

## **PLANNING AND LICENSING COMMITTEE**

### **MINUTES OF MEETING Thursday, 22 March 2018**

**PRESENT:** Councillor Carol Wardle (Chair); Councillors Shakil Ahmed, Surinder Biant, Burke, Butterworth, Davidson, O'Neill, Rashid, Stott, Sullivan and Williams.

**OFFICERS:** J. Holmes (Planning Solicitor), P. Moore (Head of Planning), D. Ripa (Development Manager), M. Caine (Senior Planning Officer), C. Woods (Highways Team Leader), M. Garraway (Senior Governance & Committees Officer).

**ALSO IN ATTENDANCE:** Councillor Susan Emmott; M. Hibbert (Wildes Consulting Engineers), 75 members of public.

**APOLOGIES FOR ABSENCE:** Councillor Hussain, Councillor Rush and Councillor West

#### **DECLARATIONS OF INTEREST**

59 Councillors Susan Emmott and Rush declared interests and withdrew from the Committee on grounds that they had expressed views in relation to the application which may have been considered prejudicial to the determination of the application.

#### **HYBRID PLANNING APPLICATION FOR DEVELOPMENT OF LAND BOUND BY MANCHESTER ROAD, HARESHILL ROAD AND PILSWORTH ROAD WEST OF JUNCTION 19 OF THE M62 ROCHDALE**

60 The Head of Planning introduced planning application 16/01399/HYBR a part full/part outline planning application for the development of land at South Heywood, including the demolition of a number of existing on-site buildings and structures. Full consent sought for the construction of a new link road between Junction 19 of the M62 and Pilsworth Road, the widening of part of Pilsworth Road, together with associated junction improvements, landscaping, lighting and other works including the importation of material and engineering works in order to construct the link road. Outline consent (with all matters reserved for future approval except access) sought for a major mixed-use development comprising supporting residential uses comprising up to 1000 dwellings (Class C3); employment uses (Classes B2/B8) comprising up to 135, 460m<sup>2</sup> Gross Internal Area(GIA); a new primary school (Class D1); Class A1/A2/A3/A5 uses comprising up to 2500m<sup>2</sup> GIA which includes no more than 499m<sup>2</sup> of A1 uses; together with associated landscaping, open space and sports pitches, drainage, ecological enhancements, cycleway and footpath linkages, infrastructure and other works ancillary thereto.

In introducing the application the Head of Planning advised of a typographic error on page 144 of the submitted report which required amendment to read "Limited positive weight is also given to the environmental and social benefit arising from the improved public transport service along with new cycle routes

and footpaths that would improve accessibility between the surrounding residential areas and existing businesses and its employees, as they heavily rely on the use of the car to travel to and from work.”

The Committee were advised a further four letters of objection had been received following publication of the report, responses to which had been summarised within the submitted update to the report. The objections raised matters relating to:

- The draft Greater Manchester Spatial Framework;
- Air quality measures;
- Compliance with Regulation 18 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017;
- The accuracy of the viability assessments;
- A new Green Belt review being required;
- Communication of information to the public in relation to the application and decision making.

Furthermore, the Head of Planning advised of a number of changes to the planning conditions as detailed within the submitted report, including two new additional conditions. The recommendation remained the same with the following amendments to the conditions:

#### Schedule 1

16. No development shall take place until details of the finished site levels of the proposed highway and associated landscaping in relation to existing ground levels relative to previously agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details. Reason for condition: In the interests of amenity and in compliance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

17. No development shall take place until a scheme of noise mitigation measures for existing neighbouring residential properties has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the design, appearance, height and siting of the acoustic fencing set out in pages 59-60 of Chapter 15 of the Environmental Statement. All works which form part of the approved scheme shall be completed before the commencement of development and retained thereafter. Reason for condition: To safeguard the living conditions of existing residents in accordance with Core Strategy Policy G9 and the National Planning Policy Framework.

