

Report to Planning and Licensing Committee



Date of Meeting	8 August 2019
Portfolio	Councillor Carol Wardle Cabinet Member for Planning, Development & Housing
Report Author	Michael Atkinson-Smith
Public/Private Document	Public

Application: 17/01418/OUT	Township: Rochdale South	Ward: Bamford
Applicant: Rochdale Borough Council	Agent: Mr Malcolm Percy	
Site Address: Land South East of Half Acre House Residential Care Home, Roch Valley Way, Rochdale OL11 4DB		
Proposal:	Outline application for erection of five detached dwellings	

SITE LOCATION



DELEGATION

- 1.1 The application is referred to the Planning and Licensing Committee as the proposal represents a departure from the Development Plan and has been called up by Councillor Angela Smith on the basis of the impacts on existing residential properties and the Roch Valley Greenspace Corridor.

PROPOSAL SUMMARY

- 2.1 Outline planning permission is sought for the erection of five detached dwellings on land to the south east of Half Acre House Nursing Home, including a new access from Roch Valley Way. The proposal seeks to obtain permission for the access and layout, with scale, design and landscaping reserved matters.

RECOMMENDATION

- 3.1 It is recommended that the Planning and Licensing Committee resolves to **REFUSE planning permission**.

REASON FOR RECOMMENDATION

- 4.1 Whilst Core Strategy policy C3 seeks to improve the supply of larger and higher value housing in the Borough, policy C1 states that the development of greenfield sites within the urban area will should have a limited adverse impact on green infrastructure or amenity value in and around the site and that green infrastructure is, wherever possible, incorporated into the scheme.
- 4.2 Through the linear and regimented form of the layout, the proposed development would be distinctly at odds with its surroundings and fails to take account of the specific site context. Furthermore, the application is accompanied by insufficient information to demonstrate that adequate mitigation for the loss of existing trees can be accommodated on or in the vicinity of the site to compensate for the loss of trees, including those which contribute to the street scene of Roch Valley Way adjacent to the access point, to the detriment of the visual amenities and better landscape qualities of the greenspace corridor.
- 4.3 The proposed development is therefore considered to be contrary to parts (e) and (f) of saved Rochdale Unitary Development Plan policy G/8, Core Strategy Policies G6 and G7 and the National Planning Policy Framework. Together these policies seek to protect and enhance the Borough's Green Infrastructure from harmful development.

SITE

The application relates to plot of land to the southeast of the Half Acre Nursing Home off Roch Valley Way in Rochdale. The site is currently accessed through the grounds of the nursing home, with part of the application site falling within the curtilage/garden area of the nursing home and the other part a section of undeveloped open greenspace covered in well-established grass/vegetation and self-seeded trees. The site lies within the Defined Urban Area, with the majority forming part of the Roch Valley Greenspace Corridor.

To west of the application site is the garden area belonging to the nursing home and beyond this is the highway of Roch Valley Way. The area which forms part of the curtilage of the nursing home is made up a mixture of well-kept gardens, concrete flags/patio area, self-seeded trees and the existing access road.

To the south of the site is a steep embankment which drops down to the river Roch and on the opposite side of the river is a water treatment plant. To the east is an area of semi-mature woodland protected by Tree Preservation Order 090.

Two large residential dwellings (61 & 63 Half Acre Drive) stand to the north of the site of the proposed dwellings, as does a vacant/gap site. Mature trees growing along the rear boundary of the existing dwellings offer some screening, and two protected trees are growing close to the boundary shared with the gap site. The dwellings to the north are situated approximately 2m higher than the application site.

PROPOSAL

The application seeks outline planning permission to erect five detached dwelling houses on land to the south east of Half Acre Nursing Home. The proposal seeks to obtain permission for the access and layout, with scale, design and landscaping reserved matters.

Access

The residential development would be accessed via a newly created private driveway off Roch Valley Way, with the adjacent existing access to the nursing home closed off. The new access would serve both the existing dwellings and the nursing home. The private driveway would measure 4.5m wide where it serves both the dwellings and the nursing home, although after passing the separate turnoff for the nursing home the width of the road serving the dwellings would gradually reduce to 3m wide.

