

Report to Planning and Licensing Committee



Date of Meeting	8 April 2021
Portfolio	Councillor John Blundell Cabinet Member for a Thriving Economy
Report Author	Kirsty Nicholls
Public/Private Document	Public

<b>Application:</b> 20/01529/FUL	<b>Township:</b> Rochdale	<b>Ward:</b> Central Rochdale
<b>Applicant:</b> Genr8 (Rochdale) Ltd		<b>Agent:</b> Richard Purser
<b>Site Address:</b> Riverside Phase 2, Land Bounded By John Street, New Baillie Street, Penn Street And Rear Of Properties Fronting Yorkshire Street, Rochdale		
<b>Proposal:</b> Detailed planning application for erection of four buildings to provide office/commercial use (Use Class E), hotel use (Use Class C1) and residential use (Use Class C3, 242 apartments) together with associated parking, servicing and common areas, ancillary uses, public space, landscaping and infrastructure		

**SITE LOCATION**



## DELEGATION

- 1.1 The application is to be determined by the Planning and Licensing Committee as it comprises a major development of which would be a departure from the Local Plan due to the fact there would be no Section 106 contributions for affordable housing, education or open space.

## PROPOSAL SUMMARY

- 2.1 Full planning permission is sought for the erection of four buildings to provide office/commercial use (Use Class E), hotel use (Use Class C1) and residential use (Use Class C3, 242 apartments) together with associated parking, servicing and common areas, ancillary uses, public space, landscaping and infrastructure.

## RECOMMENDATION

- 3.1 It is recommended that the Planning and Licensing Committee resolves to **GRANT planning permission** subject to conditions, which will follow in the Update Report.

## REASON FOR RECOMMENDATION

- 4.1 The majority of the proposed development is located on a previously developed site within Rochdale town centre. Rochdale Riverside (the now completed Phase 1 and this proposed Phase 2) forms a critical part of the regeneration vision of the eastern area of the town centre, to provide an attractive, vibrant and revitalised town centre that re-establishes Rochdale as a major sub-regional centre. The vision is divided into the retail and leisure opportunity of Phase 1, a realised £40 million investment that opened in April 2020, and the office, hotel and residential development that is subject to this application for Phase 2 forming a proposed £70 million investment to complete the vision.
- 4.2 Whilst the development does not comply with Core Strategy policies pertaining to developer contributions, the proposal accords with other development plan policies and the National Planning Policy Framework, and will deliver regeneration benefits to the town centre and the wider Borough. Having regard to all material considerations and subject to conditions, the proposal would enable the development of a large vacant site within the town centre, encompassing high quality design with the aim of achieving place making through effective landscaping, layout and a strong sense of place. There will be no 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, the proposals would provide satisfactory mitigation.
- 4.3 The proposal therefore comprises sustainable development and it is recommended that planning permission is granted subject to conditions.

## **SITE**

The site forms Phase 2 of the Rochdale Riverside development granted under reference 16/01383/HYBR ('over-arching planning permission'). Phase 1 is completed and the Phase 2 land is presently used as a construction works compound. There is an extant outline planning permission for development of the application site.

The application site extends to approximately 0.9 hectares. Taken clockwise it is bounded to the east by John Street, south by New Baillie Street, west by Penn Street and north by the rear of properties fronting Yorkshire Street. Rochdale Council is freeholder throughout.

There is a significant change in levels across and beyond the site that rise from south to north becoming progressively steeper to northwest, and a gentler rise from west to east. The northern boundary is characterised by a large retaining wall and embankment with properties off Yorkshire Street elevated above the site beyond.

The site is bounded to the north by the Town Head Conservation Area along with being adjacent to 128 Yorkshire Street and Town Head, both Grade II listed buildings. To the west of the site lies the Rochdale Town Centre Conservation Area and on its boundary sits 19 & 21 Baillie Street, a pair of Grade II listed buildings, along with the Regal Moon, a non-designated heritage asset.

## **PROPOSAL**

This application seeks full planning permission for the erection of four buildings: an office, a hotel and two residential apartment buildings. The buildings are formed on a layout responding to the former street grid and surroundings, with a landscaped central pedestrian route linking Phase 1 and Yorkshire Street.

The residential development will be provided in two separate blocks, consisting of 9 & 10 storeys in height. They will provide a total of 242 apartments in a mix of studio, 1 and 2-bedroom units utilising a 'Build to Rent' model.

The hotel will comprise a 146 bedroom hotel in a 7-storey building situated at the corner of Penn Street and New Baillie Street. The ground floor will provide lobby, reception, bar and restaurant facilities for guests.

The office will provide 4,089 m<sup>2</sup> floorspace of offices in a 5-storey building situated at the northwest and uppermost area of the site off Penn Street.

The proposal will provide for associated parking, servicing and common areas, ancillary uses, public space, landscaping and infrastructure. There will be a new one way access created onto John Street, which will be limited to service vehicles and permitted users only.

The original submission proposed 238 homes across the two residential blocks. However amended plans were submitted to undertake minor internal reconfiguration which increased the number of proposed homes to 242. These changes had little if any impact on the external form or scale with the exception of the inclusion of balconies for the additional units.

## **BACKGROUND**

### **Hybrid Permission**

In 2017, the Council granted a hybrid permission (16/01383HYBR, 'The Hybrid Permission') for the comprehensive redevelopment of the wider Rochdale Riverside area of Phases 1 and 2. This Hybrid Permission granted outline permission with all matters reserved for Phase 2 for a mixed use redevelopment including residential. Phase 1 has now been delivered and provides a mix of retail and leisure uses.

Enabling works started on site in October 2020 following relevant site and archaeological investigations in summer 2020 under permission 19/01160/FUL (further details later in this Section). All vegetation, remnants of former buildings, foundations, walls, parking areas, etc. are at time of application either cleared or soon to be cleared from site in preparation for anticipated main works starting in late Spring 2021 dependent upon and following any grant of permission for this application.

The outline parameters of Phase 2 remain extant with reserved matters open for submission up to 5th July 2022. The outline provides a series of flexible building layout / footprint, sections, height and floorspace provision, including by use class, to inform a future detailed design. Broadly this permitted (above the original deck level) four buildings between 4 to 6-storey in height, arranged around a central space with the Penn Street Link carried through from Phase 1 north and then west to Penn Street. Figure 3.4 provides an extract of the ground level arrangement above the deck and approved deviations in footprint.

