

Report to Planning and Licensing Committee



Date of Meeting	9 July 2019
Portfolio	Councillor Carol Wardle Cabinet Member for Planning, Development & Housing
Report Author	Michael Atkinson-Smith
Public/Private Document	Public

<b>Application:</b> 20/00041/FUL	<b>Township:</b> Rochdale North	<b>Ward:</b> Norden
<b>Applicant:</b> Rochdale Borough Council	<b>Agent:</b> Chorlton Planning Ltd	
<b>Site Address:</b> Carr Wood Cottage (Formerly 1 & 3 Higher Clough) School Lane Rochdale OL11 5UT		
<b>Proposal:</b>	Erection of one detached dwelling with associated landscaping and boundary treatments following demolition of existing buildings	

**SITE LOCATION**



## DELEGATION

- 1.1 The application has been referred to the Planning and Licensing Committee by the Head of Planning Services on the basis of the significant degree of public objection to the demolition of the existing buildings on site.

## PROPOSAL SUMMARY

- 2.1 Planning permission is sought for the demolition of the existing dwellings and ancillary buildings on site and the erection of a single large dwelling with associated landscaping works. The proposed development consists of a contemporary dwelling with the design largely being influenced by the existing built form and layout of the site.

## RECOMMENDATION

- 3.1 It is recommended that the Planning and Licensing Committee resolves to **GRANT planning permission** subject to the schedule of suggested conditions.

## REASON FOR RECOMMENDATION

- 4.1 Despite the increase in built volume over the original buildings, the proposed development would constitute the redevelopment of previously developed land which would not have a materially greater impact on the openness of the Green Belt.
- 4.2 Although the proposed development would result in substantial harm to the identified non-designated heritage assets, namely the existing dwellings on site, the significance of the non-designated heritage assets can be considered to be low and the harm is justified and mitigated within the application.
- 4.3 Therefore, on the basis that no harm through inappropriateness has been identified and no additional harm to the Green Belt has been identified that is not outweighed by other considerations or suitably mitigated within the application or by way of the suggested schedule of conditions and informatives, the proposed development is considered to be acceptable in principle and matters of detail and the application is accordingly recommended for approval.

## **SITE**

The application site comprises a two storey residential building and a detached stable block set within established gardens and woodland. The property has been known most recently as Carr Wood Cottage but previously was addressed as Nos. 1 and 3 Higher Clough; a pair of semi-detached dwellings. The site lies within the Green Belt and, with the exception of isolated dwellings and farm settlements, the surrounding land is predominantly open countryside and woodland with Naden Brook running close by to the east and south. Part of the site lies within Bamford Wood which connects between Bury and Rochdale Old Road, Gelder Wood and Cobb Wood.

Access to the site is from a private driveway leading from School Lane, which is shared with Lower Clough to the south. A recreational right of way (HeyfP2) runs adjacent to the site. Whilst the site does not have immediate neighbours, there is established residential development to the south (Lower Clough) and Higher and Lower Jowkin Farms to the south east.

## **PROPOSAL**

Planning permission is sought for the demolition of the existing dwellings and stable block on site and the erection of a single two storey dwelling with additional single storey sections to the side and rear.

An extensive landscape management plan for the surrounding gardens and woodland would be implemented as part of the scheme.

The site contains, and is surrounded by, mature trees and meadows and these key landscape features will be retained and protected during the development process to maintain privacy and a natural site boundary. The site slopes gently in a southerly direction and this feature will be utilised in creating a separation between the informal and more formal parts of the garden.

## **RELEVANT PLANNING POLICY**

### **National Guidance**

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

### **Adopted Rochdale Core Strategy (CS):**

- SP2 The Spatial Strategy for the borough
- SP3 The Spatial Strategy for the townships
- SD1 Delivering sustainable development
- DM1 General development requirements

### **SO2 Creating successful and healthy communities**

- C1 Delivering the right amount of housing in the right places
- C3 Delivering the right type of housing

### **SO3 Improving design, image and quality of place**

- P1 Improving image
- P2 Protecting and enhancing character, landscape and heritage
- P3 Improving design of new development

### **SO4 Promoting a greener environment**

- G3 Renewable and low carbon energy developments
- G4 Protecting the Green Belt
- 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

### **SO5 Improving accessibility and delivering sustainable transport**

- T2 Improving accessibility

#### Rochdale Unitary Development Plan (UDP):

#### **G/D/2 Green Belt**

- EM/7 Development and Flood Risk
- EM/8 Protection of Surface and Ground Water
- NE/2 Designated Sites of Ecological and Geological / Geomorphological Importance

#### Supplementary Planning Documents (SPD):

- Guidelines and Standards for Residential Development SPD (2016)
- Biodiversity and Development SPD (updated 2017)

