

Officer Report

Case Reference: PL/2026/0386
Location: Land next to 13 KERSHAW ST, HEYWOOD , OL10 3HA
Proposal: Reserved Matters application for the erection of 2 semi detached properties following demolition of existing outbuilding (Outline Approval 24/00172/OUT)
Recommendation: Approve with Conditions
Officer: Aimee Bovaird

Site

The application site relates to an area of land west of no.13 Kershaw Street. The site is bounded by the rear entrances to dwellings fronting New York Street and Agincourt Street.

There is a detached garage on the land and the rest of the land is grassed.

Proposal

Following the approval of outline planning permission, reserved matters approval is now sought for the appearance, layout and scale and access. The proposal is two semidetached dwellings consisting of two storeys with a rear amenity space and no off street parking.

RELEVANT PLANNING HISTORY

24/00172/OUT - Outline Application (all matters reserved) for the erection of 2 no. 2 bedroom semi-detached dwellings following demolition of existing outbuilding. Approved

RELEVANT PLANNING POLICIES

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Sub-Regional Guidance

Places for Everyone Joint Development Plan (PfE)

JP-P1 Sustainable Places

JP-H3 Type, Size and Design of New Housing

JP-G8 A Net Enhancement of Biodiversity and Geodiversity

Local Guidance

Saved Rochdale Unitary Development Plan (UDP) 2006:

G/D/1 Defined Urban Area

Adopted Rochdale Core Strategy (CS) 2016:

Policy SD1 Delivering Sustainable Development

Policy DM1 General Development Requirements

Policy C1 Delivering the right amount of housing in the right places

Policy C3 Delivering the right type of housing

Policy P3 Improving the design of new development

Policy G6 Enhancing Green Infrastructure

Policy G7 Increasing the value of biodiversity and geodiversity

Policy G8 Managing water resources and flood risk

Policy G9 Reducing the impact of pollution, contamination and land instability

Policy T2 Improving accessibility

Appendix 5 Parking Standards

Supplementary Planning Documents (SPD):

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

PUBLICITY

Site Notice: N/A

Press Notice: N/A

Neighbour notification letters: In accordance with the Council's adopted Statement of Community Involvement, notification letters were sent to immediate neighbours. One objection has been received raising the following concerns.

- Increase in noise and disturbance, through construction and increase in vehicles
- Negative impacts on air quality
- Loss of daylight, the development will create an enclosed space.
- Loss of privacy for neighbours

- The development will have an overbearing impact
- Negative impact on the environment
- Negative impact on character of the area
- Add demand to local services

Matters relating to noise and disturbance, loss of daylight and overbearing impacts and loss of privacy are considered in the amenity section of the report. The impact upon the character and appearance of the area are considered in the design section of the report. Air quality impacts are not so great as to be material and are not considered, neither are any additional impact upon local services.

Principle of Development

The principle of development has been established under permission 24/00172/OUT and is considered acceptable. The reserved matters application for consideration relates to layout, landscaping, scale and appearance.

Impact on Occupiers and Layout

Core Strategy policy DM1 requires all development proposals to demonstrate that they will not have a negative impact upon the amenity of future residents and occupiers, with Policy P3 requiring new development to adhere to high standards of design, of which the amenity of occupiers is intrinsically linked. Policy G9 requires that sensitive new developments such as housing are not adversely affected by existing sources of pollution, including noise, from certain types of industry.

The Council's SPD sets out separation distances for residential development. Paragraph 4.1 of the SPD requires new development to adhere to minimum distance standards which include 21m between directly facing windows to habitable rooms at upper floor level, and 10.5m between such windows and directly facing boundaries in addition to 14 between a principal window and directly facing two storey elevations which do not contain a window to a habitable room.

In assessing the proposals, the proposed distance between the proposed first-floor rear windows and the rear windows on New York Street is approximately 11m - 10m short of the requirements of the SPD of 21m. The proposal will also fall short in regards to the distance between the proposed development and the rear of the properties on Agincourt Street with 9m retained, 5m short of the 14m requirement.

