

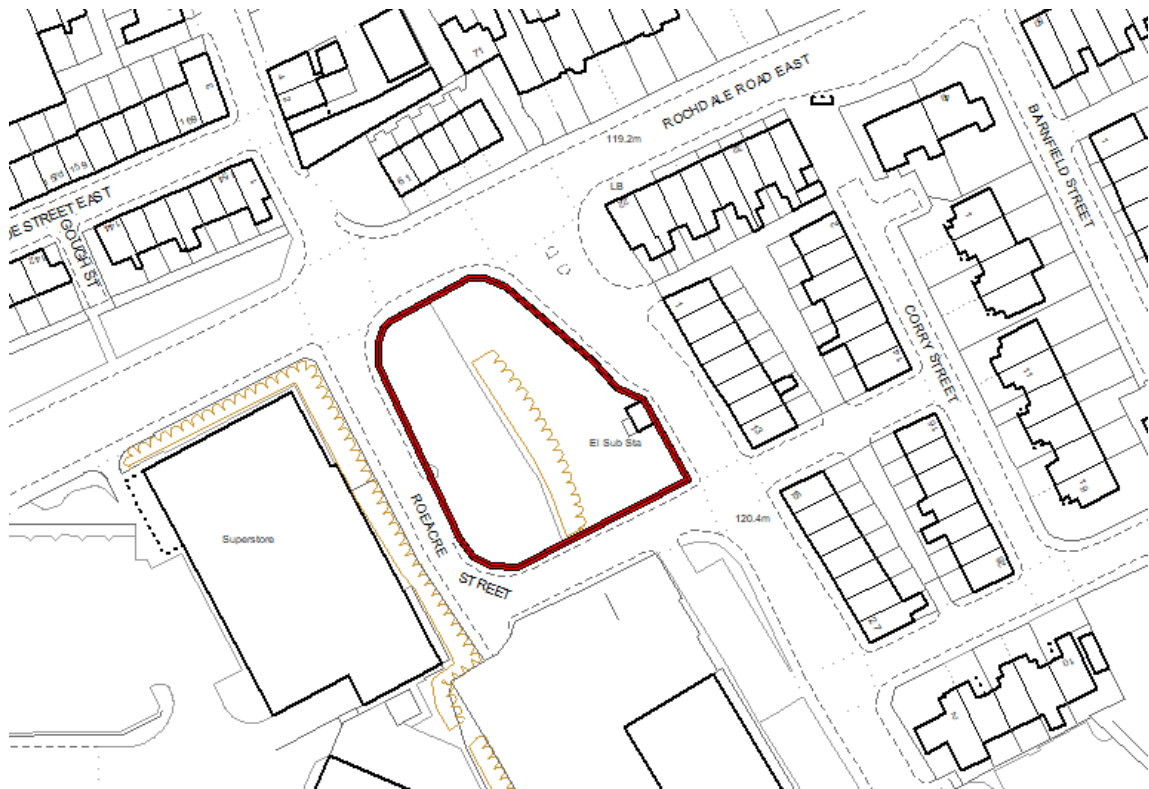
Report to Planning and Licensing Committee



Date of Meeting	5 August 2021
Portfolio	Councillor John Blundell Cabinet Member for Economy and Communications
Report Author	Michael Atkinson-Smith
Public/Private Document	Public

<b>Application:</b> 20/00562/FUL	<b>Township:</b> Heywood	<b>Ward:</b> North Heywood
<b>Applicant:</b> Challenger Building Services Ltd		<b>Agent:</b> Satplan Ltd
<b>Site Address:</b> Land at Rochdale Road East And Roacre Street, Heywood		
<b>Proposal:</b>	Erection of a four storey block of 40 no. one and two bedroom apartments together with provision of communal garden space, landscaping and undercroft private car and cycle parking	

**SITE LOCATION**



## DELEGATION

- 1.1 The application is referred to the Planning and Licensing Committee as it comprises major development and more than 10 objections have been received, contrary to the recommendation.

## PROPOSAL SUMMARY

- 2.1 Full planning permission is sought for the erection of a four storey block of 40no. one and two bedroom apartments together with provision of communal garden space, landscaping and undercroft private car and cycle parking.