### **RELEVANT SITE HISTORY**

19/00695/FUL      Erection of one detached dwelling with associated landscaping and boundary treatments, following demolition of existing buildings. Withdrawn

96/D33244      Two storey side extension to dwelling.      Granted STC September 1996

### **CONSULTATION RESPONSES**

Conservation Officer - Carr Wood Cottages are a pair of cottages adjacent to Naden Brook. Originally a single dwelling known as "Higher Clough", the property can be easily identified on the First Edition O.S. Map. Due to the properties age, architectural form and embodied values it is recognised as a non-designated heritage asset. It is apparent that the properties have been altered and extended in numerous ways including a two storey extension to the south west, the addition of porches and the alteration of original openings in the eastern unit. Whilst the properties are of age and exhibit the local vernacular their alteration has degraded their value as non-designated heritage assets.

The application is a resubmission of the previous scheme with some minor amendments to the design and a more comprehensive suite of supporting reports. The proposal seeks to demolish the existing residential dwellings along with the adjacent stable building and to replace these with a single dwelling. The demolition of the existing buildings will cause substantial harm to the non-designated heritage assets (NPPF, paragraph 197). This being said, it is recognised that due to the historic alterations of the identified heritage assets their significance is low and therefore their demolition could be justifiable through the continued use of the site for residential purposes and mitigated through high quality design of the replacement dwelling. To help mitigate the impact of the proposed development the application is supported by a Heritage Statement and a Desk Based Assessment of the site which demonstrates a comprehensive understanding of the significance of the site.

The proposed replacement building is largely on the same footprint as the existing buildings, be that both the cottages and the stable building, creating a property of larger scale and massing. It is apparent that the architect has broken up the massing of the proposed dwelling through the use of glazed links and the use of individual building components of differing heights to give the property a more organic feel. This has created an attractive modernist design, the detailing of which has carefully included traditional built features from the surrounding rural area, e.g. a modern interpretation of a threshing door. The materials proposed for the property are traditional and will be locally sourced which help the building complements the local area. In response to the previous consultation the design has been tweaked to include vertically laid timber boarding on the garage and entrance door and the central meeting rail on the windows have been removed. The combination of these elements has given the eastern elevation of the property better vertical emphasis.

To conclude, as the significance of the non-designated heritage asset identified is low the harm resulting from the proposal, deemed to be substantial (NPPF, paragraph 197), is justified and mitigated within the proposal. As such, this application is recommended for approval, subject to the inclusion conditions relating to details of windows, doors, masonry, roofing slate and chimney pots.

Environment Agency - No comments received to date

Highways and Engineering - We have no objection to these proposals. Very little impact upon the highway will occur as a result of this development. My only concern is damage to the highways by construction traffic. I would like a dilapidation survey undertaken before development begins. Any damage to the highways afterwards must be repaired by the developer.

Greater Manchester Ecology Unit – **Summary:** There are a number of potential ecological issues associated with this site, but these issues can be resolved via condition and or informative. A condition requiring compliance with the submitted reasonable avoidance measures for bats has been recommended. An informative could be applied to any permission as neither great crested newts nor reptiles have been found in this area in recent times, with the valley well surveyed by a local naturalist over the last couple of decades. No badger

setts are located within the footprint of the development site, but are known to be present in the wider area and badgers are mobile in their habits. A condition requiring further survey work prior any earthworks taking place is recommended. Trees and shrubs will be removed as a result of the development as will buildings, all potential bird nesting habitats. A condition requiring no demolition in the nesting season without further survey work is recommended. Himalayan balsam is present on the site and a condition requiring submission of an earthworks method to ensure safe eradication is recommended. The development lies immediately adjacent to the Naden Brook SBI, with a potential very minor overlap. Measures to protect the SBI during construction are proposed with enhancement measures also proposed on completion. The range of measures proposed during construction are adequate, but should be pulled together in to one construction and environmental management plan. The details can be conditioned. Details of the ecological mitigation plan for the adjacent woodland should be secured through condition.

Greater Manchester Ecology Unit (Trees) - No comments received to date

Landscaping Team - No comments received to date

Lead Local Flood Authority/Drainage – **Summary:** The Drainage Strategy document concludes that a package sewage treatment plant with outlet to surface water will be provided to service the new dwelling and that geocellular attenuation storage is to be provided (37 cu.m. to be confirmed at detailed design stage).

The Drainage Strategy philosophy is accepted as good practice and is in line with NPPF. Aspects that would need to be clarified at the detailed design stage are:-

- The area of any new access track to the dwelling and whether drainage for this is included within the geocellular drainage or whether permeable paving would be provided to reduce the attenuation volume required.
- The drainage route to Naden Brook and whether this is already an existing ditch.

Appropriate conditions to secure the above have been suggested.

Public Protection (Environment) – **Summary:** The supplied report and recommendation for a Phase II site investigation is acceptable.

