



Report Title: Report to Planning Committee

Application Number	PL/2026/0248
Proposal	Residential development of 4no 3 bedroom dwellings with associated parking, landscaping and boundary treatments
Site	Land off Holly Oak Gardens, Heywood Rochdale, OL10 1HP
Applicant	Mr John Stott
Recommendation	GRANT subject to conditions
Reason for Report	Call in by Councillor O'Neill
Background Papers	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.
Ward	North Heywood
Township	Heywood

1. Site, Surroundings and Background

- 1.1 The application site relates to a plot of land immediately to the west of Holly Oak Gardens in Heywood.
- 1.2 The site is currently overgrown with mature, protected trees bounding the front of the site along Egerton Street (Reference Tree Preservation Order 122).
- 1.3 Terraced dwellings on Walker Street to the west face onto the site with No 26 Holly Oak Gardens sharing the common boundary to the north.
- 1.4 Holly Gardens itself is a small residential street with 3 streets branching off to the east with all dwellings being terraced.
- 1.5 The surrounding area is entirely residential which is predominantly characterised by dense terraced housing and a high degree of on-street parking alongside pockets of green infrastructure such as the application site here.

2. Proposal

- 2.1. The proposed development comprises the construction of 4 semi-detached 3-bedroom dwellings to be built across 3 storeys.
- 2.2. Plots 1 and 2 will be furthest west with plots 3 and 4 closer to Holly Oak Gardens and these two plots will be slightly set back from plots 1 and 2.
- 2.3. Each dwelling would match in appearance and would be constructed of red facing brick with stone heads and cills. The ground floor of each dwelling would benefit from a large stone bay window and the principal entrance on the front elevation would have a curved brick header.
- 2.4. Recessed brickwork would add visual interest to the gable elevations on both plot 1 (as viewed from Walker Street) and plot 4 (as viewed from Holly Oak Gardens). These recessed brickwork window openings would also incorporate stone heads and cills.
- 2.5. The dwelling would sit beneath a slate pitched roof.
- 2.6. Bedroom 3 of plots 1 and 2 will be obscure glazed as well as the first-floor rear bathroom.
- 2.7. Each dwelling, particularly plot 1, would benefit from appropriately sized curtilages to the front and rear.
- 2.8. Parking would be provided on the opposite side of Holly Oak Gardens and two spaces would be provided per dwelling.
- 2.9. No trees are proposed to be removed as part of the proposed development.

- 2.10. New trees, shrubs and hedges are proposed to be implemented into the layout of the site.

3. Relevant Planning Policy

Development Plan

- 3.1. The adopted development plan for Rochdale consists of the:

- Greater Manchester Places for Everyone (PfE) Joint Development Plan Document (DPD) (March 2024);
- Rochdale Core Strategy (CS) October 2016);
- Saved Unitary Development Plan (UDP) Policies (June 2006); and

- 3.2. Relevant policies include:

Places for Everyone (PfE)

A strategic plan for Greater Manchester city region. It seeks to guide strategic housing and employment developments across the region.

Sustainable and Resilient Places

JP-S1	Sustainable Development
JP-S2	Carbon and Energy
JP-S3	Heat and Energy Networks
JP-S4	Flood Risk and the Water Environment
JP-S5	Clean Air

Places for Homes

JP-H1	Scale, Distribution and Phasing of New Development
JP-H3	Type, Size and Design and New Housing
JP-H4	Density of New Housing

Greener Places

JP-G6	Urban Green Space
JP-G7	Trees and Woodland
JP-G8	A Net Enhancement of Biodiversity and Geodiversity

Places for People

JP-P1	Sustainable Places
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Connected Places

JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development

Rochdale Core Strategy (CS) 2016

The Core Strategy sets out local strategic and development management policies for Rochdale Borough, and should be read alongside PfE:

Managing delivery and monitoring progress

DM1	General Development requirements
SD1	Delivering sustainable development

Creating successful and healthy communities (SO2)

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

Improving design, image and quality of place (SO3)

P1	Improving image
P3	Improving design of new development

Promoting a greener environment (SO4)

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

Improving accessibility and delivering sustainable transport (SO5)

T2	Improving accessibility
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Rochdale Unitary Development Plan (UDP) 2006 Saved Policies

A majority of the UDP's policies have been superseded by the CS and PfE, except for the following:

EM/7	Development and Flood risk
EM/8	Protection of Surface and Ground Water

National Policies and Guidance

- 3.3. The National Planning Policy Framework (NPPF) (December 2024) and Planning Practice Guidance (NPPG) are relevant overarching material considerations.

4. Other considerations

- 4.1 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.
- 4.2 The application has been considered in accordance with the Rochdale Equity, Diversity and Inclusion policy – Embracing All Voices (2024-2026), which seeks to promote a culture of equity, diversity and inclusion that benefits the community as a whole.

5. Relevant Planning History

- 5.1. PREAPP/00044/25 - Residential Development of 5 new dwellings.
- 5.2. 17/01487/WTTPPO - Works to trees within Tree Preservation Order 122 – Approved.

6. Publicity

Summary of Third Party Responses

- 6.1. Letters of notification were issued on the 22nd June 2026 and a site notice was placed in the vicinity of the development site on the 13th July 2026.
- 6.2. 10 public comments were received, comprising 10 objections.
- 6.3. The objections received are summarised below.

Traffic and pollution

- In relation to the proposed garages, the existing access road is single track with no proposal to widen it. The existing properties 1-5 already have 11 permanent vehicles continuously using this tiny road daily, plus visitors, deliveries and services. It is regularly blocked. 8 additional cars coming and going will entirely block the street and cause chaos.
- The existing access is already narrow and there are already difficulties reversing and manoeuvring.
- Given the distance between the proposed 4 houses and their garages it is my opinion that future owners will continuously block the main Holly Oak access from Egerton Street with their vehicles being the nearest location to their properties when loading/unloading children, shopping etc

- Holly Oak Gardens is an unadopted road and is privately maintained by residents rather than the Council. This means any damage caused, particularly during construction, would fall back on homeowners. Introducing heavy construction vehicles at the sole access point creates a real risk of deterioration to the road and disruption to those living here.
- Egerton Street and the surrounding area are regularly used by pedestrians, particularly children and parents walking to and from nearby schools. At peak times there is already a mix of vehicles and pedestrians sharing the same space, and increasing traffic levels, especially with construction vehicles, raises additional safety concerns that don't appear to have been clearly addressed.