As it is the intention to pursue a different design, (in terms of arrangement and scale), for Phase 2 than originally envisaged at the time of the Hybrid Permission, the applicants have submitted this new full application for the scheme. The outline permission however does benefit from weight in the sense of a 'fallback' planning permission and material consideration in planning terms having particular regard to:

- The principle of comprehensive redevelopment of the Site;
- The range and mix of residential, hotel and office uses;
- The formation of a public space along the Penn Street Link route; and
- The provision of car parking to serve Phase 2 within the Phase 1 decked car park structure.

### **Environmental Impact Assessment**

The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 (as amended) allows scope for an applicant to request a formal opinion from the Local Planning Authority about whether a proposed development is development requiring an Environmental Impact Assessment (EIA).

A Screening Opinion was submitted (20/00847/SO) to the Council to enable consideration of the development referred to above on land at Rochdale Riverside Phase 2. The Screening request was submitted prior to the submission of this full planning permission application for Phase 2 of the Riverside development within Rochdale town centre.

The LPA were therefore satisfied that assessment of the proposal against the screening criteria in Schedule 3 of the Regulations did not suggest that this proposal is likely to give rise to significant effects on the environment. For the reasons provided above it is also not considered that significant effects are likely to be caused by the proposal's physical scale, the potential increase in traffic and emissions and noise.

The Council were satisfied that the proposed development did not comprise EIA development as defined by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

## **DEVELOPMENT PLAN**

### **NATIONAL POLICY AND GUIDANCE**

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

### **LOCAL POLICY AND 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
<b>SO2</b>	<b>Creating successful and healthy communities</b>
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
<b>SO3</b>	<b>Improving design, image and quality of place</b>
P1	Improving image
P2	Protecting and enhancing character, landscape and heritage
P3	Improving design of new development
<b>SO4</b>	<b>Promoting a greener environment</b>
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
<b>SO5</b>	<b>Improving accessibility and delivering sustainable transport</b>
T1	Delivering sustainable transport
T2	Improving accessibility

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

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):**

Rochdale Town Centre East Area Framework SPD (2007)  
Rochdale Town Centre East Area – Development Framework (2015)  
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**

The application site has been subject to the following relevant applications:

- 16/01383/HYBR - Hybrid application comprising comprehensive phased regeneration of Rochdale Town Centre East A) Detailed application for Phase One for erection of four commercial buildings and decked car park to provide retail, food and drink uses (Use Classes A1, A3 and A4, maximum 22,511 sq.m), cinema (Use Class D2, maximum 1,797 sq.m), gym (Use Class D2, maximum 2,018 sq.m) together with new service road and junction at John Street, ancillary uses, servicing and common areas, landscaping and infrastructure; and for B) Outline application (all matters reserved) for Phase Two for erection of four buildings to provide retail, food and drink (Use Classes A1, A3, A4 and A5 maximum 1,000 sq.m), offices / commercial (Use Classes A2 and B1, maximum 4,000 sq.m), residential uses (Use Class C3, maximum 100 dwellings), hotel use (Use Class C1, maximum 120 bedrooms), and leisure (Use Class D1, maximum 500 sq.m) together with associated car parking, ancillary uses, landscaping and infrastructure. (Application accompanied by an Environmental Statement). Granted
- 17/01130/ANM - Application for non-material amendment to planning permission 16/01383/HYBR to clarify the cinema floorspace in the Development Schedule to state; "(f) The maximum gross floorspace for cinema use (Class D2) shall be 1,797 m2 (GIA) at second floor level, and 240 m2 (GIA) for projection room at second floor mezzanine level". Granted
- 17/01495/ANM - Application for non-material amendment to planning permission 16/01383/HYBR to amend Condition 3(d) to add the words "and first floor" at end to state in full "The maximum gross internal area retail floorspace for comparison goods (Class A1) shall be 18,149 m2 (GIA) and shall be provided on ground floor including any mezzanine and first floor" and amendment to Condition 24 to replace cross-referenced Condition 15 with "Condition 16" – Granted

- 19/01081/ANM - Non-material amendment to planning permission 16/01383/HYBR for alterations to shop fronts and landscaping. Granted.
- 19/01160/FUL - Enabling works (in preparation for the carrying out of Phase 2 of the Rochdale Riverside Development granted permission under reference 16/01383/HYBR) including the erection/construction of a temporary means of enclosure and temporary means of access; clearance of trees and vegetation; remediation works and archaeological works (required by conditions 15 and 16 respectively of that permission); the diversion and laying of services; regrading of land including demolition of structures and construction of retaining structures. – Granted
- 20/00847/SO - Request for screening opinion in respect of the proposed development for the erection of four buildings to provide office/commercial use (Use Class B1a, circa 4,200sq.m), hotel (Use Class C1, circa 130 Bedrooms), residential (Use Class C3, circa 250 apartments) together with associated car parking, servicing and common areas, ancillary uses, landscaping and infrastructure – EIA not required
- 20/01009/ANM - Application for non-material amendment to planning permission 19/01160/FUL for amendments to the approved finish level and associated retaining structures as part of the approved enabling works for phase 2 - Granted

## **CONSULTATION RESPONSES – SUMMARIES**

Conservation and Design – Overall, the proposed development will likely have a neutral impact on the designated heritage assets. This proposal is likely to be supported for approval following the provision of the requested clarifications and the inclusion of the suggested design amendments within the scheme.

Whilst it is recognised that the site is relatively sensitive to change due to its proximity to a series of heritage assets, it is also considered to be a prime location brownfield site, formerly the site of an infant school, housing and a chapel, with high potential for redevelopment. This therefore means that a balance needs to be carefully struck between delivering a viable development and achieving a high quality, sympathetic design.

The significance of Townhead is embodied within its architectural design. Unfortunately, the immediate setting of the building has been compromised through the inclusion of the carpark and the expanse of derelict land to the south of the building and this demonstrates scope for improvement.

The significance of the Town Head Conservation Area is mainly attributed to the development of the properties along Yorkshire Street, therefore meaning that the proposed development site to the south of the boundary makes little contribution to the significance of this.

