

Report to Planning and Licensing Committee



Date of Meeting Portfolio	3rd December 2020 Councillor John Blundell Cabinet Member for Planning, Development & Housing
Report Author Public/Private Document	Samia Syeda Public

Application: 20/00639/FUL	Township: Pennines	Ward: Milnrow and Newhey
Applicant: Rochdale Borough Council		Agent: Rochdale Borough Council
Site Address: The Soccer Village, Wildhouse Lane, Milnrow, OL16 3TW		
Proposal:	Demolition of the existing buildings, hardstanding areas and sports pitches, and the erection of 47 dwellinghouses including provision of associated roads, footways, public open space, parking areas, drainage, landscaping and boundary treatments along with ground levelling works, works to trees and ponds and other associated works	

SITE LOCATION



DELEGATION

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

PROPOSAL SUMMARY

- 2.1 Full planning permission is sought for the demolition of the existing buildings, hardstanding areas and sports pitches, and the erection of 47 dwelling houses including provision of associated roads, footways, public open space, parking areas, drainage, landscaping and boundary treatments along with ground levelling works, works to trees and ponds and other associated works.

RECOMMENDATION

- 3.1 It is recommended that the Planning and Licensing Committee resolves it is minded to **GRANT permission** subject to conditions which will be detailed in an update report, and subject to the prior signing of a S106 legal agreement to include:
- i. Financial contributions of £104,000 towards Outdoor Sports Provision for pavilion upgrades at Firgrove playing fields
 - ii. Financial contributions of £144,760.11 towards Primary education and £72,380.04 towards Secondary education
 - iii. Financial contributions of £47,000 towards off-site highway improvements for junction improvements to Kiln Lane and Wildhouse Lane
 - iv. The provision and future maintenance of recreation open space within the site, in accordance with the Council's policies

And that the Head of Planning Services is authorised to GRANT planning permission upon execution of the above S106 agreement and subject to conditions.

REASON FOR RECOMMENDATION

- 4.1 The majority of the proposed development (41 dwellings) is located on previously developed land (PDL) which does not have a greater impact on the openness of the Green Belt than the existing Soccer Village development. However, as six bungalows are located within the Green Belt and comprise inappropriate development, it is necessary to demonstrate very special circumstances to outweigh the harm, and any other harm. In this instance, officers consider that very special circumstances relating to the delivery of high quality, high value and architecturally bespoke design homes and the role they play in the financial viability of the scheme amount to very special circumstances to outweigh the harm, and any other harm.

- 4.2 In respect of sports provision, whilst Soccer Village used to provide a facility for recreational play (not formal game play), it closed permanently in October 2020. The application would however generate a contribution towards enhanced outdoor sports provision elsewhere in the borough in excess of the policy requirement. It would also contribute towards primary and secondary education and highways improvement works to mitigate the impacts of the development. The provision of high quality onsite open space in excess of the policy requirement also weighs in favour of the scheme.
- 4.3 Whilst the development does not comply with Core Strategy policies pertaining to affordable housing, the proposal accords with other development plan policies and the National Planning Policy Framework, and will deliver higher value dwellings of a type and size that are currently in short supply across the borough and in this particular area. Having regard to all material considerations and subject to conditions and contributions, the proposal would not result in significant harm to the amenity of neighbouring residents; the operation and safety of surrounding highway network; listed buildings; and the hydrological, mineral and geological implications of the site. Subject to conditions and contributions, the proposals would provide satisfactory mitigation of the majority of the visual impacts, protected species and nature conservation interests and improvements would be provided to Wildhouse Lane in the form of junction improvements and lighting.
- 4.2 The proposal therefore comprises sustainable development and it is recommended that planning permission is granted subject to conditions.

SITE

The application site relates to 4.8ha of land located equidistant between Milnrow and Smithy Bridge. The site currently comprises large shed-like buildings clad in sheet, metal and brick located to the north-western part of the site. Areas of hardstanding, car parking, gravel surfacing is located to the east and three all-weather sports pitches are located to the south. Four small ponds are located to the east and south of the external pitches.

The facility closed in October 2020 following a reduction in business over the years. Prior to its conversion into a football centre in circa 2005, the site was used as an equestrian centre.

The entire site is located in the green belt with the majority of the area considered previously developed land. Land to the south of the existing buildings and sports pitches, was previously used as paddocks for the equestrian centre, however has reverted to grassland and shrub vegetation since its last use in 2005 and is now considered greenfield land.

The majority of the existing built form is on level ground but the land rises to the south of the buildings and sports pitches to a terraced landform and then again to pastoral grassland beyond. The overall rise is approximately 10m. A tree belt and embankment between the site and Wildhouse Lane screens much of the site in this direction.

The site is located to the east of Wildhouse Lane (B6225) which provides access to an unnamed carriageway which forms its access point and runs along the northern boundary. To the north is Birchinley Lane providing access to the Birchinley Manor development comprising Grade II* and Grade II listed buildings and surrounding residential dwellings. A picnic area is located to the north of the unnamed carriageway. To the east and south is open land in the green belt. Bella Vista Restaurant is located to the west of Wildhouse Lane, with open fields and agricultural land further west. Built development is sporadically located to the west and south of the site along Wildhouse Lane. A public right of way (PRoW) runs adjacent to the north eastern perimeter of the site (FP213).