Rights of Way Officer - The development should not affect the right of way, however access to the property is along the lane that carries the footpath and any disturbance of the surface of this footpath should be repaired at the expense of the owner of the property to be developed, there should not be any materials or vehicles left along the right of way causing an obstruction. In the event I have to undertake enforcement action for obstruction or reinstatement of the footpath the property owner will be responsible for all costs involved.

United Utilities – **Summary:** In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the

site should be drained in the most sustainable way. However, there are no wastewater assets in the vicinity of the proposed development.

## **REPRESENTATIONS**

Letters of notification were sent to surrounding neighbours, a site notice displayed in the vicinity and an advertisement placed in the local press. A total of 132 objections were received. The points of objection raised are summarised as follows:

- The impact on the character and appearance of the area;
- Renovation of the existing buildings would be preferable;
- The buildings are not derelict;
- The existing buildings have been deliberately allowed to deteriorate;
- Impact on the adjacent Public Right of Way, visually and in terms of access;
- The site is close to the Ashworth Fold Conservation Area and should be considered as part of the same heritage value;
- Design quality of the proposed replacement building;
- Destruction of local heritage;
- Reduction in net number of dwellings;
- The existing building should be listed;
- Development should be controlled according to the wishes of the local community;
- The building was traditionally home of the Ashworth Family;
- Increased scale and massing of the replacement building;
- Materials finish, e.g. thin slate roof as opposed to stone slate and inclusion of excessive glazing;
- Doubts over the perceived ecological and environmental benefits of the proposal;
- Ashworth family members are claimed to be buried in the grounds;
- Impact on ground / slope stability

One letter in support of the proposals was received, noting that the existing buildings are of no historical importance and are in poor condition and that the new home would be environmentally friendly and sustainable.

The material planning considerations highlighted in the representations received are addressed in the Analysis section below.

## **ANALYSIS**

### **Principle of Development - Green Belt**

1. The National Planning Policy Framework states that the Government attaches great importance to Green Belts and that the essential characteristics of Green Belts are their openness and their permanence.

2. Paragraph 134 of the NPPF defines the five purposes of including land in the Green Belt as follows:
  - to check the unrestricted sprawl of large built-up areas;
  - to prevent neighbouring towns merging into one another;
  - to assist in safeguarding the countryside from encroachment;
  - to preserve the setting and special character of historic towns; and
  - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
3. When considering any planning application, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt as inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
4. Paragraph 145 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:
  - a) buildings for agriculture and forestry;
  - b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
  - c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
  - d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
  - e) limited infilling in villages;
  - f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
  - g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
    - not have a greater impact on the openness of the Green Belt than the existing development; or
    - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.
5. Policy G4 of the Core Strategy states that the Council will continue to protect Green Belt land in specific areas of the borough, where development will be restricted to those types of development which are deemed appropriate by the NPPF unless very special circumstances can be demonstrated.
6. Therefore, the main consideration in assessing the principle of development is whether the proposed scheme constitutes inappropriate

development within the Green Belt and, if so, whether very special circumstances have been demonstrated which may outweigh the presumption against development.

7. As the proposed development involves the demolition of the existing dwellings and stable block and the provision of a new building in their place, it is considered that the application site predominantly constitutes previously developed land and therefore exemption g) as outlined above would apply.
8. For the development therefore to not constitute inappropriate development within the Green Belt, the proposed dwelling must not have a greater impact on the openness of the Green Belt than the existing development. The submitted floorspace calculations indicate that the existing building footprint is 266m<sup>2</sup> and the proposed building footprint would be 405m<sup>2</sup>, an increase of 139m<sup>2</sup> or 52%. The submitted volume calculations indicate that the existing built volume is 1134m<sup>3</sup> and the proposed built volume would be 1716.1m<sup>3</sup>, an increase of 582m<sup>3</sup> or 51%. However, 284.52m<sup>3</sup> of the additional proposed built volume would be dug into the embankment to the rear of the dwelling. The additional built volume excluding the section dug into the embankment would be 26% over the existing figure.
9. In assessing whether the proposed dwelling would constitute inappropriate development under exemption g) it is not necessary to specifically consider the actual increase in built volume or floorspace, but whether such an increase would have a greater impact on the openness of the Green Belt. Whether the increase in built form is 'material' or not 'disproportionate' is irrelevant.
10. It is an established principle that 'openness' has both a spatial and visual component. Whilst it is noted that the proposed development would be larger than the existing in respect of the amount of built form, it is acknowledged that the spread of development across the site would be reduced, notably at the eastern side of the development site. The removal of scattered outbuildings would also contribute to an additional reduction in existing built form. Given that the proposed dwelling would largely stand on the same footprint as the existing and that a sizeable proportion of the additional built form would be located in such a position as that its visibility would be limited, it is not considered, on balance, that the proposed development would have a greater impact on openness than the existing development. That the originally submitted proposals have also been amended to reduce the formality of the layout of the garden area and its spread also would assist in reducing the overall impact of the development on the openness of the Green Belt.
11. It should also be noted that an increase in floor space or built volume could be achieved were the current or future owners of the buildings exercise their permitted development rights, either through rear, side or roof extensions would likely have a greater impact on openness and

result in greater visual harm than a carefully executed total redevelopment.