Character and Appearance

- The area is nice and quiet, and the peace would end when the new build properties are built.
- Part of the area is used by locals to walk their dogs when it's too hot its a nice, shaded area.
- The site currently makes the entrance to Holly Oak Gardens look pleasant.
- There is no crime in this area and the possibility of this being housing that allows anyone to move in and disrupt the peace.
- The introduction of four houses on what is already a constrained entry point feels like an over intensive use of the space and doesn't sit comfortably with the current layout of the surrounding area.
- The open outlook that currently exists would be replaced with a much more enclosed setting, with the potential for reduced light and a noticeable loss of visual amenity.

Ecology

- Although an arboricultural report has been submitted, it's difficult to see how development could take place here without affecting root systems or the long-term health of nearby trees. These are an important feature of the area and contribute to its character, so any risk to them is a concern. Similarly, while biodiversity information has been provided, it's not obvious how the proposal would result in a meaningful improvement to the local environment, or how any mitigation would be maintained in practice over time.
- The development cannot be good for the root systems of the trees more obviously, if there was any storms the lime and sycamore trees standing at an average of 18meters tall may fall and that would cause significant damage to the new dwellings, with all that entails.
- The trees and wildlife mentioned in the report are unlikely to be unharmed during the development, there is an array of animals living in the land at the side of our property, hedgehogs are regularly found in our garden which have come from that land as well as other wild animals birds etc

Neighbour impacts

- The noise level of the extra vehicles and their owners accessing/exiting these garages will disturb my peace, privacy and security at all hours of the day and night due to their closeness to my property.
- If existing drains, sewers, roads and street lighting are damaged by such building works, at the time or insidiously, the cost of repairs would fall to existing home owners as the site is not adopted.
- From the plan I can see that any access road to the proposed new dwellings drives cannot be achieved without damage to the roots of preserved trees. This whole proposal relies solely upon the building of these garages as without them the new residents will have nowhere to park their vehicles off road. This will be at the cost of all of the above mentioned, the diminution of the value of my property and outlook upon by the building of garages upon what will become over time (as all such garages become) an ill maintained row of garages and their surrounding area.
- There are also concerns around how overbearing this could feel, particularly for neighbouring properties.
- The dwellings would overlooking directly into our property and curtilage.

Flood Risk

- One of our main concerns is the proximity of the site to Wrigley Brook, which we understand runs beneath or very close to this land. While a drainage strategy has been submitted, it's not clear to us that it fully demonstrates how flood risk would be managed safely over the long term, or that it wouldn't increase the risk to surrounding properties. Given the known issues that can arise with culverted watercourses, particularly during periods of heavy rainfall, this is something we feel needs to be addressed much more clearly.

Other matters

- We have spoken with neighbours regarding this proposed application and note that not a single neighbour has received and notice of application for which is required to of been issued for them to comment on.
- I believe that they haven't received this in the hopes that the application is approved and the build starts without the people it would affect the most being able to comment on this.
- The land where the proposed build is that we believe to be as we hadn't been notified of this would potentially restrict access to the road where there is only one access point.
- The law states that any agreement to develop land for residential use must be adopted by the Council, in relation to roads, sewers, drainage and street lighting, unless there exists justifiable reason not to do so.
- A 30-year Council refusal to such adoption of the site and its existing properties at Holly Oak Gardens unarguably proves that the Council believes that there exists such justification. Therefore, how can the Council consider this tiny part of the same site suitable for further building development when they know such long-term justification exists and have no intention of adopting

any or all of the site which they have classed as unsuitable for adopted building works for over 30 years.

- These garages would directly face my property and be an eyesore in the street. My privacy, outlook and security will be seriously affected. Teenagers and randoms already hang around the corner of Holly Oaks and the front of the Power Station next to the proposed garage site making a nuisance of themselves.
- amendments have been made to the plans after the consultation close date, so we would expect a fresh consultation period.

7. Summary of Consultee Responses

7.1. Greater Manchester Ecology Unit

No objection subject to condition.

7.2. Environmental Health (Contaminated Land)

No objection subject to condition.

7.3. Highways

No objection.

7.4. Environmental Health (Air Quality)

No comments received.

7.5. United Utilities

No objection subject to condition.

7.6. Urban Design

No objection subject to condition.

7.7. Lead Local Flood Authority

The LLFA have commented that:

- Full drainage proposals, layouts etc should be provided.
- Investigation of infiltration potential for full and hybrid / partial options should be undertaken.
- Investigation of all potential SW outfalls should be undertaken.
- Options to mitigate overall volumes of discharge should be assessed.
- Green SuDS source control should be provided

- Resolving the above points could impact proposed layouts etc and therefore they should be addressed before approval and not left to conditions.

7.8. The Coal Authority

No objection.