PROPOSAL

The application seeks full planning permission for the demolition of the existing buildings and the erection of 47 dwellings to comprise a mix of 2, 3, 4 and 5 bedroom houses. Dwellings range between 1 and 3 storeys.

Access to the site is proposed from the unnamed carriageway running off Wildhouse Lane and the internal road layout has been designed to be adoptable with a spine road through the development. All car parking is located within residential curtilages to the front and side of the dwellings with a number of dwellings also containing private garages. Off-site highway improvements proposed include the provision of a shared pedestrian/cycleway which would connect to the existing shared cycle and footway on the west of Wildhouse Lane. The existing bus stop located along a grass verge would also be relocated to the south of this new pedestrian/cycle connection.

Towards Wildhouse Lane, the dwellings have been positioned to curve alongside the boundary landform and have been designed with external terraces to create outdoor amenity space for residents. Within the site, a central court and semi-private cluster of housing will be created with gardens to the rear and side. The dwellings on the eastern edge of the site have a soft boundary form.

A number of recreational routes will be provided from the eastern edge of the site leading to a wider area of public open space which also acts as a landscape buffer to the Birchinley Manor development and wider green belt land. A Local Area of Play is also proposed to be located centrally within this. A pond would be lost as part of the proposed works in this public open space, but the proposal would create two new wetland scrapes in mitigation for the loss of this pond.

DEVELOPMENT PLAN

NATIONAL GUIDANCE

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

LOCAL GUIDANCE

Adopted Rochdale Core Strategy:

SP2	The Spatial Strategy for the borough
SP3	The Spatial Strategy for the townships
SD1	Delivering sustainable development
DM1	General development requirements
DM2	Delivering planning contributions and infrastructure
SO2	Creating successful and healthy communities
C1	Delivering the right amount of housing in the right places
C3	Delivering the right type of housing
C8	Improving community, sport, leisure and cultural facilities
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, contamination and land instability
SO5	Improving accessibility and delivering sustainable transport
T1	Delivering sustainable transport

T2 Improving accessibility

Rochdale Unitary Development Plan (UDP):

G/D/2 Green Belt
G/3 Protection of Existing Recreational Open Space
EM/7 Development and Flood Risk
EM/8 Protection of Surface and Ground Water

Supplementary Planning Documents (SPD):

Guideline and Standards for Residential Development SPD (2016)
Biodiversity and Development SPD (updated 2017)
Provision of Creational Open Space in New Housing SPD (updated 2017)

RELEVANT HISTORY

88/D22572 Equestrian Centre with Ancillary Parking Facility and Site for Touring Caravans – Approved in 1989

92/D28915 Change of Use from Residential/Agricultural Buildings to Residential / Hotel / Restaurant – Approved in 1993

96/D33686 Change of Use and Conversion of Existing Agricultural Building to form Equine Treatment Facility and Associated Staff Accommodation together with Hay Storage Area – Approved in 2005

05/D45216 Variation of Condition 02 on approval D23552 to allow the use of the Original Equestrian Centre Building as an Indoor Football Facility – Approved in 2005

05/D45217 Formation of two Outdoor, Illuminated, All-Weather Sports Pitches – Approved in 2005

06/D48246 Alterations to existing Illuminated Outdoor Sports Arena to construct two Football Pitches – Approved in 2006.

CONSULTATION RESPONSES – SUMMARIES

Tree Officer – No objection subject to conditions. The outline plans indicate that the trees at the boundaries will be retained, and that new tree planting will be possible as part of the development to compensate for trees which will be lost to the scheme.

Greater Manchester Ecology Unit (GMEU) – No objection subject to conditions in relation to the implementation of the strategy and recommendations within the Great Crested New Mitigation Strategy and the Ecological Appraisal.

Greater Manchester Archaeological Advisory Service - No objection and no requirement for any further archaeological work.

Conservation and Design – No objection subject to conditions in relation to materials. The proposal will have a neutral impact on the setting of the designated heritage assets.

Open Space - Environmental Management – No objection. Smithy Bridge is on the boundary of the catchment area and therefore on-site provision of open space is reasonable.

Schools Service – No objection subject to a contribution of £217,140.15 to support primary (£144,760.11) and secondary (£72,380.04) education places.

Playing Pitch – Contribution of £104,000 to upgrade the pavilions at Firgrove playing fields.

Sport England – Object as no evidence has been provided that the loss of the playing fields meets any of the requirements of paragraph 97 of the NPPF or Sport England's Playing Fields Policy and a mitigation package is required in terms of replacement playing fields.

Transport for Greater Manchester (TfGM) – No objection subject to conditions. It is considered that the trip generation associated with the development is likely to be imperceptible on the local highway network. TfGM are happy with the proposals to relocate the south bound bus stop and the detailed design can be requested via a condition.

Highways and Engineering – No objection subject to conditions requiring a self-enforcing 20 mph zone (within the site), required visibility splays and details of the footway on Wildhouse Lane. A contribution of £47,000 is required towards the junction improvements for the impact on the junction during construction and thereafter upon completion.

Street Lighting – No objection subject to issuing a lighting design to the Rochdale Council's Street Lighting Department seeking technical approval (adoptable under a section 38 agreement and as part of a section 278 scheme for lighting along Wildhouse Lane).

