

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
22/01085/OUT	Ryan Killeen	25 November 2022

Address: Land At Waterfold Lane Heap Bridge Bury BL9 7JY

Proposal: Outline application (including access, layout and scale) for 2 no. three storey apartment blocks comprising total of 36 units

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
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CONDITIONS	Pre-commencement conditions proposed?	N
	Pre-commencement conditions agreed (or notification period expired)?	N/A

RECOMMENDATION	REFUSE
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CHECKED AND SIGNED OFF BY: AT

DATE: 08.12.2022

SITE

The application relates to an undeveloped area of land off Waterfold Lane in the Heap area of Heywood, 3.3km west of the town centre and 1.5km east of Bury Town Centre. The site is bounded by the M66 to the west, with the River Roch running along the northern boundary from northwest to southeast. Access to the site is provided via Waterfold Lane, which extends 330m from Bury New Road and serves a number of residential dwellings on this street. The surrounding area is mixed in character, with the aforementioned dwellings to the east, agricultural fields to the south and east, and Waterfold Business Park to the opposite side of the M66 to the west. The site formally contained Waterfold Mill and Ben Mill, which were demolished in light of the construction of the M66 around 1970, and is currently in an overgrown state.

The topography of the site is generally flat, where a retaining wall at the banks of the River Roch provides a 4m drop off to the river, and sets the level of the site well above the field to the north, which is wholly within Flood Zones 2 and 3. The site falls wholly within the Green Belt as set out under saved UDP Policy G/D/2.

PROPOSAL

Outline planning permission, including details of access, layout and scale is sought for the development of 36 no. flats set across two, three storey blocks. It is stated that the apartments would be for affordable rent, to be managed by a Registered Social Landlord. 12no. 1-bedroom units and 24 no. 2-bedroom units would be set evenly across the two blocks.

Each block would be set to the west of the site and includes an elongated, rectangular floorplate which would be set in a north-east to south-west orientation, facing southeast.

63 parking spaces are proposed across the site, with a landscaped amenity area for residents to the north of the site. A footpath would be provided along Waterfold Lane to join up with the existing one just east of the site.

RELEVANT PLANNING POLICY

National Guidance

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

Adopted Rochdale Core Strategy (CS):

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

DM1 General development requirements
DM2 Delivering planning contributions and infrastructure

SO1 Delivering and more prosperous economy

E2 Increasing jobs and prosperity

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

G4 Protecting Green Belt land

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/2 Green Belt

EM/7 Development and Flood Risk

EM/8 Protection of Surface and Ground Water

Supplementary Planning Documents (SPD):

Supplementary Planning Guidance note '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)

Oldham and Rochdale Urban Design Guide (2008)

RELEVANT SITE HISTORY

88/D21806 Use of land as civil engineering contractors' depot. Refused

81/D12701 Outline for squash courts building. Refused

CONSULTATION RESPONSES

Highways And Engineering

This application is supported by a Highways Technical Note (TN) prepared by SCP which, along with the proposed site layout, will be the basis of Highway comments.

The access to the development does not connect to the adopted highway which ends outside no. 63 Waterfold Lane, therefore the proposed access and parking forecourt cannot be adopted by this Council. Although the section of Waterfold Lane is not adopted it is a public right of way therefore the proposed access improvement will require approval therefore we would ask that the applicant submits construction details of the access road for approval.

At pre-application stage Highways asked for a 2 metre footway and a 5.5 metre carriageway for the access into the development and the submitted plans show that this will be provided.

Parking provision is in line with Council standards. The car park layout is acceptable, and the TN says there is adequate turning space for a standard refuse vehicle within the car park. We would need clarification of this turning head within the site supported by swept path analysis and would ask that a plan be submitted for approval. The TN referenced this information but Appendix 2 of the submitted document was not included.

We would say that the trip generation figures used within the TN are low because of the sites remote location, however we do not expect that the amount of traffic generated by the development would cause any highway capacity issues.

The accident data submitted in the TN shows that there are no inherent road safety issues in the area and we do not expect that this situation would change as a result of development.

We would ask that the parking areas are SUDs compliant.

On the basis that the requested information can be provided Highways would raise no objection to this application.

Env Health - Noise/Odours

The internal noise levels can be achieved through conditioned use of the mitigation set out in the NIA, we would recommend upon completion and prior to occupation validation testing is carried out at a range of units across the site.

In respects of the outdoor space, have they specified that it will or could be used as an amenity space or tranquil space if so I would suggest a scheme to achieve a maximum of 58 dB(A), if it just open space I don't think we could require it

Env Health - Air Quality

No comments received to date

Tree Officer

No comments received to date

United Utilities

Summary:

It is noted that this is an outline planning application, including access and layout, therefore we wish to draw attention to United Utilities assets that cross the site.

A public sewer and a large diameter trunk main cross the site. The sewer and trunk main must not be built over, or our access to the pipeline compromised in any way.

We require an access strip as detailed in our 'Standard Conditions for Works Adjacent to Pipelines', a copy of which accompanies this letter. The applicant must comply with this document to ensure pipelines are adequately protected both during and after the construction period. It also includes advice regarding landscaping in the vicinity of pipelines.

Should the Council deem this application suitable for approval we request standard conditions are included in the subsequent Decision Notice to afford appropriate protective measures for this asset.

Environment Agency

Summary:

We object to this application as it involves works within 8 metres of the bank top of the River Roch. As submitted, it is unlikely that we would grant a flood risk activity permit for this application.

Reasons

- The proposed development would restrict essential maintenance and emergency access to the watercourse. The permanent retention of a continuous unobstructed area is an essential requirement for future maintenance and/ or improvement works.
- The building/ structure may interfere with natural geomorphological processes and could be placed at risk of damage arising from channel migration/ erosion.

It would be possible to overcome the objection by submission of the revised layout and cross sections of the channel. The sections provided should show an 8 metre width, free of buildings or structures.

Greater Manchester Archaeological Advisory Service

Summary:

Contrary to NPPF 194 the application has not been submitted with a desk-based assessment or any other document that takes into account the historic development

and significance of the site, neither has the Greater Manchester Historic Environment Record (GM HER) been consulted.

GMAAS considers the presence of mill buildings that date back to at least the mid-nineteenth century as being of some archaeological interest, particularly given that the construction date is unknown and the location next to the River Roch suggests that they started out as being water-powered. It is accepted that any physical remains would be most unlikely to prove of sufficient importance to merit their physical retention and preservation, however, any remains of more local significance should be investigated and recorded prior to their loss.

GMAAS recommend that standard condition is applied to consent to secure archaeological interests.

Transport For Greater Manchester

Summary:

Colleagues within TfGM Highways have reviewed the supporting documents submitted in connection with the planning application.

