the development. The letter of support welcomes the delivery of the dwellings in this location and the quality of homes proposed. The letters of objection relate to the following matters:

Objection	Officer's Response
Impact to highways/more traffic/pedestrian safety	Assessed in the 'Highways' section of the report
Loss of privacy	Assessed in the 'Amenity' section of the report
Proposed development is not in keeping with street scene	Assessed in the 'Design' section of the report
Increase in noise (including construction phase)	Assessed in the 'Amenity' section of the report
Additional impact on schools and other services	Assessed in the 'Contributions' section of the report. Note, the LPA do not have control over the provision of health services such as GP practices and dentists.
Loss of Green Space & Rights of Ways	Assessed in the 'Principle of Development' and 'Design' section of the report.
Harm to trees, biodiversity	Assessed in the 'Trees, Ecology and Biodiversity' section of the report
Current state of nearby culvert and surface water drainage	Due to the size of the development, such matters do not form a material planning consideration.
The development seems to be driven by enhanced profit margins	This matter does not form a material planning consideration to which the Local Authority shall have no regard.
There are suspicions that anthrax was stored on site	Land contamination has been considered and the submitted report does not indicate the existence of anthrax.
Existing utilities may need upgrading	This matter does not form a material planning consideration to which the Local Authority shall have no regard.

ANALYSIS

Principle of Development

1. CS Policy C1 seeks to maximise the potential of previously developed sites within the urban area to achieve a target of 80% of new housing on previously developed land (PDL). The site is currently grassed with trees adjacent to the boundary and as such, can be taken to comprise previously undeveloped, or greenfield land.
2. The site has however been identified as having potential for delivery of housing and is included within the Council's Strategic Housing Land Availability Assessment (2024) wherein it is noted as having the potential to deliver approximately 26 dwellings within 6-10 years. CS Policy C1 notes that the development of greenfield sites within the urban area will be considered where it is demonstrated that the development would have limited adverse impact on green infrastructure or amenity value in and around the site, and green infrastructure is wherever possible, incorporated into the scheme.
3. PfE Policy JPH-1 sets out the requirement for Rochdale to deliver 10,472 dwellings over the plan period to 2039, at an average of 616 dwellings per year, increasing periodically, with the delivery target at 568 dwellings over 2022-25. This supersedes the targets previously established within CS Policy C1.
4. Policy JP-H3 seeks to deliver a more diverse range of housing in northern areas of the city region and achieve a better spread of higher value housing in such areas which are often dominated by low-cost housing. Policy JP-H3 also requires developments to provide an appropriate mix of dwelling types and sizes to reflect local plan policies, to which CS Policy C3 seeks to improve the supply of larger and higher value housing in the borough.
5. Notwithstanding an assessment of the design merits of the proposals, each dwelling would include 4 or 5 bedrooms, with generous amounts of internal areas which comfortably exceed the relevant Nationally Described Space Standard, and include larger gardens and garages relative to what is present within much of the vicinity, and as such can be taken to comprise larger, higher value housing and would therefore deliver towards this market requirement and policy aspiration.

Recreational Open Space & Public Rights of Way

6. Whilst the significant majority of the site lies within urban greenfield land, a small section within the north of the site is designated as Recreational

Open Space under saved UDP Policy G/3 which is to be read alongside CS Policies C8 (improving community, sport leisure and cultural facilities) and G6 (Enhancing green infrastructure) and PfE Policy JP-G6.