Network Rail – No objection but note the cumulative impacts of several developments over time to the existing operational railway.

Environmental Control (Landfill Gas) – No objection subject to conditions requiring a remediation strategy and completion report.

Environment Agency (EA) – No objection subject to conditions requiring the submission of a remediation strategy to demonstrate the risk to controlled waters can be managed.

United Utilities (UU) – No objection subject to conditions as recommended by the EA above and the requirement to drain surface and foul water separately.

Lead Local Flood Authority/Drainage - No objections subject to conditions. The Drainage Officer accepts the principles in the IGE FRA and Drainage Strategy by Tempus Consulting. The details will need to be updated at the detailed design stage and can be secured via conditions.

One of the representations to the scheme listed various concerns in relation to flood and drainage which the Drainage Officer has addressed as follows:

- a) *the new "Soccer Village housing development" proposes to discharge attenuated surface water runoff from parking areas and access roads and roofs; these discharged would be acceptable under UK planning regulations.*
- b) *The existing "Branch Road stream" already receives surface water runoff from Wildhouse Lane Highway – such highway discharge system is typical throughout the UK.*
- c) *The existing "Branch Road stream" already receives treated effluent from the Birchinley Manor housing development and attenuated surface water from access roads and roofing. Both are allowed under UK Planning regulations.*

GMP - Design for Security – No objection subject to a condition to reflect the physical security specifications set out in the Crime Impact Statement.

Historic England – No comments to make.

The Coal Authority – No objection and no specific mitigation measures are required.

GM Fire Service – No objection, only general comments

Canal and River Trust - No comments

Waste and Recycling Manager – No objection, only general comments

Highways England - No objection

Landscaping Team – General comments requiring further consideration of key viewpoints and receptors within the submission and confirmation of how the design and mitigation measures have been informed. Requested existing and proposed sections to enable a comparative exercise to be completed.

Env Health - Noise/Odours – No objection, subject to a condition requiring the mitigation measures of the Environmental Noise Assessment

Natural England (North West Planning) - No comments received to date

Rights Of Way Officer - No comments received to date

MEMBER REPRESENTATIONS

No representations have been received from Members.

PUBLIC REPRESENTATIONS

Letters of notification were sent by the Local Planning Authority to surrounding neighbours, various notices displayed in the vicinity of the site and a notice placed in the local press.

Objection Reps	13	Support Reps	26	Neutral Reps	1
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40 responses have been received in total, of which 13 object, 26 support and one is a neutral comment to the scheme. Comments made in respect of the application are summarised as follows:

Neutral:

- Support is conditional in improving the road safety aspects including extending the 30mph zone passed the site entrance and installing street lighting
- The foul sewer should be properly surveyed prior to commencement of development and confirmation from United Utilities that the sewer is of sufficient capacity to take the proposed development

Objections:

- Use derelict area and empty properties instead
- Increase in traffic
- Accident data shows Wildhouse Lane has a potential safety problem between motorists and cyclist
- Refuse vehicle stopping on Wildhouse Lane would lead to safety concerns
- Site access and Wildhouse Lane is unsafe for vehicles and pedestrians
- Poor visibility of traffic approaching Smithy Bridge when pulling out
- 50mph speed limit needs reducing
- Proximity to the listed buildings at Birchinley Manor and Olde Wylde House Cottage and Wildhouse Farmhouse
- Overdevelopment and high density housing
- Out of character and scale
- Visual impact of development
- Development will overlook neighbours on Wildhouse Lane
- Noise and dirt from the construction
- The site is not sustainable
- Increase in pollution
- Loss of a green space / recreational space
- Loss of trees and wildlife and protected newts in the natural ponds
- Surface water drainage scheme would cause flooding/system blockage and water pollution into the watercourse
- School places are limited
- There will be an impact on the health facilities in the area
- No provision for social housing
- The consultation for this planning application has been poor

Support:

- Boost for the village in a nice location
- Boost to the economy
- Development of a brownfield site
- Soccer Village comprises unsightly buildings and is vacant
- Site is derelict
- The site brings in no money to the community
- The ecological plans will help protect the wildlife and biodiversity
- Larger homes are needed in Milnrow
- The development delivers high standard housing and is designed well
- Low density housing
- Development is in keeping with the surrounding environment

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

ANALYSIS

Principle of Development – Green Belt

1. The site lies within the Green Belt as designated under Policy G/D/2 of the UDP and Policy G4 of the CS, which are broadly in accordance with the NPPF. The policies provide a presumption against certain forms of development in the Green Belt with exceptions, one of which is the partial or complete redevelopment of previously developed land (PDL), whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt than the existing development (NPPF paragraph 145g).
2. The majority of the proposed development is located on PDL and therefore the above exemption would apply to this part of the development. For the development therefore to not constitute inappropriate development within the Green Belt, the proposed development must not have a greater impact on the openness of the Green Belt than the existing development.
3. The submitted floorspace and volume calculations indicate that the existing building footprint is 3,949 square metres, with hard surfaced areas extending to 23,875 square metres. The total extent of the buildings and hard surfaces thus currently extends to 27,824 square metres with a cubic volume of 32,354 metres.
4. The proposed development will have a combined volume of 30,556 cubic metres and a total built footprint of 5,216 square metres. The overall extent of proposed development (including buildings, road and gardens) will extend to 29,777 square metres. This means that the development will result in a reduction in the volume of buildings on site of 5.6%, and a built footprint increase of 6.6%.
5. The slight increase in footprint is considered to be acceptable in this instance as the development proposals on PDL will result in the removal of a series of taller unsightly shed buildings spread across a wide area, and which are highly visible in the landscape, to be replaced by sensitively designed homes in a landscaped setting that take advantage of site topography and screening, to reduce the impacts on the openness of the Green Belt.

