

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER
24/01193/PIP	Anna Hayes

DETERMINATION DATE 08.01.2025

Address: West Street Baptist Church Buckley Street Rochdale OL16 2EL

Proposal: Permission in Principle for the erection of a pair of 2 and a half storey semi-detached dwellings and a terraced block of 3 2 and a half storey houses with associated landscaping and boundary treatments

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?	n/a
	Pre-commencement conditions agreed (or notification period expired)?	n/a

RECOMMENDATION	GRANT
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CHECKED AND SIGNED OFF BY: RG

DATE: 8 January 2025

SITE

The application relates to an approximately 0.1 hectare parcel of vacant land, which is overgrown by shrubs and foliage. The site has further waste ground to the rear (south) and is abutted by Buckley Street to the north and West Street to the west, with hardstanding to the east. This is the site of the former West Street Baptist Church, which was demolished in recent years.

The site is set to the south of the Yorkshire Street Local Centre, and whilst some mixed uses are in the vicinity, the area is predominately characterised by residential properties.

PROPOSAL & PROCEDURE

The proposal is for permission in principle. Planning Practice Guidance advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This application relates to the first of these two stages.

The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent technical details consent application if permission in principle is granted. This application seeks Permission in Principle (Stage 1) for the erection of 5 dwellings on the site (indicated minimum and maximum of 5).

Site Plan and Elevation drawings have been provided however these are indicative only for the purposes of a permission in principle application. This applications is therefore determined on that basis and these plans are used only as an aid for assessing the matters which can be considered at this stage.

The illustrative plans shows a pair of 2.5 storey semi-detached dwellings and a terraced block of 3no 2.5 storey houses with associated landscaping and boundary treatment.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Local

Adopted Rochdale Core Strategy (CS):

SO2	Creating successful and healthy communities
C1	Delivering the right amount of housing in the right places
C3	Delivering the right type of housing
SO3	Improving design, image and quality of place
P1	Improving image
P2	Protecting and enhancing character, landscape and heritage
P3	Improving design of new development
SO4	Promoting a Greener Environment
G1	Tackling and adapting to climate change
G2	Energy and new development
G6	Enhancing green infrastructure
G7	Increasing the value of biodiversity and geodiversity

G8	Managing water resources and flood risk
G9	Reducing the impact of pollution, contamination and land instability
SO5	Improving accessibility and delivering sustainable transport
T2	Improving accessibility
SD1	Delivering sustainable development
SP2	The spatial strategy for the borough
DM1	General Development requirements

Unitary Development Plan (UDP):

GD/1	Defined Urban Area
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Supplementary Planning Documents (SPD):

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

Other

Ministry of Housing, Communities & Local Government: National Design Guide (January 2021)

RELEVANT SITE HISTORY

12/D55453	Application For Outline Planning Permission With Some Matters Reserved For The Erection Of 6NO (3X2 Semi Detached) Houses. Resubmission Of D55148. Grant subject to conditions.
22/00676/FUL	Erection of 3 pairs of 4 storey semi-detached dwellings with associated landscaping and boundary treatments – Refused 14/12/2022

Reasons for refusal of 22/00676/FUL:

- 1. By reason of its siting, scale and design, the proposed development would not conform to the typical pattern of the surrounding area, which would not complement the existing streetscene, appearing as incongruous additions and constituting overdevelopment, contrary to the visual amenity aims of policies DM1 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.*
- 2. By reason of its siting, scale and design, the proposed development would unacceptably encroach on the side windows of no. 8 Buckley Street, becoming an unduly overbearing structure and severely restricting light and outlook, and would have an unacceptable impact on the privacy of neighbouring properties to the rear by reason of the proposed roof terraces. Furthermore, the limited outdoor amenity space proposed for Unit 1 and Unit 6 and would result in an unsatisfactory level of occupier amenity. The proposed development is therefore contrary to the residential amenity aims of policy DM1 of the adopted Rochdale Core Strategy, the Council's Guidelines and Standards for Residential Development SPD and the National Planning Policy Framework.*
- 3. The proposal allows for an inadequate means of access to the parking provision for Unit 6, and would therefore not provide satisfactory vehicular access with adequate parking to this dwellinghouse, in conflict with*

policies T2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 4. The proposed development would result in the loss of one tree which makes a positive contribution to the street scene, with no replacement tree planting proposed in mitigation. The proposed development would therefore have an unacceptable impact on the visual amenity of the area, in conflict with policy G6 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.*