I. Likely Trip Generation

It is noted that there is no trip generation work to review. It is acknowledged that given the quantum of development proposed, this likely did not trigger the requirement for a highway impact assessment.

II. Proposed Access Arrangements

The Design and Access Statement confirms that access and egress from the site will be taken from the existing modified access point onto Waterfold Lane. The Site Plan demonstrates that a 5.5 metre wide carriageway will serve the development, and a 2 metre wide footpath will be extended into the site, with an informal crossing point provided to connect access to the footways.

It is not clear how the site will be serviced. There are no swept path drawings supplied to demonstrate the likely servicing arrangements.

TfGM would refer to the Local Highway Authority to determine whether the proposed access arrangements are acceptable.

III. Active Travel

In order to encourage walking and cycling, it should be ensured that the pedestrian and cycling environment, within and around the site, is designed to be as safe, attractive and convenient as possible, including natural surveillance where possible. This should provide sufficient links to the surrounding pedestrian and cycle networks.

To promote active travel and link in with the surrounding environment, it is suggested that the applicant explore the potential to provide a continuous 2 metre wide footway connecting to the existing footway on Waterfold Lane.

IV. Cycle Parking

It is also important to ensure that adequate infrastructure and facilities are provided to encourage residents to travel by sustainable modes.

Cycle parking should be provided in accordance with Rochdale Council's standards and where possible spaces in excess of the minimum provided.

The cycle store should be lockable and covered, located in a central accessible location, with sufficient lighting and CCTV.

V. Travel Plan

TfGM would refer to the Local Authority to determine whether a Travel Plan is required for the development. Should this not be a requirement, TfGM recommend that a Travel Pack is produced for residents which provides journey planning information and incentives for travelling by public transport or active travel modes.

VI. Other

A robust Construction Traffic Management Plan should be employed as part of the development and conditioned accordingly through any future planning approval.

Schools Service

Summary:

The site Land At Waterfold Lane, Heap Bridge, is in the Heywood Primary planning area for Primary capacity and within the Heywood Township planning area for Secondary Capacity.

In the Secondary school sector the forecast below shows insufficient capacity for children currently living in the area from 2023/24 and this is within the 10 year forecast window that requires secondary contributions (Figure 1 below). The “forecast with housing” forecast includes children from pipeline housing units either under construction or with permission.

Developer contributions are required for Secondary places.

36 units x 0.1 (secondary yield factor) x £16,631.01* = £ 59,871.63

Total contribution = £ 59,871.63

Lead Local Flood Authority/Drainage

Summary:

The site is a former woollen mill which was demolished in the 1960s. Although the site is located immediately adjacent to an area in flood zone 3 which flooded in 2015, this site is classed as flood zone 1, defined as land with a low probability of fluvial flooding, apart from a strip to the north in flood zone 3, which borders the river Roch and slopes down to its banks.

The SW Drainage Strategy drawing shows that a well-developed sustainable Drainage Plan has been devised. It is worth noting that the minimum flow rate for a vortex flow control is 5 l/s (text to explain this is also provided on the Greenfield runoff calc, which is included in the Appendices of the Drainage Strategy document. Thus, in the final design, perhaps a single vortex control only may be required. Although the discharge will be to river, the EA sometimes require the Planning Authority to agree/ accept the proposed discharge rate.

The Officer is pleased to note that permeable paving for parking is one of the sustainable drainage measures to be undertaken.

Environmental Control (Landfill Gas)

No comments received to date

Rights Of Way Officer

No comments received to date

National Highways

Summary:

Referring to the consultation on a planning application dated 14 September 2022 referenced above, in the vicinity of the M66 motorway that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we recommend that conditions should be attached to any planning permission that may be granted (see Annex A – National Highways recommended Planning Conditions & reasons).

Gtr Manchester Ecology Unit

The site is not designated for its nature conservation value, although it does support broadleaved trees at the boundaries and it is adjacent to the River Roch, an important green corridor through the Borough. The interior of the site appears to have been largely cleared of vegetation recently and is now dominated by bare ground and sparse grassland and scrub vegetation.

I note that boundary trees are shown as being mostly retained as part of the outline plans, and that the submitted Landscape plans show the introduction of new tree planting, hedgerow planting and species-rich grassland and small wildlife ponds. These features, in addition to the retention of boundary vegetation, will achieve a local gain in the biodiversity value of the site.

I would raise no overall objections to the scheme on Ecology or Arboriculture grounds, but I would recommend –

- That no development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP must include measures to prevent pollution of the River Roch and encroachment into the river corridor.
- A more comprehensive Tree Protection Plan must be prepared for the scheme, providing details of all the measures to be taken to avoid any harm to retained trees at the boundaries of the site.
- There should be no direct lighting of the River course
- No vegetation clearance required to facilitate the proposals should take place during the optimum time of year for bird nesting (March to August inclusive),

unless nesting birds have been shown to be absent by a suitably qualified person.

GMP - Design For Security

Thank you for the opportunity to comment on this application, having looked at the plans provided following the production of the Crime Impact Statement, we would recommend that if you are minded to approve the application, then a condition to reflect the physical security recommendations in section four (Secured By Design Measures) of the CIS should be added. The applicant would then need to apply for the SBD accreditation and achieve either Bronze, Silver or Gold accreditation at which point we would support the discharge of said condition

Open Space - Environmental Management

Summary:

Heywood Sports village would be the best option for any project for which contributions are made. Feasibility studies are ongoing in respect of a covered 3G pitch and would suggest the pooling of S106 contributions for this project.

GM Fire Service

No comments received to date

Street Lighting

Summary:

As you're most likely aware, there isn't much in terms of plans, especially in relation to outdoor lighting proposals. I have read through the design access statement, as there is something in these usually, however, there isn't any mention of outdoor lighting in enough details.

Therefore with any plans for private areas, the Developer should provide their proposals for any outdoor lighting to shared spaces such as car parks, providing the details listed below. The lighting proposals should be considerate of the adjacent river and any bats within this area, therefore the lighting design should be carried out, referencing to ILP guidance documents and British Standards using suitable light sources and mounting heights.