#### Schedule 2

2. Application for approval of the first reserved matters shall be made to the local planning authority not later than three years from the date of this permission, and application for approval of all remaining reserved matters shall be made within sixteen years from the date of this permission. Reason for condition: To be imposed pursuant to Section 92 of the Town & Country Planning Act 1990 for those parts of the application submitted for

outline permission only, and that the time period reflects the separated, phased development programme.

3. The development hereby permitted shall begin not later than two years from the date of approval of the first of the reserved matters to be approved, and development of any subsequent phase shall begin not later than two years from the date of approval of the reserved matters for that phase.

Reason for condition: To be imposed pursuant to Section 92 of the Town & Country Planning Act 1990 for those parts of the application submitted for outline permission only, and that the time period reflects the separated, phased development programme.

32. No development shall take place in the phase of the development that will include the 151st residential unit until the details of a junction improvement scheme at the Pilsworth Road/Moss Hall Lane East junction has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved junction improvement scheme before the occupation of the 151st residential unit.

Reason for condition: To ensure highway safety and to limit the effects of the increase in travel movements

The Committee considered the views of Mr D. Court who addressed the Committee on behalf of objectors to the application.

The Committee considered the views of Mr D. Kershaw and Mr G. Lynch who addressed the Committee as the applicants.

The Committee considered the views of Ward Councillor Susan Emmott who addressed the Committee raising objections to the application.

Resolved:

(1) That planning permission be granted subject to the conditions listed in Schedules 1 and 2 of the report as amended above, and the completion of appropriate legal agreements under the Local Government Act 1972, The Town and Country Planning Act 1990, Localism Act 2011 and to secure the following planning obligations:

(a) Air Quality payment –£1500 for the installation of a NO2 diffusion tube site along the link road to be paid prior to the commencement of development.

(b) Affordable Housing – 15% on-site provision, per phase.

Contributions are to be provided where the Council don't want onsite provision for that particular phase. The affordable housing shall be intermediate and rented, with no more than 50% rented, in any one phase.

(c) Bus Service and Bus Stops Contribution – £1.05million + £180,000 respectively.

(d) Link Road payment – shortfall contribution in respect of the final costs of the link road including the original link road cost, £317,000 for highways mitigation and £25,000 for the pedestrian and cycle route between the site at Gloucester Avenue and Heywood town centre up to Church Street.

- (e) Management Company – for long term management and maintenance of the Public Open Space.
- (f) Public Open Space –8ha of land including the Multi Use Games Area (MUGA) and Neighbourhood Equipped Area of Play (NEAP) to be provided on-site.
- (g) Sports Pitches – provision of 3.5 hectares or in lieu of sports pitches the apportioned sum of £200,000 towards Heywood Sports Village will be paid.
- (h) Land for a Primary School (single form entry school) – 0.8 hectares to be transferred to the Council.
- (i) Education contribution – sum based on formula of up to a maximum of £4,620,003.50.

(2) That the application be approved for referral to the Secretary of State.

(3) If the Secretary of State is not minded to 'call in' the application for determination, the Assistant Director (Planning and Development) be delegated to release the decision notice on completion of the relevant legal agreements, planning obligations and subject to the conditions listed in Schedules 1 and 2 of the report as amended by the addendum to the report. .

Reason for resolution:

Whilst the proposal comprises inappropriate development in the Green Belt and should not be approved except in very special circumstances it is considered that the potential harm to the Green Belt is outweighed by other considerations and benefits that the proposal will bring including the substantial benefits that would be delivered to support sustainable economic growth; employment generation that in an area of the Council that suffers from high levels of unemployment; the benefits associated with overcoming existing traffic problems and congestion in the South Heywood area and surrounding motorway and local highways network, and the provision of education facilities in an area of the Council that is at capacity.

The existence of very special circumstances had been taken into account when considering section 38 (6) of the Planning and Compulsory Purchase Act 2004.