

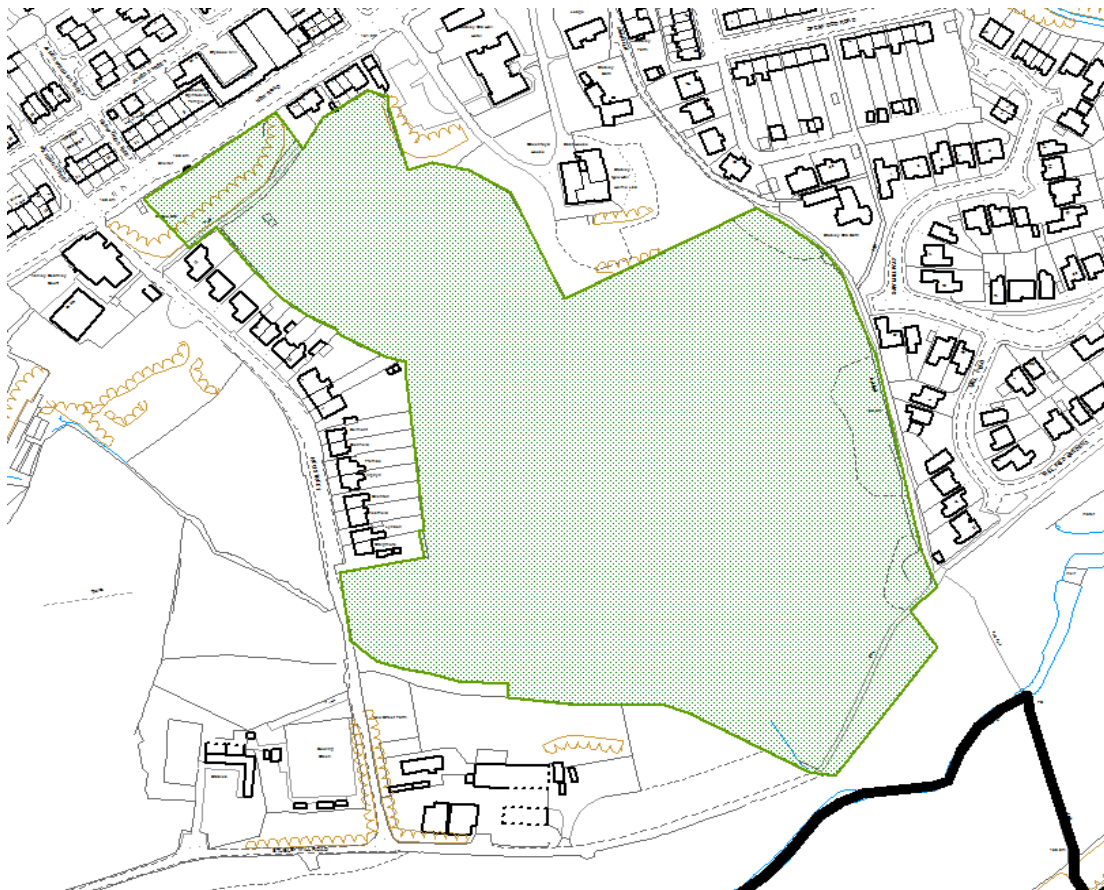
Report to Planning and Licensing Committee



Date of Meeting	27 November 2019
Portfolio	Councillor Wardle Cabinet Member for Planning, Development & Housing
Report Author	Mark Caine
Public/Private Document	Public

Application: 19/00262/FUL	Township: Pennines	Ward: Wardle & West Littleborough
Applicant: Mr Thomas Relph		Agent: Mrs Lorraine Robertson, Barton Willmore
Site Address: Land Off New Road, Littleborough, Rochdale		
Proposal:	Residential development of 96 dwellings together with associated services, drainage, access arrangements and car parking including the demolition of the existing building on site.	

SITE LOCATION



DELEGATION

- 1.1 The application falls to be determined by the Planning and Licensing Committee as it comprises major development, is a departure from the development plan and more than 10 objections have been received.

PROPOSAL SUMMARY

- 2.1 Residential development of 96 dwellings together with associated services, drainage, access arrangements and car parking including the demolition of the existing building on site.

RECOMMENDATION

- 3.1 It is recommended that the Planning and Licensing Committee resolves it is minded to **GRANT permission** subject to the recommended conditions and subject to the prior signing of a S106 legal agreement.

REASON FOR RECOMMENDATION

- 4.1 The proposed development is considered to sympathetically integrate itself into the existing urban grain of the surrounding area. The revisions made are considered to provide an attractive relatively green and spacious modern housing scheme, with ample public open space and connections to neighbouring developments. Sufficient separation distances and relationships between proposed and existing properties would also ensure that the living conditions of neighbouring residents and future occupiers would not be unduly affected. Whilst the proposed development is not considered to satisfy the sequential test in respect of flooding, the genuine fallback position presented by the applicant is considered to demonstrate a betterment in terms of flood risk on the site, and that it would not exacerbate flooding elsewhere. This, in combination with the benefits associated with the enhanced design and layout of the scheme, when compared to what would likely be provided under the outline planning permission (15/00830/OUT), are considered to demonstrate significant material considerations that would outweigh the development plan conflict with criterion (a) of CS Policy G8, and indicate that planning permission should be granted.

SITE & BACKGROUND

This application relates to an irregular shaped piece of land that is located to the southern side of the A58 New Road in Littleborough. The site is characterised by open agricultural land, which contains a number of mature trees and falls away steeply from the New Road highway.

The application site covers areas of land to the rear of the existing residential properties on New Street. Stubley New Hall and the Grade II* Listed Stubley Old Hall bound the northern side of the site, with more recent residential development to the east. More agricultural land and buildings at New Street Farm lie adjacent to the south and western boundaries of the site, which is also in close proximity to the edge of the River Roch.

Groups of mature trees within the site and on the opposite side of the boundary with Stubley Old Hall are protected by Tree Preservation Orders (TPO). Public rights of way also run adjacent to the site, along New Street and Stubley Mill Road, and Stubley Lane.

The majority of the site lies outside of the Defined Urban Area and is allocated as Protected Open Land and Greenspace Corridor, with the exception of a small part of the site at the northern end adjacent to the A58, which lies within the Defined Urban Area.

The majority of the application site (to the north) 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). However some central and southern areas of the site lie within Flood Zones 2 and 3 and are therefore considered as areas at risk of flooding.

The site is currently under construction, implementing the outline planning permission (Ref: 15/00830/OUT) and the reserved matters approval (Ref: 17/01458/REM) for phase one of that development, which comprises 53 houses.

PROPOSAL

Permission is sought for the construction of 96 houses together with associated services, drainage, access arrangements and car parking, and include the demolition of the structure that covered part of the artesian well.

Amendments

Amendments were secured to the scheme to delete houses. Revised plans now show a mix of detached and semi-detached properties that are predominantly of two-storeys in height, however there are 10 two and a half storey houses proposed.

These proposed development comprises a mix of 53 x 4 bedroom, 35 x 3 bedroom, and 8 x 2 bedroom properties, including 15 affordable houses and a centrally located formal Local Area of Play (LAP).

Vehicular access is proposed to be provided via a spine road off the New Road highway. This runs from north to south across the application site and connects to two other roads within the development. The proposed housing is to be laid out in a cul-de-sac arrangement and is to be predominantly open plan, with softly landscaped frontages and a variety of stone, brick, timber and railing boundary treatments.

The proposed dwellings have been designed to feature in-curtilage parking to a minimum of 2 spaces per dwelling, predominantly located to the side or front of the dwelling, by driveways fronting integral garages or driveways to the side of the properties.

Whilst a number of trees are proposed to be removed to make way for the development, the landscaping scheme shows these to be compensated through new replacement tree planting. This also shows an abundance of informal green open space to the south, with walkways and connections across it.

As a part of the application it is proposed that the central area of the site which is currently located within Flood Zone 2 would be subject to flood compensation works and that this would in effect become Flood Zone 1 through “cut and fill” and the re-profiling of this area. As a result of these works some of the proposed housing would be situated in this area.

Flood Zone 2 would also effectively be relocated to the southern end of the site. However, no development other than that associated with the sustainable drainage system (SuDS) pond and open space is proposed to take place in this part of the site.

ENVIRONMENTAL IMPACT ASSESSMENT SCREENING OPINION

In accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 the Council has conducted a screening opinion. This was in order to establish whether the proposed development was likely to have significant effects on the environment to warrant the carrying out of an Environmental Impact Assessment (EIA) and the submission of an Environmental Statement by the developer. It was concluded that the proposed development does not warrant the submission of an EIA.

DEVELOPMENT PLAN

Rochdale Unitary Development Plan (UDP) 2006:

G/D/1	Defined Urban Area
EM/7	Development and Flood Risk
EM/8	Protection of Surface and Ground Water
NE/2	Designated Sites of Ecological and Geological/Geomorphological Importance

Rochdale Core Strategy (CS) 2016:

C4	Providing affordable homes
P2	Protecting and enhancing character, landscape and heritage
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

Supplementary Planning Documents:

Guidelines and Standards for Residential Development (2016)

NATIONAL PLANNING POLICY AND GUIDANCE

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

RELEVANT HISTORY

19/00259/SO – Screening Opinion in respect of proposed residential development comprising 100 dwellings with associated access, landscaping, public open space and infrastructure works – EIA not required – 9 April 2019.

17/01458/REM - Approval of reserved matters for layout, scale, appearance and landscaping for the construction of 53 dwellings, together with associated open space, landscaping and highway infrastructure pursuant to outline planning permission 15/00830/OUT – Granted permission – 4 September 2018.

15/00784/SO – Screening Opinion in respect of the proposed development of up to 110 dwellings. EIA not required – confirmed by Secretary of State 21.12.15.

15/00830/OUT - Outline application (including access) for erection of up to 110 dwellings with associated services, drainage, landscaping, access arrangements and car parking and including demolition of existing building on site – Granted permission 30 March 2017.

CONSULTATION RESPONSES

Strategic Planning - Has raised concerns about the submitted sequential test. The main issue relates to the geographical area over which the test is to be applied. The document refers to the guidance in the EA guidance “Demonstrating the flood risk sequential test for planning applications”. This guidance states that this will usually be over the whole of the Local Planning Authority area. It does add that this may be reduced where justified by the functional requirements of the development or relevant objectives in the Local Plan. The applicant sets out that the area of search should be the Littleborough township. It is not clear that this relatively limited search area has been justified other than reference to a joint SFRA which considers Littleborough as a ‘key urban area in flood risk terms’. It is my view that the search area should be the borough as a whole in this instance since no deviation from this, as set out in the EA guidance, has been justified. The borough’s Core Strategy sets a borough-wide target for housing and the Strategic Housing Market Assessment which underpins this concluded that Rochdale borough operates as a housing market area. In addition to this the document provided by the applicant concludes that this site will contribute to meeting both local and borough-wide needs and therefore it would seem appropriate to apply the search area to the whole borough as well. This approach has been taken on similar sites within the borough. The only occasions where a smaller search area has been considered in the past is where the site is in a distinct regeneration area and therefore a smaller area of search has been applied as suggested in the EA guidance. The other elements of the search seem appropriate and therefore I suggest that the applicant revisit the test and consider all the sites within the borough that meet their criteria in terms of size and comparability.