6. Whilst six bungalows are proposed on non-PDL in the south eastern corner, which has reverted back to grassland over time, officers consider that very special circumstances (VSC) exist to outweigh the harm and any other harm.
7. In this respect, officers consider that the following amount to VSC:
 - The very small encroachment onto non-PDL and any harm, is outweighed by the fact that the viability evidence clearly demonstrates that the six bungalows are essential to delivering a viable scheme in overall terms, and help to drive the quality and support delivery of an overall scheme of larger higher value family homes in a lower density scheme.
 - The proposed bungalows are nestled into the landscape and sit comfortably within the setting of the site having only limited impact on the openness and visual amenity of the Green Belt, reading very much as part of the wider previously developed site.
 - Landscape and visual betterment through removal of large unsightly sheds to be replaced with new bespoke and high quality designed homes.
 - A reduction in harm being caused to the setting of nearby heritage assets as a result of the removal of the previous development associated with Soccer Village.
 - Finally, and whilst of only limited weight, the provision of bespoke designed bungalows help to support the provision of homes for older residents as documented in the Council's Strategic Housing Market Assessment (2015) and are one of the few examples of bungalows being constructed in the borough to cater for that need. As a result, it is considered that the proposed development would accord with Policy G4 of the CS, Policy G/D/2 of the UDP, and the policies and objectives of the NPPF, which seek to deliver sustainable development.
8. However, as noted above, it is also necessary to assess whether the proposal would result in non-green belt harm, which must be taken into account in the weighing exercise of the planning balance in determining whether or not very special circumstances outweigh the harm to the Green Belt by inappropriateness and any other harm.

Landscape and Visual Impact

9. A Landscape and Visual Appraisal (LVA) has been submitted with the application which has been supplemented by two addendum notes, CGI plans and sections of the proposed development against the existing development to address the Landscape Officer's comments. In doing so, the LVA and associated documents assess the landscape and visual impacts of the proposed development from various viewpoints from the surrounding area including Hollingworth Lake Country Park, Milnrow and Smith Bridge; the picnic area and car park facility to the north; Bellavista Restaurant and properties along Wildhouse Lane to the west and south; and the immediate and wider PRoW network.
10. The proposed development has been designed to take account of existing site features and much of the development is located on the least sensitive parts of

the site where the existing buildings, car parking and sports pitches presently sit. This part of the site is set lower in the landscape and benefits from existing screening by landform and mature vegetation particularly to the south-west, south and south-east.

11. A landscape buffer has been proposed between the development and the adjacent Birchinley Manor comprising meadow grassland, tree planting, recreational routes, wetland scrapes and an informal play area. This will help retain the openness of the green belt in this location and improves the setting of the heritage assets in this direction.
12. The rise in topography towards the south of the site has been considered in the LVA. It concludes that the six bungalows which are proposed in this area would be a split level design and set into the slope to minimise effects on the surrounding landscape and effects on views. In doing so the bungalows integrate with the rest of the development with limited visibility from key viewpoints, including from Wildhouse Lane and nearby PRowWs.
13. Given the characteristics of the surrounding landscape and features within it and the sensitivity of the site, in this case it is considered that the proposed development provides a betterment in terms of visual and landscape impacts when considered against the existing tall metal clad buildings, car parking and sports pitches associated with the Soccer Village. With the implementation of appropriate planting, landscaping and boundary treatments, all of which will be secured by condition the impact on the openness, character and appearance of the landscape would not be significant.
14. The proposal is therefore considered to accord with Policies P2, P3, G6, G7 and T2 of the CS.

Loss of Recreational Open Space

15. The Soccer Village contains four indoor pitches and three outdoor pitches, the largest of which is the outdoor 7-a-side pitch, equating to 0.16ha. Prior to making an assessment on the loss of the pitches, it is important to understand whether these can be considered formal playing pitches in accordance with the relevant legislation: the Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO).
16. The DMPO at Article 18, Schedule 4(z) lists a number of criteria when Sport England should be consulted, all of which include land being used as a "playing field". Paragraph 1 of Schedule 4 defines playing fields as "*the whole of a site which encompasses at least one playing pitch*". Playing pitch means "*a delineated area which, together with any run-off, is of 0.2 hectares or more, and which is used for association football*" amongst other sports.
17. In order for a scheme to fall within the scope of Schedule 4(z), the site must include a 'playing field' and to be classed as a playing field, the area must have a delineated area of more than 0.2ha and must be used for one of the sports listed.
18. It can therefore be concluded that there are no delineated areas for sport of greater than 0.2ha on the Site and therefore the scheme is not within the scope

of Schedule 4(z) of the DMPO. Sport England is therefore not a statutory consultee for this application.