REPRESENTATIONS

Letters of notification were sent to all surrounding properties, a site notice was posted in the vicinity of the site and a notice was issued in the local press. 16 letters of objection and 1 letter of support was received. The letter of support welcomed the addition of affordable housing. Details of the objections are as follows:

Comment	Increased traffic and vehicle movements along Waterfold Lane would give rise to increased risk of road accidents and would lead to conflict between vehicles.
Officer's Response	The Local Highways Authority has been consulted on the application. This matter is discussed within the 'Highways' section of the report.
Comment	The site is green and should be protected for use by species of animal and other ecology. The development could also affect the River Roch.
Officer's Response	This matter is assessed in the 'Ecology' section of the report.
Comment	Schools, healthcare and social infra-structure already oversubscribed – there are not enough jobs and poverty is widespread in the area.
Officer's Response	The scale of the development does not warrant an assessment of such matters.
Comment	Reduction in air quality and increase in noise
Officer's Response	This matter is assessed in the 'Amenity' section of the report.
Comment	Loss of views, architecture is out of character with the area.
Officer's Response	Assessed in the 'Character and Appearance section' of the report.
Comment	Loss of green space and access for local residents
Officer's Response	The site is privately owned land and therefore it is not considered that there would be a loss of open space

ANALYSIS

Principle of Development

Paragraph 119 of the NPPF requires planning policies and decisions to promote an effective use of land in meeting the need for homes, whilst safeguarding the environment and ensuring safe and healthy living conditions. Planning decisions should give substantial weight to the value of using suitable brownfield land within settlements, and support appropriate opportunities to remediate despoiled, degraded, derelict contaminated or unstable land.

Policy C1 of the adopted Core Strategy seeks to deliver the right amounts of housing in the right places, with a focus on the reuse and regeneration of vacant and underused previously developed sites.

Whilst the latest published information suggests that the Council can demonstrate in excess of a 5 year supply based on the Core Strategy target, this does not preclude the promotion of sustainable development where this can assist in delivering additional housing to meet local needs.

The site falls within Heywood township, which for the purposes of Policy C1, falls within the 'south' of the borough, which seeks to maximise the opportunities that exist to

provide new housing in sustainable locations, close to key economic growth corridors / areas and town centres.

The submitted Planning Statement describes the appearance of the site as a *“cleared but not remediated brownfield site; vegetation cover is limited and some areas of hard surfacing are present. There is also a substantial retaining wall alongside the river.”*

Annex 2 of the NPPF provides a definition for previously developed, or brownfield land:

Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

The applicant considers that the former presence of Water Fold Mill and the visibility of areas of hardstanding evidence the site's previously developed state in accordance with the above definition, as it *“clearly retains the overall appearance of a site where buildings have been demolished.”*

Taken at face value, the definition provided in annex 2 sets out a simple test for establishing the circumstances which must be met for the site to be considered greenfield. Where the site was once 'previously developed' in accordance with the earlier parts of the definition, where remains of structures and fixed surfacing have blended into the landscape, the site is taken to be greenfield.

There is no dispute over the historic presence of Waterfold Mill, which appears on the first edition OS map (1851) through to the 1967 edition. The applicant has stated that the mill was demolished as part of, and used as a compound for, the construction of the M66, which junctions 3 to terminus opened in 1978, and earlier stages in 1971. The mill is however annotated 'disused' on the 1956 edition map. Where the site is considered to have once accommodated a structure and associated surfacing, the site clearly once comprised previously developed land.

The test, whilst not explicit, nor set out elsewhere within the framework or local plan, would appear to require a visual assessment of the extent to which the site has assimilated with the prevailing natural character of the area, where the use of the term landscape, within its ordinary dictionary meaning, refers to a tract of land with its distinguishing characteristics and features - usually natural (OED).

The surrounding landscape is verdant and well-vegetated to each direction; the verges of the M66 are densely planted parallel to the carriageway, and the banks of the River Roch similarly accommodate strips of planting. The site immediately north forms part of

the floodplain of the Roch and is sparser in terms of planting, but verdant nonetheless. Longer range views to the south and north feature rolling hills with reduced levels of planting, reflecting their agricultural uses.

Some elements of the former fixed surfacing do remain, however the site has undoubtedly been reclaimed by nature with a number of pioneer species having established themselves to the extent that man-made features are no longer discernible. The site now accommodates a large quantity of a variety of species, which, when viewed against the backdrop of the built-up verge of the M66, and the area to the north, would not appear at odds with the general natural character of undeveloped sites in the vicinity.

Further to the above, given the length of time which has elapsed since any previous uses have ceased, the site is not taken to benefit from any lawful use, where any formalised activities which may distinguish the site from its surroundings would otherwise be visible. Taking the above into account, and the exclusion of the site from the Greater Manchester Brownfield Land Register, it is considered that the site would comprise previously un-developed, or greenfield land for the purposes of this assessment.

Notwithstanding, the principle of developing a greenfield site for housing need not be inappropriate where the development can demonstrate compliance with policy G6, with respect to enhancing green infrastructure. A detailed assessment of this matter, and other development management matters is carried out below.

Scale and Layout

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities

The National Planning Policy Framework (NPPF) state that good design is a key aspect of sustainable development and that planning policies and decisions should ensure that developments function well and add to the overall quality of the area and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping. This is largely reflected within Policies DM1 and P3 of the Council's adopted Core Strategy, which requires development proposals to demonstrate high quality design.

The revisions to the NPPF in July 2021 establishes very clearly that development which is not well designed should be refused, and conversely, 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.

Policy P2 of the Core Strategy seeks to conserve and enhance the Borough's townscape character, in addition to conserving, enhancing and promoting key heritage assets, both statutory and non-statutory, including consideration of their wider settings. Policy P2 makes a distinction for the boroughs engineering heritage, which includes industrial buildings such as mills being included as key heritage assets, and sets out that such features should be utilised positively and intelligently to strengthen identity and image, particularly in regeneration schemes.

The importance of using a sound understanding of the features of the site and surrounding context to inform well-designed development proposals is also well-documented within the NDG, which also sets out that well-designed places and buildings are influenced positively by the history and heritage of the site and its surroundings.

As set out above, the site formerly accommodated the Waterfold Mill, which occupied the site from at least 1851, before becoming disused in the 1950's and demolished by the 1970's. From historic mapping, the Mill complex comprised at least 4 buildings which were clustered towards the northern edge of the site, set against the River Roch.

Currently, the surrounding area is mixed in character, with the M66 rising to the west to form an imposing man-made structure which sits very much at-odds with the agricultural uses and the modest-sized dwellings to the west. The appearance of the dwellings vary between early C19 terraces and mid C19 semi-detached properties, however it is considered that they are very much conventional in their appearance.

The surrounding townscape is of no notable significance visually or otherwise, however the prevailing patterns of built development along Waterfold Lane are generally cohesive with regards to their two-storey form, material palette and building line.

The Design and Access statement asserts that the scale and layout of the development has been based upon the former mills which occupied the site. In order to establish the suitability of the design of the proposals, with regards to their compatibility with surrounding character, it is necessary to take account of their layout, scale and appearance. It is noted that appearance is a reserved matter, however there is opportunity to provide an assessment on the details provided in respect of layout and scale.