Greater Manchester Archaeological Advisory Service (GMAAS) - No objections to the proposal. In 2015 GMAAS were consulted on the outline application for the site (15/00830/OUT). That application was accompanied by an archaeological desk-based assessment (DBA) prepared by Oxford Archaeology North. GMAAS (letter dated 7th August 2015) considered that the DBA met the government’s requirements for such a study as set out in the National Planning Policy (2012 paragraph 128). The DBA offered recommendations for further work to be undertaken as a condition of the planning consent. The DBA offered recommendations for further work to be undertaken as a condition of planning consent. GMAAS accepted those

recommendations. On the back of the recommendations offered in the DBA GMAAS recommended the following condition be attached to any resulting planning consent:

No development shall take place until the applicant or their agents or their successors in title has secured the implementation of a programme of archaeological works. The programme of works is to be undertaken in accordance with a Written Scheme of Investigation (WSI) which has been submitted to and approved in writing by the local planning authority. The WSI shall cover the following:

- 1. A phased programme and methodology of site investigation and recording to include:
 - archaeological monitoring of a controlled topsoil strip inside a targeted area
 - (depending upon the results of the monitoring) targeted area excavation and recording**
- 2. A programme for post investigation assessment to include:
 - analysis of the site investigation records and finds
 - production of a final report on the significance of the archaeological, architectural and historical interest represented.**
- 3. Provision for publication and dissemination of the analysis and report on the site investigation.**
- 4. Provision for archive deposition of the report, finds and records of the site investigation.**
- 5. Nomination of a competent person or persons/ organisation to undertake the works set out within the approved WSI.**

Reason: In accordance with NPPF paragraph 141, to record and advance the understanding of the significance of any buried archaeological remains for archival and research purposes.

The programme of work should be undertaken by a suitably qualified and experienced archaeological contractor, funded by the applicant. GMAAS will monitor the implementation of the work on behalf of Rochdale MBC.

Consent was granted and condition 21 attached to the consent reflected the wording recommended by GMAAS. Oxford Archaeology North were subsequently commissioned to produce a Written Scheme of Investigation (WSI) covering the methodological approach to archaeological monitoring targeting the slightly higher ground along the northern boundary of the site (WSI figure 1).

The WSI provides for meeting the fieldwork requirement set-out in condition 21. GMAAS accepts the WSI as submitted and recommends that the WSI is implemented in order to fulfil the archaeological fieldwork required under condition 21. GMAAS will monitor the implementation of the WSI on behalf of Rochdale local planning authority.

Highways And Engineering - No objections to the proposed development. Adequate visibility and space is available to support a development of this size and nature.

The principle of a development of this size has been agreed previously. The Traffic Implications detailed in the Transport Assessment have raised no issues with the highways department.

The development has ample parking for units of this size and use.

The site layout is suitable for access for refuse collection. The layout incorporates a raised table area. As an individual feature this is acceptable. The difference in material will help with a change in the character of the street and will operate as a traffic calming feature.

I do not envisage any road safety issues with this proposal.

Lead Local Flood Authority/Drainage

DRAINAGE /SUDS - FLOOD OFFICER REVIEW

To the earlier, similar application 17/01458/REM, the RBC Drainage Officer has reviewed information and provided Consultation Responses on 19.01.18, 07.02.18, 16.02.18, 10.04.18, and 29.8.18.

To this revised application 19/00262, a Drainage Consultation was issued 4.4.19. This Consultation is an update.

Numerous documents and plans have been uploaded to the Planning Application database (public website). Some of these have been reviewed by the Drainage Officer. The following documents are particularly relevant to Drainage:

- 40-01-P12 Drainage Layout dated 25.02.19 by RSK
- Flood Risk Assessment (updated 27.2.19) for Land off New Road, Stubbley, Littleborough RSK ref 880630-R4(01)-FRA
- 40-24-P01 Flood Compensation Layout dated 30.7.18 by RSK
- 40-22-P01 Cut & Fill Volumetrics Phase 2 dated 21.9.18 by RSK
- Microdrainage® datafiles which replicate the information in the Drainage Layout and also enabled the Officer to check the simulated flows.

MICRODRAINAGE DATA DESIGN FILES

The submitted MicroDrainage files confirmed that the modelling information matches the Drainage Layout plan and that the proposed Drainage system meets acceptable best practice and is 'in line' with Government Guidance in the NPPF (National Planning Policy Framework).

SEQUENTIAL TEST – DRAINAGE OFFICER COMMENTS

The FRA report states that by using Fill to raise land in flood zone 3a, so that these areas would become flood zone 1. In consequence, the new houses will be located within flood zone 1 and does not require the application of the Sequential Test. The Applicant has obtained approval from the Environment Agency to do so. The Planning Officer will need to assess whether this follows Government Planning guidance.

CLARIFICATIONS REQUESTED:

Compensation Cut and Fill proposals:-

(1) Although some Proposed Contour levels are shown on the Flood Compensation Layout, some are missing from the large area to the south of the attenuation pond. The Cut & Fill Volumetrics Phase 2 plan is coloured blue to indicate that Cut is to be provided in all this area so the Proposed Contours must be difference to existing levels. Can all proposed 'Lowered' Contours be shown as well as 'Raised' Contours?

(2) If land areas within flood zones 2 & 3 is are lowered, what stops silt from the river simply filling in the 'cut' area within a couple of years so that the compensation volume will then be lost?

(3) Volumes of 8007 and 9849 are provided in boxes on the Compensation plan (& no units provided). What is the total Cut volume and what is the total Fill volume? What do the numbers 8007 & 9849 mean?

(4) Is material that is to be 'cut' from the Flood Zone 2 & 3 zones to be kept on the site? If not, what volume is to be moved off site?

Further response:

It appears that the EA has raised no concern nor objection regarding the proposed lowered ground in the flood plain. Since the flood plain falls under the responsibility of the EA, I have no other comments to make. However only a 'during construction' surface water management plan has been submitted. We need the applicant to submit a surface water management plan for ongoing long term maintenance. I suggest you include another drainage condition.

Env Health - Noise/Odours - No objections to the proposal but would recommend the following conditions:

The homes and mitigation measures are implemented in accordance with the submitted acoustic report. To achieve the following internal and external noise levels:-

- 35 dB(A) Leq (1 hour) in the bedrooms with windows shut and other means of ventilation provided between 7 am and 11pm;
- 30dB(A) Leq 5mins in the bedrooms with windows shut and other means of ventilation provided between 11pm and 7am;

- 35 dB(A) Leq (1 hour) in the living room/s with windows shut and other means of ventilation provided between 7 am and 11pm;
- 40dB(A) Leq (1 hour) in other habitable rooms with windows shut and other means of ventilation provided at all times.
- Noise in external amenity areas shall not exceed 55 dB(A). (to a maximum of 59 dB(A) in the garden of plot 5 only)
- The submitted CMP is conditioned as a working document.

Rights Of Way Officer - The development may impact on three rights of way located around the site and shown on the map attached as red/pink lines. Are there any plans to alter or divert any of the rights of way in the area? The definitive routes should be open and available prior, during and following completion of the development if a temporary or permanent order has not been processed, the routes should not be used as an access to the site as it will destroy the surface repaired in 2018 by the Council. Any disturbance of rights of way signs and or stiles or gates should be replaced immediately to prohibit illegal use.

Should the developer require a temporary or permanent order they should contact me to process before closing any routes, unless they proceed under 257 Town and Country Planning Act.

Landscaping/Tree Officer - No comments received.

Conservation And Design - With regards to the consultation request made for the above application and the previous applications within the site, there are no further comments to be provided in relation to the historic environment.

Canal And River Trust - The Rochdale Canal is a designated Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) and as such the Local Planning Authority should satisfy itself that sufficient information has been provided to enable it to assess the impact of the development on these designations. The proposed development is however some distance from the canal which is situated to the south of the site beyond the River Roch and railway line and we understand that no surface water discharge to the canal is proposed.

The site connects to the towpath via a public footpath from Stubley Lane and as such may lead to increased use of the canal towpath of the area. Himalayan Balsam has been found across the site and we would therefore ask for that appropriate measures are undertaken to address this and prevent any spread of this invasive species during and post construction.

Network Rail - Whilst the proposed area is not adjacent to the existing operational railway, it is close to Smithy Bridge Level Crossing. Smithy Bridge Level Crossing is already an incredibly busy rail crossing. Any proposed development near to this crossing and include any necessary mitigation as part of the planning application. Whilst Network Rail is not opposed in principle to development proposals we are

concerned that if the New Road site is approved there would be an adverse impact upon Smithy Bridge Level Crossing.

Network Rail would also add that the Draft Greater Manchester Spatial Framework (DGMSF) includes two sites close to Smithy Bridge Level Crossing which have been put forward for residential development. Network Rail has provided comments on the two sites as part of the DGMSF consultation.

Should planning permission be approved for this proposal of 100 dwellings and should two draft policy allocations come forward there would be a total increase of 610 dwellings close to the Smithy Bridge Level Crossing.

Councils should consider the cumulative impacts of several developments over time to level crossings as well as the individual impacts of development proposals. Funding should be secured from developers in a proportionate manner and funding should fully cover the cost of mitigating the risk.

United Utilities - No objection to the proposal subject to conditions for foul and surface water to be drained on separate systems, the submission and approval of a surface water drainage scheme and its effective management and maintenance.

Natural England (North West Planning) - Based on the plans submitted Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes (including European sites and SSSI) and has no objection to the proposed development. To meet the requirements of the Habitat Regulations we advise you to record your decision that a likely significant effect can be ruled out.

Environment Agency

Flood Risk

As outlined in our previous consultation responses, the site is within flood zones 1, 2 & 3 and the LPA should consider the application against the sequential test of NPPF.

We have reviewed the Flood Risk Assessment (FRA), referenced 880630-R4 (01)-FRA issue 01 produced by RSK, dated 27/2/2019, submitted with the application.

We are satisfied that it demonstrates that the proposed development will not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere. The proposed development must proceed in strict accordance with this FRA and the mitigation measures identified as it will form part of any subsequent planning approval. Any proposed changes to the approved FRA and / or the mitigation measures identified will require the submission of a revised FRA as part of an amended planning application.

As outlined in the FRA, the proposed development would require provision of compensatory flood storage areas to mitigate for the raising of ground levels within flood zone 2. However, the phasing of this is not clearly set out in relation to the

wider development. If the LPA are minded to approve the application, the compensatory storage must be provided before the proposed ground level raising takes place, or as part of the cut and fill operations. As such, we recommend the following condition be attached to any permission granted.

Condition

No development within flood zones 2 and 3 hereby permitted shall be commenced until such time as a phased scheme of cut and fill has been submitted to, and approved in writing by, the local planning authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason

To ensure flood plain storage volume is not reduced as a result of ground level changes.

Informative

Works to the spring-water tributary crossing the site north to south may require the formal consent of the LLFA under the Land Drainage Act 1991 as modified by the Flood & Water Management Act 2010. Your LLFA engineers should provide comment on the adequacy of the proposal put forward for this "ordinary watercourse".

Biodiversity

A scheme should be agreed to ensure that the rehabilitated River Roch tributary and new SUDS pond within the site are designed, constructed and managed in such a way as to positively contribute to the nature conservation value of the site.