19. Whilst Sport England have been consulted on the site and have objected to the grounds of loss of sports pitches, they are not a statutory consultee and the weight afforded to a statutory consultee is greater than the weight to be afforded to non-statutory consultees. Furthermore, in this instance, the Council has consulted the Council's Playing Pitch Manager who has confirmed that the loss of the recreational use of the space can be mitigated via a financial contribution towards the upgrade of the pavilions at Firgrove playing fields. These changing facilities do not currently meet the Football Association's standards despite the fact that Firgrove playing fields is a key multi sports hub site for the Rochdale Township area. Whilst the Soccer Village site is in the Pennines Township it is located close to the Rochdale Township border and therefore is considered an appropriate location for contributions to be directed towards. The playing fields support rugby league, rounders as well as football. Accordingly, the Council's Playing Pitch Manager has requested a contribution of £104,000 which is in excess of the requirements of CS Policy G6 and DM2 (equating to £76,327). The Applicant has agreed to this level of contributions, recognising that the existing site did contribute to recreational play. This contribution weighs in favour of the scheme.
20. The Council's Open Space Officer has also confirmed that on-site provision of public open space is acceptable. At almost five times the level required by planning policy, the delivery of 1.78 ha of open space with a Local Area of Play far exceeds the requirement (of 0.37ha) of guidance contained within the Provision of Recreation Open Space in New Housing SPD. This alongside the financial contribution weighs significantly in favour of the scheme.

Design, Layout and Impact on Heritage Assets

21. The proposed development is located within the setting of a number of designated heritage assets, specifically: Birchinley Manor (Grade II*), Barn East of Birchinley Manor (Grade II), Birchinley Hall Farmhouse (Grade II), Barn East of Birchinley Hall Farmhouse (Grade II) and Wild House Farmhouse (Grade II). The restoration of the listed buildings and the erection of the surrounding new residential dwellings was undertaken via an enabling development scheme granted under permissions in 2008 and 2009. Whilst the erection of some of these new buildings has provided a visual separation between the designated heritage assets and the proposed development site, the Council's Conservation Officer considers that the Soccer Village site forms part of the listed building's setting through historic and aesthetic connections.
22. The application is supported by a suite of documentation which clearly demonstrates the applicant's consideration and understanding of the site, the surrounding area and the local character. The proposed site layout is well considered and carefully designed through the inclusion of traditional farm stead formations such as the courtyard elements which helps the development connect with the original agricultural use of the land, subsequently mitigating harm. Similarly, the inclusion of a landscape buffer to the east of the site will also give the designated heritage assets visual separation whilst the outward facing nature

of the development to this eastern edge will result in the designated heritage assets remaining as the dominant buildings within the landscape.

23. The dwellings within the western section of the site are proposed to be set out in a more formalised arrangement which takes inspiration from the layouts of the modern developments to the south.
24. The palette of materials chosen for the development includes a linear brick in a sandstone buff, dressed stone, natural slate, standing seam zinc cladding, aluminium, render and glazing. It would be appropriate for the colour of the proposed render to be reconsidered to something a little less harsh than brilliant white to better complement the chosen brick and slate and to help the development sit more harmoniously alongside the Birchinley Manor buildings. This starkness is particularly evident in the visual appearance of the proposed site entrance image supplied and it is suggested a warmer tone is used, an amendment which will be secured by condition.
25. The house design types are clearly contemporary in nature however, their forms and features do take influence from the local vernacular which considerably mitigates any potential harm resulting from the proposed development.
26. The garage designs are proposed to be constructed of materials to match the main dwellings which is considered to an appropriate approach. These buildings also include asymmetric roof designs, again a nod to a feature found within the Birchinley Manor site.
27. The landscaping details include a good diversity of hard landscaping finished and carefully considered soft features such as planting buffers. Proposed boundary treatments include stone walls, brick walls and low level single species hedgerows, all considered to be appropriate in this case.
28. On balance, there will be a reduction in harm caused to the setting of nearby heritage assets as a result of the removal of the previous development. With the inclusion of the considerable mitigations and justifications presented, it is considered by officers including the Conservation Officer that the proposal will have a neutral impact on the setting of the designated heritage assets and will create an exemplar and prestigious housing scheme. On this basis the proposal complies with CS Policies P1, P2, P2 and DM1 and the NPPF.

Ecology and Nature Conservation

29. Whilst the application site lies within the Natural England SSSI Impact Risk Zone (IRZ) for Rochdale Canal SAC (Special Area of Conservation) and South Pennine Moors SAC and SPA (Special Protection Area),
30. It is concluded that the need to consult Natural England is not necessary. The justification being that the application, by virtue of it being for only 48 dwellings falls below the 50 unit threshold for the South Pennine Moors site. GMEU concur with the assessment provided above and in the Ecological Appraisal.
31. The proposal can also be screened out from the need for a detailed Habitats Regulations Assessment.