The significance of 128 Yorkshire Street is again mainly attributed to the architectural value of the building and its age. The setting of the building to the south bears little importance to the building however, it is recognised that this could be improved.

The scheme seeks to erect 2 residential apartment blocks, a hotel and an office unit within the site along with associated access and landscaping. Extensive pre-application advice has been undertaken and design development for the buildings and associated landscaping scheme has been ongoing throughout.

The proposed residential development seeks to erect 2 residential apartment blocks of 9 and 10 storeys which will be aligned to run parallel along Great John Street. These buildings have the most potential to impact on the setting of Townhead and the Town Head Conservation Area therefore the design of such will need to outweigh any potential harm this development may cause to the listed building and its setting.

The design, scale and massing of the proposed residential blocks has taken influence from the traditional mills found across the borough which enable these buildings to cleverly reference the local vernacular whilst providing high quality, contemporary buildings. This being said, it is considered that the brick choice could be more complementary to the local vernacular (highlighted when viewing CGI Image View C).

The proposed layout of these two buildings will enable a landscaped area to be situated between them, allowing long distance views of Townhead to be afforded a top the slope to the north. It is considered that the implementation of a formal landscaping scheme will enhance the setting of this listed building and the conservation area.

In terms of detailed design the residential blocks include projecting balconies with privacy screens, the patterned design of which is drawn from the motifs found in the Town Hall. The use of red and dark brick along with including recessed panelling gives the elevations good dimension and a high quality finish. The red brick used should vary less in colour to be more in keeping with the local character rather than giving a speckled appearance. The final details of this can be determined via planning condition.

Whilst it is apparent that some harm will be caused to the setting of the adjacent heritage assets it is considered that this is outweighed by high quality design and sympathetic materials. Subsequently this application will have a neutral impact on these.

The proposed hotel will occupy the corner of Penn Street and New Baillie Street making this building particularly prominent from the Rochdale Town Centre Conservation Area. The proposed scale, massing and form of the building again takes basic influence in form from traditional mill buildings. The materials include blue engineering brick and champagne coloured cladding.

The design and access statement presents 2 material options, one with a blue engineering brick and the other a red brick. In order to ensure the hotel complements the existing character of the area it would be preferable for a smooth red brick option to be utilised. In terms of the aluminium powder coated cladding with standing seam detail it is considered that this choice would create a good combination of traditional finish translated in to a contemporary form.

Clarifications are sought regarding the previously discussed sedum roof to the service entrance on Penn Street.

Development upon this site will likely have a neutral impact on the surrounding heritage assets following the reconsideration of the brick.

The office building will be set highest up the slope and therefore has the potential to impact most significantly on the Town Head Conservation Area, Townhead and 128 Yorkshire Street.

The building design is relatively contemporary, being much squarer than all the others proposed for the site. The design includes a large expanse of glazing and cladding with an interesting set back at ground level, giving the building good dimension and an attractive entrance. The rear elevations of the building are proposed to be constructed in brick to enable this elevation to be more in keeping with the character of the conservation area and existing buildings. Continuity in design will be afforded by the upper storey being clad in a dark grey metal rain-screen which will also cleverly reduce scale and massing of this building.

Given the complementary materials palette and contemporary design of the building it is considered that the proposed development will have a neutral impact on the setting of the adjacent heritage assets.

A series of supporting documents have been provided as part of this application and this includes a number of CGI images. These helpfully demonstrate how the development will be viewed from a series of locations and these are explored individually below:

- View A – this image has been constructed from South parade looking northeast towards the development site. It is apparent that the buildings will not be viewed from this location, shielded by the development at Riverside 1.
- View B – This view is from Union Street and Yorkshire Street looking south down Penn street. The image shows the office building and hotel in the background

and demonstrates how these buildings will react with the existing topography and built form. This view suggests that the proposed development will cause only a minimal change to this view.

- View C – This image shows John Street looking south towards the residential development. In the foreground stands Townhead, a Grade II listed building. It is apparent that whilst the residential development is substantial in height, from this vantage point it is not overbearing on the listed building. In order to further mitigate any potential harm which may be caused through this development it would be appropriate to further explore potential brick choices for the residential units to better complement the existing character of the area. It is suggested that a darker brick with less variation in colour is considered, as explained in the above body of text.
- View D – This image shows John Street looking North. It is apparent that the residential development does block views of the listed building from this position. This will have a negative impact on the listed building however, given that the long distance views of the building will be enriched through a formal landscaping scheme, overall the harm is considered to be neutral.
- View E – This image shows the corner of Penn Street and New Baillie Street looking northeast. Again, views of Town Head are entirely obscured. This image also demonstrates that the proposed use of a blue engineering brick on the entire west elevation is out of character with the surrounding areas and this will need to be reconsidered. As discussed in the above body of text a smooth red brick, perhaps with some decorative areas of blue engineering brick, should instead be utilised.
- View F – This view is from New Baillie Street looking north through the development between the hotel and residential block. The image demonstrates how views of the listed building will be afforded within the development which will help give the proposal a good sense of place. It also highlights how the formal landscaping scheme will enhance the setting of this designated heritage asset.

Boundary treatments include vertical flat bar panel fencing, folden top weldmesh fence rotop. Full product specification details and finishes must be provided prior to the commencement of any development.

Landscaping proposals include lawns, ornamental planting, clay paving and Insitu concrete surfacing, Natural stone aggregate concrete block paving, tarmac access road and Yorkstone. Again, full detailed specifications must be provided prior to the commencement of the development.

To conclude, whilst the scheme will result in some harm being caused to the setting of the identified heritage assets it is likely that, through good design and careful materials choice, the proposed development will overall have a neutral impact up on these. To ensure that this is the case, and to be able to support this application for approval, clarifications and design amendments as detailed above are sought. .

Environment Agency (EA) –

### **Contaminated Land**

The proposed development site appears to have been the subject of past industrial activity which poses a risk of pollution to controlled waters.

We have not undertaken a detailed review of the risk posed to controlled waters from land contamination and would therefore advise that you refer to our published Guiding Principles for Land Contamination which outlines the approach we would wish to see adopted to managing risks to the water environment from this site.