Condition

No development shall take place until the proposed River Roch tributary and new SUDS pond are constructed in accordance with a scheme to be submitted to and approved in writing by the local planning authority.

The scheme shall include the following features:

- *timing of works*
- *methods used for all channel and bankside margin works i.e., temporary diversions*
- *machinery (materials and fuel, access routes, access to banks)*
- *environmental protection measures of receptors; in particular nearby River Roch waterbody and fishery during works construction.*
- *environmental reinstatement and landscape compensation for lost wetland*

- features.*
- *site supervision*

Reason

To ensure that the proposed River Roch tributary and new SUDS pond *are* developed in a way that contributes to the *nature conservation* value of the site in accordance with the National Planning Policy Framework (NPPF) paragraph 109, which requires the planning system to aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.

We would recommend any new surface water drainage features be based on best practice SUDs and multi-functionality principles ([https://www.ciria.org/Memberships/The SuDs Manual C753 Chapters.aspx](https://www.ciria.org/Memberships/The_SuDs_Manual_C753_Chapters.aspx)), and look to positively integrate with existing wetland areas and site topography to achieve high quality green infrastructure assets. The new SUDs pond should preferably be designed to provide a variation in shape and profile to maximise its wildlife value whilst accommodating necessary attenuation volumes.

Where the scheme is compensating for lost wetland habitat, this should be shown, ensuring adherence with recommendations outlined in Ecology statement (e3p, 4th Feb 2019).

The restored River Roch tributary and corridor should be actively soft landscaped with appropriate native planting to help stabilise and vegetate up wetland areas. A monitoring regime should be adopted while new wetlands establish, to identify and remediate any problems that may occur in this important initial post construction phase.

This condition is also necessary to ensure that the proposed new or restored wetland features are developed in a way that contributes to the nature conservation value of the site in accordance with the National Planning Policy Framework (NPPF) paragraph 109, which requires the planning system to aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.

A scheme should be agreed to ensure that the landscape within the site is managed in such a way as to protect the ecological value of the site including the new ponds/wetland, watercourses and are positively integrated with existing retained semi-natural greenspace.

Condition

No development shall take place until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The landscape

management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:

- *details of retained or enhanced semi-natural habitats within the whole New Road development site.*
- *details of maintenance regimes*
- *details of treatment of site boundaries, and River Roch tributary flowing through site.*
- *details of how the site will be maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan.*

Reason

To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy.

This condition is supported by the National Planning Policy Framework (NPPF), paragraph 109 which recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.

We welcome the proposed area for open space on the western and southern areas of the New Road site, and recommend clear design and management prescriptions for all retained greenspace areas, enabling development meet its ecological enhancement aspirations outlined in D&A (Feb 2019).

The current Landscape Management Plan (TBA, Feb 2019) still has some anomalies previously raised (SO/18/118593) that should be clarified and amended as required within management plan or TBA landscape proposals drawings i.e.,

- it is still unclear how wildflower grassland would be created (i.e., what methods used), within what is already a relatively wet and well vegetated riparian corridor, without causing potential siltation and pollution risk to connecting River Roch.
- It is noted there are now proposals for creation of a long grass area to south of site, using a relatively species poor EG1 grass mix. The TBA Landscape Management Plan (Feb 2019) still does not acknowledge this long grass habitat, which will likely require less intensive management regime needed to retain this type of grassland habitat.
- There is still no native wetland/marginal (reed) planting identified within new

SUDs pond, as recommended by ecological consultants (e3p Feb 2019), and as such will more prone to disturbance and potential invasive plant establishment whilst providing limited ecological value or mitigation for the wetland habitat lost as part of residential scheme proposal.

- There is still some of the new tree/shrub planting located within of existing identified marshy grassland areas (Drawing number 80-034- 001, e3p, Feb 2019).

We would recommend any new habitat management plan aim to protect and enhance existing habitats of biodiversity value, whilst creating new habitats that positively integrate with these in long term, and recommend any new shrub planting is located exterior to these wet rush/marshy grassland areas.

A method statement to be agreed to put appropriate control measures in place regarding the invasive species Japanese knotweed & Himalayan balsam present.

Condition

No development shall take place until a detailed method statement for removing or the long-term management / control of Japanese knotweed & Himalayan balsam on the site shall be submitted to and approved in writing by the local planning authority. The method statement shall include proposed measures that will be used to prevent the spread of Japanese knotweed & Himalayan balsam during any operations e.g. mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981, as amended. Development shall proceed in accordance with the approved method statement.

Reason

To prevent the spread of Japanese knotweed & Himalayan balsam which is an invasive species. Without it, avoidable damage could be caused to the nature conservation value of the site contrary to national planning policy as set out in the National Planning Policy Framework paragraph 109, which requires the planning system to aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible.

Contaminated Land

In relation to Contaminated Land we have reviewed the following report with respect to risks to controlled waters:

- Phase 2 Geo-Environmental Site Assessment, Land off New Street, Littleborough, 10-423-R1-rev1, E3P, September 2018

The desk study and intrusive investigation works have not identified any sources of contamination or significant soil contamination within the current red line planning boundary.

The site environmental setting is high sensitivity for surface water receptors due to the presence of a water course on site and the River Roch 20m to the south of the site. For the purpose of protection of surface water quality we recommend the following condition.

Condition

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason

To protect surface water quality in the River Roch.

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 109 of the National Planning Policy Framework.

Further response:

Thank you for referring amended plans regarding the above application. We have no objection in principle to the proposed development, but would wish to make the following comments.

As outlined in our previous consultation responses, the site is within flood zones 1, 2 & 3 and the LPA should consider the application against the sequential test of NPPF.

We have reviewed the Flood Risk Assessment (FRA), referenced 880630-R4(03)-FRA issue 03 produced by RSK, dated 30/9/2019, submitted with the application and drawing no. 880630/40-28/A. We note this has been amended to include the addition of appendix K technical note, which relates to providing an increase in the flood plain compensation volume proposed. The impact of the additional 370m³ has not been assessed by river modelling so the likely impact on flood levels elsewhere has not been determined. However, we have no objections to this revised proposal.

As stated in our previous response, we are satisfied that the FRA demonstrates that the proposed development will not be at an unacceptable risk of flooding or

exacerbate flood risk elsewhere. The proposed development must proceed in strict accordance with this FRA and the mitigation measures identified as it will form part of any subsequent planning approval. Any proposed changes to the approved FRA and / or the mitigation measures identified will require the submission of a revised FRA as part of an amended planning application.

Greater Manchester Ecology Unit - No objections subject to the following comments:

- The Construction Management Plan makes no mention of the potential for silt run-off down to the river. This is a wet site running down to the River so there is a probability that once the vegetation strip and the stream realignment works begin the site will get very muddy very quickly and there is potential for silt run-off into the river. I would recommend that the CEMP include measures to manage potential sit run-off / protection of the river course. While not an ecology issue a wheel wash may well also be required to keep the mud off the surrounding roads / prevent pollution.
- I'd prefer it if the Landscaping of the area to the south of the built development were completed prior to full occupation of the site. Suggest completion at 50% occupancy.
- There are badgers on the site and setts will require closure before site clearance begins – I think this is being dealt with as part of a Condition set on the Outline permission, but worth mentioning again to the applicant.
- The Landscape Management Plan doesn't say who will be responsible for implementing the management. It would be useful for the Council to have this information.

Transport For Greater Manchester - No objections to the proposal.

Colleagues from within TfGM HFAS (Highways Forecasting Analytical Services) and TfGM UTC (Urban Traffic Control) have reviewed the Transport Statement (TS) issued in support of the proposed residential development and have provided comments in respect of the highway section.

I. Trip Generation

TfGM HFAS are satisfied with the trip assessment work contained within the TS.

II. Junction Modelling

It is noted that the original TS submitted in support of the previous application did not include an assessment of the signal junction of Halifax Road / Smithy Bridge Road.

Site observations have confirmed that this junction is extremely busy during the peak periods with excessive queuing along Halifax Road. During the morning peak period, the southbound queue regularly extends over 1km from the stop line, past the site access junction.

TfGM UTC do not consider that adding traffic to an already saturated network would not result in a detrimental impact. At junctions operating close to zero practical reserve capacity, small increases in flows result in significant increases in delay. Furthermore, given the existing congestion along Halifax Road, vehicles entering and exiting the site would cause additional delays on the network. These issues have not been considered in the TS.

III. Mitigation

Whilst it is noted that the site has planning approval for a similar scheme, TfGM would highlight that demands on the highway network are likely to have changed between the years 2015 (when the TA was produced) to 2019.

Therefore, as part of the appraisal of this application, TfGM UTC would recommend that if possible the development fund or contribute towards the upgrade and revalidation of MOVA, which was installed in 2006, at the following junctions:

- Smithy Bridge Road / Halifax Road/Union Road (approx. cost £9500)
- Birch Road / Halifax Road (approx. cost £9500)

The revalidation of MOVA will help mitigate any increased delay as a result of the increased traffic flows and changes in traffic patterns. This would ensure that the network operates as efficiently as possible to ensure that congestion is minimised.

Bus Stop NE4909

In respect of the existing Bus Stop NE4909 bordering the site on New Road please note the following:

If there are any changes planned for bus infrastructure, for example relocation of existing bus stops or the creation of new bus parking areas, TfGM would request that the developer liaise directly with TfGM's bus infrastructure team who can be contacted at shelters@tfgm.com

Additionally, should the construction works impact upon the existing location of the bus stop and shelter, temporary bus stop closures are dealt with by the Bus Station Operations team (BusStation.operations@tfgm.com).

Site Accessibility

In terms of accessibility the site is well connected by public transport and there are opportunities for active travel to the nearby local amenities and services. There are

opportunities to provide pedestrian connections throughout the site linking to the surrounding residential streets and in particular Smithy Bridge Road for access to the station, which will help to encourage trips on foot/by cycle.

TfGM suggest that in order to maximise the benefits of the site's location and to encourage walking and cycling, it should be ensured that the pedestrian and cycling environment, around the site, is designed to be as safe, attractive and convenient as possible, i.e. reinstate redundant vehicle access points/crossings, install tactile paving where appropriate, renewal of footway etc, including natural surveillance where possible. This should provide sufficient links to the surrounding pedestrian and cycle networks.

TfGM would recommend that each dwelling makes provision for some form of secure cycle parking within the site curtilage of the dwellings.

To encourage sustainable travel choices, it is important that the development is accompanied by a robust Residential Travel Plan with effective measures for bringing about modal shift, i.e. the use of incentives, provision of onsite and offsite infrastructure, along with a clear monitoring regime with agreed targets.

A Residential Travel Plan should include:

- A Travel Plan budget and resources for the implementation and day to day management of travel plan measures;
- Appropriate management structures;
- Detailed time frames for the delivery;
- Handover arrangements for the travel plan or its components, when the developer's responsibility ceases; and
- Targets and monitoring arrangements.

Ideally a Full Travel Plan should include tailored measures to overcome specific barriers or take advantage of opportunities presented by the site in order to encourage future residents to use sustainable modes of travel for appropriate journeys.

Condition: Should Rochdale Council be minded to approve this application it is suggested that a condition for the development, submission, implementation and monitoring of a Full Residential Travel Plan within 6 months of occupation be attached to any planning consent, if not already conditioned at outline stage.