32. However, as a precautionary measure and demonstration of best practice, the applicant has proposed within the Ecological Appraisal, onsite signage at the designated site and education materials to assist with establishing appropriate visitor behaviour to the Rochdale Canal SAC. GMEU agree with this approach and recommend that this also includes the South Pennine Moors as this large area of uplands is frequently a visitor destination given its proximity to the Site. The Appraisal does not identify the mechanisms for achieving the precautionary measures and the detail and implementation of this will be secured by condition.
33. The site itself contains four ponds and the Ecological Appraisal confirmed that a single great crested newt was recorded in Pond 1 in 2017, which resulted in the applicant completing an eDNA analysis in 2020. Whilst this confirmed the risk of great crested newts being present at the site as low, a Great Crested Newt Mitigation Strategy has been submitted which recommends a number of mitigation measures during the site preparation and construction stage as well as long term management of habitats on site which will be funded by the developer or estate management. GMEU has confirmed its acceptance of the Great Crested Newt Mitigation Strategy.
34. In respect of other habitats, the Ecological Appraisal reported no evidence of bats in the buildings in 2017 but the GMEU recommend that an updated survey is undertaken prior to demolition of the buildings, the submitted Lighting Assessment to be implemented via condition and the location of compensatory bat boxes to be agreed.

GMEU also recommend that a Japanese Knotweed Control and Eradication Method Statement is required to be produced and implemented via a pre-commencement condition.

35. Therefore, subject to conditions as above, it is considered that the proposed development would not cause any significant harm to local biodiversity including plants and animals. It is considered that the proposals would be in accordance with the requirements of CS Policies G6 and G7, UDP Policy G/8 and the NPPF.

Trees and Hedgerows

36. The site includes semi-natural broadleaved woodland, scrub scattered trees, grassland, tall ruderal vegetation and short perennial vegetation. The most substantive tree cover is along the boundaries, particularly along the Wildhouse Lane. The site is not located within a Conservation Area and there are no protected trees within the site itself. Most of the existing trees are capable of being retained and trees to be lost are mainly self-seeded young multi-stemmed trees not generally worthy of special protection. Any loss should be mitigated through replanting at a 2:1 ratio and this should be considered within a future Landscape Strategy. Therefore, subject to securing this as a condition, it is considered that there would be no significant harm caused to any important trees. The proposed development is therefore considered to be in accordance with the requirements of CS Policy G6.

Highway Safety and Traffic Implications

37. The proposal would utilise the existing access off Wildhouse Lane via a new priority junction arrangement with the unnamed carriageway to the northern boundary of the site incorporating 2m footways to connect to Wildhouse Lane. This is a longstanding access which has served many uses including Soccer Village and the earlier equestrian centre development and touring caravans.
38. A shared 2.5 metre wide pedestrian footway/cycleway will be provided to the south of the access point along Wildhouse Lane which would connect to the western side of the Wildhouse Lane carriageway via a proposed new crossing point. There is no pedestrian footway provision on the eastern side of Wildhouse Lane and therefore no connection or extension is proposed in this direction. The highway and pedestrian improvements will be agreed as part of the S278 Agreement and maintained thereafter.
39. Internally, the scheme provides 200% parking provision in accordance with planning policy and the onsite layout with footways and traffic calming throughout is considered acceptable by the Highway Authority. Refuse collection and emergency vehicle will be able to access and traverse the site with no issues as confirmed within the Transport Statement and by the Highway Authority.
40. Turning to consider the issue of network impacts, the application has been accompanied by a Transport Statement which confirms that the development is expected to generate less than one trip by car every two minutes during both the AM and PM peaks. Both the Highway Authority and Transport for Greater Manchester (TfGM) consider that the site will not generate any great volumes of traffic and that the trip generation associated with the development is likely to be imperceptible on the local highway network. However, the Highway Authority has confirmed that the development is required to mitigate the impacts upon the Wildhouse Lane/Kiln Lane junction to the value of £47,000. The contribution will be used towards junction improvements for the impact on the junction during construction and thereafter upon completion. The Applicant has agreed to this level of contribution which will be secured via a legal agreement.
41. A Road Safety Audit was carried out to identify any potential problems in relation to highway safety as a result of the development. This audit confirmed that potential issues could be addressed via appropriate design. However, the Audit required a new section of footway to the north of the access providing a pedestrian connection to an existing bus stop, currently accessed via a grass verge. The Applicant has instead requested to relocate the bus stop to a new location south of the access, where the new section of footway is proposed. Both the Highway Authority and TfGM have confirmed acceptance of the bus stop relocation with the detailed design to be confirmed by condition. In addition to this, the Highway Authority has requested the following conditions: a self-enforcing 20mph zone within the development; visibility splays to be cleared and maintained thereafter; and details of the footway to Wildhouse Lane.
42. On the basis of the above, the Highway Authority and TfGM are satisfied that the proposed development will not result in any adverse highway impacts. It is therefore considered subject to conditions and a financial contribution, the proposal complies with the requirements of CS Policies T1 and T2 and the NPPF.