8. Assessment

Principle of Development

- 8.1. As required by Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004, applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 8.2. The application site is situated within an established residential area of Heywood within the defined urban area, as designated under the UDP Proposals Map. In such locations, the Core Strategy (CS) actively encourages new housing development particularly where there is good access to existing facilities and infrastructure (Policy SP2). This is echoed in Policies C1, C2 and DM1 of the CS. Policy C3 of the Core Strategy seeks to provide a range of housing types to meet different needs, and at densities that make efficient use of land.
- 8.3. Places for Everyone establishes the need for at least 616 net additional dwellings per year in Rochdale to meet the housing needs of the borough. Policy C1 of The Core Strategy seeks to focus housing development on previously developed sites within the urban area, setting a target of 80% of new housing on previously developed land.
- 8.4. Core Strategy Policy C1 also sets out that all new residential development will be expected to comply with the general Development Management criteria outlined in Policy DM1.
- 8.5. CS Policy C3 goes on to state, amongst other things, that higher density development (residential) should be focused around Rochdale, Middleton and Heywood town centres. Policy C3 recognises that higher density development should be focused in areas that can sustain higher densities, and this includes accessible sites in and around town centres, sites on or close to high frequency bus routes and sites close to railway stations or Metrolink stops.
- 8.6. National Planning Policy S4 sets out that development proposals within settlements should be approved unless the benefits of doing so would be

substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the Framework. National Planning Policy L2 paragraph 1c sets out that Substantial weight should be given to the benefits where a development proposal would make better use of vacant and underutilized land and buildings

- 8.7. Policy C1 of the Rochdale Core Strategy seeks to maximise the potential of previously developed land, including empty homes and buildings, to contribute to the required deliverable five-year supply of land for new homes. Whilst it is recognised that this site is not a previously developed site, Policy C1 also goes on to state that the sustainable development of greenfield sites within the urban area will be considered where it is demonstrated that the development would have limited adverse impacts on green infrastructure or amenity value in and around the site, and green infrastructure is, wherever possible, incorporated into the scheme.
- 8.8. 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-S 1 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 reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve efficient use of land and high quality design. This scheme would provide 4 new dwellings at a density appropriate to the local area and the proposed redevelopment of the site for 4 dwellings would fit cohesively within the site.
- 8.9. Policy JP-C8 of PfE also requires new development to be located and designed to enable and encourage walking, cycling and public transport use to reduce the negative effects of car dependency and help deliver high quality, attractive, liveable and sustainable environments.
- 8.10. Whilst Rochdale can presently demonstrate a 5-year housing land supply, this does not preclude the delivery of additional housing. The need for boosting housing in urban areas is clearly set out in National Policy. Therefore, in this instance, it is considered that the proposal would lead to the provision of much needed and sought after residential accommodation in a sustainable location. The proposed dwellings would assist the Borough in meeting its housing requirements and the proposed development comprises the construction of 4 new dwellings on a sustainably located greenfield site.
- 8.11. As such, the proposal is acceptable in principle and in accordance with adopted Rochdale Core Strategy Policies C1 and C3, Places for Everyone Policies JP-S1, JP-H2 and JP-H4, as well as the National Planning Policy

Framework. However, the application is additionally subject to an assessment of matters such as amenity, highway safety and the ecological environment to ensure its acceptability.

Character, Appearance and Landscaping

- 8.12. The NPPF is unambiguous in its stance on the importance of design. National Planning Policy DP3 confirms that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets.
- 8.13. In accordance with National Planning Policy DP3.2g, development proposals should create visually attractive, distinctive and characterful development to establish or maintain a strong sense of place and pride, including through the use of a coherent palette of materials, design features and planting.
- 8.14. Paragraph 3 of National Planning Policy DP3 also confirms that development proposals should be refused if, without clear justification, they conflict with paragraph 1 of this policy or relevant aspects of the principles in paragraph 2, or with any explicit design standards set out in the development plan (including those in locally specific policies, guides, codes or masterplans). Substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals.
- 8.15. CS Policy P1 sets out that high-quality design will be required in all new developments, requiring that under-used land and buildings are re-used and creating people-friendly and safe environments. Policies DM1 and P3 of the Council's adopted Core Strategy require development proposals to adhere to high quality design and enhance the borough's identity and sense of place, by respecting context where it is positive and having regard to the scale, density, massing, height, layout, landscape, materials and access of surrounding buildings and areas in general.
- 8.16. The character and appearance of the surrounding area is predominantly residential with terraced dwellings dominating the street scenes.
- 8.17. The application site is currently an unmanaged and overgrown greenfield site bounded by mature trees to the south and east. The proposed development seeks to retain all existing trees and the development itself will inevitably help

to create active frontages along the surrounding street network and the proposal will appropriately increase the density of the immediate area.

- 8.18. The appearance and design of the dwellings has changed dramatically since initial conception of the scheme at pre-application stage. Now, the proposed development positively and significantly complements the existing character of the area through its design and appearance. The proposed elevation materials would ensure the development fits in with the character of the existing area and the height and massing of the dwellings is appropriate to its location. The development is not significantly taller or inappropriately bulkier than any of the adjacent or surrounding dwellings.
- 8.19. The dwellings have been re-designed to provide high-quality elevations with the introduction of brick detailing, stone cills and heads with the addition of stepped horizontal brick detailing at eaves level on the front elevation. The provision of proportionate fenestration and larger window openings also now complements the surrounding character of the area. Curved brick heads above the front doors and stone heads and cills across other window openings adds a high-quality design feature.
- 8.20. There is no precedent UPVC or door colour in the vicinity of the site as a mixture of colours are used. Nevertheless, the submitted drawings suggest a light colour is proposed to be incorporated into the scheme here.
- 8.21. Dwellings along Walker Street are covered by a slate roof and slate will be expected to be used as the roof material of choice here too.
- 8.22. Accordingly, further detail and negotiation on materials will be secured by condition but the same brick should be used across the elevations for all brickwork and slate must be used as the roof material.
- 8.23. The proposed boundary treatments to delineate the proposed curtilages are appropriate for the proposed scheme and would not appear out of character for a development of this nature. The use of brickwork as the primary boundary treatment is a positive addition to the proposed development and the proposed boundary treatments also appropriately define the proposed curtilages of all dwellings and their location ensures that an appropriate amount of recreational garden space remains available for each dwelling.
- 8.24. The submitted soft and hard landscaping plan referenced 411-001 Rev TP02 demonstrates that the front of the dwellings will be surfaced with Victorian style porcelain tiles to front entrances and resin bound gravel with tile edging to private footways. All public footways would be tarmac with pin kerb edging. The front of each dwelling would be appropriately bounded by a proposed brick wall and metal railing to the top with an overall height of 0.5m in front of the

houses and 1m in between houses. A brick wall with piers and timber gates would bound the dwelling themselves.