Taking into the account the above, the NDG establishes the layout of development proposals as a key component of well-designed places, where well-designed new development is integrated into its wider surroundings physically, visually and socially; demonstrating an understanding of the existing patterns of built form. BHL states that the use of positive characteristics such as street types, landscape character, urban grain, plot shapes and sizes, building forms and materials being used to reflect local character are features which contribute to well-designed places, which would largely reflect the contents of the NMDC.

As established above, the pattern of built form along Waterfold Lane is generally cohesive and the terraces are representative of the housing stock which likely provided accommodation for local mill workers. The proposals include two expansive blocks each covering circa 400m², one set adjacent to, and perpendicular to, the River Roch at the very north of the site, and the other positioned directly south with the same orientation.

The overall concept of providing a building to reflect the industrial heritage of the site need not be inappropriate, however it is noted that the former mill buildings were less methodical in their arrangement, with one set parallel and up against the banks of the Roch, and with the other buildings appearing more piecemeal. The more orderly layout proposed within the application therefore presents limited benefit in terms of reflecting the character and heritage of the site.

The relationship between the site entrance and proposed buildings would not make the site feel attractive or provide a welcoming entrance, with long range terminal views towards the buildings on site neglecting the human scale. It is also unlikely that there would be suitable relationships between external amenity spaces and the habitable rooms of the development, where the most functional amenity space in terms of its layout and positioning away from vehicle movements, would be provided to the north of the site adjoining the block, giving an inherent sense of ownership to any occupiers of that block. Whilst the internal layout of buildings has not been provided, this amenity space would either result in unacceptable impacts to the ground floor occupiers of these units, or would suffer from a lack of natural surveillance.

The three storey form of the building, in light of the presence of similarly scaled buildings associated with the area's industrial heritage, could be a sympathetic representation of the site's past, however no details have been provided in support of the application as to the appearance of the former mill buildings, and it is not considered that the scale of the buildings is fully justified. When considered within the context of the surrounding area, the buildings would appear significantly larger than, and at-odds with, the terraced and semi-detached dwellings which comprise the surrounding townscape, and would be harmful to the character of the surrounding area as a consequence.

Whilst appearance is a reserved matter, the massing of the building is shown to be broken up in the middle, and, whilst the appearance of the buildings shown on the proposed sections is not to be taken as the final design of the building, the LPA is not convinced that this is an appropriately designed building which would be compatible with the character of the area. The buildings are considered to be inherently flawed by the irregular floorplate and the buildings would not read as a well-designed reference to the site's industrial past.

Furthermore, the uncompromising expanse of hardstanding to provide off-street parking, with no notable variation in surfacing material and little attempt to add structure or create visual interest and relief through the placement of buildings, integration of appropriate soft landscaping features, boundary treatments or other physical features,

would be contrary to the NDG's advice for well-designed parking to be attractive, well landscaped and sensitively integrated into the built form so that it does not dominate the development or the street scene.

Taking into account the above assessment, the proposed development, by reason of the interrelationship of the layout, scale and design of buildings and parking with the surrounding area, would not be well-designed and would fail to contribute positively towards local identity and distinctiveness. The development proposals therefore fail to accord with the requirements of Policies P2 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Amenity

Paragraph 130 of the National Planning Policy Framework advises that planning decisions should always seek to secure a high standard of amenity for existing and future users. 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."*

Policy G9 of the Core Strategy sets out that the Council will require that development does not have impacts that lead to an unacceptable increase in air, water, noise, light or other pollution. Paragraph 185 of the NPPF sets out that planning decisions seek to ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment.

The nearest residential dwellings on Waterfold Lane are circa 130m from the southern block. The development therefore would not result in an undue loss of privacy, overshadowing, or overbearing impact to the occupiers of these dwellings. Whilst the development would result in an intensification of use of Waterfold Lane, vehicle movements would be slow, and would not result in undue levels of noise and disturbance where this is already a well-used lane serving in excess of 50 dwellings.

The site is set adjacent to the M66, with each block set circa 20m from the slip road of junction 2, and 30m from the main carriageway. The acoustic environment of the area is dominated by road traffic, which due to the M66's proximity to major distribution parks, is utilised by heavy goods vehicles well into the late hours.

The application is provided by a noise impact assessment which shows that the site is generally dominated by noise levels in excess of 70dB(A) L_{Aeq} across the western facing facades of each building, and sound levels of 63-70dB(A) L_{Aeq} to the east. All windows across the development, when uprated glazing has been installed to achieve the maximum internal noise levels of 35dB, require alternative forms of ventilation, as when the windows are partially open, provide unacceptable internal conditions for occupiers.

The NIA does state that the development has been informed by acoustic advice in order to ensure that there are no external private amenity areas which may have unduly high levels of road traffic present. Various green spaces do appear to be included across the site which would be unduly impacted by the noise from motorway traffic which would be self-limiting in the provision of amenity space as external noise levels would be circa 66-70 dB(A) L_{Aeq} , far exceeding the 55dB(A) L_{Aeq} set out in BS8233 '*Guidance on sound insulation and noise reduction for buildings*'. The impact of the lack of on-site provision for an appropriate outdoor amenity space is assessed further below.

Further to the above, National Highways have noted that the application does not consider external noise attenuation for the development, making clear that this is the responsibility of the applicant given the longstanding existence of the motorway at this location. The response also notes that National Highways have no plans to install their own noise barriers at this location, which would require planning permission in their own right.

Overall, whilst the acoustic conditions of the site are generally noisy through all hours of the day, the internal conditions of each unit can be made acceptable via an appropriate scheme of acoustic attenuation, a view shared by the Council's Environmental Health Officer, who has requested that a condition be attached to any permission requiring validation testing prior to first occupation to ensure the effectiveness of the measures.

The Nationally Described Space Standards (NDSS) is a technical standards document produced to ensure internal space within new dwellings is suitable for application across all tenures. Table 1 sets out the minimum gross internal floor area requirements for dwellings, and setting out the requirements for dwellings which include a variety of room numbers, bed spaces and storeys.

Number of bedrooms (b)	Number of bed spaces (persons)	1 storey dwellings	Built-in storage
1b	1p	39 (37)	1.0
	2p	50	1.5
2b	3p	61	2.0
	4p	70	

No floor plans have been provided for the purpose of the application, however the site layout does indicate the internal division of each building into 6 units per floor comprising 2no. 1-bedroom units and 4no. 2-bedroom units.

The site layout not taking account for the projecting central entrance which would not be reasonably able to be used as a habitable room, would have a gross internal area of circa 347m². The lower limit of the NDSS, for 2no 1b1p and 4no. 2b3p units would require a GIA of 318m². This does not take account of internal partitions, nor does it

take account of circulation areas such as staircases, which this arrangement would require 3 per building.