12. It is therefore considered, on balance, that the proposed development would not result in harm to the openness of the Green Belt and would not constitute inappropriate development in the Green Belt.

### **Contribution to Housing Supply**

13. Core Strategy Policy C1 requires the provision of at least 460 net additional dwellings per year in the period 2012 to 2028 to assist in the creation of successful, inclusive and mixed communities and meet the borough's housing needs. The five year supply as at 1<sup>st</sup> April 2019 demonstrated that there is capacity to deliver 738 (gross) additional dwellings per annum in the first five years. Therefore as at 1<sup>st</sup> April 2019 the Council could demonstrate in excess of a five year supply of land available to deliver new housing when assessed against the largest buffer (20%) set out in the NPPF.
14. The proposal would result in the net loss of one dwelling, although this is not a significant number in the overall context and it is noted that Core Strategy C3 specifically seeks to ensure that the supply of larger and higher value housing in the borough is improved, notably in the north of the borough to attract and retain residents. The supporting policy wording references the importance of new homes being sustainable through making the best use of design and modern construction techniques to increase energy efficiency and help tackle climate change. A significant part of the rationale to completely redevelop the site is that the existing dwellings are unable to comply with modern insulation and energy efficiency requirements which the proposed dwelling would achieve.
15. The conflict that would arise with Core Strategy policy C1 in respect of housing supply is not sufficient to warrant a refusal of planning permission at this scale and the proposal would clearly comply with Core Strategy policy C3 in respect of the provision of a higher value and energy efficient home in the north of the borough.

### **Impact on Visual Amenity and Heritage Assets**

16. Policy P2 of the Council's Core Strategy seeks to protect the Borough's heritage by conserving, enhancing and promoting key heritage assets, both statutory and non-statutory, including consideration of their wider settings. Core strategy policies P3 and DM1 are also relevant.
17. Paragraph 192 of the NPPF states that in determining planning applications, local planning authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness.

18. Paragraph 197 National Planning Policy Framework states that the effect of an application on the significance of non-designated heritage assets, in this case the original dwellings themselves, should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

19. Carr Wood Cottages are a pair of cottages adjacent to Naden Brook. Originally a single dwelling known as “Higher Clough”, the properties can be easily identified on the First Edition O.S. Map. Due to their age, architectural form and embodied values the adjoined properties are recognised in part as a non-designated heritage asset.

20. It is apparent that the properties have been altered and extended in numerous ways including a two storey extension to the south west, the addition of porches and the alteration of original openings in the eastern unit. The Council’s Conservation Officer notes that whilst the properties are of age and exhibit the local vernacular their alterations has degraded their value as non-designated heritage assets. The Conservation Officer also notes that the demolition of the existing buildings will cause substantial harm to the non-designated heritage assets but it is recognised that due to the historic alterations of the identified heritage assets their significance is low and therefore their demolition could be justifiable through the continued use of the site for residential purposes.

21. It is acknowledged that the existing buildings are a long established feature of the area and are visible from a well-used Public Right of Way, and that a high number of objections have been received on the basis of the harm to character of the area and the loss of the non-designated heritage assets. Whilst these comments are noted, a sustainable refusal could not be raised solely on this basis and the harm caused by the loss of the buildings must be balanced against all other material planning considerations.

22. The proposed development would see a contemporary dwelling erected that takes its fundamental design ethos from traditional form. The proposed replacement building is largely on the same footprint as the existing buildings, be that both the cottages and the stable building, creating a property of larger scale and massing, however, the overall layout of the site would remain largely unchanged. Whilst contemporary in appearance, the built form and materiality would well reflect the core

design features of the main building to be demolished. The use of glazed links would assist in breaking up the overall massing of the proposed building. The proposed materials palette would be broadly consistent with the existing dwelling and the surrounding built form. The Council's Conservation Officer specifically notes that the detailing has carefully incorporated traditional built features from the surrounding area such as a modern interpretation of a threshing door.

23. Design amendments were discussed at pre-application stage which have largely been incorporated into the proposed development. On the whole, the proposed development is considered to represent a high standard of design and visual appearance that has taken into account local context and accounted for the historic and environmental sensitivities of the site. Whilst the harm to the non-designated heritage asset would be substantial in respect of complete loss, the significance of the non-designated heritage asset can be considered to be low and the harm is justified and mitigated within the application. Subject to the suggested conditions in respect of materiality, the proposal is therefore considered to be acceptable and in accordance with adopted Rochdale Core Strategy policies P2, P3 and DM1 and the NPPF.