- 8.25. Whilst no trees are proposed to be removed, some areas of existing privet hedging will be removed and replaced with a hornbeam hedge which can be appropriately maintained. Other soft landscaping such as shrubs, ornamental hedging, amenity grass and species rich wildlife will be incorporated into the scheme. Two new trees are also proposed to be planted on the east side of Holly Oak Gardens opposite the side elevation of plot 4.
- 8.26. The Council's Urban Design Officer has been consulted on the proposed development, and they have been influential in how the scheme has transformed to its current proposal. Accordingly, subject to condition they have no objection.
- 8.27. Overall, the proposed development creates a visually attractive, distinctive and characterful development which established and creates a strong sense of place and pride through the introduction of a high-quality development comprising the use of a coherent palette of materials and key design features in full accordance with NPPF Policy DP3 (g).
- 8.28. Therefore, subject to full details of materials and other architectural details, and hard and soft landscaping, it is considered that the proposals would satisfy the overarching aims and objectives set out in local and national design guidance in addition to Policies P1 and P3 and DM1 of the adopted Core Strategy, Policies JP-P1 and JP-P2 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Residential Amenity (Occupier and Neighbouring)

- 8.29. CS Policy DM1 requires that developments to demonstrate that they "*Do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.*"
- 8.30. The "Guidelines & Standards for Residential Development" SPD also sets out guidelines for reducing or omitting the impact of new development on the amenities of residential occupiers.
- 8.31. National Planning Policy P3 confirms that development proposals should be appropriate for their location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, whether these effects are on or off-site; and whether this is as a result of the development itself or the product of preexisting conditions in its vicinity.

- 8.32. National Planning Policy P3 2b sets out that development proposals should not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site. Adverse impacts of this nature should be avoided where possible, or else mitigated to an acceptable degree.

Overlooking and loss of privacy

- 8.33. As set out above, concerns were raised by members of the public that the proposed development would give rise to overlooking.
- 8.34. The Council's adopted Supplementary Planning Document '*Guidelines and Standards for Residential Development*' contain a number of guidelines and requirements for the design and layout of new housing in order to preserve the amenity standards for surrounding residents. Included within the above document are the expected space standards for new residential development:
- 21 metres 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.
- 8.35. The aforementioned SPD advises that where these separation distances cannot be achieved, proposals should be "compatible with the density and character of surrounding development".
- 8.36. In making an assessment against the guidance above it is noted that the proposed development would appear to impact up No.26 Holly Oak Gardens the most as a result of overlooking from first floor windows. On reflection of the proposed floor plans, bedroom 3 would allow uninterrupted views into the rear garden of No.26 Holly Oak Gardens. The proposed site plan demonstrates the plots 1 and 2 (the dwellings that would give rise to the highest level of overlooking) are located approximately 8m away from the common boundary shared with No.26 Holly Oak Gardens. This therefore would fall foul of the above guidance as it would not be at least 10.5 away from the shared boundary.
- 8.37. However, as set out above, these separation distances are a guide, and they are not a strict policy requirement, and proposals should be compatible with

the density and character of the surrounding development where these separation distances cannot be achieved.

- 8.38. In this instance, it is considered that a suitably worded condition could be imposed to ensure that the windows serving bedroom 3 in plots 1 and 2 are obscure glazed to eliminate any impact on overlooking.
- 8.39. It is noted that the other room on the first-floor rear elevation serves the main bathroom and this room would naturally be obscure glazed for occupier privacy.
- 8.40. Furthermore, whilst plots 1 and 2 are approximately 8m away from the shared boundary, plots 1 and 2 are also 23m away from the dwelling at No.26 Holly Oak Gardens itself. Therefore, in the opinion of Planning Officers the proposed dwellings are sufficiently sited away from the existing dwelling to not appear overbearing.
- 8.41. No other windows on the application site would give rise to levels of overlooking or visual intrusion on adjacent houses or neighbouring land.

Occupier Amenity

- 8.42. In terms of occupier amenity, Officers must consider if the proposed development provides both sufficient internal and external space that is proportionate to the size of the dwelling ensuring that any space provided meets the needs and requirements for future occupiers for the lifetime of the development.
- 8.43. The Nationally Described Space Standards (NDSS) is a technical standards document produced by the Government to ensure internal space within new dwellings is sufficient for future occupiers. Additionally, in accordance with PfE Policy JP-H3 (Type, Size and Design of New Housing), it is a requirement for all new dwellings to comply with the nationally described space standards and be built to the accessible and adaptable standard in Part M4(2) of the Building Regulations unless specific site conditions make this impracticable. On review of the submitted proposed floorplans, the proposed development meets the minimum requirements in all cases.
- 8.44. With regards to outdoor amenity space for future occupiers of the new dwellings, as defined within the Council's Residential Development SPD residential amenity is; *'The benefit enjoyed from physical external space which is part of the private home. The level of enjoyment is dependent on a number of factors, including location, size, orientation, sounds, noise, accessibility and enclosure, and general quality of space'*.

- 8.45. Under paragraph 7.33 of PfE, the provision of appropriate outdoor amenity space is defined as being *'vital in delivering high quality homes that support good health'*.
- 8.46. In addition, the reasonable needs of occupiers would need to be met and these needs are considered to cover both functional and recreational requirements proportionate to the size of the household, taking into account the surrounding context. On reflection of the proposed layout and gardens associated with each dwelling, the proposed residential garden areas surrounding the proposed dwellings are proportionate would clearly provide an acceptable level of outdoor amenity space.
- 8.47. In addition, owing to the sites sustainable location there are opportunities to access other outdoor public amenity spaces within close proximity and further afield.
- 8.48. Accordingly, subject to condition relating to obscure windows, the development is not considered to impact on neighbouring or occupier amenity and the scheme is considered acceptable in accordance with CS Policy DM1 and the NPPF.