Approximately 26 trees not subject to a TPO would be removed to facilitate the new access road.

Additional parking and a service vehicle turning area would additionally be provided within the grounds of Half Acre House nursing home

Layout

The proposed layout shows that the dwellings would be situated in a linear formation with the rear elevations facing north towards the residential dwellings on Half Acre Drive and the adjacent gap site. The dwellings would all be L-shaped measuring 10.5m wide (at the widest point) and 10.5m in length (at the longest point). Each property would have a rear garden measuring approximately 23m in length and two parking spaces would be provided within each residential curtilage. The proposed access road would run directly to front of the dwellings and to the south, but separated by a modest planting strip.

Approximately 21 trees would be removed to accommodate the proposed dwellings, although none of these are protected.

Amendments

Amendments to the proposed scheme during the course of the application included a revision to the proposed access arrangements to result in a single access point to reduce the potential for vehicular conflict on Roch Valley Way and an extended application site area to permit a greater separation distance between the proposed dwellings and the existing dwellings at nos. 61 and 63 Half Acre House. These changes resulted in the need for an updated tree survey and Arboricultural Impact Assessment and an updated Preliminary Ecological Appraisal Survey was also submitted.

The applicant was advised to submit a full planning application including sufficient land within the application site for replacement planting along with detailed design of the properties and a landscaping scheme as this is integral to the principle of releasing land in the greenspace corridor for development and compensating for the loss of trees. However, this has not been forthcoming.

DEVELOPMENT PLAN

Rochdale Unitary Development Plan (UDP) 2006:

G/D/1	Defined Urban Area
G/8	Greenspace Corridors
EM/7	Development and Flood Risk
EM/8	Protection of Surface and Ground Water

Rochdale Core Strategy (CS) 2016:

C1	Delivering the right amount of housing in the right places
C3	Delivering the right type of housing
P1	Improving image
P3	Improving design of 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

T2 Improving accessibility
DM1 General development requirements
SD1 Delivering sustainable development

Supplementary Planning Documents (SPD):

Guidelines and Standards for Residential Development (2016)
Provision of Recreational Open Space in New Housing (Updated 2017)

NATIONAL PLANNING POLICY AND GUIDANCE

National Planning Policy Framework (NPPF) – February 2019
National Planning Practice Guidance (NPPG)

RELEVANT HISTORY

13/00927/FUL Outline application (means of access and layout) for the erection of five detached dwelling houses. Refused 21.11.13 for the following reasons:

- 1) The proposed development, part of which is situated within the Roch Valley Greenspace Corridor, would wholly alter the natural appearance of this area, and thus harm its openness, better landscape quality and character, thereby diminishing its amenity value and contribution towards providing visual relief from the urban environment. The proposed development would result in a visible and substantial incursion into the valley and the corridor, setting a precedent for further encroachments into the Greenspace Corridor and thus degrading the currently pleasant and open countryside feel and character that this site provides. The proposed residential development of this site is therefore considered to be contrary to criterion (e) and (f) of Unitary Development Plan Policy G/8(A) (Greenspace Corridor), as well as Policy G/G/1 (Greenspace) which places emphasis on protecting sites which have an existing or potential value from inappropriate development.
- 2) The submitted Phase 1 Habitat Survey highlights that the application site has 'medium' potential for bats, badgers and reptiles and therefore prior to determination further surveys would need to be carried out on the site in order to fully understand and assess its ecological value. These surveys have not been undertaken and therefore it can be not be reasonably demonstrated that the proposed development would not harm the ecological value and biodiversity of this area. In addition, it is considered that areas of rough uncultivated ground such as this, often promote more diverse flora, which in turn supports a greater variety of smaller wildlife including insects and birds. The proposed development would inevitably result in the transformation of this uncultivated rough and overgrown land

which includes scrub and large and small trees, into private enclosed residential curtilages and a new vehicle access road within the Roch Valley, and this would be likely to reduce the naturally diverse habitat here. The proposal, as submitted without the detailed surveys, fails to comply with criterion (g) of Policy G/8(A) and Policy NE/3 (Biodiversity and Development) of the Rochdale Unitary Development Plan.