23/00526/FUL Erection of no' 3 pairs of semi-detached dwellinghouses including erection of one detached garage - Resubmission of application 22/00676/FUL – Refused 29.08.2024

Reasons for refusal of 23/00526/FUL:

- 1 By reason of its excessive height, scale, massing and appearance, including the proposed rear dormers, the development comprises poor design which fails to respect the site's context and surrounding built form. The scale of the development as a whole is out of proportion with the locality and fails to make a positive contribution to the street scene. The development is contrary to policies DM1 and P3 of the adopted Rochdale Core Strategy, Policy JP-S1 of the Places for Everyone Joint Development Plan, and the National Planning Policy Framework.*
- 2 By reason of its siting, scale and design, the proposed development would unacceptably encroach on the side windows of no. 8 Buckley Street becoming an unduly overbearing structure and severely restricting light and outlook. The proposal would directly impede privacy due to the substandard distance to the facing windows of 3 Buckley Street, resulting in an unacceptable level of overlooking. Furthermore, the limited outdoor amenity space proposed for Unit 1 and Unit 6 would result in an unsatisfactory level of occupier amenity. The proposed development therefore fails to deliver satisfactory living conditions for its occupiers and neighbours, and is therefore contrary to the residential amenity aims of policy DM1 of the adopted Rochdale Core Strategy, Policy JP-S1 of the Places for Everyone Joint Development Plan, the Council's Guidelines and Standards for Residential Development SPD and the National Planning Policy Framework.*

CONSULTATION RESPONSES

Highways and Engineering

No objection to the proposal subject to a condition requiring a dilapidation survey to be undertaken before any alterations to the site are carried out and upon first operation. Any new damage should be remedied to by the developer.

Environmental Health - Noise/Odours

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

Tree Officer

No comments received to date

Conservation and Design

The site is sufficiently distant from the Town Head Conservation Area and the Grade II listed 188a-194 Yorkshire Street to not have a direct impact on any designated heritage assets.

United Utilities

No comments received to date

Transport for Greater Manchester

Confirms that given the low quantum of development and as site observations have confirmed that there is no TfGM apparatus in the vicinity of the development, there are no comments required from a TfGM perspective.

Urban Design

Object to the proposal. The dwellings proposed are contextually inappropriate for the site through their design and orientation. This is discussed in more detail below in the 'Design and Layout' section of this report.

Officer Notes:

The PPG makes it clear that it is not possible for conditions to be attached to a grant of permission in principle, whose terms may only include the site location, the type and amount of development. The above however raise matters to be considered at technical details stage

REPRESENTATIONS

2 objections have been received which raised the following concerns (summarised):

- Increased number of cars on West Street and the surrounding streets;
- Loss of privacy;
- Loss of green space;
- Loss of light;
- Children's safety due to traffic;
- Interruption during building works
- Quaker Burial Ground – adjacent to the former West Street Baptist Church is a graveyard dating back to the 1770s.

ANALYSIS

Permission in Principle (Stage 1)

Location of the site and the type of land use proposed

Paragraph 11 of the Framework contains a presumption in favour of sustainable development. It states that development proposals that accord with the development plan should be approved without delay.

The application seeks permission in principle for the construction of 5 dwellings and a key consideration in the determination of this application is whether the proposed development represents sustainable development or not.

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

Policy C1 of the Core Strategy (CS) 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. CS Policy C3 sets out that the Council will deliver the right types of homes, well designed and built to appropriate densities to meet the overall needs and aspirations of the borough.

Paragraph 70 of the NPPF sets out that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly.