Impact on Residential Amenity

43. In respect of residential amenity, the layout of the scheme provides a large expanse of open space to the east of the development area, providing a green buffer to the existing houses and listed building to the north east of the site and to the agricultural landscape beyond. The layout ensures that all existing and future occupiers will be afforded a high level of amenity. The existing woodland boundaries ensure that neighbouring occupiers will not be impacted upon and the majority of neighbouring residential will be screened from the site by vegetation. Dwellings are secured by rear gardens, increasing separation distances to neighbours.
44. In terms of noise, the application has been accompanied by an Environmental Noise Assessment which confirms that the key noise source is road traffic noise from Wildhouse Lane. The Assessment confirms that the existing bund along Wildhouse Lane will provide attenuation to those dwellings located along this boundary and can be further enhanced with the use of 2m high acoustic fencing where required, along its apex. Visually much of the acoustic fencing will be screened by existing and proposed tree planting and landscaping along the road boundary, limiting its visual impacts. With this mitigation measure in place, a commensurate level of protection would be afforded to future residential of the proposed development.
45. The Council's Environmental Protection Officer has reviewed the Environmental Noise Assessment and has recommended a condition requiring the mitigation measured documented in Section 6 of the Assessment to be implemented as described.
46. On the basis of the above it is considered that the proposal complies with CS Policies DM1 and the NPPF.

Hydrology, Flood Risk and Drainage Implications

47. The application has been supported by a Flood Risk Assessment (FRA) and a Highway Drainage Assessment. This identified that the site falls within flood zone 1 at low risk of flooding and is suitable for the proposed use taking into account Planning Practice Guidance.
48. The FRA sets out that the appropriate method for surface water management is to discharge to the existing 300mm diameter highway drain beneath Wildhouse Lane which is the current destination for the existing development. The peak surface water flow from the post development site will not exceed the pre-development rate. In order to reduce the risk of flooding due to the development, it is proposed to limit the run-off rate to 50% of the existing brownfield rate in order to provide an improvement on the existing scenario. The development site design will be such that exceedance flows do not cause flooding on or off site. This will be achieved by designing suitable ground exceedance or flood pathways, and run-off will be completely contained within the drainage system (including areas designed to hold or convey water) for all events up to a 1 in 30 year event. The design of the site ensures that flows from rainfall in 1 in 100 year rainfall event are managed in exceedance routes that avoid risk to people and property both on and off-site. SuDS methods include the installation of a pond or

basin to the north of the site by the entrance, or incorporating underground storage in the form of oversized pipes beneath Wildhouse Lane.

49. Foul water will be connected to the existing system to the west of the site. A CCTV survey has confirmed that connections to the UU drain can be made.
50. Alongside the above, the development proposal will remove large areas of hardstanding across the site and will introduce areas of green space with native planting. In this respect the development will have a positive impact on water management across the site and will not increase the risk of flooding on or off the site.
51. The Council's Flood and Drainage Officer agrees with the above assessment and recommends that a detailed foul and surface water drainage scheme is submitted for approval prior to the development commencement which can be secured by condition.
52. UU has also requested a management and maintenance condition. Having regard to these recommendations and the FRA, it is considered that the proposed development would not be at significant risk of flooding and would cause no unacceptable risk of flooding elsewhere in accordance with the requirements of CS Policy G8 and the NPPF.

Mineral, Geological and Land Condition Implications

53. The application is supported by Site Investigation and Ground Assessment. It is noted that the site directly overlies the sandstone rock, in a Groundwater Source Protection Zone (SPZ), close to SPZ1. This forms an aquifer, abstracted at depth by United Utilities (UU) for public drinking water supply at nearby Butterworth Hall boreholes. There is also a high risk to groundwater from the contamination present on this development site, from the former landfill and colliery waste. There is a potential to generate contamination during earthworks for construction, due to the presence of direct pathways to the aquifer. The proximity of mineshafts shortens the pathway for any contamination, as they lie adjacent to the west of the site boundary, forming entry points from ground level to the water table within the aquifer and the former mineworkings. The potential risk posed by infiltration, including via wastewater drainage, must be mitigated to ensure there is no risk to public water supply.
54. The Environment Agency has assessed the above and confirmed the requirement for a Remedial Strategy and a Piling Risk Assessment to demonstrate the risk to groundwater can be managed and the development will not increase the risks of contamination to groundwater. UU has confirmed that the Applicant should follow best practice on their use and storage of fuels, oils, chemicals and excavation and re-use of excavated wastes, to remove the risk of causing pollution during construction.
55. The Coal Authority has also confirmed that the site falls within the defined Development High Risk Area which contains coal mining features and hazards which need to be considered. The Site Investigation and Ground Assessment Report informs that no evidence of coal or mine workings was encountered through intrusive investigations including boreholes, and identifies that if coal

seams are present, these will be in excess of 30m and are not considered to represent a potential risk to the redevelopment of this site. The Report concludes there is no risk to the site as a result of historic coal mining. The Coal Authority is satisfied with the conclusions and require no specific mitigation measures to address coal mining legacy issues.

56. It is therefore considered, that subject to the suggested conditions, there would be no adverse harm caused by way of contamination or pollution and satisfactory ground conditions would be provided for the proposed development in accordance with Policies G9 and G10 of the CS and the NPPF.

Planning Obligations and Viability

57. CS Policy DM2 requires developers to provide, or contribute towards the cost of physical, environmental 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. However, this policy also requires consideration to be given to the need to ensure that schemes remain viable whilst taking into account the need for contributions. Normally a proposal of this scale would be required to sign up to a S106 with a requirement for open space, education and affordable housing.

