

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/01309/FUL	Claire Ringwood	17 th December 2024

Address: Site of the former The Heywood Public House, 1 Tower Street, Heywood, OL10 3AA

Proposal: Erection of 11 dwellings with associated access arrangements and landscaping

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

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

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

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

RECOMMENDATION	GRANT subject to conditions
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CHECKED AND SIGNED OFF BY: RG

DATE: 23 December 2024

SITE

The application site comprises an area of land previously occupied by The Heywood Public House. The building suffered fire damage in March 2022 and the site remained vacant and was the target of vandalism and anti-social behaviour and a further fire in 2023. The building has now been demolished.

The main vehicular access is from Tower Street and there is a further access from Brunswick Street. The surrounding area is predominantly residential although there is a large commercial building opposite the site on St James Street and the recently demolished Marina Ropes buildings on Brunswick Street and Wesley Street. The Grade II listed St James Church lies to the south west.

The site falls within a Defined Urban Area (G/D/1) and a Physical Regeneration Area (G/R/1) as defined in Rochdale Borough Council's saved Unitary Development Plan (UDP) Proposals Map and a Critical Drainage Area, a Coal Mining Development High Risk Area and an SSSI Impact Risk Zone.

PROPOSAL

Background

Initially Block 2 fronted Tower Street with both blocks at 2.5 storey in height. The Council's Urban Design Officer raised concerns in respect of the design and materiality and the fragmented corner between both blocks and the Council's Conservation Officer had reservations over the height of Block 2 which would be in closer proximity to the listed Church making the dwellings more intrusive and dominant within the setting of this listed building. The agent has worked closely with Council officers and various amendments have been made to the scheme which have, in the majority, overcome the previous concerns raised.

Amended Scheme

The amended scheme still proposes 11 dwellings. 6 to Block 1 and 5 to Block 2. Block 2 now faces the Church and there is a communal parking area in the centre of the site. Block 1 remains facing Brunswick Street. One visitor car parking space has been removed to allow for additional planting to the Tower Street elevation and additional windows have to be incorporated into the side elevations of the end terraces.

Block 1

This block fronts Brunswick Street and comprises 6 terraced dwellings that are 2.5 storey in height. They have two storey projecting bays at the front and rear with front and rear pitched roof dormer windows. The ground floor comprises, hall, lounge, kitchen/dining, the first floor comprises bedroom 1 with en-suite, bathroom and office/bedroom 4 whilst the second floor provides two more bedrooms both with en-suites. The dwellings have a floor area of approximately 136sqm.

Block 2

This block fronts the Church and comprises 5 terraced dwellings that are 2 storey in height with single storey bay windows to the front and rear. The ground floor comprises hall, lounge, kitchen/dining, the first floor comprises 2 bedrooms with bathrooms and/or en-suites whilst the roof space provides a third bedroom and en-suite to the middle three dwellings only (due to the hipped roof design). The dwellings have a floor area of between 90.3sqm and 110.2sqm.

Solar panels are proposed to the roof of both blocks although there are no solar panels to the front roof slope of Block 2 which faces the Church. Rooflights are proposed to Block 2.

All the dwellings have rear amenity space with small front yards.

Parking is provided in the shared courtyard which is at the centre of the site where landscaping and tree planting is also proposed.

Boundary treatment to the front of the dwellings will consist of low level 450mm high brick wall with 1050mm high piers at 3500mm intervals with 600mm metal railings in between piers to block frontages. To the north elevation, to the rear gardens of the end terraces and the south elevation to the gardens of the end terraces and the shared courtyard, a 1500mm high brick wall with 600mm high close boarded timber fence is proposed.

The plans indicate that the proposed materials for the development would consist of brick, stone, UpVC windows and external doors, slate to Block 2 and concrete tiles to Block 1, details of which will be secured by condition.

PLANS AND DOCUMENTS SUBMITTED

Drawing No: 1001 – Location Plan

Drawing No: 1002 – Existing Site Plan

Drawing No: 1004 – Proposed Site Plan

Drawing No: 1005 – Proposed Floor Plans – Block 1 – Plots 1-6

Drawing No: 1006 – Proposed Elevations, Section and 3D Views – Block 1 – Plots 1-6

Drawing No: 1007 – Proposed Floor Plans – Blocks – 2 Plots 7-11

Drawing No: 1008 – Proposed Elevations, Section and 3D Views – Block 2 – Plots 7-11

External 3D View 1

External 3D View 2

External 3D View 3

Received 1st December 2023

Heritage, Planning, Design & Access Statement by Caroline Tamworth Planning, December 2023

Energy Statement by Caroline Tamworth Planning, December 2023

Received 4th December 2023

Drawing No: 1004 Rev A – Proposed Site Plan

Heritage Assessment by Garry Miller, February 2024

Crime Impact Assessment by Greater Manchester Police, Ref: 2022/0191/CIS/03, Version A: 07/02/24