- 2.2 The accommodation mix would include 15 x one bed and 25 x two bed units all for affordable rent in accordance with the definition of 'Affordable Housing for Rent' contained within Annex 2 of the National Planning Policy Framework.

## RECOMMENDATION

- 3.1 It is recommended that the Planning and Licensing Committee resolves to **GRANT planning permission** subject to conditions and the completion of a Section 106 legal agreement to secure:
- i. The provision of 100% Affordable Housing units that meet the definition of 'Affordable Housing for Rent' in Annex 2 of the National Planning Policy Framework; and
  - ii. A financial contribution of £61,969.20 (including 5% admin fees and (subject to multipliers in place at the relevant time) towards formal sports provision at Heywood Sports Village and Public Open Space at Queens Park, Heywood, and/or new allotment provision off Queens Park Road.

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

## REASON FOR RECOMMENDATION

- 4.1 The development would provide a valuable contribution to housing supply in the form of 40no. Affordable Housing units for rent. The provision of 100% affordable housing in comparison to the policy requirement of 15% represents a significant benefit of the scheme.
- 4.2 No unacceptable harm has been identified in respect of the residential amenity of surrounding occupiers or the living conditions of the future occupiers. In addition, the potential impacts of noise nuisance resulting from surrounding uses can be mitigated through appropriate window and ventilation design which will ensure no negative impact on the operations on those uses and a satisfactory standard of residential amenity for future occupiers.
- 4.3 The development makes efficient use of the site and is acceptable having regard to layout and design, and requirements are met or can be met by way of condition with regards to drainage, contaminated land, landscaping and biodiversity enhancement. The access, highway and parking proposals are considered acceptable by the highway authority.

## **SITE**

The application relates to a vacant and clear site bounded on all four sides by Rochdale Road East, Green Lane and Roacre Street in Heywood. To the north and west of the site lies residential development, typically in the form of traditional two storey terraced housing but also with some more recent development. To the west lies a modern Aldi supermarket and the south lies a mix of industrial uses, with a paving contractor accessed off Roacre Street being the most proximate.

The site lies within the Defined Urban Area (as designated under policy EC/3 on the saved Unitary Development Plan Proposals Map) and is also part of an allocated Mixed Employment Zone (MEZ) which encompasses Roeacre Business Park and the Manchester Street corridor and which also links into the Green Lane MEZ.

Formerly the site held a long term use as an automatic car wash that housed a single storey building and associated parking, access and landscaping. The historical records show that the site was home to Eagle Mill where there was a cotton spinning company from approximately 1871. The OS maps of the area in 1893 show that the Eagle Mill plot was next door to the larger Roeacre Mill and the Roeacre Dam which were formed as early as 1820's and around this time the Eagle Raising and Finishing Company, a bleachers, sizers and dyeing company seemed to be operating from this site. The 1950's OS map states that post WWII the site production had changed again to a steelworks. The Works disappear from the maps around the late 1960's before 1972 when the site becomes vacant, apart from an electrical substation which is still present on the eastern side of the site alongside Green Lane.

The site has a south-east to north-west-fall in levels. Levels in the south-east corner are circa 120.6mAOD (metres Above Ordnance Datum) falling to circa 117.3mAOD in the north-west corner.

## **PROPOSAL**

Full planning permission is sought for the erection of 40no apartments (Use Class C3) with associated access, car parking and landscaping. All of the apartments are 'Affordable Housing for Rent' as defined in Annex 2 of the National Planning Policy Framework. 15no. would be one-bedroom and 25no. would be two-bedroom.

The accommodation would be in the form of a single 'L' shaped block that would reach four storeys in height where it would abut Rochdale Road East but tapering down to three storeys in height towards the rear where the building would meet the southern extent of Roacre Street.

Undercroft parking would be provided, accessed off Roacre Street, for 47no. motor vehicles and 40no. secure bicycle parking spaces. Atop the exposed section of undercroft parking would be a communal garden area to serve the proposed development, with street level landscaping that would wrap around the existing and retained electricity substation.