As such, it is clear that the proposals cannot deliver the NDSS and would instead fall far short of these standards across the development, which would undoubtedly lead to many units being cramped and unfit for habitation. It is however noted that units would generally be provided with good levels of outlook, however the orientation of the blocks would only permit direct sunlight into units throughout the morning.

This harm would be further compounded through the lack of suitable outdoor amenity space provided on site in light of the acoustic dominance of the motorway which would remove all enjoyment of any outdoor spaces.

It is appreciated that the requirement for dedicated private amenity space within all flatted developments does not apply to all developments, and the circumstances of the application will inform when it is appropriate to require such spaces. Whilst the physical context of the site, adjacent to M66 would suggest that it would be inappropriate to provide amenity spaces on site due to the acoustic conditions, and occupiers instead should rely on alternative sites, it is noted that the site, whilst set adjacent to fields, has poor access to any formal public open space, with the nearest publicly accessible open space in the borough circa 1.5km east, at Darn Hill Park. Alternatives may exist nearby in Bury, however, this would still be a considerable distance, and would require users to traverse the Heap Bridge Interchange, where the A58 and M66 cross.

Overall, it is considered that the proposals would fail to provide a satisfactory standard of occupier amenity, where units would be cramped, falling short of the relevant space standard. The development would not be provided with any practical amenity space and there are no suitable alternatives within the vicinity. Overall the proposals would fail to accord with Policies G9 and DM1 of the adopted Core Strategy and the National Planning Policy Framework.

Air Quality

Policy G9 of the adopted Core Strategy and Paragraph 185 of the NPPF require new development to take into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment.

The M66 corridor forms an Air Quality Management Area which includes a circa 50m buffer to either side of the carriageway which spills over onto the west of the site. The extents and boundaries of AQMA in Greater Manchester were established on the outputs of 2016 air quality modelling, with all locations that were predicted NO₂ concentrations to be above 35 µg/m³ declared part of an AQMA.

The report results of air quality monitoring from nearby receptors. The nearest instrument indicates that annual mean concentrations of NO₂ were below the NO₂ annual mean objective adjacent to the M66, and in respect of PM₁₀, and PM_{2.5}, the report notes that RMBC do not operate any monitors near to the site, and

concentrations are not expected to be above air quality objectives based on monitoring data collected across Greater Manchester.

Following an assessment of local air quality in respect of dust, the report provides site specific mitigation for the construction phase, which could be included into a construction management plan via condition.

The assessment models NO₂ and Particulate Matter concentrations which shows that annual mean concentrations of NO₂, PM₁₀ and PM_{2.5} would be below the annual mean objectives at proposed residential receptors assuming that air quality would not improve between 2019 and 2025. The model, which uses pessimistic modelling scenarios, shows that pollution would be comfortably below the air quality objectives, it is considered there is a '*not significant*' effect and no specific air quality mitigation measures are required to protect future occupants from adverse air quality. Notwithstanding, several best practice measures are recommended which could be conditioned in the event the LPA were to support the application.

Subject to the recommended condition, the development would accord with the requirements of Policy G9 of the adopted Core Strategy and the National Planning Policy Framework.

Highways and refuse collection

Policy T2 of the adopted Core Strategy seeks to improve accessibility by locating development where good access to public transport is available or can be provided and in all circumstances, prioritises the safety, accessibility and amenity of those who live or have business in the area. Policy DM1 also states that all development proposals should provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements taking into account of the proposed use and location. Paragraph 111 of the National Planning Policy Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 112 (d) of the NPPF states that application for development should allow for the efficient delivery of goods, and access by service and emergency vehicles. The *Guidelines and Standards for Residential Development* SPD states that bin storage areas that require excessive movements from the storage area to the street should be avoided and any bin storage areas and access arrangements, including access routes for collection vehicles, should be provided in accordance with all relevant legislation and guidance, such as any relevant local planning documents, Building Regulations and Highways requirements.

The site is accessed exclusively from Waterfold Lane, with traffic turning off A58 Bury New Road. Heap Bridge Interchange sits just 150m west of the junction with Bury New Road where the A58 crosses the M66. Whilst Waterfold Lane itself has no through route, the wider surrounding area does cater for a high number of journeys throughout

the day. The Council's Highways Engineer has noted that the proposals would likely generate higher numbers of journeys than as stated in the Highways Technical Note due to the site's remote location, however, does concede that this would not result in highways capacity issues, or would result in any road safety issues in light of the existing accident data.

The development proposals include 63 parking spaces across 36 units comprising 60 bedrooms and up to 96 people (assuming up to 3 occupants per 2 bedroom unit and 1 per 1 bedroom unit). However, not all occupants would own a vehicle and the number of spaces proposed would accord with the Council's maximum parking standard, and is acceptable in this regard.

In respect of the internal layout of the site, vehicles can access parking spaces easily, and the low number of journeys on foot, due to the distance to any amenity or public transport infrastructure, would be limited, reducing the risk of conflict between pedestrians and vehicles. The Council's Highways Engineer has raised queries in respect of the suitability of the layout for refuse vehicles, however this could be clarified should the application be supported for approval, along with details of refuse container storage.

Given the site's proximity to the M66 motorway, National Highways were consulted on the application. National Highways is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN) upon appointment for the Secretary of State for Transport. National Highways have an interest to ensure that the SRN operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity and have requested that boundary treatments be included adjacent to the motorway to at least 2m in height to ensure the continued safe operation of the strategic road network. Such features would require planning permission in their own right and would need to be included within the application with details secured via condition. Should the LPA wish to support the application, it would be prudent to agree amendments to the scheme.

On this basis, the application would accord with the requirements of Policies DM1 and T2 of the adopted Core Strategy and the National Planning Policy Framework.

Crime, Safety and Security

Paragraph 92 and 130 f) of the NPPF seeks to ensure that developments are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion. Policy DM1 requires development proposals to demonstrate that they minimise opportunities for crime against people or property.

The application is supported by a Crime Impact Statement which assesses the application against the existing crime environment and the potential concerns created by the proposed development and residential use. The report notes that within 500m of the site, theft is the most common type of crime. Relative to Rochdale, Greater Manchester, and the whole of England and Wales, the rate of wounding, criminal

damage and vehicle crime per 1000 dwellings is significantly higher within the vicinity of the site, however this is likely skewed due to the small sample size given the absence of dwellings within 500m of the site, which predominantly relate to those between Heap Brow and Waterfold Lane.

The CIS provides an appraisal of the proposed development, where the vacant status of the site currently attracts fly tipping and other anti-social activities which affect nearby residents quality of life. The report notes a number of design features which would assist in mitigating the risk of crime to future occupiers and makes a number of recommendations relating to the detailed design of the proposals.