7. In respect of existing open space, Policy G6 seeks to protect, improve and create green infrastructure to meet local needs (*inter alia*) by focusing on improvements to the quality of accessible greenspace close to where people live and work (prioritising those areas with the greatest deficiency or need e.g. poor health or lack of private gardens), securing tree planting and other urban greening in new areas of public open space in town centres and housing growth areas, protecting allotments and supporting local food growing, enhancing flood risk management and protecting and improving urban wildlife value and natural areas. Policy C8 seeks to support and promote the provision of better community, sport, leisure and cultural facilities to encourage active and healthy communities, noting the significance to local residents of accessible, high quality open spaces.
8. Paragraph 8(b) of the NPPF sets out the significance of accessible open spaces which reflect current and future needs and support communities' health, social and cultural well-being as a key component in the social objective of sustainable development, with paragraph 102 establishing very clearly, the importance of providing access to a network of high quality open spaces and opportunities for sport and physical activity.
9. Saved UDP Policy G/3 (Protection of Existing Recreational Open Space) sets out a similar criteria for development proposals on open space:
 - a) The development is for a non-commercial community use within a park or other outdoor recreation area, is ancillary to the recreational use of the area, would not lead to a deficiency in recreational open space in relation to present or future needs, and does not harm the recreational, townscape or nature conservation value of the remaining open space;
 - b) Alternative provision is made of at least the equivalent quantity and quality of recreational open space, in a satisfactory location and taking account of local environmental and traffic considerations;
 - c) The development funds improvements to existing outdoor sports facilities within the site or on another site, commensurate with the open space being lost; and
 - d) The development comprises a built recreational facility of greater benefit to the wider community than the open space being lost and does not result in a serious deficiency in open space in the area
10. Whilst the majority of the application site lies outside of the area designated under UDP Policy G/3, there is a small encroachment to the

north. The area encroached upon represents less than half of the designated area, and of this encroachment, approximately half is built development comprising 2 of the proposed dwellings and their associated hard standing. The remainder of the encroaching development would be the feature landscaping and SUDs and the diverted route of the PROW.

11. Given the retention of the north western woodland planting as the most valuable soft landscape features, and the provision of species rich and visually attractive and accessible open space for the significant portion of the undeveloped land within the designated area, the application proposals are considered to have sufficiently mitigated the impact of the small section of the G/3 land which would see construction of the 2 dwellings. The most valuable areas of the designation are retained, whilst new recreational and visual benefits are provided by the public open space created. The development proposals have also sought to create additional recreational value by routing the diverted PROW through this attractive landscaped area as is discussed further below.
12. The proposed development would require the diversion of the PROW that runs east west across the site. NPPF paragraph 104 sets out how planning decisions should protect and enhance public rights of way and take opportunities to provide better facilities for users. The councils PROW officer has raised concerns over the diversion of the route due to its placement for part of the diverted route within the adopted highway footpath as well as the general impacts of the surrounding area no longer retaining its current openness.
13. The applicant has provided detailed responses to the PROW officer comments and set out the design evolution and options considered before developing the current iteration of the proposals. Due to its current alignment, to retain the PROW with no diversion would result in a significant portion of the site being sterilised from any form of built development and would still require a highway access to cross the route. Alternative diversions were considered such as along the south of the application site or through the application site but more directly east west and closer to its current route. These alternatives resulted in the route becoming significantly less attractive due to topographical and site boundary treatment issues and with reduced accessibility and natural surveillance.
14. As such the applicant has sought to incorporate the route into the overall scheme design. This involves the route following the adopted highway for a distance of approximately 85m before extending for approx. 60m over the tegular paving and resin bound gravel to the north of the site along the

periphery of the new feature landscaping proposals. Whilst the protection of the PROW is afforded weight in the planning balance, officers do consider that the proposals have made a genuine effort to incorporate and add visual interest to the route whilst maintaining access for a wide range of residents' mobility requirements and providing a well maintained and surveilled route that will be attractive to residents and recreational users. Without significantly restricting the overall deliverability of the site, the alternatives would have delivered poorer standards of access. Whilst the routing of the PROW on the adopted highway footpath for a section is not ideal, officers do consider it important to note that the western end of the diverted PROW section already connects directly onto the adopted highway footpath so it is not considered that in the wider context this short additional stretch along the highway would be so significantly detrimental or change users perceptions of the local network as a whole.

15. Overall, the design approach and compensatory measures to address the encroachment of the designated recreational open space and the required PROW diversion are considered to be comparable to facilities currently provided onsite. Therefore, the proposals are considered to accord with the aims and requirements of CS Policy G3 and C8, PfE Policy JP-G6 and the NPPF.