We also recommend that you consult with your Environmental Health / Environmental Protection Department for further advice on generic aspects of land contamination management. Where planning controls are considered necessary we would recommend that you seek to integrate any requirements for human health protection with those for protection of the water environment. This approach is supported by Paragraph 109 of the National Planning Policy Framework.

### **Advice to the LPA/Applicant**

The land in question is currently shown within Flood Zone 1 and flood zone 2 according to the Environment Agency Flood Map for Planning. Therefore Flood Risk Standing Advice applies. For more information please see the link below: <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice#vulnerable-developments-standing-advice>

We would advise the applicant to consult the LLFA drainage engineer to review surface water runoff management and drainage.

Environmental Control (Landfill Gas) – No objections raised

Environmental Control – (Noise/Odours) – No objections raised

Greater Manchester Archaeological Advisory Service - Archaeological interests are covered by condition 6 of the hybrid planning consent. The application is accompanied by an 'Archaeology Position Statement' which sets out the work that has been undertaken to date. A Written Scheme of Investigation for evaluation is included along with correspondence from September last year releasing the site for development ground works following completion of the on-site archaeological investigations. GMAAS are satisfied with the report which provides a comprehensive account of the archaeological remains that were exposed and recorded. This report has been lodged with the GM Historic Environment Record.

GMAAS are happy with this proposal for dissemination which would satisfy stages iii and iv of condition 6 however what is now required is the submission of details of the

proposed booklet for approval by GMAAS then confirmation of its commission by the applicant. This commitment to producing the booklet will then allow the condition to be discharged.

A suitably worded condition is advised to obtain said details.

Greater Manchester Ecology Unit (GMEU) – No objections raised to the application on nature conservation grounds. The proposals for the introduction of new landscaping onto the site are welcomed, which should result in a net biodiversity gain for the site, given the current low ecological status of the area. Recommended that no clearance of the remaining vegetation on the site should be carried out at the optimum time of year for bird nesting (March to August inclusive) unless nesting birds have been shown to be absent by a suitably qualified person.

Highways and Engineering – We have no sustainable objection to these proposals. The principle of this development has been agreed in part in the outline applications for the site. Whilst the principle of the proposal has been agreed since the previous applications were made, fundamental changes have been made to the Transport Network which required further consideration.

The proposals seeks to make a new permanent access from John Street for the servicing of the development. This access is to be limited to service vehicles and approved users only. If this access is poorly managed this would cause the obstruction of the Bus Lane on John Street and queueing back onto the next lane of the highway. The service access is to be managed by the developer and we must assume this will be done correctly. Should this not be managed correctly the highways Department will close off the access point and servicing will need to be reviewed.

The access from John Street can only be accessed by vehicles coming from the South. We would expect vehicles particularly those using Satellite Navigation to have issues accessing the site when arriving from the wrong direction. This is however most likely to be an inconvenience to the service vehicles and not the general public so this is not cause for an objection.

The internal service road layout and materials seem to send HGVs past residential plots in low traffic shared space areas. This is a conflict we would rather avoid and we consider this to be a confused purpose. This area is however not to be highway and will be monitored and managed by the development. The servicing will need to satisfy their own risk assessments. This area will not be the responsibility of the highways department so the highways Department will not object to this proposal.

Planned improvements on the Highways in the area are also scheduled in the near future. These will take into account the new development and assist with the problems we have highlighted.

Prior to the development coming into use the developer will contribute £10,000 to the amendment of traffic regulation orders in the vicinity of the development. The amendments are necessary to facilitate the safe operation of these proposals.

Highways England - No objection.

Lead Local Flood Authority/Drainage - No objections subject to condition. The Drainage Officer confirmed that an appropriate drainage design has been provided that is in accordance with the NPPF. Condition recommended that the site shall be developed with separate systems for foul and surface waters in accordance with the submitted details.

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

Transport for Greater Manchester (TfGM) – On receipt of updated information, no objection subject to conditions. The junction of New Baillie Street/ John Street has been modelled. There are some minor errors in the model (e.g. Arm 2 lane 1 should be a flare). However the results will not be significantly affected. The modelling shows that the junction will operate within practical capacity during the peak periods.

To encourage travel to and from the site by sustainable modes, Rochdale council may wish to request that the developer provide controlled pedestrian crossing facilities across the northern arm of John Street at the junction of John Street/Smith Street/Molesworth Street.

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

UPDATE – On receipt of additional information from the applicant it was acknowledged the proposed surface water drainage arrangements and discharge rates for Phase 2 have previously been agreed as part of wider discussions relating to the Town Centre Regeneration. On this basis, please accept this e-mail as confirmation that we wish to withdraw our previously recommended surface water condition made under reference DC/21/38, dated 11<sup>th</sup> February, and that we will be providing updated comments to the LPA in relation to the above application.

## **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.

<b>Objection Reps</b>	0	<b>Support Reps</b>	1	<b>Neutral Reps</b>	0
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1 response has been received in total in support of the application. Comments made in respect of the application are summarised as follows:

**Support:**

- A great scheme, in order to bring a major brownfield site back into use in the heart of Rochdale Town Centre.
- The development could further act as a catalyst for further regeneration opportunities.
- City centre living is appealing to many and the mix of one and two bed units, plus communal ground floor areas in a positive.
- The hotel and office space will help diversify the offer in the town centre which will lead to support the growth of the local centre.
- Suggest that more trees are added to the development, especially to the norther end of the site and that green roofs are explored.
- Suggest local employment condition added to ensure local jobs within construction.

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

**ANALYSIS**

**Principle of Development**

1. Rochdale town centre is the principal centre within the borough and a focus of transformation. The proposed 'Riverside' Phase 2 scheme is part of the wider regeneration objectives of the Council and will significantly contribute to their delivery through the creation of significant commercial, residential and hospitality developments capable of attracting people to the town centre to help it to compete with other retail destinations including other sub-regional centres outside of the borough. The proposal represents a £70 million investment in the borough and will secure:

- Between 209 to 341 Full Time Equivalent (FTE) job opportunities locally in the operational phase of development for office and hotel uses;
- Between £5.01-£8.17 million annual wages delivered to the local economy;
- £373,085 annual business rates generation;
- 53 FTE temporary construction jobs over 97 week construction period
- £8.91 million value of construction wages generated into the local economy.