Paragraph 123 of the NPPF sets out that “*Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses*”. Paragraph 124 of the NPPF advises that “*Planning policies and decisions should promote and support the development of under-utilised land and buildings especially if this would help to meet identified needs for housing...*”

Further to those relevant policies as identified in the Rochdale Core Strategy, relevant policies in Places for Everyone (PfE) have been identified. PfE Policy JP-S1 sets out that development should seek to maximise economic, social and environmental benefits. PfE Policy JP-H2 states that there should be a significant increase in the supply of new housing, including, specifically, the supply of low-cost market housing. Furthermore, as set out in PfE Policy JP-H4, new housing should be delivered at a density appropriate for the location and taking into account the site’s accessibility.

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

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

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

The amount of development

This application seeks permission for a net minimum and maximum number of 5 dwellings.

The applicant has provided a suite of drawings including a site location plan, a proposed site plan and proposed floor plans and elevations to demonstrate how five 2.5 storey dwellings could be accommodated on this site. As this is an application for permission in principle, the LPA consider these to be indicative only.

The Council’s Urban Design consultee has offered the following comments on the indicative plans, which Officers attribute significant weight, in particular noting the importance of design and orientation:

- It is noted that the urban development along Yorkshire Street to the north of the site was present in 1851 and fully developed by the late 19th Century, probably as residential / commercial development as largely remains today. From an urban design perspective, any proposed development must reflect the setting of the historic environment in its wider sense. The dwellings as proposed are contextually inappropriate for the site through their design and orientation. The layout as proposed would result in the frontages facing Buckley Street, in a discordant form, and the rear of the commercial units

lining Yorkshire Street, which would result in both poor living conditions and a poor street scene;

- Whilst a proportionate approach is required under the guidance, I would struggle to see how the proposed quantum development could work in practice on this site given the site constraints.
- From an urban design perspective, a set-back terrace of three dwellings fronting West Street with front gardens and communal parking provision to the rear would appear to represent the optimum viable design solution for this site.

However, this application seeks permission in principle only and consideration can only be given to the site's location, land use and the proposed amount of development - which is 5 dwellings (the indicated minimum and maximum number of units). Given the sustainable location of the site, compatible residential use and noting the site area, it could be feasible to achieve 5 residential units on the site and therefore there is no objection to the amount of development in principle at this stage.

Important to note:

Whilst matters relating to design and layout would be assessed at the technical details consent stage following the submission of detailed plans and reports, the LPA would note at this early stage that the current indicative design and layout is not sympathetic to the site constraints and would fail to complement the character and appearance of the locality. Therefore, the current indicative plans would not be supported at technical details stage and so any plans submitted at technical details stage would need to take on a different format to that which is current shown.

Whilst a set-back terrace of three dwellings fronting West Street would be the optimum viable design solution, there is variation within the street scene which would allow for development of a different format/higher density of 5 units, so long as finished development responds positively to its setting, through its design and orientation. More specifically, this is achieved through an appropriate and successful:

- Layout (how the development is arranged and relates to open spaces and buildings i.e. fronting on West Street creating a positive relationship with surrounding land and buildings);
- Form (the three-dimensional shape and modelling of buildings and the spaces they define. E.g. size and shape, height, bulk – their volume, massing – how bulk is shaped into a form, building lines – the alignment of building frontages along a street);
- Scale (height, width and length of each building proposed affecting enclosure);
- Appearance (architecture, materials, decoration, lighting, colour and texture);
- Landscape (treatment of the land, landform and drainage, surfacing, boundary treatments);
- Materials (The materials used for a building or landscape affect how well it functions and lasts over time. They also influence how it relates to what is around it and how it is experienced); and
- Detailing (Detailing affects the appearance of a building or space and how it is experienced – both functional and deliberate).

To that effect, any application would need to ensure it addressed policies P1, P2, P3 of the Rochdale Core Strategy as well as design policies contained within the NPPF and PfE with consideration given to the aims and aspirations of the National Design Guide.

Overall, notwithstanding the highlighted design issues, the considerations of this application for Permission in Principle at this stage are limited to those related to location, land use and amount of development. The LPA have therefore found the location to be acceptable, and the proposed residential use and amount of dwellings would be compatible in the local context in principle.

Impact on Surrounding Land Uses and Residential Amenity

Matters associated with the design, siting and fenestration of the proposed dwellings are not for consideration at this stage.