- 3) The rear elevation of the proposed dwellings at plots 1 & 2 would be sited 17.4m from the rear elevation of the existing dwelling at 63 Half Acre Drive. It is expected that the rear elevation of the proposed dwellings would contain habitable windows and it is therefore considered that the proposed development would unreasonably affect the privacy enjoyed by the occupiers of the neighbouring property at 63 Half Acre Drive, which also has principal windows in the rear elevation, through loss of privacy and overlooking. The proposal therefore fails to comply with Policy H/3 (Residential Development Outside Allocated Areas) of the Council's Unitary Development Plan, which seeks to ensure that new housing developments are compatible with surrounding uses, both in terms of its impact upon those uses and the impact of surrounding uses upon the amenity of future residents. The proposal would also fail to satisfy the relevant guidance contained within the Council's "Supplementary Planning Guidance Note for Residential Development" which requires a separation distance of 21m between principal elevations. In addition, all five dwellings would have a rear garden length of 8.5m which is 2m below the 10.5m required between the principal rear elevation and the site boundary, to prevent overlooking into neighbouring gardens, also contained within the Council's "Supplementary Planning Guidance Note for Residential Development".

90/D25719	Relocation of tipped materials and landscaping. Granted STC November 1990
87/D21019	Infilling of land with builders waste and dry industrial waste for reclamation for horticultural use. Refused April 1988
78/D06166	Outline application for two dwelling houses. Granted STC July 1978

CONSULTATION RESPONSES

Greater Manchester Ecology Unit - An updated ecological report has been provided. This has found no significant changes to the ecological issues associated with this site. Issues relating to bats, badgers, nesting birds, invasive species and loss of semi-natural grassland can be resolved via condition and or informative.

Bats - Previously two trees were identified as having bat roosting potential and were recommended for further survey should they need to be removed. The 2018 survey found one of these trees had blown over and was unable to locate the second tree within the development footprint. I am satisfied therefore that the risk to bats is now very low. I recommend an informative along the following lines be applied to any permission: *The applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found during any tree works felling should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.*

Badgers - Probable evidence of badgers utilising the site was identified in 2016. No such evidence was found in 2018. As development has already been significantly delayed on the site and could be delayed further, I recommend a condition along the following lines be applied to any permission: *Prior to commencement of earthworks a survey of the site and within 30m for badger setts will occur and the findings supplied to and agreed in writing by the LPA.*

Nesting Birds - The development will result in the loss of trees and scrub potential bird nesting habitat. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. I recommend a condition along the following lines be applied to any permission: *No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.*

Himalayan Balsam - Himalayan balsam is present on the site. Species such as Himalayan balsam are included within this schedule 9 part 2 of the Wildlife & Countryside Act 1981, as amended. It is an offence to introduce or cause to grow wild any plant listed under this schedule. . I recommend a condition along the following lines be applied to any permission: *Prior to any earthworks a method statement detailing eradication and/or control and/or avoidance measures for Himalayan balsam should be supplied to and agreed in writing to the LPA. The agreed method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the LPA.*

Contributing to and Enhancing the Natural Environment - Section 170 of the NPPF 2018 states that the planning system should contribute to and enhance the natural and local environment. The development will result in the loss of approximately 0.25ha of semi-natural habitat. The habitats present are however of only moderate ecological value and are habitats that are widespread in the locality. Without mitigation however this would still be a negative impact. Mitigation could be achieved through soft landscaping if the use of native trees and shrubs was maximised and bird and bat boxes provided eg. The boundaries were planted with hawthorn hedges and native trees such as silver birch utilised in the soft landscaping. As I am satisfied that mitigation is achievable the detail can be conditioned along the following lines: *A landscape plan shall be submitted to and approved in writing by the LPA, prior to commencement of*

development. The content of the plan should include elements to mitigate for loss of trees shrubs and bird nesting habitat. Through the provision of:

- *Native hedgerows along property boundaries;*
- *Native trees;*
- *Provision of bird and bat boxes.*

The approved plan will be implemented in accordance with the approved details.