Coal Mining Report by The Coal Authority, Ref: 51003399652001, Date: 17 January 2024

Coal Mining Risk Assessment by Demeter Environmental Ltd, 24-01-05 Revision 0, January 2024

Preliminary Ecological Appraisal Report by Elton Ecology, Report Ref: P2549_01, Version: V0, Issued to Client: 12 February 2024

Biodiversity Net Gain Report by Elton Ecology, Report Ref: P2549/1, Version: V0, Issued to Client: 12 February 2024

Statutory Biodiversity Metric Calculation Tool

Phase I Desk Study Report by Demeter Environmental Ltd, 24-01-04 Rev 0, January 2024

Received 13th March 2024

Design and Access Statement
Received 20th March 2024

Drainage Strategy by Cora IHT, Project No: 16-2229, Issue: 1, Date: 29th March 2024
Received 15th April 2024

Noise Impact Assessment by dBx Acoustics Ltd, 24052-R01-SF, Date: 16/07/2024
Received 17th July 2024

The following amended plans were submitted on 12th December 2024:
Drawing No: 1004 Rev C – Proposed Site Plan
Drawing No: 1005 Rev D – Proposed Floor Plans – Block 1 – Plots 1-6
Drawing No: 1006 Rev D – Proposed Elevations, Section and 3D Views – Block 1 – Plots 1-6
Drawing No: 1007 Rev C – Proposed Floor Plans – Block – 2 Plots 7-11
Drawing No: 1008 Rev B – Proposed Elevations, Section and 3D Views – Block 2 – Plots 7-11

RELEVANT SITE HISTORY

90/D24995 - Single Storey Side Extension to Public House. Approved 24/05/1990.

91/D27341 - Garage Extension To Existing Public House. Approved 21/10/1991.

92/D27972 - Change Of Use From Playground To Car Park And Beer Garden. Approved 18/06/1992.

92/D27693 - Use Of Land For Childrens Play Area. Approved 13/02/1992.

98/D35991 - Erection Of Pre-Cast Concrete Garage (land to the rear of The Seven Stars Public House). Approved 24/12/1998.

98/D35651 - Erection Of Two New Entrance Vestibules, Replacement Roof To Existing Flat Roof Area, And Alterations To External Elevations. Approved 20/09/1998.

Marina Ropes Ltd, Cartridge Ropery, Brunswick Street

21/01796/FUL – Residential development of up to 72 dwellings including landscaping, boundary treatments, public open space and infrastructure following demolition of existing buildings and associated structures. Approved 08/12/2023.

RELEVANT PLANNING POLICY

National Guidance

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

Planning (Listed Buildings and Conservation Areas) Act 1990

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-H3: Type, Size and Design of New Housing
JP-H4: Density of New Housing
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

Adopted Rochdale Core Strategy (CS):

SO2 Creating successful and healthy communities

C1 Delivering the right amount of housing in the right places
C3 Delivering the right type of housing
C4 Delivering affordable homes
C6 Improving health and well being

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
G3 Renewable and low carbon energy developments
G7 Increasing the value of biodiversity and geodiversity
G8 Managing water resources and flood risk
G9 Reducing the impact of pollution

SO5 Improving accessibility and delivering sustainable transport

T2 Improving accessibility

DM1 General development requirements

Unitary Development Plan (UDP):

G/D/1 Defined Urban Area
G/R/1 Physical Regeneration
EM/7 Development and Flood Risk
EM/8 Protection of Surface and Ground Water

Supplementary Planning Documents (SPD):

Guidelines and Standards for Residential Development (June 2016)
Provision of Recreational Open Space in New Housing

SUMMARY OF CONSULTATION RESPONSES

Highways

Summary: No objection.

Environmental Health (Noise)

Summary: No objection.

Environmental Health (Land)

Summary: The submitted desk study is acceptable, an investigation and risk assessment is required by condition.

Conservation Officer

Summary: Raised concerns with regards to the impact on the Church, the proposed materials and the height of Block 2 which was suggested should be two storey only.

United Utilities

Summary: No objection subject to conditions.

Transport for Greater Manchester (TfGM)

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

The Mining Remediation Authority (previously known as The Coal Authority)

Summary: The Coal Authority has no objection to the proposed development subject to the imposition of conditions set out below.

Urban Design Officer

Summary: Initially there were concerns with the design and materiality of the proposal and concerns regarding the layout where the fragmented corner between both blocks has not been resolved. Following a number of amendments, on the whole the elevations are fine but concerns about the side elevations have not been resolved with both blocks rather empty, additional detailing to the gables would be required. Materials are generally ok, brick type should be high quality and we would also need to ensure the solar panels do not clash with the slate/tiles. Boundary treatments could still be improved.