GMP - Design For Security - No comments received

Historic England - No objections to the proposal. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals.

The Coal Authority - The content and conclusions of the Phase 2 Geo-Environmental Site Assessment Report (May 2015, prepared by E3P) are sufficient for the purposes of the planning system in demonstrating that the application site is safe and stable for the proposed development. The Coal Authority therefore **has no objection** to the proposed development. However, further more detailed considerations of ground conditions and/or foundation design may be required as part of any Building Regulations application.

Env Health - Air Quality - There are no Air Quality or Public Rights of Way reasons that prevent this development from being approved providing during construction phase of the development that appropriate mitigation measures in the Dust Mitigation Plan are implemented and that any damage to the Public Rights of Way adjacent to the site are re-instated to the existing condition or better. It is also expected that all dwellings constructed will have Electric Vehicle Charging Points.

Schools Service - The application site is within the Pennines North Planning area for Primary capacity and within the Pennines Township planning area for Secondary Capacity. Pennines has been under significant pressure on Primary places for some years. During the 2017/18 academic year extra capacity was required and bulge classes were created in Littleborough Primary. As of the October 2018 census there was only 1 spare place in current year 5, 3 places in year 2 and 3 places in year 4, which is only a 0.3%, 1.0% and 1.0% surplus respectively (Table 1). The Local authority tries to maintain a 3% surplus to allow for in-year admissions. Developer contributions are required for Primary places.

In the Secondary school sector there is a chronic shortage of spaces available, which is due to continue to 2029 (Figure 1 below). The “forecast with housing” forecast includes children from housing units either under construction or with permission. Developer contributions are required for Secondary places.

Rochdale currently has Education contributions set at £12,320.01 for each Primary place and £15,400.01 for each secondary place. These amounts have been fixed since December 2013 and are due to be reviewed and increased in line with inflation. In particular the Secondary place cost multiplier is now significantly below other local LA's.

Calculation of Contribution

100 units x 0.25 (primary yield factor) x £12,320.01 = £308,000.25

100 units x 0.1 (secondary yield factor) x £15,400.01 = £154,000.10

Total contribution = £462,000.35

Affordable Housing - The main Strategic Housing issue for this application is the provision of on-site affordable housing. We therefore welcome the provision of 15 of the 100 dwellings as affordable, comprising 8 affordable rent and 7 shared ownership, to be managed by Onward Housing, one of the council's RP partners.

The affordable rent element being capped at the LHA is also considered to be acceptable. The affordable rent dwellings are proposed to be 2b4p houses – currently on our waiting list of those in Reasonable Preference (Bands A – C) there are 270 households, second only to single people requiring 1 bedroom flats, and the number of bids per property for 2 bedroom houses is 111, the highest of all dwelling sizes, albeit the majority of this need is in Band C, the lowest reasonable preference category. The provision of new affordable supply is particularly welcome in Pennines township as opportunities in this part of the borough are generally less frequent.

Overall, we are happy to support the proposal in affordable housing terms.

GM Fire Service - We have considered the application and are of the opinion that the single point of entry to the proposed housing estate would pose an excessive risk and therefore deem this application unsatisfactory. The proposed site layout creates a cul-de-sac in excess of 250 metres in length and any obstruction along the single access road would prevent emergency vehicles from entering the estate and restrict access to all dwellings therefore increase attendance time and pose a risk to public life.

We have indicated this before in our previous consultation letter in relation to a residential dwelling estate on this site, (letter dated 5th August 2015) that the maximum length of a cul-de-sac should not be in excess of 250 metres.

The Emergency Services requirements is detailed in the Department for Transport – Manual for Streets Item 6.7 Emergency Vehicles, 6.7.3 and addresses the point of cul-de-sacs and single access routes highlighting that the more likely it is a single access could be blocked for whatever reason. The fire services adopt a less numbers-driven approach and consider each application based on a risk assessment for the site, and response time requirements.

Since the publication of the Manual of Streets in 2003 personal ownership of vehicles has been increased making the likelihood of vehicles, roadway and utilities maintenance obstructions significantly higher.

The Greater Manchester 'The Layout of Roads in Residential Areas' document is a generally accepted standard for the layout of residential roads. Within this document 'The standards' states the maximum length of a cul-de-sac should not exceed 250 metres. Should the cul-de sac exceed 250 metres then an emergency access route will be required such that the distance from the emergency access point to the end of the cul-de-sac does not exceed 250 metres. The length of the cul-de-sac may be increased by agreement with the County Engineer and District Planning officer provided that an approved emergency access is also constructed at the same time.

Residential sprinkler systems are also highly regarded by GMFRS and their presence allows a longer response time to be used. A site layout which has been rejected on the grounds of accessibility for fire appliances may become acceptable if its buildings are equipped with these systems which are strongly recommended for the buildings that are more than 250 meters from the access road for this site.

In addition, the above proposal should meet the recognised Approved Document requirements for Fire Service access.

- Vehicular access for a fire appliance to within 45m of all points within the dwellings
- The access road should be a minimum width of 4.5m and capable of carrying 12.5 tonnes
- If the access road is more than 20m long a turning circle, hammerhead, or other turning point for fire appliances will be required
- There should be a suitable fire hydrant within 165m of the furthest dwelling

Further response:

The inclusion of the second access road and grasscrete surface finishings, as shown on drawing number 01, revision D, meets with the requirements for Fire Service access and therefore we deem this application satisfactory

The above proposal should meet the requirements for Fire Service access. The Fire Service requires vehicular access for a fire appliance to within 45m of **all** points within the dwellings

Contaminated Land Officer - I have reviewed the submitted reports and whilst they are generally acceptable I require clarification on the below points:

Phase 2 Geo-Environmental Assessment Project Number 10-423-R1-rev1

It appears at least one of the GAC used (Cadmium) is not a LQM CIEH S4UL despite it stating it should be in App 8, during a conversation with Ms Sellars, the author it seems in -house GAC were used for some of the compounds, can this be reviewed and confirmation be sent the conclusions of the report would not be changed.

Remediation and Enabling Strategy Project Number 10-143-R2

Under the Contaminated Land Assessment it states "The Tier I human health risk assessment has not identified any potential contaminants within this sector". However in the Phase 2 it identified TP 118 at 240 mg/kg, 0.6m depth, the C4SL for Lead is 240 mg/kg, can this be reviewed and assessed whether this material should

be considered to be a hot spot and removed or whether the existing proposals would be sufficient to manage any potential risk to human health.

Additional information

The landfill identified in the searches, the Phase 2 stated this landfill accepted inert waste, however the council has information to suggest putrescible waste could have been placed into this landfill, again can this be reviewed and whether it will alter the recommendations for CS2 protection measures will still be appropriate after the cut and fill operations have been undertaken.

I will require clarification on the above before I can recommend acceptance of the report.

Further response:

The additional information and comments are acceptable, as remediation is required the following condition is appropriate:

Prior to commencement of the development and where the site characterisation has identified unacceptable risks, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall have been submitted to and approved in writing by the Local Planning Authority.

The approved remediation scheme shall thereafter be fully implemented. There shall be no variation of the approved remediation scheme unless otherwise approved in writing by the Local Planning Authority. Following completion of the measures identified in the approved remediation scheme and prior to the commencement of the permitted use/development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and submitted to and approved in writing by the Local Planning Authority.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a validation report must be prepared which is subject to the approval in writing of the Local Planning Authority.

TOWNSHIP PLANNING PANEL

The application was presented to the Pennines Township Planning Panel on 12 June 2019; Members raised concerns over flood risk in this area and the surrounding houses and potential for the creation of water run off due to the raising of the site, and impact on parking and congestion.

MEMBER REPRESENTATIONS

No representations have been received from Members.

PUBLIC REPRESENTATIONS

Site notices were erected around the site and letters of notification were sent to the surrounding neighbouring properties. As a result of the notification procedure seven letters of objection have been received from local residents. The contents of these can be summarised as follows:

- Local infrastructure (transport, schools and health care) will not support the development.
- Additional number of cars will cause more congestion on the already busy road network.
- Relocation of bus stop to its original position will impair sight lines and make it more dangerous for drivers using that particular stretch of the road.
- The site is in a flood plain and will impact on further areas; not just in Littleborough, but further downstream of River Roch. It suffered flooding on Boxing Day 2015 and in March 2019 and will put houses on Mill Fold Gardens at higher risk of flooding.
- The pond at south end of site appears to be higher than the immediate vicinity, leading to overflow and flooding other areas.
- Surely the site cannot be built on until plans to remedy floods in Littleborough are finished.
- Loss of one of few green spaces in the area.
- Houses are set out in old fashioned streets and squashed together. Cramped and crowded development.
- No mention of solar panels or other responsible heating methods.
- Several mature trees would have to be felled to make room for the building.
- Negative impact on the environment and wildlife. Development should be made as nature friendly as possible.
- Numerous housing developments in area will reduce habitat and movement of wildlife.
- New development should be built on brownfield first.
- Stubble Lane should not be blocked or impaired in any way.
- Solid fences along Stubble Lane would convert this pleasant footpath into a nasty, dark alley-way.
- Can't see how renting a house would help young people get a foot on the housing ladder.
- In 2017 Russell Homes assured us that there would not be any 3 storey houses, but there is one that overlooks the garden area of Oakenrod House.
- Many changes to what was approved at outline stage.
- Does not agree that view cannot be taken into consideration, and this will be spoilt as we will be looking out at a concrete jungle.

- Disruption due to noise, mess, extra traffic.
- 3 and 4 bedroom houses are not affordable.

As previously noted, the submission of amended details required additional consultation and publicity to be carried out. As a result of this 7 further letters of objection have been received. These letters contain some of the same issues raised above and it is not necessary to repeat these. However, the additional representations can be summarised as follows:

- Application gone up from 53 to 96 dwellings.
- See no improvements compared to last application. Requires a development of higher aesthetic standard.
- 4 Mill Fold Gardens overlooked, and will suffer from noise and disturbance.
- Concerned that the Council will introduce an unintended rat run for traffic hold-ups on Featherstall/New Road, introducing extra traffic and increasing risk of road trauma accidents.
- How has development commenced when permission hasn't been granted?

Officer response: Matters relating to the principle of the development have already been considered under the extant planning permissions (Ref: 15/00830/OUT and Ref: 17/01548/REM) on this site which are currently being implemented. Issues around design, the living conditions of existing residents and future occupiers of the development, ecology, flooding and highway safety are considered in the various sections of the appraisal further on in this report. Renewable energy measures through heating or solar panels are something that would require compliance with Part L of the Building Regulations.