Accommodation Standards, Impact on Residential Amenity and Noise

16. Read individually or collectively, the Core Strategy, Places for Everyone and the NPPF seek to ensure that planning decisions should result in places with a high standard of amenity for existing and future users.
17. As aforementioned, each dwelling across the development is generously sized against the relevant NDSS requirement, with functional internal layouts and individual room sizes. Rear garden spaces appear more spacious than comparable garden areas within the vicinity and across the borough generally and would retain sufficient space for future extension, as well as space for play and recreation.
18. In the absence of first floor windows to habitable rooms facing towards the development in existing dwellings which line the eastern side of Crompton Avenue, both existing and future occupants would be served with adequate levels of privacy. The arrangement and spacing of dwellings would accord with the separation distance standards contained within section 4.1 of the SPD and both existing and future occupants would be served with adequate levels of light and outlook.

19. The proposals would generate additional activity during the operational phase of development, however activities would be largely reflective of residential activities which occur on a daily basis on Crompton Avenue. Noise and disturbance arising through the construction phase of development is to be controlled to an acceptable level through an appropriately worded condition.

Energy and Sustainability

20. The application proposals are supported by an Energy and Sustainability statement which ensures that the development proposals follow the energy hierarchy throughout its design and construction. Measures incorporated within the scheme include a fabric first approach for improved insulation and ventilation standards, low energy fittings within the homes, and PV panels and Air Source Heat Pumps to all dwellings. These measures demonstrate a commitment to improving energy efficiency and sustainability in accordance with NPPF, Core Strategy policies G1 and G2, and the council's Climate Change Adaption SPD.

Character, Appearance and Heritage

21. The revisions to the NPPF in July 2021 make it very clear that significant weight should be given to development which reflects local design policies and government guidance on design. In support of this, the Government have produced a suite of guidance documents including Building for a Healthy Life (BHL), the National Model Design Code (NMDC) and the National Design Guide (NDG) which form a material consideration in the assessment of the design of development proposals, and aid Local Authorities and developers alike in understanding if development proposals are well-designed.
22. The development comprises a mix of 4 and 5 bedroom dwellings which are exclusively set at two-storeys. The development would be read in context with both the post-war housing off Crompton Avenue and from Broad Lane which retains a more historic character dating from mid C19.
23. The layout provides a typically traditional suburban grain reflective of development to the west, albeit at a lower density, which fans open to the north to capture views from Broad Lane, where the largest, most articulated dwellings are positioned towards Broad Lane above the retained and enhanced POS to create a visually interesting view which contributes towards local character. For the most part, the verdant character of Broad Lane would be retained and views towards the development limited, particularly when trees are in leaf.

24. More generally, house types are reasonably varied across the development to promote visual interest within the street scene and are considered to be of an acceptable standard of design taken individually or collectively. Buff brick is to be used to the external elevations of the development, however it is considered that an appropriate specification can be chosen via condition which would integrate well with the positive characteristics of nearby stone built properties.
25. Whilst frontage parking is the predominant form parking across the development, the placement of driveways and the design of thresholds are suitable in mitigating the visual impact of parked vehicles; each dwelling's parking arrangements are kept separate from one another, and landscaping and front boundary treatments are plentiful as to provide further visual relief.
26. Regard has been had to chapter 16 of the NPPF in respect of the impact of the development on designated and non-designated heritage assets, where the design of the proposals has been progressed to the extent that the Councils Conservation Officer considered that the proposals would have a neutral impact on the significance of all assets affected subject to appropriate details to be received by condition.
27. Subject to full details of materials and other architectural details, and hard and soft landscaping, it is considered that the proposals would satisfy the overarching aims and objectives set out in local and national design guidance in addition to Policies P1, P2, P3 and DM1 of the adopted Core Strategy, Policies JP-P1 and JP-P2 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Highways

28. The site is in a relatively sustainable location with amenities scattered around the vicinity within walking distance to serve the immediate needs of residents, however public transport access is generally limited to bus services to Rochdale Town Centre (with multiple services across multiple modes to the wider city region) and it would be assumed that occupiers would have to rely on use of a private vehicle to carry out many day-to-day journeys.
29. The site would be served by a single vehicular access from Crompton Avenue which would be constructed to adoptable standards. The Highways authority are satisfied that the highway layout is capable of accommodating the servicing and refuse needs of residents. Five

properties would be served off a private access drive which would not be constructed to adoptable standards, however high quality surfacing finishes will be used throughout and given the limited number of properties which it serves, no concerns have been raised in this regard.