Amendments have been secured to improve the design detailing of the principal entrances for pedestrians and vehicles on the Rochdale Road East and Roacre Street elevations. Changes to materials have also been secured since pre-application stage with the originally proposed metal cladding substituted for brickwork. In addition, further amendments during the application process have been received to provide a setback in certain recessed parts at upper storey level to reduce the overall massing of the building.

## **DEVELOPMENT PLAN**

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

- 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

#### **SO1 Establishing thriving town, district and local centres**

- E2 Increasing jobs and prosperity
- E3 Focusing on economic growth corridors and areas

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

- C1 Delivering the right amount of housing in the right places
- C3 Delivering the right type of housing
- C4 Providing affordable homes
- 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**

- G1 Tackling and adapting to climate change
- G2 Energy and new development
- G6 Enhancing green infrastructure
- G7 Increasing the value of biodiversity and geodiversity
- G8 Managing water resources and flood risk
- G9 Reducing the impact of pollution and land stability

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

- T2 Improving accessibility
- Appendix 5 Schedule of Parking Standards

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

- | <b>G/D/1</b> | <b>Defined Urban Area</b>              |
|--------------|--|
| EC3          | Mixed Employment Zone                  |
| EM/7         | Development and Flood Risk             |
| EM/8         | Protection of Surface and Ground Water |

### **Supplementary Planning Documents:**

- Affordable Housing (March 2008)
- Biodiversity and Development (January 2008 – updated February 2017)
- Guidelines & Standards for Residential Development (June 2016)
- Oldham and Rochdale Urban Design Guide (September 2007)
- Oldham and Rochdale Residential Design Guide (September 2007)
- Provision of Recreational Open Space in New Housing (March 2008 – updated January 2017)

## **NATIONAL PLANNING POLICY AND GUIDANCE**

National Planning Policy Framework (NPPF) – July 2021  
National Planning Practice Guidance (NPPG)

### **RELEVANT SITE HISTORY**

17/00352/FUL	Change of use from car wash to a veterinary unit, to include reconfiguration of the car park and alterations to the building. Granted STC.
17/00110/FUL	Renovation/change of use from car wash site to a retail unit. Withdrawn
12/D55356	Demolition of existing car wash building and erection of new (Class A1 use) retail unit and erection of 2.4m high pallisaide fencing to rear and side of premises and erection of 1.0m high timber fence to top of car park retaining wall. Withdrawn.
90/D24753	New petrol filling station and car wash centre with associated facilities. Withdrawn.
89/D23556	Car wash centre. Granted STC
88/D22559	Single storey building for storage and retail sales. Granted STC
86/D19975	Erection of 5 industrial units one care showroom and sales area. Granted STC.

### **CONSULTATION RESPONSES**

**Greater Manchester Archaeological Advisory Service** - The proposed development does not threaten the known or suspected archaeological heritage. On this basis there is no reason to seek to impose any archaeological requirements upon the applicant.

**Greater Manchester Ecology Unit** – No objection. Recommend biodiversity enhancements through pollen and nectar bearing planting beds in the courtyard along with shrubs (small trees) which are berry or seed bearing to provide an ecological enhancement over the current situation.

**Greater Manchester Fire and Rescue Service** - Standing advice provided recommending access for a fire appliance to within 45m off all points within the dwellings, suitable access road, a fire hydrant within 165m and the installation of a domestic sprinkle system.

**Greater Manchester Police - Design for Security** - Recommend that a condition to reflect the physical security specifications set out in the Crime Impact Statement should be added, if the application is to be approved.

**Greenspace Development Manager** – Suggests contribution for Public Open Space be directed to improvements to the older children's play area at Queens Park and/or towards a new allotment site on Queens Park Road, subject to member consultation.

**Highways and Engineering** - The site will meet the required parking standards for a development of this nature at this location. Whilst the space for parking is tight it does

meet requirements. The location is very sustainable and close to many Town Centre amenities and good bus links. The access appears to be adequate for a highways such as this. No changes are being made to the wider transport network. I have no refuse collection concerns. Prior to commencement the applicant should undertake a dilapidation survey of the carriageway. Upon completion the carriageway should be repaired. The footways and kerb line surrounding the development should be renewed. We have no objections to this proposal.