Drainage Officer

Summary: The Proposed Site plan shows that permeable paving will be used for the driveways. Full details of subbase have yet to be provided. This can be provided at the discharge of condition stage.

Greater Manchester Ecology Unit (GMEU)

Summary: No objection subject to conditions.

Greater Manchester Police – Design for Security

No comments at the time of writing.

Strategic Housing

Summary: Strategic Housing is strongly supportive of the provision of new affordable homes across the Borough and within Heywood but cannot support a development

scheme that does not provide an on-site provision of affordable housing, given the high current and increasing demand for affordable properties .

REPRESENTATIONS

The application has been publicised with a press notice, a site notice and neighbour notification letters. 1 letter of support and 1 letter of objection have been received and the comments are summarised below:

Support:

1. Wholly support the residential development of this site;
2. Pleased to see a relatively unique, high quality design put forward which will improve the area considerably;
3. I hope the decision makers will ensure due consideration is given for: landscaping, materials, nearby heritage buildings;
4. I do have reservations about the use of decorative render.

Objection:

1. There used to be a play area between the pub and Coomassie Street and a pathway going from Coomassie Street to Tower Street, will these be kept? *[Officer Note: The previous play area is outside of the application site however, the pathway to the south of the site will remain]*
2. There doesn't seem to be a complete description of the properties to be built;
3. Will there be sufficient off-road parking as there is no room for on-street parking;
4. Has access to schools, doctors and dentists been taken into account for the new residents? *[Officer Note: The scale of the proposal would not be expected to give rise to significant detrimental impact on such services and the area as a whole is within a regeneration area where there are larger developments]*

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 61 of the NPPF requires Local Planning Authorities to "support the Government's objective of significantly boosting the supply of homes".

Policy C1 of the Core Strategy outlines that the Council will promote the reuse and regeneration of vacant and underused previously developed sites, seeking to provide 80% of new housing on previously developed land (PDL). Paragraph 73 of the NPPF states 'small and medium sized sites can make an important contribution to meeting the housing requirement of an area.

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 previous leisure use has been lost following the demolition of the pub and the area is allocated for regeneration. The site is also within a predominantly residential area and in a relatively sustainable location with good access to local services. Although the Council's Strategic Housing team would not support a development that does not provide on-site provision of affordable housing, given the high current and increasing demand for affordable properties, Policy C4 of the Core Strategy only requires affordable housing on developments of 15 dwellings or more. There is therefore no policy requirement for the provision of affordable housing to be secured as part of this planning application.

Taking the above into consideration, the principle of the development is considered acceptable and in accordance with the adopted Core Strategy, PfE, saved policies within the Unitary Development Plan and the NPPF.

Design, Visual Amenity, Character, Appearance and Heritage

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.

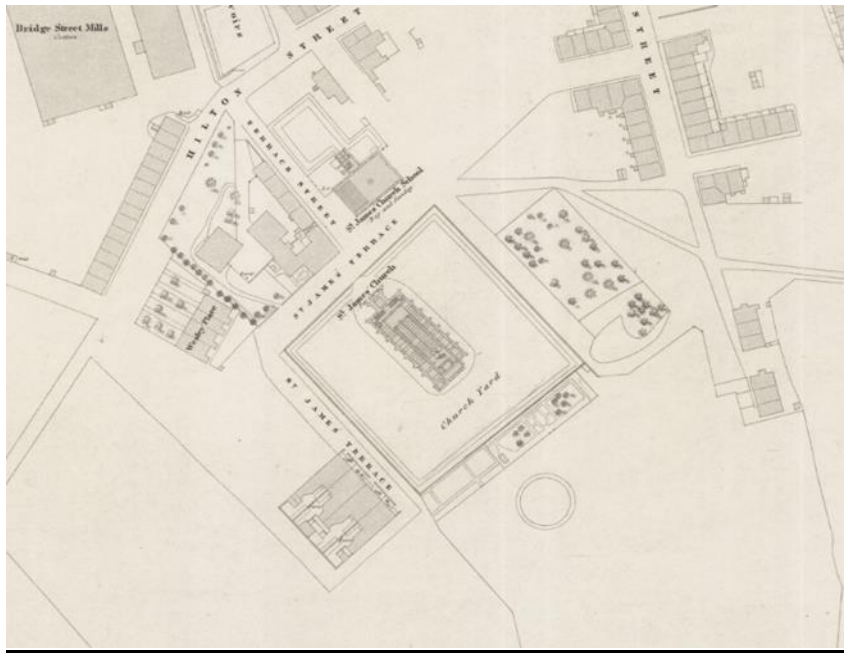
Policy JP-H3 of Places for Everyone requires development 'to incorporate a range of dwelling types and sizes' and a key aim of the Plan is to boost the supply of well designed, adaptable new homes with appropriate access to private space.'