30. The application is supported by a Transport Statement (TS) which has also been reviewed by the LHA, it is not considered that a development of this size would unduly affect highway capacity in the local area, resulting in an additional vehicle movement along Crompton Avenue every 6 minutes during peak hours. A review of accident data indicates that there have been two minor accidents at the junction of Crompton Avenue and Oldham Road and it would therefore appear that there are no inherent road safety concerns associated with the proposals. Given that parking provision across the development accords with the Council's maximum standard, the LHA are content that this would not give rise to any unacceptable highways safety impacts.
31. The Greater Manchester Fire and Rescue service have noted that the nearest hydrant is at the junction of Oldham Road and Crompton Avenue, which would be c.260m from the furthest plots, and in the event of a fire at the furthest plots, and in the event that Crompton Avenue would not be accessible due to a blockage, would need to resort to alternative locations on Broad Lane. The Fire Service have subsequently recommended the installation of compensatory measures within the development to mitigate this risk however this would not be able to be controlled via the planning process and would be a matter to be addressed through relevant fire and building regulations. Notwithstanding, the developer has confirmed their intention to install a fire hydrant within the development.
32. Accordingly, the proposal is considered to meet with the relevant requirements of CS Policies T2 and DM1 and the National Planning Policy Framework.

Ecology and Trees

33. Paragraph 180 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity, providing net gains where possible, and contributing to the Government's commitment to halt decline. Policy G6 of the adopted Core Strategy expects development proposals affecting green infrastructure to avoid the loss of existing features such as trees unless suitable alternative provision is made or they have limited value. Core Strategy policy G7 requires that no development should result in a net loss of biodiversity and geodiversity.

34. The site is predominantly grassed with sparse tree coverage to the northeast, with a dense woodland to the northwest. The site is the northern most park of a network of undeveloped spaces which span 250m to the east and 350m to the south which include grazing land, playing pitches and amenity space. The nearest statutory designated site is the Rochdale Canal c.1km to the east, with several non-statutory designated sites within 1km.
35. The application is accompanied by a Preliminary Ecological Appraisal, based on the results of both an initial desk study and Habitat Survey including bat roost assessment of trees and a bat activity survey. The habitats recorded during the survey included broad-leaved woodland, bramble scrub and grassland.

Protected & Notable Species

36. 29 records of bats were identified within 1km of the site, with the closest being a single record of a common pipistrelle within the site boundary. All trees on and adjacent to the site were inspected with one tree identified as possessing low potential for roosting, with all others deemed negligible. Notwithstanding, the report deems it likely that the woodland and/or houses which surround the woodland, support roosting bats.
37. The report considers that there are limited direct impacts to bats, however indirect impacts, predominantly from artificial lighting, do pose a risk and mitigation has been recommended accordingly.
38. In respect of other protected and notable species, the report deems the site to be of limited suitability, however does note that there may be a risk to any such species crossing the site during the construction phase of development. Recommendations relate to measures to be included within a construction management plan and physical measures to be implemented within the development such as hedgehog highways.

Trees

39. Within the submitted Arboricultural Impact Assessment, 27 individual trees and 3 groups were surveyed. Trees are set to the periphery of the site and for the most part, are retained within the development with 1 individual and 1 group noted to be removed to facilitate the development. Replacement planting within the submitted Landscape Masterplan

indicates that 18 trees will be replanted as part of the development which would be a significantly higher number than required by Policy G6.