**Lead Local Flood Authority/Drainage** - The Drainage Calculations document by STL proposes to limit discharge to combined sewer to 5 l/s via a new hydrobrake and new on-site attenuation storage units. Two options are shown on the drawing so the type and size are still to be determined at the detailed design stage. The drainage proposals by the Applicant separates foul from surface water, combing them only at the last manhole on the site. This and the attenuation provision is deemed to be a sustainable drainage design. United Utilities have confirmed that they will accept 5 l/s to the combined sewer.

**Playing Pitch Strategy Implementation Manager** – Suggest direction of funding to the Heywood Sports Village, specifically towards increased outdoor activities, an increase in fun and family oriented facilities and an improved gymnastic offer.

**Public Protection (Air Quality)** - No comments received to date

**Public Protection (Environment)** - Recommendation for Phase II intrusive site investigation.

**Public Protection (Noise/Odours)** - No objection in principle subject to the suggested conditions in respect of acoustic mitigation and construction hours.

**Schools Service** - In light of the submitted viability report and subsequent independent review, along with the number of one-bedroomed units proposed, the Schools Service has confirmed that education contributions will not be required in this instance.

**Strategic Planning** - No comments received to date.

**Strategic Transport Planning Co-Ordinator** - No comments received to date.

**Transport for Greater Manchester** - The quantum of development in this instance falls below the requirement for a highway impact assessment. It is considered that the trip generation associated with the development is likely to be imperceptible on the local highway network. We would suggest that the LPA check whether the parking arrangements are compatible with local standards. The vehicular access to the site will be provided via a new priority junction. The access should be improved to incorporate dropped kerbs and tactile paving across either side of the proposed access point. Additionally, adequate sightline visibility in line with Manual for Streets should be achievable from the access point and satisfy Rochdale Council's requirements.

**United Utilities** – [Summary]: Consider the drainage proposals to be acceptable. Suggested conditions in respect of separation of foul and surface water and a surface water flow rate of 5l/s.

## **TOWNSHIP PLANNING PANEL**

Due to the ongoing COVID-19 Coronavirus pandemic, Township Planning Panels are currently suspended.

## **MEMBER REPRESENTATIONS**

No representations have been received from individual Members.

## **PUBLIC REPRESENTATIONS**

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

<b>Objection Reps</b>	27	<b>Support Reps</b>	1	<b>Neutral Reps</b>	
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Comments made in respect of the application are summarised as follows:

### In Support:

- 'Amazing to see development like this in our town';

### In objection:

- Increase in traffic and congestion;
- Junction and surrounding highway capacity;
- Increase in parking problems;
- Road safety issues;
- Vehicular conflict with neighbouring industrial yard and impact on 24/7 access and business operations;
- Potential for noise complaints re. neighbouring businesses;
- Increase in noise pollution;
- Impact on air quality;
- Increase in light pollution;
- Impact on wildlife;
- Four storey height of the building and its impact on character;
- The building would be an eyesore;
- Impact on overshadowing; / loss of light;
- Loss of privacy and visual intrusion;
- The quality and relevance of the submitted reports;
- The position of noise sensors during monitoring;
- Over-development of Heywood in general;
- More appropriate sites are located elsewhere;
- Position of communal bin storage and environmental impacts;
- Impact on local public services;
- Noise and disturbance during construction;

The matters raised above that are material planning considerations are addressed in the Analysis section below.

## **ANALYSIS**

### **Principle of Development**

1. The application site is located within the Defined Urban Area as designated by the Proposals Map of the Unitary Development Plan (UDP). New development, wherever possible and appropriate, should be concentrated within the urban area to support urban regeneration and to protect the countryside.