The Council's Supplementary Planning Document (SPD)'Guidelines and Standards for Residential Development', which establishes minimum space standards will be applied to all new residential developments and development which affect existing residential properties.

The minimum space standard set out in the SPD are:

- 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
- 14m between a principal window and any directly facing two storey elevation which does not contain a principal window to a habitable room
- (10m between a principal window and any directly facing single storey elevation which does not contain a principal window to a habitable room.

These separation distances would need to be met, subject to full material planning considerations.

Access and highway safety

Core Strategy policy T2 states that development will be appropriately located to minimise the need to travel by car and the number and length of car trips. Core Strategy policy DM1 requires all development proposals, provide satisfactory vehicular access with adequate parking, manoeuvring and servicing arrangements, taking into account the proposed use and location. Developments are required to provide parking in compliance with the Council's Car Parking Standards as set out in Appendix 5 of the adopted Rochdale Core Strategy. Paragraphs 115 and 116 of the NPPF require that safe and suitable access to a site can be achieved for all users and 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 of the road network would be severe.

The Local Highway Authority have raised no objection to the proposal. Highway related matters involving the proposed access to the site for example could be adequately addressed under a technical details stage application. Highways have however commented that whilst they have no objection to the development, they would seek a condition requiring a dilapidation survey to be undertaken before any alterations to the site are carried out and upon first operation. Any new damage should be remedied to by the developer.

Ecology

Policy G7 requires that sites and features of biodiversity and geodiversity importance are given full and appropriate recognition and protection and that opportunities for enhancing biodiversity and geodiversity will be supported. It is expected that development proposals will protect and include existing biodiversity and take

opportunities to promote biodiversity and create new habitats using landscaping and building and construction features wherever possible. CS Policy G7 requires that no development should result in a net loss of biodiversity and geodiversity.

PfE Policy JP-G9 seeks to deliver a net enhancement of biodiversity resources through a collective of measures which are broadly aligned with the approach to BNG outlined within the Environment Act (2021), the NPPF and supporting guidance documents. The provisions of the Environment Act in respect of BNG are now a statutory requirement for planning applications and so the proposed development should achieve net gains for biodiversity via species enhancement as guided by the NPPF (paragraphs 187d and 192 b) to achieve demonstrable net gain for biodiversity.

When determining planning applications paragraph 193 of the NPPF sets out that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Opportunities to improve biodiversity in and around developments should also be integrated as part of their design, especially where this can secure measurable gains

As of 2nd April 2024, BNG of 10% for minor planning applications is mandatory for development in England under Schedule 7A of the Town and Country Planning Act 1990. Any Technical Details Consent application would therefore need to account for statutory Biodiversity Net Gain.

Trees

Linking in with the above, it is noted that there are a number of existing trees on site.

The NPPF recognises the important contribution of trees to the character and quality of urban environments, and their role in mitigating and adapting to climate change. Policy JP-G2 of the adopted PfE identifies trees and woodland as vital elements of the green infrastructure network and key features of urban green spaces, which Policy JP-G8 seek to protect and enhance through conserving and managing existing trees of heritage and/or aesthetic value. Policy G6 of the adopted Rochdale Core Strategy sets out provision for enhancing green infrastructure and requires regard to local landscape character and contribute to its conservation or enhancement. Developments should avoid the loss of existing urban greenspace or features e.g. trees unless suitable alternative provision is made, it has limited value and its development or change of use will help meet other sustainability or local regeneration objectives. Policy G6 requires a tree replacement ratio of at least 2:1.

Additionally, Policy G7 requires developments to protect existing biodiversity including trees and vegetation.

Mature trees which have a high amenity value would be expected to be retained. Any Technical Details Consent application would need to account for loss of trees and provide the required mitigation for any losses, however it must first be demonstrated that the losses are unavoidable.

Drainage and Flood Risk

The site is located within Flood Zone 1, having a less than 1 in 1,000 annual probability.

United Utilities were consulted on this application however no such response was received. In any case. United Utilities offer a pre-development enquiry service which is strongly encouraged to discuss proposals directly with their Developer Services team.