2. The proposed development seeks to provide a mix of uses through the delivery of a hotel, 242 new homes and new office accommodation. As such, the application proposals will have a significant positive impact on the vitality and viability of Rochdale Town Centre promoting the centre as an important retail and leisure destination within the sub-region and ensuring connectivity with the rest of the town centre.
3. The proposal seeks to provide up to 242 new homes (Build to Rent apartments) in Rochdale town centre. Paragraph 85 of the NPPF states that planning policies should recognise that residential development often plays an important part in ensuring the vitality of centres. The Core Strategy has as its focus delivering homes in town centres and broadening the quality of the available housing offer. This proposal will support and help in improving the type and range of homes offered in the town centre and at the same time promote the reuse of previously developed land to create a sustainable town centre. The 'Build to Rent' offering would deliver new, high quality, private rented accommodation, changing the market perception of Rochdale town centre as a place to live and in doing so raise rental values.
4. In addition to physical regeneration, the proposals would support the diversification of the housing offer within the borough through provision of new high quality private rented apartments close to major transport networks and would also help to deliver increased footfall and retail spend within the town centre. It would therefore constitute sustainable development that would accord with key policies of the UDP, contribute to the vision, objectives, spatial priorities and policies of the Core Strategy and NPPF, including policies G/S/1, policies E1 and E1/R, SD1, SP1 and SP2 and would accord with the Town Centre East Area Framework SPD.

### **Design, Layout and Impact on Heritage Assets**

5. Since 2007, the Town Centre East Area Framework SPD has set a Vision of creating an attractive, vibrant and revitalised town centre that offers a range of shopping, leisure, living, working and cultural facilities, meeting the needs of the Borough and re-establishing Rochdale as an important sub-regional centre and destination. Rochdale Riverside Phase 1 was completed in April 2020 and delivered a new retail and leisure offer as a new focal point within the town, building on the prior developments of the Metrolink, Transport Interchange and Number One Rochdale, transforming the areas off Smith Street.
6. Phase 2 will introduce residential, hotel and office employment uses alongside new public space forming an important connection between Yorkshire Street and Townhead with Smith Street, thereby rebuilding the fabric of the eastern part of the town centre in line with the Vision.

7. The site is bounded to the north by the Town Head Conservation Area along with being adjacent to 128 Yorkshire Street and Town Head, both Grade II listed buildings. To the west of the site lies the Rochdale Town Centre Conservation Area and on its boundary sits 19 & 21 Baillie Street, a pair of Grade II listed buildings, along with the Regal Moon, a non-designated heritage asset. Whilst it is recognised that the site is relatively sensitive to change due to its proximity to a series of heritage assets, it is also considered to be a prime brownfield site, formerly the site of an infant school, housing and a chapel, with high potential for redevelopment.
8. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Similarly, Section 72 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
9. Paragraph 192 of the NPPF requires local planning authorities to 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.
10. Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. The Court of Appeal decision in the case of *Barnwell vs East Northamptonshire DC* 2014(2) clarified that decision makers should give “considerable importance and weight” to the desirability of preserving the setting of listed buildings when carrying out the balancing exercise’.
11. Planning practice guidance identifies that substantial harm is a high test and may not arise in many cases. Whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the policy in the NPPF. In determining whether works to a listed building or development within its setting constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special archaeological, architectural, artistic and historic interest. It is the degree of harm to the asset’s significance that is to be assessed.

12. The significance of the Grade II listed Townhead is embodied within its architectural design. Unfortunately, the immediate setting of the building has been compromised through the inclusion of the carpark and the expanse of derelict land to the south of the building and this demonstrates scope for improvement.
13. The significance of Grade II listed 128 Yorkshire Street is again mainly attributed to the architectural value of the building and its age. The setting of the building to the south bears little importance to the building however, it is recognised that this could be improved.
14. The significance of the Town Head Conservation Area is mainly attributed to the development of the properties along Yorkshire Street, therefore meaning that the proposed development site to the south of the boundary makes only a limited contribution to the significance of this.
15. The development proposes to erect two residential apartment blocks, a hotel and an office building within the site along with associated access, open space and landscaping. Extensive pre-application advice has been undertaken and design development for the buildings and associated landscaping scheme has been ongoing throughout. 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.
16. A series of supporting documents have been provided as part of this application and this includes a number of CGI images. These helpfully demonstrate how the development will be viewed from a series of locations and these are explored individually below:
  - View A – this image has been constructed from South parade looking northeast towards the development site. It is apparent that the buildings will not be viewed from this location, shielded by the development at Riverside 1
  - View B – This view is from Union Street and Yorkshire Street looking south down Penn street. The image shows the office building and hotel in the background and demonstrates how these buildings will react with the existing topography and built form. This view suggests that the proposed development will cause only a minimal change to this view.
  - View C – This image shows John Street looking south towards the residential development. In the foreground stands Townhead, a Grade II listed building. It is apparent that whilst the residential development is substantial in height, from this vantage point it is not overbearing on the listed building. In order to further mitigate any potential harm which may be caused through this development it would be appropriate to further explore potential brick choices for the residential units to better complement the existing character of the area. It is suggest that

a darker brick with less variation in colour is considered, as explained in the above body of text.

- View D – This image shows John Street looking North. It is apparent that the residential development does block views of the listed building from this position. This will have a negative impact on the listed building however, given that the long distance views of the building will be enriched through a formal landscaping scheme, overall the harm is considered to be neutral.
- View E – This image shows the corner of Penn Street and New Baillie Street looking northeast. Again, views of Town Head are entirely obscured. This image also demonstrates that the proposed use of a blue engineering brick on the entire west elevation is out of character with the surrounding areas and this will need to be reconsidered. As discussed in the above body of text a smooth red brick, perhaps with some decorative areas of blue engineering brick, should instead be utilised.
- View F – This view is from New Baillie Street looking north through the development between the hotel and residential block. The image demonstrates how views of the listed building will be afforded within the development which will help give the proposal a good sense of place. It also highlights how the formal landscaping scheme will enhance the setting of this designated heritage asset.

17. Boundary treatments include vertical flat bar panel fencing, folden top weldmesh fence rotop. Full product specification details and finishes must be provided prior to the commencement of any development.

18. Landscaping proposals include lawns, ornamental planting, clay paving and Insitu concrete surfacing, Natural stone aggregate concrete block paving, tarmac access road and Yorkstone. Again, full detailed specifications must be provided prior to the commencement of the development.