58. Paragraph 57 of the NPPF states that where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available. The Applicant has submitted a Viability Appraisal which has been supplemented by a Site Abnormal Comparison. The latter report confirms that the initial costs in the Viability Appraisal have increased by £2.2m partly as a result of design changes to deliver higher value homes and further technical investigations.

59. As a result it has been confirmed by the applicant that the scheme can contribute £350,000 towards planning obligations to mitigate the impacts of the development. Notwithstanding this, the final contribution level has been agreed at £368,150.15, further details of which is provided below.

60. With this assessment in mind, it is considered that in this instance, the securing of funds for a S106 would need to be carefully considered to mitigate the impacts of the development. The below sets out the full policy requirement for contributions, however members should note the commentary provided in the above sections where references to contributions have been made.

Public Open Space and Formal Sports

61. The Council's Provision of Recreational Open Space in New Housing SPD states that for developments of more than 100 bedrooms, open space provision on-site would be expected. The applicant has agreed to the provision of on-site Public Open Space and provided in excess of the policy requirement including a Local Area of Play. This requirement will be included as part of the S106 legal agreement.
62. With regards outdoor sports provision, this is calculated based on the Council's standard of 1.1 hectares per 1,000 population (i.e. 174 bedrooms) and based on the current table of charges. In accordance with planning policy, the development is required to provide £76,327. In this instance however, and recognising the closure of the Soccer Village complex, the Applicant has agreed to provide in excess of this at £104,000 to allow the council to fully upgrade facilities at Firgrove playing fields in accordance with the scheme identified by the Playing Pitch Manager.

Education

63. The development would allow for a full contribution towards education in accordance with Policy C7 covering both primary (£144,760.15) and secondary places (£72,380.04) equating to £217,140 and which would be secured via the S106 legal agreement.

Affordable Housing

64. Whilst the provisions of Policy C4 and Affordable Housing SPD, set out a starting point requirement of 15% of homes as affordable, or 7.5% of Gross Development Value (GDV) to be provided as a commuted sum in lieu of on-site provision, Officers are satisfied that there are grounds to waive contributions on this scheme due the viability position.
65. In this respect, the viability assessment is clear that the site cannot sustain either on-site provision or a financial contribution towards off-site provision as this would render the scheme entirely unviable.
66. Whilst this technically amounts to a negative factor that weighs against the development, it is considered that this is heavily outweighed through the sensitive and high quality redevelopment of a brownfield site which currently harms the openness of the green belt and negatively impacts on the nearby heritage assets. Furthermore, the scheme also allows for the delivery of a bespoke design, high value family homes that would support the delivery of a key strategic objective for the borough in accordance with CS Policy C3.

Off-site Highway Works

67. Paragraph 102 of the NPPF requires that transport issues should be considered at an early stage so that potential impacts can be addressed. Paragraph 108 requires decision-makers to ensure that significant impacts from development on the transport network (capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. CS Policy T2 expects development proposals to financially contribute to transport improvements where additional traffic movements cannot be accommodated on the existing network.

68. In consultation with the Highway Authority it has been agreed that a financial contribution of £47,000 to support off-site highway works at the junction improvement to Kiln Lane and Wildhouse Lane, as part of a wider scheme, would be acceptable to off-set any impacts and can be secured via a s106 legal agreement.

SUMMARY

69. The proposed development will support the redevelopment of a largely brownfield site with new high quality, bespoke design homes which would also support the councils aspiration to deliver executive and higher value housing within the borough in accordance with CS Policy C3.

70. Whilst six bungalows are located on non-PDL, and fall to be considered as inappropriate development resulting in harm to the green belt and its openness, it is considered that the harm is limited given the existing built development at Soccer Village. This harm is further reduced given the distances between receptors, the landscape character, including topography and features within it, and existing and proposed landscaping and planting.

71. The loss of a recreational facility can be mitigated by virtue of the financial contribution towards the improvements of the pavilion at Firgrove playing fields which is hub for sports in the borough as well as the provision of on-site public open space in excess of the amount required by planning policy.

72. Subject to conditions and financial contribution, the proposal would provide satisfactory mitigation of the majority of the visual impacts, protected species and nature conservation interests, any disturbance to the surrounding land and environment and the operation of the surrounding highway and drainage network.

73. It is considered overall that the benefits in this case, comprising the delivery of a low density, higher value residential scheme of a type and size that is currently in short supply across the borough, would clearly outweigh the harm to Green Belt and all other harm that has been identified. The proposal therefore comprises sustainable development and it is recommended that planning permission is granted subject to financial contributions and conditions.

RECOMMENDATION

It is recommended that the Planning and Licensing Committee resolves it is minded to **GRANT permission** subject to conditions which will be detailed in an update report, and subject to the prior signing of a S106 legal agreement to include:

- i. Financial contributions of £104,000 towards Outdoor Sports Provision for pavilion upgrades at Firgrove playing fields
- ii. Financial contributions of £144,760.11 towards Primary education and £72,380.04 towards Secondary education

- iii. Financial contributions of £47,000 towards off-site highway improvements for junction improvements to Kiln Lane and Wildhouse Lane
- iv. The provision and future maintenance of recreation open space within the site, in accordance with the Council's policies

And that the Head of Planning Services is authorised to **GRANT** planning permission upon execution of the above S106 agreement and subject to conditions.