United Utilities strongly encourage all developments to include sustainable drainage systems to help manage surface water and to offer new opportunities for wildlife to flourish. They request that Local Planning Authorities and applicants do all they can to avoid surface water entering the public sewer. The flows that come from this surface water are very large when compared with the foul water that comes from toilets, showers, baths, washing machines, etc. It is the surface water that uses up a lot of capacity in their sewers and results in the unnecessary pumping and treatment of surface water at pumping stations and treatment works. If new developments can manage flows through sustainable drainage systems that discharge to an alternative to the public sewer, it will help to minimise the likelihood of sewers spilling into watercourses and the flooding of homes and businesses.

Any Technical Details Consent application would need to ensure the drainage hierarchy is followed and that the proposed development would not increase the risk of flooding elsewhere off site.

Land Contamination

Paragraph 187 and 196 of the NPPF seeks to prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Core Strategy Policy G9 similarly seeks to ensure that sensitive new forms of development are not adversely affected by existing sources of pollution.

Any potential contamination risks associated with development could be dealt with in a future Technical Details Consent application through the submission of a phase 1 contaminated land report.

Noise

Core Strategy policy G9 sets out the Council's requirements approach to all forms of pollution including the risk of noise, as they relate to new development.

Environmental Health were consulted on this application and have advised that they would have no objection in principle to the proposed residential development. However, recommend that a construction management plan is provided, to cover areas such as noise, vibration, mud and dust suppression. Given the close proximity to existing residential properties we would also recommend restricting the site hours to site hours to 08:00-18:00 Monday - Friday 09:00-14:00 Saturdays and no work on Sundays or Bank holidays.

These above matters would be required to be submitted with any subsequent Technical Details consent application.

Other

The Council's Historic Landscape Characterisation (HLC) records indicate that the site is of a:

'Former 1833 Baptist Chapel converted in the late 20th century to commercial warehouses. Apparent good preservation of 19th century building footprints. Possible site of the first Baptist church in Rochdale, gathered in 1773.'

It is noted that the application site is currently cleared of buildings however there could be potential archaeological remains of interest. It is also noted that there is the potential for a burial ground associated with the former Baptist Church to lie within the vicinity. The LPA would therefore expect there to be a full report detailing an investigation of this.

Greater Manchester Archaeological Advisory Service (GMAAS) provide advice on appropriate protection and recording measures on development sites.

CONCLUSION

The permission in principle consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed.

The scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these 'in principle' matters have been assessed as being acceptable.

All other material planning consideration matters are to be considered at the Technical Details Consent Stage, though it must be clearly noted at this stage that the current indicative proposals are not acceptable when considering design and layout.

RECOMMENDATION

Grant Permission in Principle (Stage 1).

Notes for Applicant:

The applicant's attention is drawn to the comments received on the application from the various consultees which may contain advice relating to the expected level of detail to be submitted alongside an application for Technical Details Consent. These comments can be provided upon request.

The applicant's attention is also drawn to the Council's Validation Checklist, which is available online, but the Local Planning Authority would expect the following documents as a minimum to be submitted with any application for Technical Details Consent:

- ☐ Location Plan at a 1:1250 or 1:2500 scale
- ☐ Existing and Proposed Site Plans at 1:200 or 1:500 scale
- ☐ Proposed Elevation Drawings at 1:50 or 1:100 scale
- ☐ Proposed Floor Plan Drawings at 1:50 or 1:100 scale
- ☐ Street Scene and Section Drawings
- ☐ Topographical Survey
- ☐ Design and Access Statement
- ☐ Biodiversity Net Gain Statement
- ☐ Preliminary Ecology Appraisal and accompanying surveys
- ☐ Phase 1 Site Investigation
- ☐ Heritage Statement
- ☐ Noise Impact Assessment
- ☐ Planning Statement / Supporting Statement/Letter
- ☐ Tree Survey and Arboricultural Impact Assessment
- ☐ Drainage Strategy
- ☐ Proposed Hard and Soft Landscaping Plan
- ☐ Boundary Treatment Plan
- ☐ Servicing Plan (for domestic waste/refuse collection)
- ☐ Archaeological Survey