Biodiversity Net Gain

40. For the avoidance of doubt, the application is exempt from statutory BNG requirements as it was submitted before the legislation came into force. Notwithstanding, the provisions of the NPPF and local policy which require an enhancement to the natural environment still apply.
41. The application is supported by a Biodiversity Net Gain matrix which concludes that the development would result in a 2.73 unit deficit versus the baseline of 8.76 units, which would equate to a 31% reduction in habitat units. This is predominantly through the 3.72 unit loss of grassland which was assessed as poor condition and is of low strategic significance. The proposals include onsite retention and creation of 6.03 units through the landscaping proposals, including a net gain in hedgerow units. The submitted Ecological Impact Assessment recommends an additional 3.72 habitat units is created offsite through a financial contribution.
42. Officers consider that the site has responded to the constraints present to present a positively designed scheme which incorporates positive landscaping and ecology features. The additional need for offsite contributions is due to the nature of the relatively small site currently hosting grassland. The loss of this grassland is considered to be suitably mitigated by the onsite proposals in combination with further offsite contributions.
43. The developer has agreed to provide contributions to fund off-site habitat improvements via a Section 106 agreement in order to comply with the requirements of the NPPF. Any contributions arising from this will fund the implementation and maintenance of a scheme within the vicinity of the site.
44. Subject to the signing of a S106 agreement and conditions requiring full details and implementation of the above biodiversity features, the proposed development would accord with the requirements of Policies G6 and G7 of the adopted Core Strategy, JP-G8 of PfE, and the National Planning Policy Framework.

Drainage and Flood Risk

45. The site falls wholly within Flood Zone 1 and is therefore at a low risk of flooding (less than 1 in 1000 or 0.1% annual probability of river or sea flooding in any year). Nonetheless, given the scheme represents 'major' development, the application is accompanied by a Flood Risk Assessment (FRA).
46. The application is accompanied by a Flood Risk Assessment and Drainage Strategy, which outlines that all methods of surface water discharge from the site have been assessed – as soakaways or other methods of infiltration are not possible, the report recommends that cellular storage and an attenuation pond at the north of the site would be the preferred option for the site. Accordingly, it is recommended that a condition be attached requiring the submission and agreement of a detailed surface water drainage strategy, in accordance with the outline principles contained within the FRA, prior to commencement of development. Subject to the imposition of such a condition it is considered that the proposal meets the requirements of CS Policy G8 and the Framework.

Ground Conditions and Land Contamination

47. The supporting Phase 1 Preliminary Risk Assessment notes that the site has remained undeveloped since the earliest available maps. The report notes that some made ground and waste was observed close to the gate from Crompton Avenue. Nearby historic industrial uses are noted to present a low risk of contamination to the shallow soils underlying the site and the report recommends that further intrusive ground investigations take place in order to fully assess the risks and form an appropriate remediation strategy. The report has been reviewed by the Council's Public Protection Officer who is content with the findings of the report and has recommended a condition accordingly.
48. In light of the above, and subject to the imposition of an appropriate condition as recommended, it is considered that all contamination risks can be suitably addressed and there is no conflict with the requirements of CS Policy G9 or the Framework.

Developer Contributions

49. CS Policy DM2 sets out that the Council will require developers to provide, or contribute towards the cost of providing, any physical and social infrastructure that is needed because of proposed development. In the case of residential development, the Core Strategy specifically requires contributions towards affordable housing (Policy C4), open space

provision and maintenance (Policy G6) and education facilities (Policy C7). The development proposes the construction of 18 dwellings, and therefore contributions towards education are not triggered, however there is an expectation that the requirements of C4 and G6 policies are met.

Open Space and Formal Sports

50. CS Policy G6 requires that residential development should provide or contribute financially towards recreational open space in accordance with the standards set out in the Provision of Recreational Open Space in New Housing SPD. The SPD sets out that all developments of 100 bedrooms or more, but less than 900 bedrooms, it will generally be expected that the required amount of Local Open Space, including children's play facilities, will be provided on site, with a contribution made to off-site Outdoor Sports Provision.
51. The total number of bedrooms within the development is 76 and a financial contribution towards the provision and maintenance of existing POS would therefore be expected.
52. Having regard to the Council's table of charges, a contribution of £36,132.24 is required with a 5% administration charge bringing the total to £37,938.85 which would fund improvements of nearby Balderstone Park. A formal sports contribution of £39,745.54 (£41,732.82 inclusive of admin fee) is to be directed towards the most proximate formal sports facility – the Rochdaliens, who lease the adjacent pitches to the south.