ANALYSIS

Principle of Development

1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the application must be determined in accordance with the development plan unless material considerations indicate otherwise. Therefore in determining this application the proposed development should be assessed against the relevant policies of the Adopted Rochdale Core Strategy (2016) (CS); saved policies of the Rochdale Unitary Development Plan (UDP) (2006), the relevant Council Supplementary Planning Documents (SPD), national planning policy, guidance, legislation and other material considerations.
2. The principle of residential development on the site has been established through the grant of outline planning permission (Ref: 15/00830/OUT) and the reserved matters approval (Ref: 17/01548/REM) for phase one of that development. Nonetheless, careful consideration is still required to be given to the following matters:

Character and appearance

3. The proposed houses are to be laid out in a similar cul-de-sac arrangement as the existing residential developments to the east. They have comparable garden sizes and spacing around them. These factors, in combination with the proposed softly landscaped frontages would provide a relatively green, open layout that would relate well to the local pattern of development whilst also retaining some qualities of its existing spacious character.
4. Amended plans now show stronger informal building lines running down both sides of all of the roads within the site, and more space around the buildings in general. This is a consequence of the reduction in the amount of houses proposed.
5. The proposed dwellings are to be of predominantly red brick construction, however some stone built properties are now pepper potted across the site and are proposed to sit in prominent positions. Indeed, dual faced stone properties are situated on the corner locations adjacent to the junctions of the internal highways to provide attractive focal points and active frontages. The proposed dwellings also share common architectural features such as concrete tiled pitched roofs, and a mixture of wide and square horizontally aligning window frames with decorative heads and cills. These aspects all combine to create an attractive modern visual impression.
6. Finished ground and floor level plans also show that whilst the central part of the site is to be infilled and raised to create a small plateau, this would gently slope from the north to the south. The difference in the floor levels of the proposed houses across the site would therefore be marginal and any impact on the land form would not be significant.
7. Three units have been deleted from within the small central cul-de-sac off the easterly arm of the access road, thereby overcoming planning officer concerns about the cramped layout and amount of hard standing and car parking on this part of the site. The proposed car park to the western side of the site has now also been deleted and replaced by an emergency access. This would result in the retention of the majority of the existing trees and would positively contribute to the green character of the site.
8. The revised plans now also show the small corner plots, which were previously considered to represent cramped forms of development, to have been deleted. These have been replaced with larger plots and dual fronted properties, which along with the other proposed dwellings on the site are now of similar width and two - two and a half storeys in height. These are in keeping with the size and scale of existing neighbouring residential properties to the east and west and are considered to integrate into the existing urban grain of the area.
9. Further to concerns about the loss of the existing stone walls along Stubble Lane footpath, the applicant has confirmed that it is proposed to erect a 1.8m high timber fence to the western side of the existing stone, set to the back of the wall. This would be consistent with the boundary treatment along the opposite side of this lane and is therefore considered to be acceptable. This is now clearly shown

on the boundary treatment layout plan and will be secured via the plans condition.

10. A significant amount of informal public open space with walkways and an attenuation pond are also located to the southern side of the site. This would not only provide recreational space for future residents but would ensure that the scheme integrates into its surroundings by creating new connections. Indeed, the landscape plans show the spaces around the water course and pond to be seeded with a wildflower wetland area mix. Heavy Standard trees will also be planted both as individual specimens and within native shrub mixes, species include Oak, Cherry, Lime, Alder, Maple, Beech and Hornbeam.
11. The new planting in the open space has been designed to be of both aesthetic value and of wildlife benefit, particularly in respect of birds, bats and pollinating insects.
12. A variety of stone, brick, timber and railing boundary treatments are to be provided throughout the scheme and low 'trief containment kerbs' also ensure views across the large areas of grassed open space adjacent to the main entrance into the site, therefore reinforcing its green and spacious character. In line with the requirements of the the Council's SPD 'Provision of Recreational Open Space' a Local Area of Play (LAP) is also proposed to be positioned within the heart of the development, where it would be well overlooked by the housing, therefore offering natural surveillance.
13. As such, it is considered that the development would comply with CS Policies DM1, P3 and G6 which amongst other matters seeks to protect and enhance character and landscape and improve the design of new development by having regard the scale, massing, height and layout of surrounding buildings.

Historic Environment

14. In considering this reserved matters application the LPA has a statutory duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, to consider the impact of the proposal on the setting of the listed building, and to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
15. In the previous outline application (15/00830/OUT) and the approval of reserved matters on this site (17/01458/REM), the Council's Conservation Officer concluded that the public benefits associated with the proposed development would outweigh the less than substantial harm caused to the significance of the setting of the nearby Grade II* Listed Building at Stubley Old Hall. This was because the proposed development has been designed so that the new dwellings are set back from the boundary near Stubley Old Hall with extensive areas of existing mature trees and hedges shielding views of the site to and from Stubley Old Hall. The retention of the existing vegetation, along with further tree planting and landscaping on the north east corner of the site near the hall, was also

considered to ensure that there would be minimal harm to the setting or significance of the hall.

16. The set back of the proposed housing from New Road which along with the landscaped area to the entrance of the site was also considered to ensure that there was no harm to the setting or the special architectural features of the Listed Weaver's Cottages on New Road.
17. Given that the design and layout of the northern part of the site is not materially different to what was previously granted permission it considered that the reasoning above still applies. The Council's Conservation Officer has been consulted and has confirmed that in taking the previous planning consent on this site into consideration there are no further comments to be provided in relation to the historic environment.
18. As such the LPA is satisfied that there is no further material harm would occur to the significance of the heritage asset as a result of the appearance, scale, layout and landscaping of the proposed development. It would therefore preserve the character and appearance of the conservation area and not conflict with the provisions of CS Policy P2 and Saved UDP Policy BE/17.

Roch Valley & Pennines Township Green Infrastructure Plan

19. CS Policy G6 requires, amongst other things for Green Infrastructure Action Plans for each Township to inform and support area based masterplans and initiatives, development proposals and associated developer contributions, regeneration programmes and environmental management schemes.
20. The submitted design and access statement (DAS) sets out that the application site is within character area 3 'Roch Valley Corridor' of the Pennines Township Green Infrastructure (PTGIP). The characteristics of this area comprise a mix of urban and rural uses within a historic landscape that is dominated by the transport routes of the Rochdale Canal, Calder Vale Railway line, the A58 and the River Roch, particularly as the valley narrows towards Summit.
21. The PTGIP'S objectives for this character area are to:
 - Develop a comprehensive approach to maximising green infrastructure benefits through area regeneration and appropriate development opportunities.
 - Develop the Roch Valley River Park linking to the rest of the Borough and beyond with coordinated signage, routes and interpretation of the landscape including built and natural heritage.
 - Improve the number of functions performed by existing green spaces, particularly maximising opportunities for the management of flood risk, biodiversity and recreation.

- Ensure that the areas tourism potential is developed without compromising its existing facilities, infrastructure and management if the public realm.
- Explore opportunities for biodiversity improvements along the Roch Valley, particularly where it meets the River Beal and improve woodland management by encouraging take-up of FC grants and promoting Woodland Certification.
- Ensure that opportunities to support flood risk management through use, adaptation and creation of green infrastructure will support management of fluvial and other flood risks, such as from surface water through appropriate flood storage or sustainable urban drainage assets. Work with the Environment Agency, United Utilities and other stakeholders such as developers to achieve this where required.

22. Whilst some of these objectives are not applicable to a new residential development, the submitted DAS is considered to demonstrate that the proposal, through the inclusion of a substantial amount of open space and footpath and cycle links, would maximise green infrastructure benefits. Flood Risk mitigation, SuDS, appropriate planting, habitats and areas of play have been provided on-site to improve the functions of existing greenspaces, to enhance biodiversity and support flood risk management.

23. As an urban development in a historic landscape setting, the proposed development is considered to reflect the specific characteristics of the Roch Valley and the Council's objectives for it as set out in the PTGIP. As a consequence it also complies with CS Policy G6.

Living conditions and pollution

24. The amended plans demonstrate that satisfactory intervening distances, ranging from 24 metres to 45 metres, will be achieved between the proposed dwellings and the habitable windows of existing neighbouring properties along New Street.

25. The buildings that are located on both sides of the easterly arm of the access road fall slightly short of the SPD's minimum space standards. However, this is only by approximately 1-2 metres and considered to have a negligible impact on the living conditions of future residents. These distances are therefore considered to ensure that existing local or future residents would not experience any significant loss of light, outlook or privacy.

26. Concerns were originally raised by planning officers about the separation distance between the proposed houses on plots 71 and 72 and the side ground floor windows of the existing property at 73 Saw Mill Way. Planning history

records indicated that these windows served a kitchen window. This was based on the advised space standard of 21 metres between directly facing principal windows of habitable rooms, as set out in the Council's Supplementary Planning Document 'Guidelines & Standards for Residential Development SPD' (SPD).

27. Nonetheless, the SPD defines a habitable room as normally relating to living rooms, principal dining areas and bedrooms. It states that functional rooms such as bathrooms, landings and kitchens or small rooms such as studies and box rooms would be included. On this basis the ground floor window within No. 73 is not considered to serve a habitable room, and in these situations the SPD advises that a 14 metre distance between a principal window and any directly facing two storey elevation which does not contain a principal window to a habitable room should be applied. There would not only be a distance of approximately 16.5 metres between these buildings, but the majority of the outlook from the ground floor window of No.73 is obscured by an intervening boundary fence. As a result of the factors above the relationship between these properties is considered to be acceptable and would not result in an undue loss of privacy or outlook to the residents of No. 73 or future residents of the proposed houses.
28. Furthermore, proposed ground floor level and finished floor level plans have also been submitted with the amended scheme. These show that the topography of the site, whilst being altered for flood risk mitigation purposes, would not be significantly different from the levels of existing properties surrounding the site. The proposed levels in combination with the separation distances referred to above are considered to ensure that the living conditions of existing local or future residents would not experience any significant loss of light, outlook or privacy.
29. A noise impact assessment (NIA) has been submitted with this application to quantify the noise levels across the site due to traffic noise from New Road. It has been concluded that mitigation measures are required to ensure that a suitable level external and internal noise is experienced by future residents. The Council's Public Protection Section has been consulted and has confirmed that they have no objections to the proposal subject to the NIA's proposed mitigation measures being implemented. This will be secured through a suitably worded planning condition.
30. The Council's Senior Transport Strategy & Projects Officer has also stated that there are no Air Quality or Public Rights of Way reasons to prevent the proposed development from going ahead, subject to conditions for dust management which can be incorporated into a construction management plan. However his expectation that all dwellings will have electric vehicle charging points is not something that cannot be insisted upon as there is no planning policy requirement for this to be provided.

31. The LPA is therefore satisfied that the proposal would not cause any significant harm to future residents. It would thereby not conflict with the provisions of CS Policies DM1 and P3, which in combination require development to not adversely affect the amenity of residents, through visual intrusion, overshadowing, loss of privacy, and noise pollution.

Transport and Highways

32. The Council's Highway Section has not raised any objections in respect of the car parking provision, manoeuvrability within the site and highway safety. They have stated that the access to the site has previously been agreed with TfGM and that this is suitable for a development of this size and nature with adequate visibility in both directions. They also consider there to be ample off street car parking provision and have no refuse collection or road safety concerns as a result of the proposed development. Nonetheless, they previously recommended (for 17/01458/REM) that planning conditions requiring the details of the hard surface materials to be used in the construction of the highway were to be submitted to and approved in writing by the LPA. This is still required to be necessary through an appropriately worded planning condition for the submission of a scheme for the design and construction of internal highway roads and footways.

33. TfGM has previously agreed the relocation of the bus stop under the previous planning applications on this site and are satisfied that adding traffic to an already saturated network would not result in a detrimental impact. At junctions operating close to zero practical reserve capacity, small increases in flows result in significant increases in delay. Furthermore, given the existing congestion along Halifax Road, vehicles entering and exiting the site would cause additional delays on the network. To encourage sustainable travel choices they have recommended a planning condition for a residential travel plan, which the LPA agrees is reasonable and necessary. However, TfGM have also requested that, if possible, the should development fund or contribute towards the upgrade and revalidation of MOVA, which was installed in 2006, at the junctions of Smithy Bridge Road / Halifax Road/Union Road (approx. cost £9500) and Birch Road / Halifax Road (approx. cost £9500). This is suggested to be in order to help mitigate any increased delay as a result of the increased traffic flows and changes in traffic patterns.