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 application site is a vacant plot, which up until recently housed The Heywood Public House. This public house dated from the second half of the 20th century and replaced earlier 19th century terraced housing. The public house was not of any particular architectural or historic interest and there were no heritage objections to its demolition.

Immediately to the south-west of the site is the grade II listed St James Church. The Church was constructed in 1838 in a simplified late 13th century style. The Church was built by local mill owning families for their workers. This is evidenced by the presence of 19th century terraced housing nearby. The Church and surrounding housing, provide evidence of Heywood's economic and social development during the 19th century. Aspects of the building's setting remain, including elements of the 19th century terraced housing, and the Sunday School opposite which the heritage statement advises was constructed in 1837. This building lies on the other side of Tower Street and has an important visual and historic connection with the Church.

Given its age and link to the listed Church, it is considered to meet the criteria for assessment as a non-designated heritage asset.



The Church sits in a spacious and open space, and this contributes to its setting. Key views include those along Tower Street on the approaches to the Church and across the open space from Brunswick Street. As indicated by the 1891 OS town plan extract below, there have always been open spaces surrounding the Church, as well as terraces, which contribute to its setting and key views. The area to the south of the application site has always been clear of development and while there has consistently been built form on the development site, historically this was set off the Church grounds. The heritage statement advises that the Church was originally proposed to have been part of a square with residential terraces, however this did not ever come to fruition.



The building is of special architectural and historic interest, and this is reflected in its listing at grade II.

The application is supported by a heritage statement. This sets out the significance of St James' Church and concludes that the scheme would result in less than substantial harm. The proposal is for the construction of 11 terraced properties on

the site. These would be laid out in two blocks, one facing the Church directly and one along Brunswick Street. The properties facing the Church have been amended to two storey in height with Block 1 fronting Brunswick Street at 2.5 storey in height. This ensures that Block 2 does not dominate the listed building. Slate is proposed to Block 2 due to the proximity to the Church and tiles to Block 1. Details of the proposed brick and stone have not been provided however, to ensure these are of high quality, a condition will be imposed requiring the details of materials to be submitted. A condition will also be included so ensure details of boundary treatment materials are suitable. Solar panels are also proposed to the rear roof slopes of both blocks and to ensure that these are in keeping with the roof materials and the Church, a specifications of these will be required by way of the materials condition.

The development of the site offers a great opportunity to restore a redundant site and repair the urban grain with an extended active frontage along Tower Street and Brunswick Street respectively. The amended scheme has revised the designs to better reflect the local vernacular. The residential properties in the surrounding area largely date from the late 19th and early 20th centuries. Originally built as dwellings for the workers in the local mills and rope works, even the simplest of these houses have some architectural detailing, including stone cills and lintels and either stone architraves or key stones on the doors. The higher status properties such as those along St James Terrace include a greater level of architectural detailing, including arched windows and doors, projecting two storey bays and a central feature gable.

The applicant's agent has worked with officers to overcome previous conservation and urban design concerns and this has led to a scheme that, subject to good quality materials, would be a positive contribution to the local area. The Council's Urban Design Officer felt additional amendments could have been sought by way of additional features to the end gables and the boundary treatments and the Conservation Officer requested slate to the roofs of both blocks however, officers are satisfied that the amendments made will ensure the scheme enhances the quality of the area, is visually attractive and successfully contributes to the urban regenerations of the area which is in accordance with Policy 135 of the NPPF.

Taking the above into consideration, the design of the proposed development is considered acceptable in the context of the character and appearance of the site and immediate area and is not considered inappropriate development within the setting of the listed building. The proposal is therefore in accordance with the Rochdale Core Strategy Policies C3, P2, P3 and DM1, Policy JP-H3 of PfE as well as the National Planning Policy Framework.

Residential Amenity

Paragraph 135 of the National Planning Policy Framework advises that planning decisions should always seek to secure a high standard of amenity for all existing and future occupants of land and buildings. Further to the above are the considerations of the Councils Supplementary Planning Document (SPD) 'Guidelines and Standards for Residential Development' which states that new developments *"should be carefully designed to protect the amenity of the occupants of adjoining properties."*

Space Standards & Privacy

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

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 dwellings are a sufficient distance away from neighbouring residential properties and as such there are distances greater than the minimum requirements detailed above. In regards to the back to back distances between Block 1 and Block 2 the distances also exceed those in the SPD.

Due to the proximity of the proposed dwellings to the listed Church and the terraced nature of the development, officers consider removing certain permitted development rights, such as dormer windows, would be appropriate in this instance (subject to condition).

Taking the above into consideration, officers consider there would be no overlooking, loss of privacy, loss of light or overbearing effects from the proposal on existing and future residents.