19. The proposed site layout is well considered and carefully designed through the inclusion of tradition mill vernacular in the apartment blocks and courtyard elements which helps the development connect with the surrounding area. Similarly, the inclusion of an appropriate landscaping scheme throughout the development will also act to break up the buildings and provide a visual separation.

20. The residential buildings consist of two separate blocks positioned to the east of the site, along New Baillie Street to the corner of John Street. They are imposing structures, consisting of 9 and 10 storeys, providing 242 apartments. The arrangement provides for the formation of west and east courtyard spaces between the other structures in the development, orientated south/southwest, maximising daylight.

21. The proposed apartment blocks of 9 and 10 storeys will be aligned to run parallel along Great John Street. These buildings, given their height, have the most potential to impact on the setting of Townhead and the Town Head Conservation Area, therefore the design of such will need to outweigh any potential harm this development may cause to the listed building and conservation area through development in the setting.
22. The design, scale and massing of the proposed residential blocks has taken influence from the traditional mills found across the borough which enable these buildings to cleverly reference the local vernacular whilst providing high quality, contemporary buildings. This being said, it is considered that the brick choice could be more complementary to the local vernacular (highlighted when viewing CGI Image View C).
23. The proposed layout of these two buildings will enable a landscaped area to be situated between them, allowing long distance views of Townhead to be afforded atop the slope to the north. It is considered that the implementation of a formal landscaping scheme will enhance the setting of this listed building and the conservation area.
24. In terms of detailed design the residential blocks include projecting balconies with privacy screens, the patterned design of which is drawn from the motifs found in the Town Hall. The use of red and dark brick along with including recessed panelling gives the elevations good dimension and a high quality finish. The red brick used should vary less in colour to be more in keeping with the local character rather than giving a speckled appearance. The final details of this can be determined via planning condition.
25. The proposed hotel will occupy the corner of Penn Street and New Baillie Street making this building particularly prominent from the Rochdale Town Centre Conservation Area. The proposed scale, massing and form of the building again takes basic influence in form from traditional mill buildings. The materials include blue engineering brick and champagne coloured cladding.
26. The design and access statement presents 2 material options, one with a blue engineering brick and the other a red brick. In order to ensure the hotel complements the existing character of the area it would be preferable for a smooth red brick option to be utilised. In terms of the aluminium powder coated cladding with standing seam detail it is considered that this choice would create a good combination of traditional finish translated in to a contemporary form.
27. The office building will be set highest up the slope and therefore has the potential to impact most significantly on the Town Head Conservation Area, Townhead and 128 Yorkshire Street.

28. The building design is relatively contemporary, being much squarer than all the others proposed for the site. The design includes a large expanse of glazing and cladding with an interesting set back at ground level, giving the building good dimension and an attractive entrance. The rear elevations of the building are proposed to be constructed in brick to enable this elevation to be more in keeping with the character of the conservation area and existing buildings. Continuity in design will be afforded by the upper storey being clad in a dark grey metal rain-screen which will also cleverly reduce scale and massing of this building. Given the complementary materials palette and contemporary design of the building it is considered appropriate.
29. The proposed development will introduce a contemporary proposal to the area of which at its highest will stand at 10 storeys in height. This is a substantial height in the context of the surrounding area and on a site which has significant variations in site levels. However, due to the sensitively designed nature of the buildings, their orientation and through the use of appropriate conditions in relation to materials, the impact will be reduced. CGI visuals of key views have been provided of which illustrate the development and how it will sit within the surrounding area.
30. It is concluded in the submitted Heritage Assessment that, *'overall, the proposed development stands to make a positive contribution to the townscape of Rochdale, and is of less than substantial harm to the surrounding heritage assets'*. It also notes that *'overall, the scheme reflects thoughtful relationships between buildings and spaces, including highways and public realm, and acts as a point of transition between Riverside Phase 1 and the historic core around Yorkshire Street'*.
31. The conservation officer considers that the development upon this site will likely overall have a neutral impact on the surrounding heritage assets following the reconsideration of the materials palette. Whilst it is apparent that less than substantial harm to significance will be caused by the scale of the development within the setting of the adjacent heritage assets, it is considered that this is outweighed by high quality design and sympathetic materials and the public benefits in regenerating this key brownfield site in the town centre.
32. The area has been subject to numerous phases of change. As assessed above, it is considered that whilst the scheme will result in some less than substantial harm being caused to the setting and significance of the identified heritage assets it is considered that, through high quality design and careful materials choice, the proposed development will overall have a neutral impact.
33. On balance, it is considered that the design is appropriate and will act to enhance the existing townscape and this juncture. With the inclusion of the mitigations in relation to materials and justifications presented, it is considered by officers, that

the proposal will have a neutral impact overall on the setting of the designated heritage assets and will create an appropriately designed scheme. Less than substantial harm where identified is outweighed by the public benefits in the regeneration of this important vacant site within the town centre. On this basis the proposal complies with CS Policies P1, P2, P2 and DM1 and the NPPF.

### **Ecology and Nature Conservation**

34. The site was cleared of all residual vegetation in February 2020 in accordance with permission 19/01160/FUL, condition 4. The permission was granted with support by the Ecological Appraisal Addendum (Verity Webster, 2019) which supplemented the original Ecological Appraisal (Verity Webster, 2016) approved under the Hybrid Permission.
35. The Masterplan has been developed with consideration of the ability to provide a net biodiversity gain as recommended in the appraisals from what is a cleared site of no present ecological value. This was informed by the BREEAM process in identification of potential ecological benefits and the submitted Biodiversity Statement (Verity Webster, November 2020) draws together the value of the landscape planting.
36. The Biodiversity Statement concludes that initial calculations show that the enhancement of the site will be over a 7% increase in 'net gain' of biodiversity units owing to the provision of grassland, linear hedgerow, trees and ground flora. It concludes:  
  
*37. '... the benefits of the site planting, of a spread of native species with structural heterogeneity will considerably enhance the area for invertebrates, birds and small mammals (such as bats). In an urban location where there is currently little soft landscape and where the River Roach provides good foraging habitat for bats and invertebrates, the site will provide a likely valuable additional resource and will act as a 'stepping' stone for wildlife in the wider landscape.'*
38. The GMEU has been consulted and raised no objections to the proposal subject to no clearance of any additional vegetation being conducted in the optimum time of the year for bird nesting (March to August inclusive). GMEU welcomed the landscaping proposed, which would result in a net biodiversity gain on the site, given the current low ecological status of the area.
39. Therefore, subject to conditions as above, it is considered that the proposed development would contribute to and lead to net gains in local biodiversity. The proposal therefore accords with the requirements of CS Policies G6 and G7, UDP Policy G/8 and the NPPF.