#### Residential Amenity Impacts

24. The closest residential dwelling is Lower Clough which stands some 87m to the south of the site of the proposed dwelling. Given this separation distance the proposed development would clearly not result in any undue amenity impacts for surrounding occupiers. The proposed dwelling would benefit from sufficient outdoor amenity space within the defined curtilage. All habitable main habitable room windows would be provided with sufficient outlook. On this basis, the application accords with Rochdale Core Strategy policy DM1, the SPD and the NPPF.

#### Arboricultural and Ecological Impacts

25. The proposed development site lies immediately adjacent to the Naden Brook Site of Biological Importance (SBI). Consultation has been carried out with the Greater Manchester Ecology Unit which is satisfied that the measures to protect the SBI during construction are adequate but recommends that a condition is applied requiring submission of a comprehensively detailed construction and environmental management plan. A range of enhancement measures to the SBI have also been proposed including a woodland management and restoration plan, the details of which can be conditioned to ensure that the enhancements are appropriate and contribute to a biodiversity net gain.
26. Whilst there are no trees subject to a Tree Preservation Area within the application site, Tree Preservation Order TPO10 extends along the eastern side of the access to the site from School Lane and as such root and canopy protection measures would be required during design and construction. A condition to secure appropriate protection measures is

recommended. A detailed landscaping proposal has been submitted which is considered to satisfactorily compensate for the loss of the small number of more mature trees that would be felled to facilitate the development.

27. In respect of the potential impact on protected species, GMEU agrees with the findings of the submitted bat survey but has suggested that the building should be resurveyed for bats prior to any demolition taking place after April 2020. An informative is considered to be sufficient in respect of great crested newts and other reptiles as although there is a pond on site, the area is reported to have been well surveyed over recent years with no evidence of great crested newts or reptiles being found in recent times. No badger setts are located within the footprint of the development site, but are known to be present in the wider area and badgers are mobile in their habits. A condition requiring precautionary further survey work prior to any earthworks taking place is recommended.
28. Trees and shrubs will be removed as a result of the development as will buildings, all potential bird nesting habitats. A condition requiring no demolition in the nesting season without further survey work is recommended. Himalayan balsam is present on the site. A condition requiring submission of a method statement to ensure safe eradication is recommended.
29. Therefore, in light of the above, it is considered that the arboricultural and ecological impacts of the proposed development are acceptable and that any harm can be controlled or suitably mitigated through the suggested conditions and informatives. Subject to the suggested conditions, the proposed development would comply with Core Strategy policies G6 and G7 and the NPPF.

### **Highways, Parking and Access**

30. The proposed development is unlikely to generate more traffic than the existing use and ample parking provision to serve the development would be provided. No road safety issues have been identified and no objections have been received from the Council's Highways Officer. The proposed development would not affect the adjacent Public Right of Way beyond the construction phase and an informative is recommended advising that the route should remain open and accessible throughout the course of the development. On this basis the highways, access and road safety aspects of the proposed development are therefore considered to be satisfactory and the application accords with the relevant parts of Core Strategy policies DM1 and T2 and the NPPF.

### **Drainage and Flood Risk**

31. The site falls within Flood Zone 1 and is therefore at a low risk of flooding (less than 1 in 1000 or 0.1% annual probability of river or sea flooding in any year). The site is therefore suitable for residential development in

this respect, subject to appropriate wastewater and surface water disposal to reduce the risks of flooding or aquatic pollution elsewhere.

32. Full details of the proposed drainage scheme have not been provided with the application and would therefore need to be secured through condition. However, a detailed consultation response from the Lead Local Flood Authority sets out a number of requirements in relation drainage of surface water in the most sustainable way in accordance with the NPPG hierarchy. Due to the remote location of the site, with no public sewers in the vicinity, the new dwelling house will need to be serviced by a new small sewage plant, following the appropriate Government guidance.
33. Therefore, subject to an acceptable drainage scheme being submitted to and approved by the LPA as required by a suitable condition, the requirements of Policy G8 of the Core Strategy and the requirements of the National Planning Policy Framework would have been met.

### **Land Contamination**

34. The Council's Public Protection (Environment) Officer has reviewed the submitted Phase 1 Desk Study Report by Renaissance; report ref. 1809-03 Rev. 01 dated April 2019, and agrees with the recommendation for a Phase II intrusive site investigation to be undertaken. Subject to an appropriate condition and subsequent actions in respect of the above, the requirements of Policy G9 of the Core Strategy and the National Planning Policy Framework in relation to land contamination and land stability will have been satisfied.