Paragraph 4.3 of the SPD sets out that exceptions to these minimum standards may be acceptable in some circumstances, such as where the character and density of the surrounding area would be best preserved by reduced distances, and where it would not detract from the general levels of privacy and amenity typical in the area. Having regard to this guidance, it is considered that the 11m retained to properties on New York Street and 9m to properties on Agincourt Street is typical of the separation between properties which is observed within the immediate vicinity of the site.

On the basis that the proposed layout and separation distances would be consistent with the general character of the area it is considered that there are material considerations which justify such a departure from the expectations of paragraph 4.1.

No.13 Kershaw Street includes a window at first floor level in the side elevation, whilst obscurely glazed, the room which the window serves is also served by a window on the front elevation, and the loss of outlook is not considered to be adversely harmful given that the window to the front is considered to provide an adequate level of outlook and natural light.

The Nationally Described Space Standard (NDSS) is a technical standards document produced by the Government to ensure that new dwellings provide sufficient internal accommodation for future occupiers. Policy JP-H3 of the Places for Everyone Joint Development Plan requires all new housing development to accord with the standards contained within the NDSS.

The proposed dwellings will consist of two bedrooms at first floor level. Whilst the application does not specify the intended occupancy, the assessment has been undertaken on the basis that the proposal would operate as a two bedroom, three person dwelling. Under the NDSS, such a dwelling is required to provide a minimum gross internal area (GIA) of 70sqm. The total internal floor area will be approx. 77.4m, this is considered acceptable.

Bedroom 1 will be 12sqm, this complies with the NDSS to provide two bedspaces. Bedroom 2 is 8sqm this will comply with the NDSS to provide one bedspace. The rooms will provide sufficient space for future occupiers.

Matters of noise and disturbance through the construction period have been raised by objectors to the proposal. Given the small scale nature of the development, it is not considered that the impacts would be atypical for any development of this size, and adverse impacts above what would be expected could be controlled by Environmental Health legislation, and it is therefore not necessary to condition the construction of the dwellings.

As such, the development will provide an appropriate standard of residential amenity for future occupiers and would comply with Policy JP-H3 of the Places for Everyone Joint Development Plan.

Appearance and Scale

The NPPF sets out in chapter 14 DP1-DP4 that development proposals should integrate and enhance their surrounding and strengthen the existing character of the site. This largely reflected within Policies DM1 and P3 of the Council's adopted Core Strategy, which requires development proposals to demonstrate high quality design.

Two dwellings with two bedrooms will be provided. The appearance of the proposed dwellings will reflect the existing dwellings in the street scene, they will be a similar height and finished in red brick. Detailing on the proposed windows will fit in with the existing street scene and this is considered acceptable. Whilst parking spaces would result in visible gaps between dwellings, which is uncharacteristic, on balance, given the impact on neighbouring dwellings through their exclusion it is considered acceptable on balance.

The proposed development will provide hard and soft landscaping, the rear amenity space will be grassed with some area of block paving which extends to the side of the property. The landscaping is considered acceptable as it is generally consistent with surrounding areas.

Highways and parking

Policy DM1 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. Chapter 15 of the NPPF TR6 sets out development proposals should be refused if they would have a severe adverse impact on the transport network or an unacceptable impact on highway safety.

No off street parking is proposed however 1 space per dwelling is proposed. The Council's Highway Officer has been consulted and raised no objections to the proposal. The proposal will not result in road safety concerns.

Conclusion

In conclusion the details of the access, appearance, landscaping, layout and scale of the proposal are considered acceptable.

Recommendation: Approve with Conditions

Condition(s) (4)

- 1 The development shall be carried out in accordance with the following drawings and documents hereby approved:

- Location Plan Sheet 1
- Existing and Proposed Site Plan Sheet 4 Received 17th September 2026
- Proposed Plans Sheet 2 Received 17th September 2026
- Proposed Elevations Sheet 3 Received 17th September 2026
- Existing and Proposed Street Sheet 5 Received 17th September 2026

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

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

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

- 3 The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to occupation of the development.

Reason: In the interest of highway safety and the free flow of traffic and in accordance with Policies T2 and DM1 of the adopted Rochdale Core Strategy, Policy JP-C8 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 4 No above ground works shall take place until such time as a detailed specification and/or samples of materials to be used externally in the construction of the development have first been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall be carried out in accordance with the duly approved details thereafter.

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

Approval Reason(s) (1)

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