34. The applicant has submitted a highways technical note in response to this request. In this document it is argued that that there has not been any material change in local circumstances that are likely to have resulted in a material change in operational conditions on the A58 New Road since the outline planning permission (15/00830/OUT) was granted in 2015. It is also stated that the reduction from the previous amount of proposed dwellings (110 to 96) would reduce trip generation to and from the site, and that no such concerns were raised by TfGM at the time of the 2015 planning application.

35. TfGM have been given the opportunity to provide representations in response to this. They have simply stated that they maintain their previous comments but are

guided by the LPA in terms of whether the request for mitigation could be supported and meets the relevant tests of planning.

36. Given the factors raised in the applicant's technical note the LPA cannot be certain that the contributions sought for the upgrade and revalidation of MOVA would be necessary to make the development acceptable, be directly related to the development and fairly related in scale and kind. As such the requested financial contributions towards this are not considered to be required.
37. The comments of Network Rail in respect of the potential impact of the development on the Smithy Bridge level crossing are also noted. They are also seeking a financial contributions in respect of the potential cumulative impact of the proposal and draft allocations for residential development in the Greater Manchester Strategic Framework (GMSF) would have on this crossing. However the GMSF is still at consultation stage and can only be attributed limited weight. Moreover, each planning application is required to be determined on its own planning merits. Therefore, like the outline planning permission before, it is not considered that a financial contribution towards a level crossing that is over 500 metres away from the application site would be directly related to the development or be necessary to make it acceptable. This request would also not be compliant with regulation 122 of the CIL Regulations and paragraph 56 of the Framework. As such it has not been taken into account in reaching the overall recommendation.
38. For the reasons provided above, the LPA therefore considers that the proposal accords with CS Policy SP3's Spatial Vision for Heywood and Policies DM1, T1 and T2 of the CS. It would also satisfy the critical highway test set out in the Framework which is that development should only be prevented or refused on transport grounds where the residual cumulative impacts are severe.

Impact on Trees and Ecology

39. A number of trees protected under a Group TPO (G15 and G1) are located on the opposite side of the boundary with Stubble Old Hall and would back on to the rear garden areas of plots 33-53. The relationship between these houses and the protected trees were previously approved under planning consent (17/01458/REM). Amended plans now also show the trees (G2) which are situated in rear garden area of plot 70 to be retained and the previously proposed car parking area to the south west corner of the site to have been replaced by an emergency access road.
40. Shading diagrams have been provided by the applicant which show the shadowing effects of the trees on all of plots at two points in time (9:00 am and 12:00 noon) in June and December. These show parts of some of the garden areas to be affected by shadowing to varying degrees at different times of the day in the summer and winter months. However it is considered that during the

summer months when the private rear garden areas are most likely to be enjoyed, they would receive sufficient sunlight to ensure their value as an amenity. Indeed, the shading diagrams show very limited overshadowing to occur from 12:00 noon onwards at this time of the year.

41. Moreover, given that the trees to the rear of plots 33-53 are protected under a TPO it is not considered that the health of these trees would become threatened, as any works to them would need to be carried out under the Council's guidance and control, which should ensure their health and shape.
42. GMEU Trees has also been consulted and has stated that the submitted reports show that the remaining trees in group G2 and the majority of the trees within G4 are also to be retained. Whilst they had concerns about the levels that they saw on site, they are satisfied that these do not represent the final fill levels and that these would not compromise the survival of the trees in G2. Section 2.5 of the Arboricultural Method statement states that 'The cut and fill has been designed to ensure it does not encroach with the root protection areas of any of the retained trees and the those situated off-site protected by a Tree Preservation Order'. To ensure this does not occur GMEU consider that protective fencing must remain intact for the duration of the development. This can be secured through an appropriately worded planning condition.
43. GMEU Trees therefore accepts the findings of the submitted surveys and information and are satisfied that it would in principle be possible to retain G2. However, in taking a precautionary approach they also recommend that the implementation of the Arboricultural Method Statement be made a Condition of any permission which may be granted to the scheme.
44. Satisfactory compensatory tree planting is also considered to be proposed in place of the removal of some of the trees in G4 (sycamore, willow and hawthorn), G10 (a sycamore and willow tree) which are located along the New Road frontage, G11 (sycamore and birch tree) which are centrally located and G12 (1 sycamore) which are positioned in close proximity to G15 to the eastern boundary of the site. These are required to be felled to make way for the access road and siting of the houses within the development. The number of replacement trees roughly equates to 5 new trees for every tree that is to be lost and these will be secured via a planning condition.
45. The Greater Manchester Ecology Unit (GMEU) has not raised any objections, however has re-iterated that there are badgers on the site and that the setts will require closure before site clearance begins (which is being dealt with under conditions on the outline permission) and has requested that the landscaping be completed prior to the full occupation of the site, and that details of who is responsible for the landscape management be provided. They have also

recommended that the construction environmental management plan include measures to manage potential silt run-off to protect the watercourse. All of these matters can be controlled via appropriately worded planning conditions.

46. The Environment Agency (EA) also have no objections subject to conditions for schemes for the design of the rehabilitated River Roch tributary and new SUDS pond to positively contribute to the nature conservation value of the site, a landscape management plan and a method statement for the removal and control of Japanese knotweed and Himalayan balsam on the site. They have also suggested a further precautionary condition requesting that a remediation strategy be submitted to and approved in writing by the Local Planning Authority for any contamination not previously identified on the site.
47. All of the recommended conditions, along with the replacement tree planting ratio contained within the landscape scheme are to ensure that the proposal minimises impacts on and provides net gains for biodiversity, in line with paragraph 170 of the Framework.
48. As such it is considered that subject to conditions outlined above the proposal would not conflict with CS Policies G6 and G7 which seek, amongst other matters, to recognise and protect trees, and sites and features of biodiversity and geodiversity importance.

Drainage and Flood Risk

49. The majority of the application site (to the north) 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). However some central and southern areas of the site lie within Flood Zones 2 and 3 and are therefore considered in areas at risk of flooding.

Flood Mitigation

50. Under the heading 'Manage and mitigate flood risk' the PPG advises that 'where development needs to be in locations where there is a risk of flooding as alternative sites are not available, local planning authorities and developers [should] ensure development is appropriately flood resilient and resistant, safe for its users for the development's lifetime, and will not increase flood risk overall.'
51. To this end, no residential development is proposed within Flood Zone 3, however housing is currently proposed within Flood Zones 1 and 2. For the dwellings located within Flood Zone 2 it is proposed to undertake ground works to elevate the central areas of the site whilst providing associated compensatory

flood storage for the scheme to the south of the site to ensure that flood risk is not increased downstream. This would be facilitated through a 'cut and fill' exercise. By raising the central area of the land it would, in effect, change the status of this part of the site to Flood Zone 1 and move Flood Zone 2 to the south of the site.

52. The scheme has been produced following discussions with the Environment Agency (EA) and the submission of a hydraulic model. This work has been undertaken utilising data provided by the EA at node points along the River Roch to show upstream and downstream effects and is covered in the submitted Flood Risk Assessment (FRA).
53. Following the incorporation of the flood compensation strategy the flood risk to the applicant's state that the development area is considered **very low** (less than a 1 in 1000 year probability of occurrence). The EA has been consulted and after reviewing the FRA has confirmed that they are satisfied that it demonstrates that the proposed development will not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere. However, they consider that the proposed development must proceed in strict accordance with this FRA and the mitigation measures identified within it. As the phasing of the provision of the compensatory flood storage areas is not clearly set out in relation to the wider development, they have recommended a planning condition to ensure that the compensatory storage must be provided before the proposed ground level raising takes place, or as part of the cut and fill operations.
54. United Utilities (UU) and the Council's Drainage Engineer have also been consulted and have not raised any objections subject to a number of conditions. UU require conditions to ensure that foul and surface water are drained on separate systems, for a surface water drainage scheme and a management and maintenance strategy.
55. However, the Council's Drainage Engineer has confirmed that the submitted MicroDrainage files were sufficient to confirm that the drainage design is consistent with the drainage layout plan and that it meets acceptable best practice and is 'in line' with Government Guidance in the Framework. A condition for the submission of a drainage scheme is therefore not necessary. He also considers the route of the artesian watercourse and the proposed culvert and ditch details to be appropriate for the proposed development.
56. Long sections which overlay existing and proposed levels have also been provided and indicate that some parts of the site in close proximity to the river have lowered areas which will sit behind a raised bund. The Drainage Engineer is concerned that these lowered areas have the potential to become partially silted during an extreme flooding event and requires further details of who would

be responsible for the management and maintenance of this. However, the EA has not raised any objections to siltation on the flood plain, as this should not be more probable or onerous than it is currently.

57. The LPA is therefore satisfied that appropriately worded planning conditions would ensure that the site could be suitably drained so that it would not be at risk of flooding and prevent flood risk elsewhere.

Sequential Test

58. Nonetheless, and as previously noted, the submitted plans show the some of the proposed housing to occupy the central portion of the site which falls within Flood Zone 2. The sequential approach in national and local planning policy requires that development should be directed to areas with the lowest probability of flooding and that reliance should not be placed in the first instance on flood defence and flood mitigation.

59. The Framework states that development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. It is only if there are no sites with a lower flood risk that consideration should be given to whether the development could be made safe and not increase the risk of flooding elsewhere through a Flood Risk Assessment.

60. Further to planning officer concerns about the limited size of the search area that was included in the originally submitted sequential test exercise (ST) the applicant has now extended this to cover the entire borough. In effect the revised ST seeks to discount a total of 15 sites in the borough that would have the capacity for between 80-120 units or on a land area between 5.05-7.57 ha.

61. Nonetheless, there is no definition of 'reasonably available sites' and the meaning of this is ultimately a matter for the courts to decide. In the absence of case law on this matter, the LPA disagree with the appellants' interpretation of what constitutes 'reasonably available' and on that basis it is not considered that the proposal passes the ST. It therefore conflicts with criterion (a) of CS Policy G8 and paragraph 157 of the Framework requires, in the first instance, for a ST to be undertaken.

Fallback position

62. In response to the LPA's view on the ST, the applicant has put forward that the extant planning permission (15/00830/OUT) for 110 houses is a valid 'fallback position' that is available to them and a material consideration that justifies the proposed development in this location.