Affordable Housing

53. The Council's affordable housing requirements are set out in the Affordable Housing SPD and are applicable to developments of over 15 dwellings. Where on-site provision is proposed, a total of 15% of total site capacity should be provided at an affordable level for a total discount equal to 7.5% GDV. Given the number of homes included in the development, along with the aspirations of the Council to increase the delivery of larger, higher-value housing within the borough, it is considered that the omission of any affordable provision on-site would be outweighed by the contribution towards the Council's objective of delivering larger, higher-value homes in the borough, in combination with a commensurate financial contribution towards the provision of affordable housing made in accordance with the Affordable Housing SPD.

54. The developer has provided details of the total GDV of the development at £7 million, which would equate to a contribution of £525,000.

Planning Balance and Conclusions

55. The proposed development of eighteen dwellings would be acceptable in principle in respect of being suitable for residential development. The development would provide high quality, large family homes which contribute positively to local character and deliver on the policy aspirations to deliver high value housing which is afforded significant weight. The loss of a small area of land designated as protected recreational open space is outweighed by the protection of the most valuable features whilst also enhancing landscape and ecological features within this part of the site, with access for the wider public.
56. The development is also acceptable in terms of its impact to neighbour amenity, highways and ecological impacts. Requirements are met or can be met by way of condition and legal agreement with regards to affordable housing drainage, contaminated land, open space and sports provision, biodiversity enhancement, tree and ecological protection. The diversion of the PROW has been weighed in the planning balance and is considered an appropriate design response which has sought to make enhancements where possible while accounting for the constraints on site.
57. Overall the proposals would represent a sustainable development which has been carefully considered and well designed. The application is considered in the planning balance to accord with local and national policy and is therefore recommended for approval.

RECOMMENDATION

It is recommended that the Planning and Licensing Committee resolves to **GRANT planning permission** subject to a Section 106 legal agreement to include:

- a) £36,132.24 (+5% admin fee) towards public open space provision at Balderstone Park;
- b) £39,745.54 (+5% admin fee) towards formal sports provision;
- c) £525,000 towards affordable housing provision in the Borough;
- d) A contribution towards off site biodiversity net gain to achieve 3.72 habitat units within the local area at a cost of between £12,000 and £15,000 per unit; and,

- e) The formation of a management company to maintain on-site Public Open-Space.

And upon execution of the above S106 legal agreement, to grant planning permission subject to the following conditions:

1 Time Limit

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

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

2 Plans

This permission relates to the following plans:-

- Proposed Site Layout (ref: 20109_01 Rev J)
- Illustrative Site Layout (ref: 20109_02 Rev H)
- Boundary Treatment Layout (ref: 20109_03 Rev D)
- Boundary Treatment Details (Sheet 1 of 2) (ref: 20109_04 Rev B)
- Boundary Treatment Details (Sheet 2 of 2) (ref: 20109_05 Rev A)
- 1.8m High Iron Railing Detail
- Illustrative Street Scenes (ref: 20109_06 Rev B)
- Waste Management Plan (ref: 20109_07 Rev C)
- Landscaping Masterplan (ref: P23-0141_EN_001 Rev F)
- Type H22_Plot 01 (ref: 20109_HT_P01 Rev A)
- Type CR2_Plot 02 (ref: 20109_HT_P02 Rev A)
- Type CR1_Plot 03 (ref: 20109_HT_P03 Rev A)
- Type CR1_Plot 04 (ref: 20109_HT_P04 Rev A)
- Type CR3_Plot 05 – Floor Plans (ref: 20109_HT_P05(1) Rev A)
- Type CR3_Plot 05 – Elevations (ref: 20109_HT_P05(2) Rev A)
- Type CR3_Plot 06 – Floor Plans (ref: 20109_HT_P06(1) Rev A)
- Type CR3_Plot 06 – Elevations (ref: 20109_HT_P06(2) Rev A)
- Type CR1_Plot 07 (ref: 20109_HT_P07 Rev A)
- Type H22_Plot 08 (ref: 20109_HT_P08 Rev A)
- Type H22_Plot 09 (ref: 20109_HT_P09 Rev A)
- Type L22_Plot 10 (ref: 20109_HT_P10 Rev A)
- Type L22_Plot 11 (ref: 20109_HT_P11 Rev A)
- Type CR3_Plot 12 – Floor Plans (ref: 20109_HT_P12(1) Rev A)
- Type CR3_Plot 12 – Elevations (ref: 20109_HT_P12(2) Rev A)
- Type CR3_Plot 13 – Floor Plans (ref: 20109_HT_P13(1) Rev A)
- Type CR3_Plot 13 – Elevations (ref: 20109_HT_P13(2) Rev A)
- Type L22_Plot 14 (ref: 20109_HT_P14 Rev A)
- Type CR2_Plot 15 (ref: 20109_HT_P15 Rev A)
- Type CR2_Plot 16 (ref: 20109_HT_P16 Rev A)
- Type L22_Plot 17 (ref: 20109_HT_P17 Rev A)
- Type H22_Plot 18 (ref: 20109_HT_P18 Rev A)
- Single Detached Garage (ref: 20109_HT_SG)
- Twin Detached Garage (ref: 20109_HT_TG)