The recommendations of the report include the installation of lighting, boundary treatment design, access control, refuse and cycle storage design and the internal layout of the building. The recommendations of the report have been welcomed by GMP who have requested that physical security measures are required via condition, before applying for Secured by Design Accreditation.

Given the response of GMP, who have accepted the physical security measures as being adequate for the purposes of the development, the SBD accreditation is not considered to be necessary for the purposes of planning, and it would not be recommended to be included within a condition in the event the LPA wished to support the application.

Subject to the recommended condition, the proposals would comply with Policy DM1 of the adopted Core Strategy and the National Planning Policy Framework.

Arboricultural and Ecological Impacts

Paragraph 131 of the NPPF states that trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Paragraph 174 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity, providing net gains where possible, and contributing to the Government's commitment to halt decline. Policy G6 of the adopted Core Strategy expects development proposals affecting green infrastructure to avoid the loss of existing features such as trees unless suitable alternative provision is made or they have limited value. Core Strategy policy G7 requires that no development should result in a net loss of biodiversity and geodiversity.

The application site is noted to have been cleared around 2017, and included a number of mature, or semi-mature trees which were felled. Most recently, some species have re-established themselves on-site and the site now has considerable vegetation coverage comprised mostly of scrub. Most specimen of plants are youthful and very little mature vegetation exists.

A Preliminary Ecological Appraisal has been provided for consideration, which details the site's relatively low ecological significance. The report identifies a number of

features and habitat within the site which could accommodate protected species and sets out a number of recommendations in respect of protected species to ensure that the development would have no adverse effect on them. This raises any further survey work which is required prior to development, reasonable avoidance methodology and biodiversity enhancement measures, all of which can be required via condition.

The application is also supported by a DEFRA Biodiversity Metric 3.0, which calculates the baseline ecological value of the site and the post-development value. The metric has assessed the baseline value of the site at 1.78 units, with the post development value, including habitat retention, creation and enhancement, valued at 2.15 units, 0.37 units, or 21% higher than the baseline value. This would exceed the forthcoming 10% net gain requirement which will become statutory requirement in time under the Environment Act, and clearly complies with the current iteration of the NPPF.

In respect of the arboricultural impacts of the development, the applicant has sought to provide an Arboricultural Impact Assessment. The AIA has surveyed all trees within the site and immediate vicinity, the majority of which includes the screening vegetation adjacent to the M66, but also a hawthorn hedge to the southern boundary of the site and several individuals and groups to the banks of the Roch.

To accommodate the scheme, a single section of the hawthorn hedgerow is required to be removed in order to facilitate the widening of Waterfold Lane and access for the proposals. The AIA recommends that an Arboricultural Method Statement be prepared prior to any works taking place, which should include a tree protection plan. The report also recommends that compensatory planting be included to maintain a sustainable level of tree cover, which is reflected in the submitted landscaping scheme which shows a significant number of individuals being planted.

The Greater Manchester Ecology Unit have considered the application and have requested conditions relating to the protection of the river as a habitat and the protection of surrounding trees and species which may inhabit them.

Overall, it is considered that the ecological and arboricultural impacts of the development could be managed via condition to ultimately deliver the enhancement required by the Environment Act, and the proposals comply with the requirements of Policies G6 and G7 of the adopted Core Strategy and the National Planning Policy Framework.

Drainage and Flood Risk

Paragraph 159 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). 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.

The River Roch, which is recognised as a main river runs along the site's northern boundary, with Environment Agency flood map for planning classifying the site as falling within Flood Zone 1, which is defined as land with the lowest probability of flooding (0.1% annual probability). The north eastern boundary of the site does however potentially extend into Flood Zone 3, defined as land with the highest probability of flooding (>1.0% annual probability).

The application is supported by a Flood Risk Assessment which details the flood risk for the site from all sources as low, noting the location mainly within Flood Zone 1. Site-specific flood risk data (Product 4 data) has been provided by the EA from the 2017 Lower Roch Study, and the design flood water level for the application site, equivalent to the 1.0% annual probability event plus 35% climate change is 76.30mAOD. Topographic LIDAR data confirms that ground levels across the entire application site are elevated above this design flood water level. There is no record of historic flooding within the application site. Therefore, the risk of fluvial flooding within the site is concluded to be very low.

Taking into account Table 2 of NPPG (Flood Risk and Coastal Change) '*Flood risk vulnerability and flood zone 'incompatibility'*', development which is 'more vulnerable' and within Flood Zone 1 does not require a sequential test or exceptions test, however the FRA does note that the development must be safe for its lifetime, without increasing flood risk elsewhere; therefore, a number of flood risk mitigation measures are proposed for the development including finished floor levels and surface water management.

The FRA also details a drainage strategy which includes a number of principles for sustainable drainage strategy. The strategy has been welcomed by the Council's Drainage Engineer. United Utilities have raised the need for a drainage easement within the site to be considered in the development proposals.

In summary, the proposed developments would be appropriately designed as not to place the development at unacceptable risk of flooding, or lead to an increase in flooding elsewhere. Furthermore, the drainage strategy demonstrates appropriate principles having regard to the sites greenfield state. The application therefore demonstrates compliance with the requirements of Core Strategy policy G8 and the NPPF.

Land Contamination

Core Strategy Policy G9 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 applicant has supplied a Phase 1 GeoEnvironmental Desk Study, which identifies potential sources of on-site contamination from the mill complex and formerly present unspecified works. Off-site sources include other developments, railway sidings, and surface ground workings within close proximity. Given the potential contamination of the site, risk from soil contamination is determined to be moderate.

The report recommends intrusive ground investigations to establish the extent of any contamination on site, which would inform the detailed design of the development. Subject to which the proposals would accord with Policy G9 and DM1 of the adopted Core Strategy and the National Planning Policy Framework.

Archaeology

Paragraph 194 of the NPPF requires developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation for development proposals which includes, or has the potential to include, heritage assets with archaeological interest.

The proposed development area lies partially over the former site of mill buildings dating to at least the mid-19th century. The buildings are labelled as Water Mill on maps from the 1850s to 1890s, then Water Fold Mill from the early 20th century, with additional buildings, reservoirs and associated Tenter fields. A longer range (labelled as Ben Mill from the 1930s), orientated north-east to south-west and located beyond the application boundary, seems to have been in use longer (up to at least the 1970s) than the smaller northern complex of buildings (Water Fold Mill), which is labelled as 'disused' from the 1930s, and demolished by the end of 1960s.

The application does not fulfil the requirements of NPPF paragraph 194, as no desk-based assessment or any other document that takes into account the historic development and significance of the site has been provided with the application, nor has the Greater Manchester Historic Environment Record (GM HER) been consulted.