## **Archaeology**

40. The site has known archaeological interests which were initially covered by condition 6 of the hybrid planning consent. The application is accompanied by an 'Archaeology Position Statement' which sets out the work that has been undertaken to date. A Written Scheme of Investigation for evaluation is included along with correspondence from September last year releasing the site for development ground works following completion of the on-site archaeological investigations.
41. GMAAS are satisfied with the report which provides a comprehensive account of the archaeological remains that were exposed and recorded. This report has been lodged with the GM Historic Environment Record. GMAAS are satisfied that the proposal for dissemination would satisfy stages iii and iv of condition 6 of the hybrid, and the applicant is now required to submit the details of the proposed booklet for approval by GMAAS and confirm its commission. A condition is recommended to secure these details and to accord with policy P2 of the CS and the NPPF.

## **Highway Safety and Traffic Implications**

### Access and Servicing

42. The Masterplan has been developed on the principle of minimising vehicle movements within the site to prioritise the movement of pedestrians, safety and to avoid an over-engineered public realm. For this reason, the internal access off Penn Street will not become adopted to allow management control of access to the space, which will be provided with barrier / bollard control off John Street as shown in the Masterplan layout. The submitted site access strategy has been developed in response to the specific constraints of the site and the available options to achieve access via the surrounding highway network. The precise details of the access management strategy can be controlled through condition.
43. Laybys are provided on Penn Street (hotel servicing for laundry, food & beverage deliveries) and New Baillie Street (taxi pick-up / drop off and separate delivery layby for residential blocks). Bin stores for residential and office uses are accessible from the internal service road, for the hotel this is taken from the Penn Street layby as well.
44. The new permanent access from John Street for the servicing of the development will be limited to service vehicles and approved users only. This would be accessed via a left turn, in only, one way access from John Street and clearly signed/managed to ensure general traffic does not utilise the route as a means of access to the site. The local highway authority has expressed concerns about the shared space within the development and it is acknowledged that the need to

manage the flow of large vehicles through the site is critical to ensuring on-site safety and security at all times. The proposals to deliver a new one-way system via John Street, restricted to service/delivery vehicles only, provides the greatest opportunity to control movement of large vehicles and also limit adverse impacts on the surrounding highway network. A condition is recommended to secure a formal Servicing, Delivery and Access Management Strategy to ensure the operation and management of such is acceptable in relation to the highway network and to accord with policies T1 and T2 of the CS and the NPPF.

#### Car and cycle parking

45. Vehicle Parking for Phase 2 will be provided within the now constructed phase 1 decked car park with addition of 2 parking spaces for disabled people outside Block 1 offices due to the distance and level changes between the offices and car park. As approved in the Hybrid Permission (amended in 2019) the decked parking structure provides 150 spaces for Phase 2 uses; a combined total of 152 spaces. The Hybrid Permission also set a breakdown that up to 100 spaces will serve residents and up to 50 spaces for hotel and office users. The nature of the parking control is proposed to be agreed by Grampian condition prior to first occupation / use of any Phase 2 block / use. Parking allocation to uses will be a matter of leasing and/or permit arrangements with residential, hotel and office management.
46. Residents are provided with separate, secure cycle storage for 58 bicycles within the East Courtyard (this accords with policy T1 and appendix 5 of the CS). Penn Street will remain the main thoroughfare for cyclists notwithstanding the recent closure south of Yorkshire Street which presently has no provision for cycles.

#### Highway Network

47. Turning to consider the issue of network impacts, the application has been accompanied by a Transport Statement which confirms that there will be no significant adverse impacts. Highways England, the Highway Authority and Transport for Greater Manchester (TfGM) consider that the site will not generate significant volumes of traffic and that the trip generation associated with the development is likely to be acceptable on the local highway network. However, the Highway Authority has confirmed that traffic regulation orders will be required to be amended as a result of the development and that contributions are expected from the applicant. A condition is recommended to require the applicant to submit a scheme of off-site highway works to be implemented prior to occupation of the development to ensure the impacts of the development on the highway are mitigated.
48. On the basis of the above, the Highway Authority and TfGM are satisfied that the proposed development will not result in any significant adverse highway impacts.

It is therefore considered subject to the recommended conditions, the proposal complies with the requirements of CS Policies T1 and T2 and the NPPF.

### **Impact on Amenity**

49. The proposed landscaping scheme is divided into areas, the East & West Courtyards, Flexible / Mews Space, and Landscape / Embankment that surrounds. The layout and features of the courtyards use a variety of hard and soft features which act to define what is public and private space, accessible and defensive and maintains the necessary transition from Yorkshire Street environs to Riverside Phase 1. The servicing loop (anticlockwise off John Street to Penn Street) is an important aspect in reducing the number of service vehicle movements that take place within the site. It allows the upper area to remain a shared space with priority for pedestrians movements rather than vehicles and for the office to be connected to the head of the East Courtyard.
50. Balconies are proposed to all apartments at first floor and above to provide private amenity space. The balconies provide visual interest to the building facades, and through regular, day-to-day use, act to express that these are peoples' homes, an important consideration in changing the perception of the town centre as a place to live as well as work or shop.
51. In terms of noise, a Planning Noise Report accompanies the application and recommends noise limits on the plant to be provided to protect the nearest affected noise sensitive uses. It concludes that, subject to the recommended mitigation measures being incorporated within the design, which would be controlled through an appropriate planning condition, the proposed plant for Blocks 1 to 4 are expected to comply with the relevant noise limits.
52. The Council's Environmental Protection Officer raised no objections to the development subject to the recommended conditions in regards to noise levels of plant and compliance testing.
53. On the basis of the above it is considered that the proposal would provide a good standard of amenity for future occupiers and will protect the amenity of neighbouring occupiers in accordance with CS Policy DM1 and the NPPF

### **Air Quality**

54. An Air Quality Assessment has been submitted and confirms the Site is adjacent to an Air Quality Management Area – part of a wider Greater Manchester designation on major transport routes. The conclusions of the report recommend appropriate mitigation measures during construction to prevent any significant air quality effects on surrounding areas, i.e. dust suppression measures. This will be

secured through an appropriate Construction Management Statement for the Main Works, which will be an extension of the approved CMS for the Enabling Works (Condition 7, discharge 20/01128/DOC). Subject to this condition, the proposal would comply with Policy DM1 and the NPPF.