Noise and Disturbance

It is considered unlikely that a residential use would result in a significantly increased level of noise and disturbance. A residential use, and the activities reasonably expected from such use, would be compatible with the surrounding residential use and the vehicle movements associated with the use is not considered to result in an undue level of disturbance.

As such, the proposal is considered to have an acceptable impact on neighbouring residential amenity.

Living conditions of future occupiers

Internal layout

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 PfE. 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.

Table 1 - Minimum gross internal floor areas and storage (m²)

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	

The submitted floor plans show the following measurements:

Block 1 – ranges between 135.1sqm and 136.1sqm

Block 2 – ranges between 90.3sqm and 110.2sqm

Although the number of occupiers has not been provided, the proposed dwellings would be suitable to accommodate families and all bedrooms meet or exceed the space requirements. The internal configuration provides suitable living, kitchen and dining areas to bedroom ratio and all habitable rooms benefit from windows to ensure a suitable level of light and outlook would be achieved to these rooms.

The Council's Environmental Health (Noise) Officer has advised that the submitted Noise Impact Assessment has shown that with the correct mitigation the proposed dwellings can be constructed to achieve the required internal and external noise levels. This matter can be dealt with by way of condition.

The proposed dwellings are provided with adequate sized gardens with additional landscaping proposed to the shared courtyard which will enhance the living environment for existing and future residents.

Conclusion

It is considered that the scheme would have any impact on the amenity of neighbouring properties due to the separation distances and would provide a more than satisfactory standard of occupier amenity and therefore meets the requirements of Core Strategy Policy DM1 and the NPPF.

Highways

Policy T2 of the adopted Core Strategy is regarding improved accessibility and parking and requires that developments provide parking in compliance with the Council's Car Parking Standards (CS Appendix C5). 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'.

Part 3.13 of the Rochdale Design SPD stipulates that car parking areas should be designed in such a way to prevent parked cars from dominating the street scene and to prevent cars from overhanging the public highway.

Part 'e' of Policy DM1 states that satisfactory vehicular access with adequate parking, manoeuvring and servicing arrangements taking into account of the propose use and location should also be required.

One car parking space per dwelling and 1 visitor parking space are proposed to the middle of the development which will be accessed from Tower Street. The Council's Highways Officer has raised no objection, there are no concerns regarding the traffic generated by the proposal, parking for the site is just 100% however, given the close proximity of the town centre this is acceptable. Access to the site is adequate and refuse collection should not be problematic at this location. There is a redundant access from Brunswick Street which will require re-instatement to adoptable standards, this matter can be dealt with via condition.

Bin storage is located in the rear gardens of each dwelling although no details have been provided showing how the refuse will be collected. This matter can be dealt with by way of a condition.

Officers consider that the proposed parking would have an acceptable impact on the highway network in line with Policy T2 of the Core Strategy, JP-C8 of PfE and the NPPF.

Drainage and Flooding

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'.

A Drainage Strategy has been submitted with the application which has been reviewed by the Council's Drainage & Flooding Officer. The Strategy includes the following texts:-

Water Quantity will be strictly controlled to Brownfield run off rates minus 50% reduction for the 1 in 100-year critical storm plus the upper end climate change allowance of 45%. Using Microdrainage hydraulic modelling software a 2 pipe network has been produced in line with industry good practice, which has identified the unrestricted flow from the predevelopment use to be 68.8 l/s for the 1 in 100 year 6 hour storm with an assumed pipe diameter based on the level of impermeable area of 225mm.

With the above in mind the proposed site will restrict surface water flows to a maximum of 34.4 l/s for the 1 in 100 year critical storm plus 45% allowance for climate change. The 50% reduction in brownfield flows has been applied in line with the critical drainage areas' policy shown in Table 4-3) of the Greater Manchester SFRA Update March 2019.

Although infiltration will not be relied upon as single method of discharge in the proposed drainage methodology, all flows will be provided the opportunity to recharge the existing ground at the specified rate once further information is available post planning.

It is proposed to apply all the surface water flows generated by the development, at an attenuated rate via a new hydrobrake chamber constructed prior to communication to the existing network.

Although the Drainage Strategy refers to restricting flows for the 1 in 100 year flow rates, the Greater Manchester SFRA was done 5 years ago. Rochdale Council and United Utilities now require 50% reduction of the Qbar rate (1 in 2.3 year return period). Based upon the Rational Method, 50% of the surface water discharge rate would be of the order 6 l/s (assuming that the site is 0.2 hectares). This would be a much lower rate than the 34 l/s quoted in the Drainage Strategy.