The Greater Manchester Archaeological Advisory Service, who maintain the HER consider the site to be of some archaeological interest, given the construction date is unknown and its position adjacent to the river would suggest it originally started out as being water powered. GMAAS acknowledge that any physical remains would be unlikely to prove of sufficient importance to merit their physical retention and preservation, however, any remains of more local significance should be investigated and recorded prior to their loss in accordance with NPPF paragraph 205.

GMAAS conclude that any investigation could be required by planning condition, and have recommended a condition requiring such investigation to be carried out in accordance with a written scheme of investigation (WSI) first agreed in writing with the LPA and GMAAS.

Subject to the above condition, the application would accord with the requirements of paragraphs 194&205 of the National Planning Policy Framework.

Principle of Development – Green Belt

The site is designated as Protected Open Land under policy G/D/2 of the Unitary Development Plan. Policy G4 of Rochdale's Adopted Core Strategy seeks to restrict development within the Green Belt in line with national planning policies unless very special circumstances can be demonstrated.

The NPPF sets out the Government's planning policies which includes those relevant to the Green Belt. Paragraph 149 sets out that the construction of new buildings in the Green Belt should be regarded as inappropriate development, unless it meets one or more of a list of exceptions, with paragraph 150 further setting out other forms of development which are not inappropriate within the Green Belt provided they preserve its openness and do not conflict with the purposes of the including land within it. Paragraph 147 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

When considering planning applications, the NPPF states that Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt and 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

A Court of Appeal judgement in *Redhill Aerodrome Ltd v Secretary of State for Communities and Local Government* establishes that 'any other harm' in paragraph 148 of the NPPF includes non-Green Belt harm that is to be taken into account in the weighing exercise of the planning balance as to determining whether or not very special circumstances exist which would clearly outweigh the harm to the Green Belt by inappropriateness and any other harm.

This Court of Appeal judgment is an important reminder that under paragraph 148 of the NPPF, when considering any planning application concerning proposed development in the Green Belt, local planning authorities should continue to ensure that substantial weight is given to harm to the Green Belt and any other harm.

Therefore, the main consideration in assessing the principle of development is whether the proposed scheme constitutes inappropriate development within the Green Belt, the harm to openness, and where harm by inappropriateness, harm to openness or any other harm exists, whether very special circumstances have been demonstrated which may outweigh the presumption against development.

Inappropriate development

The planning statement provided in support of the application seeks to demonstrate that the development would be appropriate development under paragraph 149 (g), with specific reference to meeting an identified need for affordable housing:

- g) *limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: –*
- *not have a greater impact on the openness of the Green Belt than the existing development; or*
 - *not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to*

meeting an identified affordable housing need within the area of the local planning authority.

To be an exception to inappropriate development under paragraph 149 g), a three-fold test must be met: the site must comprise previously developed land within the meaning set out in annex 2 of the NPPF, the development must not cause substantial harm to openness and the development is required to meet an identified affordable housing need within the area of the local planning authority. The need for affordable housing is well documented across the Council's Local Plan and Strategic Housing Market Assessment, and this point is not disputed.

In respect of the first limb, as has been discussed at length within the '*Principle of Development*' section of the assessment, the site does not comprise previously developed land, and has instead reverted to a greenfield state.

The second limb of the test requires an assessment of openness to establish if the proposals would cause '*substantial*' harm to openness. Paragraph 137 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

"*Openness*," for the purpose of Green Belt policy is not formally defined within Planning Policy or legislation but is taken to mean the absence of built development and neither is the term '*substantial*', and it is therefore not possible to define precisely what is meant by substantial harm and it must be decided as a matter of fact and degree. However within the ordinary meaning of the word, it can be taken to mean an impact which is material and concerns the essential subject matter, which in this case, is openness.

NPPG (Green Belt) sets out that in considering the impact of a proposal on openness, the assessor should make a judgement based on the circumstances of the case, which through the courts, has been determined to include an assessment of both the spatial and visual components of openness, in addition to taking account of the duration of the development and its remediability and the degree of activity likely to be generated. This list is non-exhaustive however, and the decision maker may seek to assess other relevant matters.

The proposals would result in two, three-storey buildings each 45m in length, where there are currently none. The site is set well above the adjacent area to the north, and has long range views from Waterfold Lane and the fields to the south. The buildings, by reason of their significant scale, and appearance, would read as very obvious and permanent additions to the site, and would subsequently have a considerable visual impact from surrounding vantage points, restricting views across the site and partially screening views of the surrounding landscape depending upon where the development is viewed. Whilst vegetation does provide some screening to views towards Bury New Road, this would be particularly limited during the months when vegetation is not in leaf, and notwithstanding, the proposals would be very prominent from surrounding public vantage points.

Further to the above, the proposed buildings would be accompanied by formalised landscaping, hardstanding, lighting, boundary treatments and other paraphernalia associated with the domestic use. The 63 parking spaces, it can reasonably be assumed, would for the majority of the time be occupied by vehicles, which would protrude above the flat topography of the site. The cumulative effect these features, together with the buildings, would, no matter how discretely located, have a significant urbanising impact and would result in adverse visual and spatial harm to openness. Whilst the framework nor the local plan does not define the extent of substantial harm to openness, it is clear from the above assessment that the development far exceeds the limits of the harm that can be accommodated under paragraph 149(g) and would clearly cause substantial harm to the openness of the Green Belt.

Taking all of the above into account, the proposals would cause substantial harm to openness and would fail to comply with the fundamental aims of the Green Belt set out in NPPF paragraph 138, and would comprise inappropriate development which, by definition is harmful to the Green Belt. The proposals therefore fail to comply with the requirements of Policy G4 of the adopted Core Strategy and the National Planning Policy Framework.

Developer Contributions

Paragraph 93 of the NPPF states that to deliver the social, recreational and cultural facilities and services the community needs, decision takers should plan positively for the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities and residential environments. Policy DM2 of the Core Strategy 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. For residential development, this specifically requires contributions towards affordable housing (Policy C4), open space provision and maintenance (Policy G6) and education facilities (Policy C7), and in some cases towards highways improvements (policy T2).

Provision of Recreational Public Open Space

Paragraph 98 of the NPPF emphasises the importance of high quality open spaces and opportunities for sport and recreation for the health and well-being of communities. Policy G6 of the Core Strategy 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 developments of more than ten dwellings with less than 100 bedrooms in total will not need to make provision for recreational open space on site, and as such, this development would qualify for contributions.