Transport, Highways, Access and Parking

- 8.49. National Planning Policy TR6.4 states that development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion Local requirements for highways safety, transport and access matters are set out in Core Strategy policies DM1, T2, and PfE policy JP-C8.
- 8.50. In this instance the proposed development is proposing two parking spaces per dwelling which would meet the Council's adopted parking standards for dwellings of this nature.
- 8.51. Whilst the objections and concerns raised highlighting the developments implications on traffic and highway safety are duly noted, in the opinion of Planning Officers and Highways Services, the development is not considered to have an adverse impact on highway safety and would not generate a level of additional traffic which would have a detrimental impact on the safe and efficient operation of the immediate local highway network, or strategic routes.

- 8.52. Highways Services have raised no objections and the development is considered acceptable in accordance with CS Policies T1 and T2, Policy JP-C8 of PfE and the NPPF.

Ecology, Wildlife and Biodiversity Net Gain

- 8.53. Core Strategy 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.
- 8.54. PfE Policy JP-G8 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 in accordance with National Planning Policy N2.
- 8.55. National Planning Policy N2 sets out that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then the development should be refused.
- 8.56. 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. This site is not exempt from these provisions.
- 8.57. The Greater Manchester Ecology Unit (GMEU) were consulted on this application and they have set out that a Preliminary Ecological Appraisal (PEA) or similar, has not been provided for this application, however given the small scale, relatively urban nature and the limited habitats to be removed on-site, a full PEA is not essential as the proposals are unlikely to impact protected/priority species. They have therefore made recommendations which will be controlled by appropriately worded conditions.
- 8.58. Wherever possible measures to enhance the site for biodiversity should be secured as part of this planning application and could include the integration of bat or bird boxes onto each new dwelling or on the mature trees at the appropriate heights/aspects. Hedgehog highways (e.g. gaps in

garden/perimeter fences) are also recommended to allow continued movement of hedgehogs across the site.

- 8.59. The Biodiversity Net Gain (BNG) assessment appears to be accurate and appropriate. The proposal is achieving a net gain of 0.26 habitat units (+8.80%) and a gain of 0.25 hedgerow units (+433.13%). The habitat gains are currently not achieving the minimum 10% net gain required and the trading rules are not satisfied, therefore the applicant will need to purchase off-site units to make up the shortfall and to satisfy the trading rules, and this must be evidenced to discharge the Biodiversity Gain Condition.
- 8.60. A Habitat Monitoring and Management Plan (HMMP) detailing management prescriptions for a 30-year period needs to be secured as part of the planning process so that GMEU can be confident that the habitats can be created and maintained on-site. GMEU recommended that a Section 106 is used to secure the required Biodiversity Net Gains and HMMP, although they have confirmed that it is at the discretion of the LPA to decide which mechanism is used. In this instance, given the impending introduction of the National Scheme of Delegation it is considered most appropriate by Planning Officers to control the above requirements by condition to ensure that this application can be suitably determined at Planning Committee and meet the call in request accordingly.
- 8.61. The GMEU have confirmed that they are satisfied that the application can be forwarded to determination and so, accordingly, subject to condition, the scheme is considered to be acceptable in accordance with Core Strategy Policy G6 and G7, PfE Policy JP-G8 and the NPPF.

Trees

- 8.62. National Planning Policy N3 recognises the benefits that trees can provide for biodiversity, climate change mitigation and adaptation, and the character and quality of the built environment, development proposals should ensure that the selection of species and their placement is compatible with highways and other infrastructure requirements and the needs of different users of public spaces; and will be effective in helping to adapt to the effects of climate change and delivering other environmental benefits. Provision should also be made for the long-term maintenance of both existing and newly-planted trees which form part of the development.
- 8.63. CS Policy G6 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. Development proposals are also expected to replace removed trees from a site at a ratio of 2:1. 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. Additionally, Policy G7 requires developments to protect existing biodiversity including trees and vegetation.

- 8.64. 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. PfE Policy JP-G7 also makes it clear that where development would result in the loss of existing trees, this would require the replacement on the basis of two new trees for each tree lost, or other measures that would also result in a net enhancement in the character and quality of the treescape and biodiversity value in the local area, with a preference for on-site provision.
- 8.65. The application site in this instance is subject to Tree Preservation Order 122 which comprises 15 individual trees and 6 groups of trees. TPO 122 covers almost all the application site as well as land to the north (which is now developed as the Holly Oak Gardens residential estate).
- 8.66. The application site is specifically subject to Group 2 and individual trees referenced as T8, T9, T0, T11 and T 12. Group 2 consists of 4 Hawthorn, 3 Sycamore and 2 Cherry trees which the official TPO describes as being located (Along the easterly boundary of Walker Street and north of T9 – 12). Two of the Sycamore Trees contained within Group 2 have lawfully been removed / approved to be removed under Tree Works application 17/01487/WTTPO.
- 8.67. An Arboricultural Impact Assessment and Arboricultural Method Statement accompanies this planning application and confirms that no trees will be removed as part of the development and nor will any trees require pruning.
- 8.68. Protective fencing will be erected as outlined in BS 5837 2012 (figure 2 or 3) as per the Tree Constraints' Plan (TCP) All trees within the BS5837 protective zone will remain protected for the duration of the construction phase.
- 8.69. Small scale hard surface (parking) and garden areas falls within the RPA of T4,T9,T10,T11,T12,T13, T15,T16,T18,T19. Specialist no dig techniques will be employed in these areas.
- 8.70. Specialist construction techniques will be used during the construction of the proposed development and these would be undertaken as follows:
- During the construction of parking spaces 1 and 2 and associated hard standing, no dig techniques will be employed. Cellweb or similar will be used and installed in accordance with manufacturers' specification.
 - During the construction of the rear gardens of plots 3 and 4, all work will be done by hand. Levels will remain as they are and any boundary marker

fence will have the fence posts positioned so as to avoid any roots from neighbouring trees.

- The front gardens of plots 1-4 encroach slightly into Root Protection Area's. Levels will remain as they are in this area and all hard standing will be installed using no dig techniques such as Cellweb or similar and installed to the manufacturers' specification.