The Council's Drainage & Flooding Officer has advised that the Drainage Strategy plan does not appear to be complete; it is not clear what the wavy blue shading down the middle of the drawing sheet represents and it is also not clear where any flow control will be located and / or whether there will be any need to discharge any surface water that does not infiltrate to the combined sewer system. It is recognised that the applicant's drainage designer will need to do infiltration investigation and more design work therefore, through suitably worded conditions more design work can be undertaken.

With this condition in mind, officers consider the proposed development would comply with Policy G8 of the adopted Rochdale Core Strategy and Policy JP-S4 of PfE.

Land Contamination and Stability

The NPPF and Policy G9 of the Rochdale Core Strategy states that the Council will ensure that any risks arising from contaminated land or land instability are identified, and that any appropriate actions to address these risks are taken, prior to development taking place.

The Mining Remediation Authority have confirmed that the application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

The Mining Remediation Authority records indicate that the site is likely to have been subject to historic unrecorded underground shallow coal mining. Voids and broken ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases. The site also lies within a Surface Coal Resource Zone.

The applicant has obtained appropriate and up-to-date coal mining information for the proposed development site. This information has been used to inform a Coal Mining Risk Assessment (or equivalent) (January 2024, prepared by Demeter Environmental Ltd) to accompany the planning application.

The report is unable to discount the risk of surface instability caused by coal mining legacy. It therefore recommends that a ground investigation be undertaken to establish the extent of any workings, and to define the area that may require treatment. The report advances to state that, *'It is recommended that initially, a single 30m borehole is sunk to a nominal depth of 30mbgl to determine if coal seams/worked seams are present below the site. If any intact/worked seams are encountered then it would be prudent to sink a further two boreholes to a nominal depth of 30mbgl'*.

The intrusive site investigations should be designed and undertaken by competent persons and should be appropriate to assess the ground conditions on the site in order to establish the coal-mining legacy present and the risks it may pose to the development and inform any remedial works and/or mitigation measures that may be necessary.

The Mining Remediation Authority concurs with the recommendations of the Coal Mining Risk Assessment Report; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site. Therefore, the Mining Remediation Authority raised no objection subject to the imposition of conditions detailed below.

The Mining Remediation Authority have also advised that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. An informative will be added to the decision to advise the applicant of this matter. The Council's Environmental Health (Land) officer has reviewed the submitted information and advised the submitted desk study is acceptable however an investigation and risk assessment is required by condition.

Subject to conditions detailed below, the proposed development is considered to accord with Policy G9 of the Rochdale Core Strategy and the NPPF apply.

Landscaping and Ecology

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 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'.

The scheme has been amended in order for additional planting and landscaping to be incorporated into the shared courtyard and the proposed development will introduce private rear gardens. A detailed landscaping scheme will be required to ensure the proposed development integrates into the existing urban environment and to soften the overall impact of the proposed development, particularly from the shared courtyard. To ensure suitable landscaping is provided, this matter will be dealt with by way of a condition.

Badgers and small mammals

The Preliminary Ecological Appraisal (Elton Ecology - February 2024) felt that the excavations for footings and the various stone and rubble on site could provide refuge for badger and other small mammals, including hedgehog. The Council's Ecologist has advised that they believe it very unlikely that badger will be impacted upon by the development, priority species such as hedgehog are likely present in the area. Reasonable avoidance measures are therefore justified during demolition and site clearance which can be dealt with by way of a condition.

Biodiversity Enhancement

Whilst a small area of modified grass has developed over the top of a sealed surface, the Council's Ecologist would not consider that the development would be subject to statutory biodiversity net gain requirements. It would however be expected that the scheme should include measures to enhance biodiversity at the site and to provide a net gain for biodiversity, in line with the requirements of the National Planning Policy Framework.

Alongside the requirements for soft landscaping, opportunities for biodiversity enhancement shall be incorporated into the new development. These should include:

- 2 suitably positioned swift bricks per building (4 in total). There are good records of swifts in the local area;
- Hedgehog friendly fencing and boundary walls

This matter can be dealt with by way of condition.

In light of the above and subject to appropriate conditions, the proposal is in accordance with Policies G6 and G7 of the Core Strategy, Policies JP-G6, JP-G7 and JP-G8 of PfE and the NPPF.

Developer Contributions and Obligations

The proposed development would fall below the local thresholds in terms of dwelling numbers or floor space created to require any contributions towards affordable housing, open space, or education provision. The development would be in accordance with the development plan and NPPF.