The Council's Recreational Open Space table for charges sets out the following charges for a new residential development (cost per dwelling):

Size of Dwelling	Local Open Space: Laying Out Cost(£)	Amount required for Outdoor Sports Provision (£)	TOTAL (Local Open Space + Outdoor Sports Provision)	TOTAL + 5% admin charge
1 bed	457.43	522.97	998.39	1048.31
2 bed	950.85	1045.94	1996.79	2096.63

In accordance with the Council's adopted table of charges, a financial contribution of £62,898.84 towards off-site outdoor sports provision is required for a development of 12, 1-bedroom dwellings and 24 2-bedroom dwellings.

Affordable housing

CS Policy C4 highlights the increased need for affordable housing due to an ever-increasing gap between housing costs, particularly for owner occupation, and household incomes. It states that this national trend is evident throughout the borough and, coupled with the difficulty in getting mortgages, has meant that people are finding it increasingly difficult to access market housing.

In order to address this need CS Policy C4 seeks affordable housing on all developments of 15 dwellings or more. Indeed, policies C4 and DM2 of the CS and the adopted Affordable Housing SPD identify that, subject to viability considerations, residential developments of over 15 dwellings will be expected to make a contribution towards the provision of affordable housing on site or via an off-site financial contribution in exceptional circumstances.

Paragraphs 7.3 and 7.4 of the Affordable housing SPD indicate that an average figure of 15% Affordable Housing will be required on all sites across the Borough. This percentage of units will be subject to a discount of 50% of the average market cost of the dwellings on the site. This will equate to a maximum 7.5% contribution of the development sales value of the overall scheme.

Planning permission has been sought for 100% affordable housing, however no details of the mechanism to secure affordable housing, in accordance with the various definitions set out in Annex 2 of the NPPF, in perpetuity has been put forward.

Nonetheless, if the LPA were seeking to approve the application, the applicant has demonstrated their willingness to enter into an appropriate legal agreement. As the proposed 100% provision of on-site affordable housing exceeds the policy requirement, no commuted sum payment is required. It is noted that the over-provision of affordable housing in comparison to the policy requirement represents a significant benefit of the scheme.

Education

Core Strategy policy C7 seeks developer contributions for the provision of educational facilities (including new school places).

Rochdale Borough Council maintains a minimum 3% surplus of places per year group, per planning area, in order to be able to admit children successfully at any time of year. Planning obligations will be required if the required surplus capacity falls below the 3% surplus for either the current capacity or forecast

In respect of the need for education contributions, the Council's Schools Service has submitted a representation which shows that there is a shortfall of school places available at secondary school in the Heywood Primary Planning Area. In respect of Secondary education contributions, the Council's School Service considers a contribution of £59,871.63 to be necessary.

Conclusion

Contributions to off-site outdoor recreational improvements and education are required for this development by virtue of the proposed quantum of development, subject to receipt of these the application accords with the requirements of policies G6 and DM2 of the adopted Rochdale Core Strategy, the Supplementary Planning Document 'Provision of Recreational Open Space in New Housing' (2008, updated January 2017) and the National Planning Policy Framework.

Planning Balance

Paragraphs 147 and 148 of the NPPF is clear that as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances and the decision maker should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

The proposed development, taking into account the two buildings of significant scale, formal landscaping, hardstanding, parking, boundary treatments and other associated paraphernalia would comprise inappropriate development and would adversely harm to openness of the Green Belt. Additional harm has been identified to character and appearance of the area where the proposals would not be well-designed and also to occupier living conditions.

The provision of 36 affordable units which can be secured in perpetuity is a significant benefit of the proposal, however it is noted that the Council can demonstrate in excess of a 5 year land supply and has delivered new dwellings in accordance with the target of 460 per annum as set out in the Core Strategy. It is also taken account of that the proposals would result in other social and economic benefits through the creation of employment opportunities during the construction of the development and spending in the local area by future occupants. Given the scale and nature of the development, these benefits are recognised to be limited. The proposals would also deliver minor ecological benefits through an uplift in biodiversity, and through an appropriate archaeological investigation, would advance the understanding of the significance of

the former mills which occupied the site, however again, these benefits are limited. No concerns have been raised with regards to the impact of the development proposals on local highways, pedestrian safety or the amenity of nearby occupiers, however these are neutral planning matters rather than ones which would weigh in favour of the proposal.

Taking into account all of the above, the cumulative benefits of the proposal are demonstrably and clearly outweighed by the significant harm to the Green Belt via inappropriate development, harm to openness, the harm to the character and appearance of the area and to the living conditions of future occupiers, and as such, the proposals are unacceptable in principle and would not comply with the stringent requirements of Policy G4 of the adopted Core Strategy and the National Planning Policy Framework.

RECOMMENDATION

REFUSE for the following reasons:

- 1 The proposed development would constitute inappropriate development in the Green Belt which is harmful by definition, and would additionally lead to a significant loss of openness of the site. No very special circumstances exist to clearly outweigh the harm by reason of inappropriateness and the additional harm due to loss of openness, the harm identified to the character and appearance of the surrounding area and harm to the living conditions of future occupiers. The proposal is therefore contrary to policy G4 of the adopted Rochdale Core Strategy, saved policy G/D/2 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.
- 2 By virtue of its layout, the scale and form of buildings, boundary treatments and landscaping, and expanse of surface car parking, the proposed development fails to respond to, and sit sympathetically within, its physical context and respect the positive character of the local area and urban form around the site. The development would not be well-designed and would fail to contribute positively towards local identity and distinctiveness and would therefore be contrary to Policies DM1, P2 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.
- 3 The proposed development would fail to provide a satisfactory standard of living accommodation for future occupiers as the proposed quantum of units cannot be accommodated for in compliance with the Nationally Described Space Standards in light of the layout applied for resulting in units becoming cramped and unfit for habitation. Furthermore, in light of the acoustic dominance of the M66 motorway and the absence of easily accessible alternative open spaces within the vicinity of the site, future occupiers would not be provided with satisfactory opportunity to access outdoor amenity spaces. Overall the proposals would not comprise residential development which would provide a satisfactory standard of amenity to the enjoyment of future occupiers and would fail to comply with Policies G9 and

DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Procedure Statement

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

Notes for Applicant:

For the avoidance of doubt, this decision relates to the following list of plans:

M21-13-LP rev.02 – Location Plan
M19-13-Topo rev.01 – Topo Site Plan/Existing Site Plan
M19-13-Topo rev.03 – Topo Site Plan with Section Alignment
M19-13-09 – Site Sections and Elevations
M21-13-08 rev.06 – Site Layout Plan
PP01.00 rev.P1 – Landscaping Proposals – Overview
PP02.00 rev.P1 – Landscaping Proposals – 1 of 3
PP03.00 rev.P1 – Landscaping Proposals – 1 of 3
PP04.00 rev.P1 – Landscaping Proposals – 1 of 3