- 8.71. Accordingly, whilst comments relating to the nature of the impact of the proposed development on the existing trees and ecology of the site are duly noted, the application submission has demonstrated that the existing trees are being retained and they can be suitably protected during the construction phase.
- 8.72. Appropriately worded conditions can secure the implementation of tree protection measures and the use of specialist construction techniques which would ensure that all trees within the BS5837 protective zone will remain protected for the duration of the construction phase.
- 8.73. It is also recognised that the proposed development will incorporate the provision of a soft landscaping scheme including the provision of new tree planting which satisfies CS Policy G6 and G7, NPPF Policies N2 and N3 and PfE Policy JP-G7.

Noise

- 8.74. 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.
- 8.75. National Planning Policy P3 confirms that development proposals should be appropriate for their location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, whether these effects are on or off-site; and whether this is as a result of the development itself or the product of preexisting conditions in its vicinity.
- 8.76. National Planning Policy P3.2b sets out that development proposals should not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site. Adverse impacts of this nature should be avoided where possible, or else mitigated to an acceptable degree.
- 8.77. The NPPG states that local planning authorities' decision taking should take account of the acoustic environment and in doing so consider: whether or not a significant adverse effect is occurring or likely to occur; whether or not an

adverse effect is occurring or likely to occur; and whether or not a good standard of amenity can be achieved.

- 8.78. Policies DM1 and G9 of the adopted Rochdale Core Strategy seek to ensure that new development is compatible with surrounding land uses, both in terms of its impact upon those uses and the impact of the surrounding land uses upon the amenities of future residents / users, also requiring that development does not have impacts that lead to an unacceptable increase in air, water, noise, light or other pollution.
- 8.79. The resulting scheme by its very nature would not cause any significant impacts in terms of noise and disturbance and within the context of the surrounding area, it is not considered that the use of the application site for residential purposes, particularly on a scale such as that proposed, would result in an adverse impact on the character or amenities of the area and nor would the existing environment have any detrimental impact on the future occupiers of the dwellings proposed.
- 8.80. Environmental Health were not consulted on this application but it is considered that the scheme would be in accordance with Places for Everyone Plan Policy JP-P1, Core Strategy Policies G9 and DM1, and the NPPF.

Flood Risk and Sustainable Drainage

- 8.81. Core Strategy Policy G8 requires that new development does not lead to any increased form of flooding locally or further downstream, does not impede natural water and flood risk management, is not detrimental to existing or potential flood storage areas, contributes where possible to alleviating existing flood risk and is itself well protected from flood risk and ensures prudent use of water resources.
- 8.82. Policy JP-S4 (Flood Risk and the Water Environment) of PfE expects developments to manage surface water runoff through sustainable drainage systems and development should achieve greenfield run-off rates unless it demonstrated to be impracticable.
- 8.83. National Planning Policy F8(1) states that development proposals which could affect drainage on or around the development site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, in ways which are proportionate to the nature and scale of the proposal. The systems employed should provide multifunctional benefits where possible, facilitating improvements in water quality, biodiversity and amenity.

- 8.84. The site is located within Flood Zone 1, having a less than 1 in 1,000 annual probability of flooding but the site is located in the Heywood Critical Drainage Area.
- 8.85. The Lead Local Flood Authority (LLFA) were consulted on this application owing to it's site location within the Critical Drainage Area. The LLFA commented that full drainage layouts and an investigation of infiltration potential for full and hybrid or partial options should be undertaken. An investigation of all potential surface water outfalls should also be undertaken with options to mitigate overall volumes of discharge. Source control of Green Sustainable Drainage should also be provided, and all the above points should be addressed prior to approval.
- 8.86. United Utilities were also consulted on this application, and they have set out that they have no objection subject to condition.
- 8.87. In accordance with NPPF Policy DM3, when considering development proposals, Local Planning Authorities should consider whether unacceptable development proposals could be made acceptable through the use of planning conditions. In this instance, whilst the development isn't considered unacceptable as a whole, it is considered that drainage matters require further assessment and this can be suitably controlled by an appropriately worded condition.
- 8.88. Accordingly, subject to the implementation of the condition recommended by United Utilities, Planning Officers consider that the proposed development would accord with Policy G8 of the adopted Rochdale Core Strategy, Policy JP-S4 of PfE and the NPPF.

Land Contamination

- 8.89. Core Strategy Policy G9 requires that any risks arising from contaminated land are identified and that any appropriate actions are taken.
- 8.90. The application is accompanied by a Contaminated Land Phase 1 Assessment which recommends further work. In this regard it has been confirmed through consultation with the Council's Environmental Protection team that this matter can be dealt with by a suitably worded condition.
- 8.91. In addition to the above, the application site falls within the defined Development High Risk Area for Coal Mining entries and it is likely to have been subject to historic unrecorded coal mining at shallow depth. The Coal Authority were consulted on this application and they have set out that voids and broken ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases.

- 8.92. The Coal Authority noted that a Coal Mining Risk Assessment (5 May 2026, provided by the Mining Remediation Authority), accompanies this planning application. The report has been informed by an appropriate range of sources of information, most notably from BGS geological mapping, borehole records and a Mining Report. The Coal Authority considers that the content and conclusions of the Coal Mining Risk Assessment are sufficient for the purposes of the planning system in demonstrating that the application site is safe and stable for the proposed development.
- 8.93. Therefore, subject to condition, the proposed development is acceptable with regards to CS Policy G9 and the Framework.

Crime Impact

- 8.94. Policy P3 of the CS requires all new developments to incorporate design measures that design out crime and ensure developments and spaces are safe to use and access. Similarly Policy DM1 requires all development proposals to minimise opportunities for crime against people or property.
- 8.95. The application site is currently dilapidated and unoccupied. The proposed development will not negatively impact crime and the continuing regeneration of the area to provide formal and well cared for properties will likely have a positive influence on the aesthetics of the area and the fear of crime as well as reducing opportunities for crime as a whole.
- 8.96. Accordingly, Planning Officers consider that the proposed development has been considered to minimise opportunities for crime and the development is appropriately designed with natural surveillance.