Highways and Engineering - I do not envisage any issue relating to this development unreasonable Traffic or Congestion at this location. Parking Provision proposed for each unit is ideal. Access to the site appears to have been long established and yet long abandoned. I am satisfied suitable visibility is available at this location for the access to be safely used. Junction proximity is however another concern given the proximity of the Nursing Home Access I would want the applicant to have an independent Road Safety Audit completed by a suitably qualified professional.

If the applicant were to increase the number of units on the site I would expect them to establish a common access point. The onsite layout does not give me cause for concern. This is a Private Drive with low volumes of Traffic and vehicles will not drive quickly down this lane.

Refuse Collection cannot take place from this development under this current design. The refuse vehicle should not have to leave the adopted Highway to undertake collections. The applicant has indicated the access to be Private in its entirety. The applicant would have to revise plans and see the access road adopted up to and for 9m beyond the Nursing Homes secondary access. If this was achieved I would not have concerns regarding refuse collection.

Roch Valley Way is a busy road and people do exceed the speed limit on occasion which further adds to my desire for a 3 stage Road Safety Audit of any proposed layout.

Officer Recommendation: Refuse collection from this location cannot take place. The refuse vehicle cannot leave the adopted highway and the private drive is too far to expect residents or Council operatives to transport bins. Whilst I have no objection to this proposal in principle I would like to see the results of a Road Safety Audit prior to making my recommendation.

Revised Comments in Respect of Amended Proposal: No objections to this proposal. The revised access combines with the Nursing Home to form one access point. I do not envisage any issue relating to this development unreasonably Traffic or Congestion at this location. Parking Provision proposed for each unit is ideal. I am content this access is suitable for a development of this scale and the nursing home. The onsite layout does not cause concern. The revised layout includes a turning head and bin store. I am satisfied this is sufficient to allow Refuse Collection.

Public Protection (Environment) - Prior to commencement of the development an investigation and risk assessment, in addition to any assessment provided

with the planning application, must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced and shall have been first submitted to and approved in writing by the Local Planning Authority before development commences. The report of the findings must include:

- i) a survey of the extent, scale and nature of contamination
- ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archeological sites and ancient monuments;
- iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s)

The development shall thereafter be completed in full accordance with the approved recommendations.

United Utilities: United Utilities will have no objection to the proposed development provided that foul and surface water are drained on separate systems and prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public sewer must be restricted to 6.5 l/s.

TOWNSHIP PLANNING PANEL

The application has not been discussed at the Rochdale Township Planning Panel.

PUBLIC REPRESENTATIONS

Letters of notification were sent to surrounding neighbours and a site notice posted in the vicinity, with the exercise being repeated on receipt of the revised proposal under the same application number. A total of 23 objections from 15 unique addresses were received in response the initial consultation and 20 objections from 19 unique addresses were received in response to the second round of publicity.

The key points of objection and Case Officer's responses summarised below:

- The proposed site lies on land partly designated as Green Belt.

- *Case Officer's Response: The application site is not within the Green Belt, however it a greenfield site and part of it is located within the Roch Valley Greenspace Corridor which is afforded a high degree of protection from development.*
- The site lies within a designated greenspace corridor which provides welcome relief from the urban area and forms a green buffer comprising wildlife habitat (bats, badgers, deer, etc.) / Any bats that live on site help to control the insect population / The proposed development site encroaches further into the Roch Valley than the previous proposal.
 - *Case Officer's Response: The impacts of the proposal on the greenspace corridor and its ecology are addressed in the Analysis section below.*
- The site is situated at generally higher than the river basin therefore the proposal would result in unacceptable harm to the landscape value of the corridor / The development does not make a positive contribution to the local area nor does it take opportunities available for improving the character and quality of the area.
 - *Case Officer's Response: As the application is an outline application for access and layout only, a full assessment of the proposed development on the landscape character and visual amenities of the area is not possible at this stage, although the effect of encroachment into the Roch Valley Greenspace Corridor is acknowledged and addressed in the Analysis section below.*
- The site appears to be situated on a disused tip. The submitted documentation does not appear to adequately address the suitability of the site to take residential development in terms of identifying potential contaminants and ground stability issues.
 - *Case Officer's Response: The Council's Public Protection Service has been consulted on the application and recommends that a condition requiring the relevant site assessments and mitigation measures be attached to any approval.*
- The proposed access road does not appear to provide adequate turning facilities for refuse and emergency vehicles. The properties are also situated too far from the adopted highway to expect residents to wheel their own bins to the collection point. The proposal indicates an area for bin storage however you would not normally expect this type of provision for the standard of development proposed.
 - *Case Officer's Response: The Council's Highways Officer considers the revised proposal to satisfactorily address these issues.*
- The development would contribute to increased congestion and pollution on Roch Valley Way.
 - *Case Officer's Response: The Council's Highways Officer has raised no objections on these grounds given the scale and nature of the development.*