63. For significant weight to be afforded to a fallback position, there needs not only to be a reasonable prospect of it being carried out in the event that planning permission was refused, but it would also need to be equally or more harmful than the scheme for which permission is sought.
64. In this regard, as development has lawfully commenced on the site under the previous extant planning permission there is clearly a realistic prospect of the dwellings being constructed should this application be refused permission.
65. In terms of demonstrating harm, the applicant has submitted a supporting statement and a draft layout plan to illustrate what they consider could be constructed, subject to the approval of reserved matters, under the approved parameters of the outline permission. Whilst there may be a few plots that could be amended the LPA has no substantive reason to question this. The draft plan illustrates that around 20 houses would have to be sited directly adjacent to Flood Zone 2 (with back gardens and side elevations directly adjoining it) if the parameters plan was to be followed, whereas the submitted proposed layout plan shows only 10 houses to face onto Flood Zone 2 and separated from it by a highway.
66. The applicant has also amended the scheme to provide an additional 370 metres² of flood storage capacity within the area of open space which will hold water on the site and limit its displacement downstream. The EA has been consulted about this and has confirmed that they have no objection to this revision, and that there will not be an unacceptable risk of flooding or that it would exacerbate flooding elsewhere. They have also advised that generally more available volume in the flood plain is better than less.
67. It is therefore considered that the current layout and increased flood storage capacity would be an enhancement and achieve a betterment in terms of reducing flood risk on the site when compared to what would likely to be constructed under the parameters of the extant outline planning permission.
68. As such it is considered that the fallback position maintained by the applicant would be likely to give rise to greater harm in terms of flood risk, than would the current proposal. The fallback position is, therefore, a material consideration of significant weight in this case, which would outweigh the conflict with policy with criterion (a) of CS Policy G8 and advice contained in paragraph 158 of the Framework in regards to compliance with a sequential test. In light of the information above, it is therefore considered that the proposed development is acceptable in respect of flood risk.

Affordable Housing

69. The affordable housing is proposed to be dispersed throughout the site so that it is not all grouped together within one area of the development. This is consistent with Paragraph 62 of the Framework which makes clear that the preference is for on-site affordable provision to achieve the creation of inclusive and mixed communities.
70. CS Policy C4 highlights the increased need for affordable housing due to an ever-increasing gap between housing costs, particularly for owner occupation, and household incomes. In order to address this need CS Policy C4 seeks affordable housing on all developments of 15 dwellings or more. Indeed, policies C4 and DM2 of the CS and the adopted Affordable Housing SPD identify that, subject to viability considerations, residential developments of over 15 dwellings will be expected to make a contribution towards the provision of affordable housing on site or via an off-site financial contribution in exceptional circumstances. Paragraphs 7.3 and 7.4 of the SPD indicate that an average figure of 15% Affordable Housing will be required on all sites across the Borough.
71. An affordable housing scheme and associated plans have been submitted with the application. These set out the details of the number, location, house type and tenure of the affordable housing (plots 26, 27, 60-64, 67-69, 76-79, 84,85). These show a total of 15 houses, comprising 8 affordable rent and 7 shared ownership units.
72. Contour homes have been appointed as the Registered Provider and intend to commit to the ownership of 8 dwellings. The Council's Strategic Housing Section has also been consulted and welcome the provision of the much needed new affordable housing in the Pennines Township as opportunities in this part of the borough as generally less frequent.
73. The proposal therefore provides the required 15% of affordable homes, and is subsequently considered to comply with CS Policy C4 in this regard.

Developer Contributions and Obligations

74. CS Policy DM2 requires developers to provide, or contribute towards the cost of providing any physical and social infrastructure that is needed because of proposed development; and or to mitigate the impact of development, through planning obligations and agreements, if the development would otherwise have a negative impact on the delivery of a strategic objective. For the proposed residential development, contributions are sought for requirements including outdoor sports provision and education facilities.
75. These are considered to be required for the provision of financial contributions towards education, outdoor sport and recreation and to secure affordable housing on site. A scheme for a Local Area of Play (LAP), is also considered to be reasonable and necessary for reasons already covered in this report. The

financial contributions towards recreational open space, outdoor sports provision and education are required for the following reasons:

Recreational Open Space and Outdoor Sports Provision

76. In respect of development proposals effecting green infrastructure and specifically in relation to residential development CS Policy G6 seeks the provision or financial contribution 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 (SPD).
77. The Council's SPD 'Provision of Recreational Open Space' requires for developments of 100 or more bedrooms, Local Open Space provision on-site. The area required on site is calculated using the provision standards, specifically 1 hectare per thousand bedrooms. The amount of on-site open space, at 2.64 hectares would exceed this requirement.
78. The submitted plans show that there would be 333 bedrooms provided. As this is under the 400 bedroom threshold for a Locally Equipped Area for Play (LEAP) a Local Area for Play (LAP) should be provided on site.
79. A contribution of £175,825.65 towards off-site Outdoor Sports Provision, calculated in accordance with the Council's standard of 1.1 hectares per 1000 population, is also expected. This would be spent on improvements to Outdoor Sports Provision at Littleborough Sports Centre which would be of direct benefit to the residents of the new development.

Education

80. Amongst other things, Policies C7 and DM2 of the CS require that residential developments provide for social infrastructure including education facilities to meet the demand for additional school places created by such developments.
81. Paragraph 94 of the Framework confirms that the Government attaches importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. It advises that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement and to development that will widen choice in education, adding that great weight should be given to the need to create, expand or alter schools.
82. The schools service has been consulted and has advised that the Pennines Township has been under significant pressure for primary school places for some years. During the 2017/18 academic year extra capacity was required and bulge classes were created in Littleborough Primary. As of the October 2018 census there was only 1 spare place in current year 5, 3 places in year 2 and 3 places in year 4, which is only a 0.3%, 1.0% and 1.0% surplus respectively. The Local authority tries to maintain a 3% surplus to allow for in-year admissions. In the Secondary school sector there is also chronic shortage of spaces available, which is due to continue to 2029, and developer contributions are required for both primary and secondary school places. Rochdale currently has Education

contributions set at £12,320.01 for each Primary place and £15,400.01 for each secondary place. This would result in a total financial contribution of £443,520.336 (Primary contribution = £12,320.01 x 96 x 0.25 (yield factor) = £295,680.24 & Secondary contribution = £15,400.01 x 96 x 0.1 (yield factor) = £147,840.096) is required to be paid.

Conclusion

83. For the reasons provided above it is considered that the proposal has been designed to integrate itself into the existing urban grain of the surrounding area. Revisions made during the course of the application are considered to provide an attractive, relatively green and spacious modern housing development that would reflect the specific characteristics of the Roch Valley and the Pennines Township Green Infrastructure Plan. These mainly focus on the provision of connections, green infrastructure, recreation, biodiversity improvements and flood risk management.

84. Whilst the proposed development is not considered to satisfy the sequential test in respect of flooding, the genuine fallback position presented by the applicant is considered to demonstrate a betterment in terms of flood risk on the site. The LPA consider this, in combination with the benefits associated with the enhanced design and layout of the scheme, when compared to what would likely be provided under the outline planning permission perimeter plan (15/00830/OUT), to demonstrate significant material considerations that would outweigh the development plan conflict with CS Policy G8, and indicate that planning permission should be granted.

RECOMMENDATION

It is recommended that the Planning and Licensing Committee resolves it is minded to **GRANT planning permission subject to completion of a Section 106 agreement to secure:**

- (i) **The provision of affordable housing on site in accordance with the approved plans and the affordable housing scheme;**
- (ii) **A financial contribution towards the provision of additional primary school places calculated by the pupil yield of the development multiplied by the relevant basic need funding allocation (currently £295,680.24 but the final calculation shall be based on the multipliers in place at the relevant time);**
- (iii) **A financial contribution towards the provision of additional secondary school places calculated by the pupil yield of the development (0.1 per dwelling) multiplied by the relevant basic need funding allocation (currently £147,840.096 but the final calculation shall be based on the multipliers in place at the relevant time);**
- (iv) **A financial contribution towards the provision of outdoor sport and recreation facilities at Littleborough Sports Centre in accordance**

with the Council's SPD: Provision of Recreational Open Space in New Housing;

- (v) **A scheme for the provision, implementation and management of a Local Area of Play (LAP).**

And that the Head of Planning Services is authorised to **GRANT planning permission upon execution of the above S106 agreement subject to the following 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. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan	Ref: 19002 00
Section 278 Details – Vehicle Tracking	Ref: 41-10 P5
Section 278 Details – Road Markings	Ref: 41-03 P3
Section 278 Details – Kerbing and Surfacing	Ref: 41-02 P5
Section 278 Details – General Arrangement	Ref: 41-01 P6
Proposed Site Layout Plan	Ref: 19002.01 Rev D
Proposed Illustrative Site Layout Plan	Ref: 19002.02 Rev D
Proposed Street Scenes (Sheet 1)	Ref: 19002.03 Rev A
Proposed Street Scenes (Sheet 2)	Ref: 19002.04 Rev B
Proposed Affordable Housing Layout	Ref: 19002.05 Rev A
Boundary Treatments Layout	Ref: 19002.06 Rev A
Proposed Materials Layout	Ref: 19002.07 Rev A
Existing and Proposed Finished Floor Levels	Ref: 19002.08 Rev B
Proposed Phasing Plan	Ref: 19002.10 Rev A
Proposed Site Section	Ref: 19002.12
Proposed Location of 2.5 storey house types	Ref: 19002.13
Proposed Site Sections	Ref: 19002.14

Illustrative Street Scene	Ref: 19002.15
Buckley	Ref: HT_01 Rev A
Philips	Ref: HT_02 Rev A
Hardy (brick)	Ref: HT_03
Talbot (Stone)	Ref: HT_04 A
Talbot (Brick)	Ref: HT_05 A
Orrell (Stone)	Ref: HT_06 A
Orell (Brick)	Ref: HT_07 A
Orrell 2 (stone)	Ref: HT_08 A
Cromwell (Brick)	Ref: HT_09 A
Worrall (Stone)	Ref: HT_10 A
Worrall (Brick)	Ref: HT_11 A
Bower (Brick)	Ref: HT_12 A
Kenyon (Stone)	Ref: HT_13 A
Kenyon (Brick)	Ref: HT_14 A
Kenyon SA (Stone)	Ref: HT_15 A
Kenyon SA (Brick)	Ref: HT_16 A
Turner 1 (stone)	Ref: HT_17 A
Turner 2 (Stone)	Ref: HT_19 A
Howarth (stone)	Ref: HT_20 A
Howarth (Brick)	Ref: HT_21 A
Ecclestone (stone)	Ref: HT_22 A
Ecclestone (brick)	Ref: HT_23 A
Single and Twin Garage	Ref: HT_24 A
Double Garage	Ref: HT_25 A
Ecclestone (stone) Plot 44	Ref: HT_26 A
Landscaping Plans Full Site	Ref: 5612.13 Rev D

Landscaping Plans Phase 1 & 2 (1 of 4)	Ref: 5612.09 Rev D
Landscaping Plans Phase 1 & 2 (2 of 4)	Ref: 5612.10 Rev D
Landscaping Plans Phase 1 & 2 (3 of 4)	Ref: 5612.11 Rev D
Landscaping Plans Phase 1 & 2 (4 of 4)	Ref: 5612.12 Rev D
Drainage Layout	Ref: 880630 40-01 P14
Site Cross Sections	Ref: 40-26-02 P3
External Works Sheet 1 of 3 40-05-01	
External Works Sheet 2 of 3 40-05-02 P7A	
External Works Sheet 3 of 3 40-05-03 P7A	
Arboricultural Method Statement Rev. K	
Arboricultural Impact Assessment Rev. K	
Landscape POS Cross Section	Ref:5612.14
Site Cross Sections	Ref:40-26-02 P3
Illustrative Street Scene	Ref:19002-15
Illustrative Site Section	Ref:19002.17
Flood Risk Assessment 880630- R4(03) September 2019	
Proposed Flood Compensation Plan	Ref: 40-28 Rev. A4
Timber Log Details – LRW 01;	
Cut and Fill Drawing	Ref: 40-22 P6 Rev.DG Sept 2019

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 and the National Planning Policy Framework.