### **Conclusion**

35. The proposed development constitutes a replacement dwelling on previously developed where the additional volume would not harm the openness of the Green Belt. Whilst existing buildings can be considered to be non-designated heritage assets, their significance has been assessed as low as a result of significant previous alterations. It is therefore considered that their replacement with a high quality and well-designed replacement dwelling outweighs any harm caused as a result of their demolition. On the basis that no harm through inappropriateness has been identified and no additional harm to the Green Belt has been identified that is not outweighed by other considerations or suitably mitigated, the application proposal therefore accords with policy G4 of the Rochdale Core Strategy and the expectations and requirements of the National Planning Policy Framework in relation to the protection of Green Belt land. As such, the proposed development is acceptable in principle and matters of detail and the application is accordingly recommended for approval.

## **RECOMMENDATION**

### **GRANT planning permission subject to the suggested schedule of conditions:**

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

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

2. This permission relates to the following plans:-
  - 552-al(05)-001-[F] Location Plan
  - 1803-101 Rev. P01 Existing Site Plan (Topographical Survey)
  - 531-al(05)-100-[E] Existing Site Plan
  - 552-al(05)-103-[B] Existing Elevations of Main Building
  - 552-al(05)-105-[A] Existing Elevations of Stable Building
  - 552-al(05)-101-[C] Existing Ground Floor Plan
  - 552-al(05)-102-[A] Existing First Floor Plan
  - 552-al(05)-104-[A] Existing Sections
  - 531-al(05)-200-[H] Proposed Site Plan (Amended Plan Received 24.06.20)
  - 552-al(05)-204-[C] Proposed Southern Elevation (A) (Amended Plan Received 24.06.20)
  - 552-al(05)-205-[C] Proposed Western Elevation (B) (Amended Plan Received 24.06.20)
  - 552-al(05)-206-[C] Proposed Eastern Elevation (C) (Amended Plan Received 24.06.20)
  - 552-al(05)-207-[C] Proposed Northern Elevation (D) (Amended Plan Received 24.06.20)
  - 552-al(05)-201-[E] Proposed Ground Floor Plan (Amended Plan Received 24.06.20)
  - 552-al(05)-202-[E] Proposed First Floor Plan (Amended Plan Received 24.06.20)
  - 552-al(05)-203-[E] Proposed Roof Plan (Amended Plan Received 24.06.20)
  - 552-al(05)-208-[C] Proposed Section AA (Amended Plan Received 24.06.20)
  - 552-al(05)-209-[D] Proposed Section BB (Amended Plan Received 24.06.20)
  - 552-al(05)-210-[D] Proposed Section CC (Amended Plan Received 24.06.20)
  - 1803-103 P03 General Arrangement – Garden (Amended Plan Received 16.06.20)
  - 1803-104 Rev. P01 Boundary Treatment Plan (Amended Plan Received 16.06.20)
  - 1803-105 Rev. P02 Sections (Amended Plan Received 16.06.20)
  - 1803-106 Rev. P02 Wider Site Proposals (Amended Plan Received 16.06.20)

and the development shall be carried out in accordance with these drawings hereby approved.

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

3. No development, site clearance (including any demolition) or earthworks shall take place and no material or machinery shall be brought on site until a Construction and Environmental Method Statement, has been submitted to, and approved in writing by the Local Planning Authority, which shall include the following:
  - a. the parking of vehicles of site operatives and visitors;
  - b. loading and unloading of plant and materials;
  - c. storage of plant and materials used in constructing the development;
  - d. the erection and maintenance of security hoarding;
  - e. measures for the protection of the natural environment from accidental spillages, dust and debris including dedicated protection measures (including high visibility fencing) for the protection of the adjacent SBI of Naden Brook both during and after construction;
  - f. a scheme for recycling/disposing of waste resulting from demolition and construction works.
  - g. a lighting plan designed to direct any temporary lighting away from the SBI of Naden Brook; and

The duly approved Construction and Environmental Method Statement shall be adhered to throughout the construction period.

Reason: To minimise detrimental effects to the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase in accordance with Policies DM1, T2, G7, G8 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As the proposals require demolition, ground works and engineering works an understanding will therefore be necessary of what measures will be put in place to protect the amenity of nearby residents and the SBI prior to commencement of any demolition or building or engineering works on site.

4. No development or works of demolition shall take place until a scheme of works, which shall include a detailed method statement, for the control and disposal of Himalayan Balsam has been submitted to and approved in writing by the Local Planning Authority. The agreed scheme of works and method statement shall be implemented in full throughout the course of the development.

Reason: To secure the satisfactory disposal of invasive species of plant, which under the terms of the Wildlife & Countryside Act 1981, as amended, it is an offence to be caused to spread in the wild, in accordance with Core Strategy Policies G6 and G7 and the National Planning Policy Framework.

Reason for pre-commencement condition: To ensure an appropriate scheme to control the spread is implemented on commencement and throughout the construction process.