Energy and Sustainability

- 8.97. Core Strategy Policy G1 sets out measures to address climate change and emissions, whilst Policy G2 requires that new development adhere to the energy hierarchy. Core Strategy Policy G1 sets out measures to address climate change and emissions, whilst Policy G2 requires that new development adhere to the energy hierarchy.
- 8.98. Policy JP-S1 of PfE requires development to aim to maximise its economic, social and environmental benefits simultaneously, minimise its adverse impacts, utilise sustainable construction techniques and actively seek opportunities to secure net gains across each of the different objectives.
- 8.99. Places for Everyone Policy JP-S2 sets out expectations for developments to minimise carbon emissions, following the energy hierarchy, and incorporating

renewable energy and EV charging. JP-S2 has replaced existing policies within the Rochdale Core Strategy which related to these considerations.

- 8.100. In accordance with Point 5 (d) of PfE Policy JP-S2 there is an expectation that new residential development will, unless it can be demonstrated that it is not practicable or financially viable, achieve energy demand reductions in terms of space heat demand, hot water energy demand and the delivery of on-site energy generation in accordance with table 5.1.
- 8.101. In this instance, the application is accompanied by an Energy and Sustainability Statement which sets out that the scheme will adopt a fabric first approach to minimise energy demand through high-performance building materials and construction to ensure the development would meet or exceed Building Regulations Part L. The statement also states that the proposed dwellings would utilise low-carbon heating systems such as low temperature underfloor heating and smart heating controls.
- 8.102. The development will incorporate renewable energy generation through roof-mounted Solar Photovoltaic (PV) panels. The panels are allegedly to be installed on south or south-west facing roof slopes where feasible to allow the generation of on-site renewable electricity thus reducing operational carbon emissions.
- 8.103. Accordingly, in line with current policy objectives and in the interest of encouraging a transition to a low carbon emission and energy network in accordance with CS Policies G1 and G2 and PfE Policy JP-S2, a condition is imposed to this permission requiring the submission of a renewable energy scheme or energy saving scheme (including but not limited to) the provision of solar photo-voltaic panels and / or air source heat pumps for example including details of their siting and appearance.
- 8.104. Accordingly, subject to condition, the proposal would be satisfactory in terms of the objectives of PfE policy JP-S2 and CS Policies G1 and G2.

PLANNING BALANCE AND CONCLUSIONS

- 8.105. National Planning Policy S4 establishes the principle that development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by adverse effects when assessed against the national decision-making policies. In this instance, the proposed development would provide 4 new dwellings in the designated urban area and in a sustainable location which is accessible via non-car travel modes of transport such as walking, cycling and public transport links.
- 8.106. As a matter of principle, a development of this type and nature is acceptable and accords with the planning framework and wider strategies for the borough.

- 8.107. The proposed development would support a viable redevelopment to provide much needed housing provision to Heywood and the borough as a whole. There is a strong link between economic growth, regeneration, and the provision of residential accommodation and it is believed that the proposed development would fulfil that objective without any material harm to the character and function of the area.
- 8.108. As set out in this report, the form and design of the development is considered acceptable for the site given its specific context and character. Careful consideration has been given to the siting, scale and appearance of the development together with potential impacts through the construction phase on nearby residents and businesses to ensure it is high quality, sustainable and minimises any impacts.
- 8.109. It is therefore considered that subject to the conditions included below, the development as a whole is acceptable and in accordance with the adopted Rochdale Core Strategy, PfE and the NPPF, the proposed development is recommended for approval.

9. RECOMMENDATION

- 9.1. It is recommended that the Planning Committee resolves to **GRANT** full planning permission for the redevelopment of the site comprising a change of use to four residential dwelling subject to the following conditions:

Conditions:

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

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

2. This permission relates to the following plans and documents:

- Site Location Plan Drawing
- Proposed Site Plan Drawing No 25.3573.SC2.2C
- Proposed Floor Plans and Elevations Drawing No 25.3573.SC2.1D
- Proposed Hard and Soft Landscape Plan Drawing No 411-001 Revision TP02
- Contaminated Land Phase 1 Assessment Revision 00
- Drainage Strategy Report Revision 00
- Arboricultural Impact Assessment and Arboricultural Method Statement
- Tree Survey Schedule dated 23.06.2025
- BS5837-2012 Protective Fencing Specification

- Tree Constraints Plan
- Tree Root Protection System
- Biodiversity Net Gain Assessment Version 03 26th August 2026
- BNG Metric
- Air Quality Risk Assessment Report
- Energy Statement Referenced 25.3573 March 2026
- Coal Mining Risk Assessment Report Reference 71009841837001

The development shall be carried out in accordance with these drawings and documents hereby approved unless otherwise required by condition below.

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, Places for Everyone Joint Development Plan and the National Planning Policy Framework.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent Order following the revocation and re-enactment thereof, the development hereby approved shall not be altered or extended, and no buildings or structure shall be erected within their curtilage under Schedule 2, Part 1, Class A, AA or B of the above Order.

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

4. No development shall take place until an investigation and risk assessment (in addition to any assessment provided with the planning application) has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons.

The submitted report shall include:

i) a survey of the extent, scale and nature of contamination

ii) an assessment of the potential risks to:

- o human health,
- o property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
- o adjoining land,
- o groundwaters and surface waters,
- o ecological systems,
- o archaeological sites and ancient monuments;

iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.

The development shall be carried out in accordance with the approved remediation strategy thereafter.

No part of the development shall be occupied until a verification report demonstrating that the approved remediation has been implemented has been submitted to and approved in writing by the Local Planning Authority.

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

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

5. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- i. An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- ii. A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- iii. Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- iv. Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- v. Foul and surface water shall drain on separate systems.
- vi. The approved schemes shall be in accordance with the National Standards for Sustainable Drainage Systems (2025) or any subsequent replacement national standards. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

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

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

6. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:
- a non-technical summary;
 - the roles and responsibilities of the people or organisation(s) delivering the HMMP;
 - the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
 - the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
 - the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, has been submitted to, and approved in writing by the Local Planning Authority.