- A number of trees will be removed to facilitate the proposal.
 - *Case Officer's Response: The arboricultural impacts of the proposal are addressed in the Analysis section below.*
- Two of the proposed dwellings would have an unreasonable effect on the privacy of the occupants of No. 63 Half Acre Drive through overlooking.
 - *Case Officer's Response: The revised proposal has adequately addressed this issue through accordance with the relevant minimum separation distances as outlined in the SPD.*
- The proposed development is contrary to a number of the Council's Policies.
 - *Case Officer's Response: An assessment of the proposal against the relevant adopted policies is carried out in this report.*

ANALYSIS

Principle of Development

1. The proposed application site is located within the Defined Urban Area. However, the majority of the site lies within the Roch Valley Greenspace Corridor as designated under the Proposals Map of the Unitary Development Plan (UDP). Predominantly the site of the proposed dwellings is land that has been landscaped above tipped materials as approved under application 90/D25719 and has subsequently returned to its natural state.
2. Only a small part of the new access road includes land that presently is covered by hardstanding, with the remainder of the land within the curtilage of Half Acre House being mature garden. As such, as a whole, the site would be considered to represent an area of previously undeveloped, or greenfield, land as per the definition contained within Annex 2 of the National Planning Policy Framework.

Contribution to Housing Supply

3. Core Strategy Policy C1 requires the provision of at least 460 net additional dwellings per year in the period 2012 to 2028 to assist in the creation of successful, inclusive and mixed communities and meet the housing needs. The policy acknowledges that this is a challenging target and whilst it seeks to ensure that the focus is on maximising the use of brownfield sites it states that the development of greenfield sites may be necessary.
4. In terms of housing supply, the Council's latest published information is the 2017 Strategic Housing Land Availability Assessment (SHLAA) which shows the position as at 1st April 2017. The five year supply as at 1st April 2017 demonstrates that there is capacity to deliver 827 additional dwellings per annum in the first five years. Therefore as at 1st April 2017

the Council could demonstrate a five year supply (5.8 years) of land available to deliver new housing when assessed against the target.

5. Whilst the latest published information suggests that the Council can demonstrate a five year supply based on the Core Strategy target; this does not preclude the promotion of sustainable development where this can assist in delivering additional housing to meet local needs.
6. Also relevant is Core Strategy policy C3 which states that the Council will ensure that new development provides housing types that take account of local needs and aspirations and ensure that the supply of larger and higher value housing in the Borough is improved. Whilst full details of the proposed house types has not been provided, the site context lends itself to the provision of higher value homes which it reasonable to assume they would be given the location.
7. On this basis, the proposal would appear to satisfy the requirements of Core Strategy policies C1 and C3 and the principle of development of a greenfield site such as this for residential purposes need not be unacceptable; however, these factors must be balanced against all other material considerations as outlined below, most notably the requirements of saved UDP policy G/8, with parts A, B and D being relevant.