Reason for pre-commencement condition: Construction activity increases the risk of invasive species spreading.

5. No works of demolition of the existing dwellings or stable block on site shall take place until such time as they have been re-surveyed for the presence of bats and the findings submitted to the Local Planning Authority and agreed in writing. If any bats are found to reside within the buildings, no demolition shall take place until an appropriate mitigation scheme has been submitted to and approved in writing by the Local Planning Authority and the approved protection and mitigation measures thereafter fully implemented.

Reason: To safeguard the protected species in accordance with policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

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

The submitted report shall include:

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

The development shall thereafter be carried out in accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the building(s) hereby approved are first occupied.

Reason: To prevent pollution of the 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 Core Strategy and the National Planning Policy Framework.

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

7. Notwithstanding any detail shown on the approved plans or provided with the application submission, no development shall take place until a scheme for the discharge of foul water has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the foul water treatment and disposal system must be in accordance with the UK Septic Tanks and Treatment Plants: Permits and General Binding Rules. The duly approved scheme shall be implemented prior to first occupation of the development hereby permitted and retained as such thereafter

Reason: To ensure satisfactory disposal of foul water from the site in accordance with Policy G8 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: No drainage information has been submitted. Drainage infrastructure will need to be implemented prior to commencement of above ground works and a scheme therefore needs to be agreed in advance of the same.

8. Notwithstanding any detail shown on the approved plans or provided with the application submission, no development shall take place until a scheme for the discharge of surface water from the site (including surface water from the site access and parking areas), has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the surface water drainage scheme shall include:
  - (i) An investigation of the hierarchy of drainage options in the National Planning Policy Framework (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water.
  - (ii) Details of the use of flow attenuation measures, to restrict surface water discharges from the site to 5.35 l/s as outlined in the Site Wide Drainage Strategy provided by the Applicant as part of the Planning Application.

(iii) Details of how the surface water scheme will be maintained and managed after completion.

The duly approved scheme shall be implemented prior to the first occupation of the dwelling hereby permitted and shall be retained as such thereafter.

Reason: To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface water from the site in accordance with Policy G8 of the adopted Rochdale Core Strategy, saved Policy EM/7 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

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

9. No development shall take place until such time as a survey of the development site and within 30 metres of it for badger setts has taken place and the findings have been submitted to and agreed in writing by the Local Planning Authority. Should any evidence of badgers be found, no development shall take place until a badger protection and management plan has been submitted to and approved in writing by the Local Planning Authority. The badger protection management plan shall be adhered to throughout the entirety of the construction works and it shall confirm: -

- No use of very heavy machinery (general tracked vehicles) within 30 metres of any entrance to an active sett;
- No use of lighter machinery (generally wheeled vehicles), particularly for any digging operation, within 20 metres;
- Construction activity should be limited to hand digging or scrub clearance within 10 metres;
- The use of noisy plant and machinery in the vicinity of the protection zone should be minimised 2 hours before sunset;
- Security lighting should be directed away from setts;
- Chemicals should be stored as far away from the setts and badger paths as possible;
- Where possible, deep trenches must be covered at the end of the working day, or include a means of escape;
- Any pipe system which is left open for a significant period of time should be capped in such a way as to prevent badgers gaining access.
- Trees should be felled away from setts and must not block badger paths.

Reason: In the interest of species protection, in accordance with the requirements of Core Strategy Policies G6 and G7 and the National Planning Policy Framework.

Reason for pre-commencement condition: As the proposals require ground works and engineering works it is necessary to ensure the protection of any adjacent badger sett.

10. No development shall take place until details of finished floor levels and external ground levels relative to off-site datum has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the duly approved details.

Reason: In order to ensure a satisfactory relationship between the new dwelling and between the development and surrounding buildings in the interests of residential and visual amenity in accordance with Core Strategy policies P2 and P3 and the National Planning Policy Framework.

Reason for pre-commencement condition: These details are required before ground works take place.

11. No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area and in accordance with Policies P3, G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Protection measures for retained trees are required to be in place prior to commencement of any works on site to ensure no damage is caused.

12. Notwithstanding the details shown on the approved plans and the requirements of condition 2 of this permission no above ground construction works shall take place until samples and / or full specifications of materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

Reason: In order to ensure use of appropriate materials which are sympathetic to the character of the site and its surroundings in the interests of visual amenity, in accordance with Core Strategy policies P2 and P3 and the National Planning Policy Framework.

13. Notwithstanding the details shown on the approved plans and the requirements of condition 2 of this permission, no above ground works shall take place until details of all windows and doors (including their materials, finishes, recesses and opening profile) have been submitted to and approved in writing by the Local Planning Authority. The windows and doors shall be installed in accordance with the duly approved details before the dwelling hereby approved is first occupied and shall be retained as such thereafter.