2. The site constitutes previously developed land, having last been used long-term as a car wash. Policy C1 of the Core Strategy outlines that the Council will promote the reuse and regeneration of vacant and underused previously developed sites. Whilst the latest published information suggests that the Council can demonstrate a 5 year supply based on the Core Strategy target; this does not preclude the promotion of sustainable development where this can assist in delivering additional housing to meet local needs.
3. The site is allocated as a Mixed Employment Zone (MEZ) in the saved Rochdale Unitary Development Plan proposals map, for which saved policy EC/3 is relevant. It should be noted that the adopted Core Strategy does not yet include land allocations and for this reason the above land allocation and accompanying policy are saved. The broad aim of policy EC/3 was to protect and enhance mixed employment zones for a range of industrial, business and commercial uses to enable the retention and expansion of existing firms and attract new employment uses.
4. The Council adopted its Core Strategy in 2016 and this is considered to be the most up to date development plan. The latest NPPF was published in July 2021 and also provides policy on delivering sustainable development and building a strong and competitive economy.
5. Policy E2 of the Core Strategy aims to ensure a sufficient supply of employment land in the right locations in the borough but also a flexible approach to reusing land that is no longer appropriate for its use. Policy E2 allows all employment uses and ensures a much more flexible approach within employment zones, providing they do not cause problems for existing businesses.
6. Core Strategy Policy C2 reinforces a focus on delivery of housing within regeneration areas in the Borough including Central Heywood, where the Council will support the delivery of additional dwellings for sale and rent to widen housing choice in the area and the redevelopment of vacant sites and incompatible employment uses. Core Strategy Policy C3 sets out an aspiration for delivery of a mixture of housing within the Central Heywood regeneration area. Policy SP3/H (The Strategy for Heywood) seeks to transform inner Heywood *inter alia* through the delivery of new homes in and around the town centre and redeveloping unsuitable employment sites for better uses.
7. In the light of the above, and subject to the further analysis presented below, it is considered that the proposed use of the site for residential purposes is broadly compatible with the requirements of Core Strategy policy E2 in respect of permitted non-employment uses in Mixed Employment Zones. In addition, the proposal would bring back into use a vacant site in a key gateway location.
8. Therefore the proposed change of use is considered to be acceptable in principle and in accordance with the requirements of policies C1, C3 and E2 of the adopted Rochdale Core Strategy, saved policy EC/3 of the Rochdale Unitary Development Plan and the NPPF.

### **Design and Visual Impact**

9. The proposed development would be located on a prominent, gateway site to the eastern edge of Heywood centre, at the junction of Rochdale Road East and



Green Lane. On this basis it is accepted that the development of the site represents an opportunity for provision of a landmark building of high-quality.

10. The submitted Design and Access Statement correctly notes that the surrounding area was long characterised by 3-5 storey mill buildings surrounded by 2 storey worker housing and that the application site itself was the site of a former mill.
11. Since initial pre-application enquiries were made about the suitability of the site development in the form proposed, the scale and massing of the building has been somewhat reduced through stepping back the upper storey to reduce the visual dominance of the building from street level and an additional curved element has been introduced at the Green Lane junction to soften the appearance of the development; indeed the curved elevations can be considered to respond well to the site shape. Through the design revisions that have come forward, the proposed building is now considered to be of appropriate massing through the variation in height and the depth and visual interest afforded to the facades in key locations. It is noted that the maximum height of the building on Rochdale Road East (13.39m) would render the building of significant height but also a height that can be considered to be appropriate for a building serving as both a landmark and a gateway on a main thoroughfare into and out of Heywood Town Centre. However, the gradual reduction in height towards the rear (8.34m at the southernmost point) would ensure that the building would fit appropriately in amongst surrounding development of lower height away from the main transport artery and thoroughfare.
12. Fenestration detailing is considered to be appropriate and designed to add visual interest, whilst also providing suitable outlook and light levels for the future occupiers. Amendments have also been received in respect of the elevational treatment during the application process to provide more prominent and defined principal entrances, both for vehicles and pedestrians. The proposed buffer planting along the Rochdale Road East and Roacre Street elevations will assist in softening the appearance of the building and also in reducing the sense of overall height by obscuring the partially subterranean parking level. The communal courtyard to the eastern side of the building is somewhat poorly located in respect of receiving afternoon and evening sunlight but it does have the benefit of providing increased separation from the facing dwellings on Green Lane and reducing the dominance of the building to Green Lane in general.
13. The location of the existing electricity substation would somewhat detract from the overall appearance of the development from Green Lane but the proposed design and layout has sought somewhat to integrate this essential facility into the overall scheme. The landscaping scheme to be secured through condition would be used to ensure that appropriate vegetative screening of this element would be provided which would result in a positive benefit to the scheme and street scene.
14. The view of the side and rear of the building would be prominent when travelling in a northerly direction along Green Lane but the overall design of the elevations, raised garden area and the planting areas are considered to be satisfactory. It is acknowledged that a view from Green Lane towards Mutual Mills would be obstructed by the proposed development but this in itself is not a