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

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

3 Nesting Season

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

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

4 Tree Protection

No development shall take place until the trees that are to be retained within the site has been enclosed with temporary protective fencing and temporary ground protection has been fully installed in full accordance with BS:5837:2012 'Trees in relation to design, demolition and construction' and with the approved Tree Protection Plan ref. BTC2665-TIP rev.A by Bowland Tree Consultancy Limited.

The necessary protection measures shall be retained throughout the construction phase of the development and no work, excavation, tipping, or stacking/storage of materials shall take place beyond such protective fencing during the construction period.

Reason for pre-commencement condition: The trees must be protected before any works are carried out.

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area and in accordance with Policies P3, G1, G6 and

G7 of the adopted Rochdale Core Strategy Policies JP-P1, JP-G6 and JP-G7 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

5 CEMP

No development shall take place (including any site clearance or preparation works) until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by the Local Planning Authority. For the avoidance of doubt, this shall include the following:

- a. the parking of vehicles of site operatives and visitors;
- b. loading and unloading of plant and materials;
- c. storage of plant and materials used in constructing the development;
- d. the erection and maintenance of security hoarding;
- e. measures to protect surrounding sensitive receptors from fugitive dust and debris both during and after the construction phase; and,
- f. reasonable avoidance measures for the protection of amphibians and mammals.

The approved method statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved method statement without the prior written permission of the Local Planning Authority.

Reason: To minimise the detrimental effects to the natural environment through risks of pollution during the construction phase in accordance with Policies DM1, G7 and G9 of the Core Strategy, Policies JP-P1 and JP-G9 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Reason for Pre-Commencement: Site clearance poses a threat to the surrounding natural environment and to surrounding occupiers and a scheme therefore needs to be agreed in advance of any works taking place.

6 Contamination

The development shall be carried out in full accordance with the Site Investigation and Ground Assessment Report prepared by BEK dated April 2023 (ref: BEK-22081-2 Rev C) and a verification report submitted

to and approved in writing by the Local Planning Authority before any of the buildings hereby approved are first occupied.

Reason: To ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy G9 of the adopted Rochdale Core Strategy, Policy JP-S1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Reason for pre-commencement condition: Further investigation will be necessary prior to commencement of any building or engineering works on site.

7 Drainage

Notwithstanding the information already submitted and approved, No development (other than works of site preparation) shall take place until further details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority.