- Notwithstanding condition 2, no development above ground floor slab level shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

4. All planting, seeding or turfing comprised within the approved scheme of Landscaping (Landscaping Plans Full Site Ref: 5612.13 Rev D; Landscaping Plans Phase 1 & 2 (1 of 4) Ref: 5612.09 Rev D; Landscaping Plans Phase 1 & 2 (2 of 4) Ref: 5612.10 Rev D; Landscaping Plans Phase 1 & 2 (3 of 4) Ref: 5612.11 Rev D; Landscaping Plans Phase 1 & 2 (4 of 4) Ref: 5612.12 Rev D) shall be carried out in the first planting and seeding seasons following the occupation of 50% of the development; any trees or plants which, within a period of 5 years from the completion of the landscaping 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: In order to achieve a satisfactory level of landscaping in accordance with Policies C1, C3, DM1, E5, G6, G7 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

5. Notwithstanding condition 4, no development above ground floor slab level shall take place until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:

- details of retained or enhanced semi-natural habitats within the whole New Road development site.
- details of maintenance regimes
- details of treatment of site boundaries, and River Roch tributary flowing through site.
- details of how the site will be maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan.

Reason: To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with Policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

6. Notwithstanding conditions 4 and 5, no development shall take place until a Habitat and Landscape Management Plan (HLMP) for all landscaped areas of the site (excluding privately owned domestic gardens) has first been submitted to and approved in writing by the Local Planning Authority. The HLMP shall include: (i) protection measures for all retained trees, waterbodies and greenspace during the course of development; (ii) long term design

objectives; (iii) management responsibilities; (iv) maintenance schedules; and (v) a timetable for its implementation. The HLMP shall thereafter be implemented in full accordance with the duly approved details and timetable contained therein.

Reason: In order to ensure adequate protection of existing landscape features of ecological value and to achieve appropriate landscape and biodiversity enhancements as part of the development in accordance with policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: To protect existing landscape features from commencement and to secure biodiversity enhancement.

7. No development shall take place until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include details of the following:

- (i) hours for site preparation, delivery of materials and construction;
- (ii) the route of access and parking of vehicles of site operatives and visitors;
- (iii) loading and unloading of plant and materials;
- (iv) storage of plant and materials used in constructing the development;
- (v) the erection and maintenance of security hoarding;
- (vi) wheel washing facilities;
- (vii) any external lighting of the site.

The duly approved CMP shall be adhered to throughout the construction period.

Reason: In order to ensure that appropriate measures are put in place to limit noise, nuisance and disturbance to the occupiers of neighbouring dwellings during the construction of the development in accordance with policies G9 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: To ensure the construction process is managed from commencement and measures put in place to protect the amenity of nearby residents and highway safety prior to commencement of any building or engineering works on site.

8. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: biodiversity) to include the following has been submitted to, and approved in writing by the Local Planning Authority:

- a) Risk assessment of potentially damaging construction activities.

- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements), including measures to manage potential silt run-off/protection of the river course
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved CEMP during the construction period.

Reason: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment during the construction phase in accordance with Policies DM1, P2 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As the development will include site clearance, demolition works, ground works and engineering works an understanding will therefore be necessary of what measures will be put in place to protect the amenity of the natural environment and the area in general, prior to commencement of any works taking place.

9. No development shall take place until an updated badger survey has been carried out and the results submitted to, and approved in writing by, the local planning authority. If any evidence of badgers or badger setts is found, the report shall include measures for their protection during development and for the retention of existing or provision of alternative habitats. The measures shall be implemented in accordance with the approved details.

Reason: In order to prevent any habitat disturbance to protected species in accordance with policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: In order to understand what measures will be put in place to protect the natural environment prior to commencement of any works taking place.

10. No development shall take place until a detailed method statement for removing or the long-term management / control of Japanese knotweed &

Himalayan balsam on the site shall be submitted to and approved in writing by the local planning authority. The method statement shall include proposed measures that will be used to prevent the spread of Japanese knotweed & Himalayan balsam during any operations e.g. mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981, as amended. Development shall proceed in accordance with the approved method statement.

Reason: To ensure the satisfactory treatment and disposal of invasive plant species which, under the terms of the Wildlife & Countryside Act 1981 (as amended) it is an offence to be caused to be spread in the wild, in accordance with Policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-development condition: As the development will include site clearance, demolition works, ground works and engineering works an understanding will therefore be necessary of what measures will be put in place to protect the natural environment prior to commencement of any works taking place.

11. No development shall take place where the site characterisation has identified unacceptable risks, until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority.

The approved remediation scheme shall thereafter be fully implemented. There shall be no variation of the approved remediation scheme unless otherwise approved in writing by the Local Planning Authority. Following completion of the measures identified in the approved remediation scheme and prior to the commencement of the permitted use/development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and submitted to and approved in writing by the Local Planning Authority.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a validation report must be prepared which is subject to the approval in writing of the Local Planning Authority.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers, in accordance with policies G8 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: To ensure the need for any remedial works is appropriately identified and a strategy is in place before works commence on site to ensure the safe development of the site in the interests of the amenity of future occupiers.

12. No development shall take place until a scheme for the construction of the proposed River Roch tributary and new SUDS pond has been submitted to and approved in writing by the local planning authority.

The scheme shall include the following features:

- timing of works
- methods used for all channel and bankside margin works i.e., temporary diversions
- machinery (materials and fuel, access routes, access to banks)
- environmental protection measures of receptors; in particular nearby River Roch waterbody and fishery during works construction.
- environmental reinstatement and landscape compensation for lost wetland features.
- site supervision

The development shall be carried out in accordance with the approved scheme prior to its first occupation.

Reason: To ensure that the proposed River Roch tributary and new SUDS pond are developed in a way that contributes to the nature conservation value of the site in accordance with Policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: In order to understand what measures will be put in place to protect and enhance the nature conservation of the site, prior to commencement of any works taking place.

13. No development above ground level shall take place until a scheme for the design of the boundary treatments (in accordance with Boundary Treatment Layout Plan Ref: 19002.06 Rev A) has been submitted to, and approved in writing by, the local planning authority. The development shall be completed in accordance with the approved plan and the boundary treatments retained as such thereafter.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policies P3, G6 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

14. The development hereby permitted and all tree work and protection measures shall be carried out in accordance with the details provided in the Arboricultural Method Statement produced by Mulberry, dated 17 September 2019 and referenced TRE/NL Rev.K. No retained tree shall be cut down, uprooted, destroyed, cut or damaged in any manner, other than in accordance

with the approved plans, without the prior written approval of the local planning authority.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policies P3, G6 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework

15. No ground clearance, tree felling or pruning, hedgerow removal or clearance of vegetation in preparation for or during the course of the development hereby permitted shall be undertaken in the bird nesting season (March - August inclusive) unless an ecological survey has been submitted to and approved in writing by the local planning authority which establishes that no part of the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development including clearance of trees and shrubs shall take place until a methodology for protecting nest sites during the course of the development has been agreed in writing by the local planning authority. Nest site protection shall be provided in accordance with the approved methodology.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

16. The development hereby approved shall be adapted in accordance with the mitigation measures identified within the submitted Noise Impact Assessment carried out by REC on 19 February 2019 and referenced AC104607-2R2 so as to achieve the following internal and external noise levels:-

- 35 dB(A) Leq (1 hour) in the bedrooms with windows shut and other means of ventilation provided between 7 am and 11pm;
- 30dB(A) Leq 5mins in the bedrooms with windows shut and other means of ventilation provided between 11pm and 7am;
- 35 dB(A) Leq (1 hour) in the living room/s with windows shut and other means of ventilation provided between 7 am and 11pm;
- 40dB(A) Leq (1 hour) in other habitable rooms with windows shut and other means of ventilation provided at all times.
- Noise in external amenity areas shall not exceed 55 dB(A). (to a maximum of 59 dB(A) in the garden of plot 5 only)

The sound attenuation works shall be completed before the dwellings are occupied and be retained thereafter.

Reason: In the interests of safeguarding the living conditions of future residents in accordance with policies DM, P3 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

17. The drainage for the development hereby approved, shall be carried out in accordance with the Drainage Layout Dwg NO. 40-01 Rev. p17 and the RSK Flood Risk Assessment (September 2019) Ref: 880630- R4(03). No surface water will be permitted to drain directly or indirectly into the foul water sewer. The development shall be completed in accordance with the approved details.

Reason: To prevent an undue increase in surface water run-off and to reduce the risk of flooding in accordance with Core Strategy Policy G8, saved UDP policies EM/7 and EM/8, the National Planning Policy Framework.

18. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and

b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development in accordance with Core Strategy Policy G8, saved UDP policies EM/7 and EM/8, the National Planning Policy Framework.

19. No development within Flood Zones 2 and 3 hereby permitted shall be commenced until such time as a phased scheme of cut and fill has been submitted to, and approved in writing by, the local planning authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To ensure flood plain storage volume is not reduced as a result of ground level changes in accordance with Policies G7 and G8 of the adopted Rochdale Core Strategy, saved Policy EM/7 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

20. No dwelling hereby approved shall be occupied until a detailed lighting scheme for any external lighting to be installed within all highways, footpaths, public open spaces and landscape buffer zones within that phase, has been submitted to and approved in writing by the Local Planning Authority. Such details shall include the position and height of means of lighting on the building or site and its luminance, angle of installation and any hoods to be fixed to the lights. Development shall be carried out in accordance with the approved details prior to the first occupation of any dwelling.

Reason: In order that the development does not prejudice the favourable conservation status of protected species and in the interests of residential amenity in accordance with the requirements of policies G7 and G9 and of

the adopted Rochdale Core Strategy and the National Planning Policy Framework.

21. The development hereby permitted shall be carried out in accordance with the programme of archaeological fieldwork identified in the approved Written Scheme of Investigation which has been produced by Oxford Archaeology North, dated November 2017.

Reason: To record and advance the understanding of the significance of any buried archaeological remains for archival and research purposes in accordance with Policy P2 of the adopted Rochdale Core Strategy and National Planning Policy Framework.

22. Within 6 months of the development being first occupied, a Residential Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall contain measures for promoting a choice of transport modes and a monitoring regime with agreed mode share targets. In addition, the Travel Plan shall set out the monitoring procedures and mechanisms that are to be put in place to ensure that it remains effective and shall be reviewed within a framework approved by the Local Planning Authority. The initiatives contained in the approved Travel Plan shall be implemented within 6 months of the first occupation of any building and shall continue to be implemented thereafter.

Reason: In order to ensure that the development encourages people to travel by sustainable modes of transport in accordance with policy T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

23. No development above ground floor slab level shall take place until a detailed scheme for the design and construction of the internal access roads and footways, including the materials to be used, have been submitted to and approved in writing by the local planning authority. The buildings hereby permitted shall not be occupied until the roads are constructed in accordance with the approved details.

Reason: In the interests of highways safety, in accordance with policies DM1, P3 and T2 of the Adopted Rochdale Core Strategy and the National Planning Policy Framework.