RECOMMENDATION

GRANT 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. APPROVED PLANS

This permission relates to the following plans and documents:

Drawing No: 1001 – Location Plan
Received 1st December 2023

Drawing No: 1004 Rev C – Proposed Site Plan
Drawing No: 1005 Rev D – Proposed Floor Plans – Block 1 – Plots 1-6
Drawing No: 1006 Rev D – Proposed Elevations, Section and 3D Views – Block 1 – Plots 1-6
Drawing No: 1007 Rev C – Proposed Floor Plans – Block – 2 Plots 7-11
Drawing No: 1008 Rev B – Proposed Elevations, Section and 3D Views – Block 2 – Plots 7-11
Received 12th December 2024

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

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

3. SURFACE WATER DRAINAGE AND FOUL WATER DRAINAGE SCHEME

No development shall take place until, details of a sustainable surface water drainage scheme and a foul water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. United Utilities may request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable before a surface water connection to the public sewer is acceptable. The drainage scheme shall include:

- (i) A restricted rate of surface water discharge to public combined sewer, but only if the Planning Authority agrees that infiltration is discounted by the Applicant's ground infiltration investigations; in this case, the rate should be a reduction in the existing brownfield runoff rate of 50% of Q_{bar} , the average annual peak flow, 1 in 2.3 year storm return period.
- (ii) Construction details for permeable paving including kerbing and cross-section of open graded sub-base, if this type of paving forms part of the sustainable drainage system.
- (iii) Construction details for any attenuation sub-bases or other structures, and any flow control chambers which are proposed.
- (iv) Levels of the proposed drainage systems including proposed ground and finished floor levels in mAOD. Foul and surface water shall drain on separate systems at least to the point of discharge from the site, in accordance with Building Control Part H Drainage requirements.
- (v) The background calculations of the MicroDrainage® model or any other software or calculations that have been used for the drainage design.
- (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 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.

4. SCHEME OF INTRUSIVE SITE INVESTIGATIONS

No development shall commence until details of:

- a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
- b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: To ensure the safety and stability of the development hereby approved in accordance with Core Strategy Policies G8 and G9 and paragraphs 196 and 197 of the National Planning Policy Framework.

Reason for pre-commencement condition: The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site.

5. SITE INVESTIGATION ASSESSMENT

No development shall take place until an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced and shall have been first submitted to and approved in writing by the Local Planning Authority before development commences. The report of the findings must include:

- i) a survey of the extent, scale and nature of contamination
- ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s)

The development shall thereafter be carried out in accordance with the approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the building(s) hereby approved are first occupied.

Reason: To prevent pollution of the environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policies G8 and G9 of the Core Strategy 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.

6. LANDSCAPING SCHEME

No development shall commence on site until a comprehensive scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- a. Proposed finished ground and floor levels or contours, means of enclosure (including mammal gaps where appropriate), car parking layouts, other vehicle and pedestrian access and circulation areas;
- b. Hard surfacing materials and minor artefacts and other ancillary structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, external services, etc);
- c. Soft landscaping details shall include planting plan, specification (including cultivation and other operations associated with plant and grass establishment), tree pit specifications, schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate, and implementation timetable;
- d. A maintenance programme detailing all operations to be carried out in order to allow successful establishment of planting;
- e. routes and details of proposed and existing functional services above and below ground including foul and surface water drainage, soakaways and SUDs details, power, communications cables and water and gas supply pipelines, including access points;

The approved hard and soft landscaping scheme shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a timetable approved in writing by the Local Planning Authority.

Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, to be agreed in writing by the Local Planning Authority.

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

Reason for pre-commencement condition: These details are required prior to commencement of development because of insufficient information contained within this submission and in the interest of ensuring that the landscaping of the development enhances the visual local environment.

7. METHOD STATEMENT

No development shall commence, including any earthworks, vegetation clearance or demolition until, a reasonable avoidance measures method statement for mammals has been submitted to, and approved in writing by, Local Planning Authority.

Reason: Details are required prior to commencement as insufficient information was submitted with the application and in order to avoid harm to habitats and species whilst securing biodiversity enhancement in the long term. This accords with the NPPF, Policy G7 of the Rochdale Core Strategy and JP-G8 of PfE.

Reason for pre-commencement condition: As insufficient information has been provided and to ensure adequate habitat enhancement can be provided prior to construction.

8. BIODIVERSITY ENHANCEMENT

No development shall commence on site (including demolition or preparatory works) until, details of biodiversity enhancement scheme has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall provide, but not limited to, 2 suitably positioned swift bricks per block (4 in total) and hedgehog friending fencing and boundary walls. The scheme shall also include a programme for implementation and ongoing maintenance. The biodiversity enhancement scheme shall thereafter be implemented and adhered to in accordance with the agreed programme.

Reason: Details are required prior to commencement as insufficient information was submitted with the application and in order to avoid harm to habitats and species whilst securing biodiversity enhancement in the long term. This accords with the NPPF, Policy G7 of the Rochdale Core Strategy and JP-G8 of PfE.

Reason for pre-commencement condition: As insufficient information has been provided and to ensure adequate habitat enhancement can be provided prior to construction.