Impact of the Layout on the Greenspace Corridor

8. Policy G/8 states that the Greenspace Corridors shown on the proposals map will be protected, with developments only permitted where they will enhance the recreational, ecological or landscape and amenity value of the corridor. Criterion (e) and (f) of saved UDP policy G/8(A) state that development will not be permitted within the Greenspace Corridor where it would result in unacceptable harm to

(e) *“the better landscape qualities and character of the corridor”*; and

(f) *“the amenity value of the corridor where it provides welcome visual relief from urban development, including attractive views in and out of the corridor”*.

9. The Greenspace Corridor to which the application relates forms an important green buffer between the River Roch and the built environment to the north. The existing developments including Half Acre House nursing home and residential properties on Half Acre Drive to the north of the site form a clear and definitive river valley edge/boundary where the urban development ends and the open river valley landscape begins.
10. The proposed development, including the tree removals and proposed dwellings, would result in a visible and substantial incursion into the valley and the corridor, thus degrading the currently pleasant and open countryside feel and character that this site provides on the edge of the urban area. It is noted that to increase the separation distances from the

dwellings at Nos. 61-63 Half Acre Drive, the current application encroaches further into the river valley than the development proposed under previously refused application 13/00927/FUL.

11. Whilst there is no current public access to the site, there are views from public footpaths on Roch Valley Way and in the longer term the Council is seeking to deliver trails and improve the public access into the Roch Valley Greenspace Corridor. Policy G6 of the adopted Core Strategy specifically refers to the importance of the Roch Valley Corridor and the objective of enhancing the valley as a key landscape feature in wider Green Infrastructure networks both locally and as a part of Greater Manchester's river valleys. As such the proposed development would be considered to undermine the future enhancement of the Roch Valley Greenspace Corridor, negatively affect its landscape character and qualities, adversely impact views into and from it and reduce its structural value as a relief from the urban area.
12. Whilst matters of detailed appearance, scale and landscaping are reserved at this stage, with the application being in outline only including access and layout, it is noted that a good arrangement of streets, spaces and buildings is fundamental to achieving high quality residential development. It is expected that the proposed dwellings be constructed to a high standard of design with landscaping and boundary treatments that respond positively to their context, but the very siting of built development in this location in the linear and regimented form proposed would be distinctly at odds with its surroundings given its very nature as an undeveloped river valley.
13. Essentially, the form of development proposed is inorganic in layout and would appear transposed onto the site rather than attempting to integrate into the natural landscape and being influenced by the surrounding environment.
14. On this basis, it is considered that the regimented layout and lack of a sufficient landscaping scheme which is integral to the principle of development results in it not being possible to conclude that the development would contribute positively to the attractiveness of the river valley, improve the environment, create a place for people or support the Council's long term proposals for the enhancement of the Roch Valley Greenspace Corridor as an attractive and accessible destination. The proposed residential development of this site is therefore considered to be contrary to criterion (e) and (f) of saved Rochdale Unitary Development Plan policy G/8(A), Core Strategy Policies G6 and P3 and the requirements of the National Planning Policy Framework.

Trees and Street Scene

15. The trees to the east of the site protected by Tree Preservation Order (TPO) would be largely unaffected by the proposed development, with

suitable protection measures during construction being capable of being conditioned.

16. The proposed development would result in approximately 47 trees being removed from the site, with the majority of these being for the proposed access road. Many of the trees to be felled are self-seeded and of low quality and not visible from Roch Valley Way. However, a group of four trees would be felled to facilitate the new access from Roch Valley Way which would somewhat affect the street scene. The harm is considered to be limited, however, given that dense groups of mature trees would remain on either side. There would be little scope for replacement to offset the harm to visual amenity at this specific location due to the lack of available space.
17. The outline application does not include landscaping but the submitted plans show that trees would be planted along the southern boundary of the site to compensate for the loss of these trees. Notwithstanding this, Core Strategy policy G6 requires that trees removed to facilitate development are replaced at a 2:1 ratio and it has not been adequately demonstrated where up to 94 replacement trees can be accommodated within the application site area. The matter of the required replacement tree planting through inadequate land being demonstrably available to facilitate acceptable mitigation, the application fails to demonstrate compliance with Core Strategy policy G6 and the National Planning Policy Framework.