The drainage scheme shall include:

- (i) A plan of the drainage system, including invert levels of manhole chambers to confirm gravitational connections.
- (ii) Construction details for the attenuation tanks, the flow control chambers and the headwall for the outfall to the Ordinary Watercourse, which can be prefab or of masonry construction.
- (iii) The Causeway® model of the drainage design, if requested by the LLFA Officer.
- (iv) Details of agreements with landowners regarding drainage pipework easements, if such apply.
- (v) Construction details for permeable paving including sub-base details e.g. cross-section, if this paving forms part of the sustainable drainage system.
- (vi) Provision of a short Maintenance Document explaining how the surface water scheme will be maintained and managed after completion.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Prior to occupation/ use of the proposed development, the drainage scheme shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. To prevent an increased

risk of flooding as a result of the development and to ensure satisfactory disposal of surface water from the site in accordance with Policy G8 of the adopted Rochdale Core Strategy, saved Policy EM/7 of the adopted Rochdale Unitary Development Plan, Policy JP-S4 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

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

8 Levels

No development (other than works of site preparation) shall take place until finished floor levels for the proposed buildings and finished ground levels across the site relative to agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of amenity and in compliance with Policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework

Reason for pre-commencement condition: An understanding of proposed levels in relation to existing levels is required prior to commencement of any relevant engineering operations on site.

9 Materials (including brick detailing)

No above ground works shall take place until such time as a detailed specification of materials to be used externally in the construction of the development have first been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials and shall include large scale drawings of brickwork detailing where it is proposed at a scale not less than 1:20. The development shall be carried out in accordance with the duly approved details thereafter.

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

10 PV Panels

No Solar Photo-Voltaic Panels shall be installed in the dwellings hereby approved unless full details and specifications including large scale drawings at a scale of not less than 1:50 have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details thereafter.

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

11 Windows, Doors & Rooflights

Notwithstanding any description in the application, no above ground works shall take place until full product specifications for the windows, external doors, roof lights, and detailed designs of the window and door reveals, at a scale of not less than 1:50, to be used on the development hereby approved, have been submitted to and approved in writing by the Local Planning Authority. The windows and doors shall be installed in accordance with the approved details thereafter.

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

12 Pipework, Meter Boxes and Flues

Notwithstanding any description in the application or approved plans, no above ground works shall take place until full details of the design and placement of any pipework, meter boxes or flues (as necessary) to be fixed to the dwellings hereby approved have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be duly implemented and retained as such thereafter.

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

13 Landscaping

a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works which are substantially in accordance with the approved Landscape Masterplan by Pegasus Group ref. P23-0141_EN_001 Rev F dated 2nd March 2023 have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

(b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.

(c) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with Core Strategy Policies G6 and G7, Policies JP-G6 and JP-G7 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

14 Biodiversity Enhancement

No above ground works shall take place until a scheme of biodiversity enhancements for the site including, but not limited to, the provision of bird boxes, bird bricks, bat boxes and bat bricks to be integrated to the fabric of the buildings hereby approved, bug hotels, hibernaculum, wildflower seeding and hedgehog habitat (including provision of 'Hedgehog Highways') has been submitted to and approved in writing by the Local Planning Authority. The duly approved scheme shall be implemented in full prior to first occupation of the dwellings and retained thereafter.

Reason: In the interests of enhancing biodiversity and habitat provision within the site in accordance with Policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

15 Boundary Treatments

Notwithstanding any details submitted as part of the application, no part of the development shall be occupied until details of the type, siting, design and materials to be used in the construction of boundaries, screens or retaining walls have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the duly approved details prior to the first occupation of the development to which the submission relates and the structures shall thereafter be retained.

Reason: In the interests of amenity and in compliance with policies P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

16 No External Lighting

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

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

17 Energy and Sustainability Statement

The development hereby approved shall be carried out in accordance with the details contained within the Energy and Sustainability Statement by Stroma, ref. 082112 ES1 dated 21st April 2023.

Reason: In the interest of encouraging a transition to a low carbon transport network and in accordance with Policy G1, G2 and G3 of the adopted Rochdale Core Strategy, Policy JP-S1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

18 PD Rights (Class B & D)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended),

or any equivalent Order following the revocation and re-enactment thereof, the dwellings hereby approved shall not be altered or extended, and no buildings or structure shall be erected within their curtilage under Schedule 2, Part 1, Classes B and D of the above Order except with the prior written approval of the Local Planning Authority.

Reason: To prevent undue harm to the amenity of existing and future occupiers and in the interest of visual amenity and in accordance with Policies P3 and DM1 adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.