Reason: In order to ensure use of appropriate materials which are sympathetic to the character of the site and its surroundings in the interests of visual amenity, in accordance with Core Strategy policies P2 and P3 and the National Planning Policy Framework.

14. Notwithstanding the details shown on the approved plans and the requirements of condition 2 of this permission, no above ground works shall take place until details of all rainwater goods including method of support, design and surface finish has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved scheme and retained as such thereafter.

Reason: In order to ensure use of appropriate materials which are sympathetic to the character of the site and its surroundings in the interests of visual amenity, in accordance with Core Strategy policies P2 and P3 and the National Planning Policy Framework.

15. Notwithstanding the details shown on the approved plans and the requirements of condition 2 of this permission, no above ground works shall take place until details of the siting, height, design, materials and finish of the boundary treatments has been submitted to and approved in writing by the Local Planning Authority. The duly approved boundary treatments shall be constructed in full accordance with the approved details before the dwelling is first occupied, and shall be retained as such thereafter.

Reason: In order to ensure boundary treatments are sympathetic to the character of the site and its surroundings in the interests of visual amenity, in accordance with Core Strategy policies P2 and P3 and the National Planning Policy Framework.

16. Notwithstanding the details shown on the approved plans and the requirements of Condition 2 of this permission, and without prejudice to Condition 7 of this permission, no above ground works shall take place until a specification for the design and construction of the driveway, has been submitted to and approved in writing by the Local Planning Authority. The driveway shall be constructed in accordance with the approved details before the dwelling is first occupied, and retained thereafter for the parking of vehicles.

Reason: In the interest of visual amenity to ensure adequate parking provision is provided and maintained clear of the highway and Public Right of Way HeyfP2 in accordance with adopted Rochdale Core Strategy policies DM1 and T and the National Planning Policy Framework.

17. No above ground works shall take place until a Landscape and Ecological Enhancement Plan for the wider site as identified on the 'Landscape Design Proposals' ref. 1803-CWS-PP-L-P01 by CW Studio dated December 2019 and drawing ref. 1803-106 Rev. P02 Wider Site Proposals (Amended Plan Received 16.06.20) has been submitted to and agreed in writing by the Local Planning Authority. The plan shall include:

- Details of any proposed thinning of the canopy
- Details of any Underplanting;
- Details of any Wildflower planting;
- Provision of bird and bat boxes;
- The Utilisation of only native species suitable to the habitat and where available of local provenance;
- Details of any new footpaths and footpath infrastructure;
- Details of any boundary treatment;
- A 5 year management and maintenance plan; and
- A timetable for the implementation of any identified works.

The Landscape and Ecological Enhancement Plan shall be implemented and managed in accordance with the approved details and timetable unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to preserve, restore and maintain the woodland and grassland surrounding the site including part of the Naden Brook Site of Biological Importance and to achieve appropriate landscape and biodiversity enhancements as part of the development in accordance with the requirements of Core Strategy Policies G6 and G7 the National Planning Policy Framework.

18. (a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

(b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.

(c) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with policies P3, DM1 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

19. No clearance of trees and shrubs or demolition of the existing buildings on site in preparation for (or during the course of) development shall take place during the bird nesting season (March - August inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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.

20. No external lighting shall be installed on the house or elsewhere on the site unless a scheme for such lighting has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details and retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason. To prevent habitat disturbance of protected species in accordance with Core Strategy Policies P3 and G7 and the National Planning Policy Framework.

21. Notwithstanding the provisions of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the amendment, revocation or re-enactment thereof no development shall take place at the dwelling hereby permitted under Schedule 2, Part 1, Class A, Class B, Class D and Class E of that Order.

Reason: The Local Planning Authority considers it expedient, having regard to the nature of the development proposed in the Green Belt, to regulate any future alterations/extensions, in accordance with adopted

Rochdale Core Strategy policies G4, P2 and P3 and the National Planning Policy Framework.

**Notes for Applicant:**

INFORMATIVES:

**Bats:** The applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

**Great Crested Newts:** The applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill great crested newts. If a great crested newt is found during the development all work should cease immediately and a suitably licensed amphibian ecologist employed to assess how best to safeguard the newt(s). Natural England should also be informed.

**Reptiles:** The applicant is reminded that reptiles are protected under schedule 5 of the Wildlife & Countryside Act 1981 (as amended). It is an offence to take or kill reptiles. If a reptile is found on or near the site during the development work should cease and a suitably experienced ecologist employed to how best to safeguard the reptile(s).

**Public Right of Way:** The adjacent Public Right of Way (HeyfP2) should be open and available prior, during and following the completion of the development. The route should not be obstructed with vehicles, plant or otherwise, and materials should not be stored on the right of way and fencing should not obstruct it. Any damage to the surface of the right of way should be repaired at the cost of the developer.