Biodiversity and Ecology

19. Core Strategy Policy G7 states that the Council will ensure that features of biodiversity and geodiversity importance are given full and appropriate recognition and protection, and no development should result in a net loss of biodiversity or geodiversity interest. Saved UDP policy G/8(A) indicates that developments should not unacceptably harm features of nature interest (including designated and non-designated sites).
20. In assessing the impacts of the proposed development, consultation was carried out with the Greater Manchester Ecology Unit (GMEU) which notes that the updated ecological report has found no significant changes to the ecological issues associated with this site from the previous and earlier assessment submitted as part of the current application. GMEU considers the potential for bat roosting on site to be low and notes that a restriction on site clearance during the bird nesting season will mitigate potential harm to nesting species.
21. Removal of Himalayan balsam which has been identified on the site can be controlled through condition. Probable evidence of badgers utilising the site was identified in 2016 but no such evidence was found in 2018. In the event of any approval, a suitable condition requiring appropriate actions in respect of badgers would be required.

22. Section 170 of the NPPF 2018 states that the planning system should contribute to and enhance the natural and local environment. The development will result in the loss of approximately 0.25ha of semi-natural habitat. The habitats present are however of only moderate ecological value and are habitats that are widespread in the locality. Mitigation could be achieved through soft landscaping if the use of native trees and shrubs was maximised and bird and bat boxes provided. Such matters could be dealt with through conditions in respect of landscaping.
23. On the basis that matters relating to protected species and mitigation for biodiversity loss can be adequately controlled through condition, the proposal can be considered to comply with Core Strategy policy G7 and the National Planning Policy Framework.

Residential Amenity

24. The revised proposal would see an approximate 30m separation between the rear elevations of the proposed dwellings and the rear of the dwellings at nos. 61 and 63 Half Acre Drive which is in excess of the minimum of 21m required by the SPD. The distance to the rear garden boundaries of the same properties would be 22m which is significantly in excess of the minimum requirement of 10.5m. On this basis, no undue amenity impacts for the occupants of the existing dwellings on Half Acre Drive are considered to arise.
25. It is acknowledged that nos. 61 and 63 Half Acre Drive presently enjoy an open aspect to the rear across the application site and into the Roch Valley but this cannot be afforded weight to warrant a refusal of planning permission as it is an established principle in planning that there is no right to a view.
26. There are no other residential dwellings in the immediate vicinity that would be unduly affected by the proposals and no incompatible land uses that would see their operations affected by the proposed development. The proposed development would not prejudice the potential future development of the vacant site adjacent to No. 61 Half Acre Drive as the site is of suitable scale to accommodate a development of a reasonable size without impacting upon amenity of the occupiers of the easternmost three of the proposed dwellings. Subject to a satisfactory design and fenestration arrangement, the proposed dwellings would provide acceptable living conditions for future occupants.
27. It is acknowledged that there is a distance of only 6.5m to the rear boundary of 63 Half Acre Drive and the rear boundary of the westernmost proposed dwelling and approximately 9m from 61 Half Acre Drive to the adjacent proposed dwelling, although planning permission has previously been granted for an extension to this dwelling which would reduce the distance further. However, it is noted that due to the length of the proposed gardens and retention of some degree of tree screening to the rear, the proposed gardens could be easily laid out to ensure the main

usable areas are a suitable distance from the rear elevations of these dwellings so as not to be unduly overlooked in close proximity.

28. Therefore, on balance, it is considered that a satisfactory standard of residential amenity could be achieved for both existing surrounding occupiers and the occupiers of the proposed dwellings and the application accords with the relevant parts of Core Strategy policy DM1, the SPD and the National Planning Policy Framework.

Highways, Parking and Access

29. The revised proposal would see the creation of a new vehicular access of Roch Valley Way and the closure of an existing access to Half Acre House nursing home. The Council's Highways Officer considers that the revised access proposal that combines access to the proposed dwellings and the nursing home to form one access point to be suitable for the development.
30. Due to the scale of the proposed development, no concerns have been raised in respect of traffic generation or increased congestion in this location. It is considered that the onsite layout is acceptable and can function safely and there is sufficient parking provision for each unit and adequate space and manoeuvrability to facilitate refuse collection from the development.
31. On the basis that the highways and access impacts of the development are therefore acceptable, the application accords with Core Strategy policies DM1 and T2 and the National Planning Policy Framework.