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

7. Notwithstanding any description of materials in the application, no above ground works shall take place until samples and full specifications of all external facing materials to be used in the approved elevations have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved and retained as approved thereafter. For the avoidance of doubt, these details should relate to brick type, windows, doors, roof materials and all other elevation materials.

For the avoidance of any further doubt, a sample panel of the agreed brickwork (minimum size 900mm x 900mm) to be used in the proposed elevations shall also be made available to view on site.

A sample of the proposed window frame and roof tile must also be made available to view on site.

For the avoidance of doubt, the proposed roof material should be slate.

Reason: In order to ensure use of appropriate materials which are sympathetic to the character of the area and in the interests of visual amenity and to comply with the requirements of Core Strategy Policies P1 and P3 and the National Planning Policy Framework.

8. Notwithstanding any description of materials in the application, no above ground works shall take place until samples of all ground surfacing materials to be used externally within all parking and private and public pedestrian areas of the development hereby approved, have been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure use of appropriate materials which are sympathetic to the character of the area and in the interests of visual amenity and to comply with the requirements of Core Strategy Policies P1 and P3 and the National Planning Policy Framework.

9. No part of the development shall be occupied until all corresponding boundary treatments have been erected in accordance with the approved details as set out within the approved Boundary Treatment Plans referenced:

- Proposed Hard and Soft Landscape Plan Drawing No 411-001 Revision TP02

All boundary treatments shall thereafter be retained in accordance with the approved details at all times.

Reason: To ensure that the site is satisfactorily landscaped and in the interests of visual amenity and to comply with the requirements of Core Strategy Policies P1 and P3 and the National Planning Policy Framework.

10. All proposed planting set out within Proposed Hard and Soft Landscape Plan Drawing No 411-001 Revision TP02 shall be carried out in accordance with the approved details within the first planting and seeding seasons following the completion of the development. Any trees, plants or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with Policy G7 of the adopted Rochdale Core, Policies JP-P1 and JP-G2 of the Places for Everyone Plan and the NPPF.

11. No development (including any demolition, site clearance or preparation works) shall take place until the trees that are to be retained within the site have been enclosed with temporary protective fencing and temporary ground protection has been fully installed in full accordance with BS:5837:2012 'Trees in relation to design, demolition and construction' and with the approved Arboricultural Impact Assessment and Tree Constraints Plan.

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

No retained tree or hedgerow shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. If any retained tree is removed, uprooted or destroyed or dies (as a consequence of the development), another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area and in accordance with Policies P3, G1, G6 and G7 of the adopted Rochdale Core Strategy, Policies JP-P1, JP-G6 and JP-G7 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

12. The development hereby approved shall be undertaken in full accordance with the specialist construction techniques as set out within section 9 of the approved Arboricultural Impact Assessment and Arboricultural Method Statement.

No plant or equipment or vehicle with a hydraulic arm such as a mini digger shall be operated within striking distance of the stem and branches or the RPA of any retained tree.

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area and in accordance with Policies P3, G1, G6 and G7 of the adopted Rochdale Core Strategy, Policies JP-P1, JP-G6 and JP-G7 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

13. The development hereby approved shall not be occupied until such time as a scheme of biodiversity enhancements for the site including, but not necessarily limited to, the provision of at least bat bricks or tubes and swift nesting bricks is submitted to and approved in writing by the Local Planning Authority. The duly approved scheme shall be implemented in full prior to first occupation of the dwelling and retained thereafter.

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

14. The development shall not be fully occupied until all vehicle parking spaces as shown on Proposed Site Plan Drawing No 25.3573.SC2.2C have been provided and clearly marked out in accordance with the plans hereby approved. The parking spaces shall be kept available for residents parking at all times thereafter and they shall not be used for any other purpose.

Reason: In order to ensure there is adequate provision for vehicles to be parked and adequate turning and servicing provision clear of the highway in order to comply with Policy T2 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

15. The development hereby approved shall not be occupied until full details and specifications of a renewable energy or energy saving scheme (consisting of but not limited to) solar photo-voltaic panels including large scale drawings at a scale of not less than 1:50 and / or air source heat pumps including details of their siting and appearance, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details thereafter.

Reason: In the interests of achieving the objectives of PfE Policy JP-S2 and CS Policies G1 and G2 and 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, Policies JP-S2 and JP-P1 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent Order following the amendment, re-enactment or revocation thereof, prior to first occupation of the plots 1, 2 and 3 all windows to the first floor rear elevation facing north on the development hereby approved shall be fitted with textured glass, which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent), and shall be non-opening below 1.7m from the internal floor level.

The windows shall be retained as such thereafter:

Reason: In the interest of occupier and neighbouring amenity and in compliance with Policy 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.

BIODIVERSITY NET GAIN

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- b) A Biodiversity Gain Plan has been submitted to the planning authority,
and;
- b) The planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Rochdale Borough Council.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

For the purposes of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990, a biodiversity gain plan is a plan which:

- (a) relates to development for which planning permission is granted, and;
- (b) specifies the matters referred to below:

The matters are:

- (a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- (b) the pre-development biodiversity value of the onsite habitat;
- (c) the post-development biodiversity value of the onsite habitat;
- (d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- (e) any biodiversity credits purchased for the development; and
- (f) any such other matters as the Secretary of State may by regulations specify.

Procedure Statement

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively to issue the decision without delay.

Informative

1. If a protected species (such as any bat, great crested newt, dormouse, badger, reptile, barn owl or any nesting bird) is discovered using a feature on site that would be affected by the development or related works all activity which might affect the species at the locality should cease. You should then seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works (with regard to bats). This action is necessary to avoid possible prosecution and ensure compliance with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended), the Protection of Badgers Act 1992 and the Wild Mammals Act 1996. This advice note should be passed on to any persons or contractors carrying out the development/works.
2. Any work that will impact on habitats where nesting birds may be present (for example works to/or removal of scrub/grassland), should not be undertaken in the main bird nesting season (March – August) unless suitable checks for active bird nests have been undertaken prior to any works being carried out.
3. Your attention is drawn to the protection afforded to trees within/bordering the site, by a Tree Preservation Order.