9. STATEMENT OF DECLARATION

Prior to first occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to and approved in writing by the Local Planning Authority. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: To ensure the safety and stability of the development, in accordance with Core Strategy Policies G8 and G9 and paragraphs 196 and 197 of the National Planning Policy Framework.

Reason for pre-commencement condition: The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site.

10. SUSTAINABLE DRAINAGE MANAGEMENT AND MAINTENANCE PLAN

Prior to first occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. The sustainable drainage management and maintenance plan shall include as a minimum:

- i Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- ii Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development in accordance with Policy G8 of the adopted Rochdale Core Strategy, saved Policy EM/7 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

11. MATERIALS

Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and / or full specifications of materials to be used externally on the dwellings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials including but not limited to bricks, stone, slate and tiles and specifications of the proposed solar panels. Development shall be carried out in accordance with the approved details.

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

12. BOUNDARY TREATMENT

Prior to first occupation of the development hereby approved, a plan indicating the positions, design, materials and type of boundary treatment to be erected, shall be submitted to an approved in writing by the Local Planning Authority. Where appropriate the boundary treatment shall including the provision of mammal gaps. The boundary treatment shall be implanted in accordance with the approved plan before the development is occupied or otherwise in accordance with a timescale agreed in writing by the Local Planning Authority.

Reason: In order to protect the privacy of adjoining and future occupiers and in the interests of the visual amenity and the character of the area in accordance with Policies P3 and DM1 of the Rochdale Core Strategy and the Council's Guidelines and Standards for Residential Development SPD.

13. VEHICLE PARKING

The dwellings hereby permitted shall not be occupied until all vehicle parking spaces have been provided in accordance with the plans hereby approved. The spaces shall be kept available for parking at all times thereafter.

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

14. VEHICLE ACCESS POINTS

Prior to first occupation, any redundant vehicle access points which served the former site should be reinstated as continuous footway to the satisfaction of the Local Planning Authority and to adoptable standards.

Reason: In the interests of road safety and maintenance of the highway in accordance with Policies T2 and DM1 of the Core Strategy.

15. REFUSE AND RECYCLING COLLECTIONS

Notwithstanding the approved drawings, the development hereby permitted shall not be occupied until details of how refuse and recycling collections will be managed from the site (including vehicles, servicing and deliveries), shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter refuse collection, servicing and deliveries will be carried out fully in accordance with the approved details.

Reason: In the interests of general amenity, to ensure convenience of arrangements for refuse and recycling storage and collection and to ensure that no obstruction is caused on the adjoining highway, in the interest of highway safety and in accordance with Policy T2 of the Core Strategy, JP-C8 of P/E and the NPPF.

16. REMOVE PD RIGHTS

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

Reason: To ensure the character and appearance of the area is maintained due to the terraced nature of the site and the proximity of the grade II listed Church in accordance with Policy DM1 of the Core Strategy and the National Planning Policy Framework.

17. NOISE IMPACT ASSESSMENT

The dwellings hereby approved shall be constructed in line with the requirements of the Noise Impact Assessment by dBx Acoustics Ltd, 24052-R01-SF, Date: 16/07/2024, received by the Local Planning Authority on 17th July 2024, to ensure the following internal and external noise levels are achieved:

- 35 dB(A) Leq (16 hour) in the bedrooms with windows shut and other means of ventilation provided between 7 am and 11pm;
- 30dB(A) Leq 8 hour in the bedrooms with windows shut and other means of ventilation provided between 11pm and 7am;
- 35 dB(A) Leq (16 hour) in the living room/s with windows shut and other means of ventilation provided between 7 am and 11pm;
- 40dB(A) Leq (16 hour) in other habitable rooms with windows shut and other means of ventilation provided at all times.
- Noise in external amenity areas shall not exceed 55 dB(A).

Cumulative noise from fixed plant shall not exceed 30dB(A) between 07:00-23:00 and 25 dB(A) between 23:00-07:00.

Upon completion and prior to first occupation of each dwelling hereby approved, an acoustic validation testing report shall have been first submitted to, and approved in writing by, the Local Planning Authority confirming that the above levels have been achieved.

Reason: In the interests of residential amenity and to ensure that future residents are adequately protected from unacceptable levels of noise in accordance with policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Procedure Statement

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

Notes for Applicant:

Informatives:

The applicant is advised that to discuss their drainage proposals they should contact United Utilities **Developer Services** team by email at SewerAdoptions@uuplc.co.uk. Alternative ways to contact the team are detailed in the Appendix, Section 4.0 'Contacts'.

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. The applicant should not rely solely on the detail contained within asset maps when considering a proposed layout.

The applicant should note that Permission is required from the Coal Authority Permit and Licensing Team before undertaking any activity, such as ground investigation and ground works, which may disturb coal property. Please note that any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of a Permit application.

The applicant should note that where SUDs are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.