Drainage and Flood Risk

32. The site falls within Flood Zone 1 and is therefore at a low risk of flooding (less than 1 in 1000 or 0.1% annual probability of river or sea flooding in any year). The site is therefore suitable for residential development in this respect, subject to appropriate wastewater and surface water disposal to reduce the risks of flooding or aquatic pollution elsewhere.
33. As this is an outline application dealing with access and layout only, full details of the proposed drainage scheme have not been provided with the application and would need to be secured through condition. However, a detailed consultation response from United Utilities sets out a number of requirements in relation to foul and surface water separation and management and sustainable urban drainage system to be installed.
34. Therefore, subject to an acceptable drainage scheme being submitted to and approved by the LPA as required by a suitable condition, the requirements of Policy G8 of the Core Strategy and the requirements of the National Planning Policy Framework would have been met.

Land Contamination and Stability

35. The NPPF and Core Strategy Policy G9 state that the Council will ensure that any risks arising from contaminated land or land instability are identified, and that any appropriate actions to address these risks are taken, prior to development taking place.
36. The application site partially covers an area of land that has been landscaped above tipped materials as approved under application 90/D25719. In response, consultation has been carried out with the Council's Public Protection Officer who suggests that prior to commencement of the development an investigation and risk assessment must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. Where the investigation and risk assessment identify potential unacceptable risks, remedial action should be carried out prior to development in accordance with details and within a timescale to have first been submitted to and approved in writing by the Local Planning Authority.
37. It is therefore concluded that, subject to an appropriate condition and subsequent actions in respect of the above, the requirements of Policy G9 of the Core Strategy and the National Planning Policy Framework in relation to land contamination would have been satisfied.

Provision of Recreational Open Space

38. Policy G6 of the adopted Rochdale Core Strategy expects development proposals affecting green infrastructure to, in the case of residential development, provide or contribute financially towards recreational open space, including maintenance, in accordance with the standards set out in the Provision of Recreational Open Space in New Housing Supplementary Planning Document.
39. Nevertheless, in November 2014, the Government made a policy announcement that tariff style planning obligations should not be applied to developments of 10 dwellings or fewer or with a floorspace of less than 1000sqm. In this case, the proposal seeks outline permission for access and layout only, with scale a reserved matter, and therefore final floorspace cannot be firmly ascertained (and therefore how much, if any, contribution would be required) at this stage.

Conclusion

40. Whilst Core Strategy policy C3 seeks to improve the supply of larger and higher value housing in the Borough, policy C1 states that the development of greenfield sites within the urban area will should have a limited adverse impact on green infrastructure or amenity value in and around the site and that green infrastructure is, wherever possible, incorporated into the scheme.

41. The proposed development would result in significant harm to the visual amenities, landscape and structural values of the Roch Valley Greenspace Corridor and, despite revisions to the scheme developed throughout the application process, it is considered that the proposed development remains unacceptable in both principle and matters of detail and the application is accordingly recommended for refusal.

RECOMMENDATION

It is recommended that the Planning and Licensing Committee resolves to **REFUSE planning permission for the following reason:**

1. The proposed development is partly situated within the Roch Valley Greenspace Corridor. The proposed development, through the linear and regimented form, would be distinctly at odds with its surroundings and fails to take account of the specific site context. Furthermore, the application is accompanied by insufficient information to demonstrate that adequate mitigation for the loss of existing trees can be accommodated on or in the vicinity of the site to compensate for the loss of trees, including those which contribute the street scene of Roch Valley Way adjacent to the access point, to the detriment of the visual amenities and better landscape qualities of the greenspace corridor. Accordingly, the proposal is considered contrary to the requirements of Policies G6 and G7 of the adopted Rochdale Core Strategy, saved policy G/8 of the Rochdale Unitary Development Plan and the National Planning Policy Framework.