### **Hydrology, Flood Risk and Drainage Implications**

55. The application has been supported by a masterplan drainage layout and a Flood Risk and Drainage Strategy Statement. This identified that the site falls within flood zone 1 at low risk of flooding and is suitable for the proposed use. The Council as Lead Local Flood Authority agrees with the submitted strategy and recommends that a detailed foul and surface water drainage scheme is submitted for approval prior to commencement, which can be secured by condition.
56. UU initially requested a condition be attached in relation to the surface water drainage details. However, on receipt of additional information, they removed this request as the details had been previously approved.
57. In summary, 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**

58. The application is supported by Site Investigation and Ground Assessment. The Environment Agency has raised no objections. The Council's Environmental Health Officer also raised no objections to the proposal subject to a completion report being a requirement via a condition.
59. It is therefore considered that, subject to the suggested condition, 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**

60. 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 provide open space, education and affordable housing contributions.

61. 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.
62. The Applicant has submitted a Viability Appraisal which states that it is not viable to provide the required planning contributions. The viability assessment is clear that the site cannot sustain either on-site provision or financial contributions towards off-site provision as these would render the scheme entirely unviable.
63. 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

64. 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.
65. With regards to 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, a contributions of £344,894.86 would be required. Whilst the development will not provide any monies for open space, the proposals will include a combined provision of circa 4,170sqm of public and private space and other landscaping, tree planting and street improvements. Although the balance of provision is not in compliance with policy C8, G6(d) and SPD requirements, it is considered appropriate for the nature and location of the development in the town centre and in this instance is acceptable.

#### Education

66. The development will not provide education contributions for the residential accommodation ordinarily required by policy C7 of the CS. Based on the number and mix of the residential development, the proposal would be expected to deliver £1,163,209.78 in contributions. However, the residential offering will provide for 60% one bed and studio apartments of which are considered to be less likely to accommodate households with school age children.

#### Affordable Housing

67. Whilst the provisions of Policy C4 and the Council's Affordable Housing SPD, set out a starting point requirement of 15% of homes to be affordable, or 7.5% of Gross Development Value (GDV) 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.

68. In addition, paragraph 64 of the NPPF provides for exceptions to the requirement for major developments to contribute to affordable housing, one of which includes development that 'provides solely for Build to Rent homes'. The proposed residential offering will be 100% Build to Rent apartments. As such, whilst the proposal is not in compliance with the development plan in relation to affordable housing contributions, it is in accordance with the NPPF and as the most recent policy, it is more up to date than the CS in respect of the development proposed and takes precedence in the determination of the application. Therefore, affordable housing contributions could not be sought in any event on this development.

#### Off-site Highway Works

69. 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.

70. Phase 1 delivered highway improvements including the realignment of Baillie Street (now New Baillie Street) and its new junction with John Street which is designed to accommodate the Phase 1 and 2 developments. Planned improvements on the Highways in the area are scheduled in the near future and these will take into account the proposed development. Prior to the development coming into use the traffic regulation Orders in the vicinity of the development will be required to be amended and the highway authority requests that the developer contributes £12,000 to fund the amendment, which are necessary to facilitate the

safe operation of the proposed development. It is proposed that the amended traffic regulation order is secured via a suitably worded condition.

71. The applicant has supplied the Council with information on the viability of the scheme through an externally tested viability appraisal which demonstrates that cumulatively and by phase (one – residential and hotel; two – office) the scheme is not financially viable and that there is a significant deficit. The scheme obtained benefit of GMCA Brownfield Land funding of £3.42m to implement the enabling works to provide a cleared, prepared site for development (these works now largely complete on site). Despite this funding the scheme remains financially unviable. To make the scheme viable, and therefore deliverable, will require further public sector grant funding or investment and the Council is currently reviewing a range of funding and delivery options to address the viability gap. Whilst the scheme would not deliver contributions, the development of this site is a key regeneration priority which seeks to deliver a new high quality housing offer within the town centre.

## **Conclusion**

72. The proposed development is a key regeneration project which will deliver a high quality scheme within a sustainable location. The proposal will further support the redevelopment of a brownfield site within a sustainable town centre location which will further act to achieve the regeneration objectives of the Council and contribute to the further enhancement of Rochdale Town Centre. The proposal will lead to substantial net gains in economic benefits in supporting growth, jobs and investment into the long term economic outcome of Rochdale town centre.

73. The redevelopment of the site will physically transform the site to the benefit of the townscape of the site and its surroundings, removing existing harm presented by the former car parking and cleared status. It will construct a new townscape that will enclose and connect areas of the town centre. Whilst the proposal will result in less than substantial harm to the significance of the identified heritage assets through development within their setting, this harm is outweighed by public benefits associated with the regeneration of this town centre site and the introduction of residential uses, which accords with the vision, strategic and policy objectives of the Core Strategy and NPPF.

74. The provision of a high quality offering of a new type of housing will also positively impact on the vitality and viability of the town centre and will create a market shift in the Borough, attracting and retaining new residents. Furthermore, there will be environmental benefits in terms of biodiversity net gain by providing a high quality landscaping scheme on a site of which has no ecological value at present.

75. The lack of financial contributions towards education, open space and others is considered to be acceptable in this instance. Notably, the proposal will deliver significant regeneration benefits to support jobs, incomes, physical regeneration of the townscape and the investment in the future of the town centre.

76. The proposal therefore comprises sustainable development and it is recommended that planning permission is granted subject to conditions.

### **RECOMMENDATION**

It is recommended that the Planning and Licensing Committee resolves to **GRANT planning permission** subject to conditions, which are to follow in the Update Report.