sufficient reason to withhold planning permission given that the development is not within the immediate setting of this Grade II listed building.

15. It is noted that contemporary residential buildings of up to four storey height are not without precedence in the area, including a development known as 'The Gateway' some 300m distant on Manchester Street / Rochdale Lane. Whilst the height, scale and massing of the proposed building in this setting would represent a pronounced change over the current situation, the design ethos of re-creating a lost focal point in this location is considered reasonable subject to satisfactory overall design and materials. The main construction material would be a red facing brick to the main elevations with stone surrounds around grey framed windows and, like the old mills, a flat roof construction. Full details of materials to be used would be secured through condition to ensure that a satisfactory standard of visual amenity is achieved.
16. Therefore, in light of the above assessment, the proposed development is considered to contribute to local character and distinctiveness whilst resulting in a satisfactory standard of visual appearance overall in accordance with adopted Rochdale Core Strategy policies P1, P3 and DM1, the Oldham and Rochdale Urban Design Guide (September 2007) SPD, the Oldham and Rochdale Residential Design Guide (September 2007) SPD and the NPPF.

#### **Accommodation Standards, Impact on Residential Amenity and Noise**

17. Core Strategy policy DM1 requires all development proposals to demonstrate that they will not have a negative impact upon the amenity of future residents and occupiers. Policy G9 requires that sensitive new developments such as housing are not adversely affected by existing sources of pollution, including noise, from certain types of industry. Policy E2 permits non-employment uses in employment zones where it would not impact on the ability of existing businesses to operate satisfactorily. Paragraph 130 of the National Planning Policy Framework advises that planning decisions should result in places with a high standard of amenity for existing and future users.

#### **Accommodation Standards**

18. The Nationally Described Space Standard (NDSS) is a technical standards document produced by the Government to ensure internal space within new dwellings is sufficient for future occupiers, and is applicable across all tenures. Table 1 sets out the minimum gross internal floor area requirements for new dwellings, across varying number of bedrooms, occupants and floors.
19. Below is an extract from the Nationally Described Space Standard, which specifically details the Gross Internal Area requirements for new 1 and 2 bedroom dwellings, as are proposed within this application:

<b>Number of bedrooms (b)</b>	<b>Number of bed spaces (persons)</b>	<b>1 storey dwellings</b>	<b>Built-in storage</b>
1b	1p	39 (37)	1.0
	2p	50	1.5
2b	3p	61	2.0
	4p	70	

20. The submitted floor plans and supporting accommodation schedule indicate that each 1 bedroom unit is considered suitable for 2 occupiers through the provision of a double bedroom, and each two-bedroom unit suitable for 3 occupiers, with a single and double bedroom provided. The submitted accommodation schedule sets out the GIA for each individual unit, with which each unit would accord with the respective minimum NDSS floor space requirement. Outdoor space would be provided in the form of a communal garden area which is considered to be acceptable for a block of flats. On this basis, coupled with that each habitable room would benefit from a satisfactory outlook and level of natural light, the development is considered to be acceptable in this respect.

#### Impact on Surrounding Residential Occupiers

21. Separation distances for residential development are set out in the *Guidelines & Standards for Residential Development SPD*, which also notes that for buildings of three or more storeys the minimum distances may need to be increased.
22. The submitted plans indicate that the separation distance between the building façade and the dwellings at nos. 61 and 63 Rochdale Road East would be approximately 20.5m which is marginally short of the required 21m separation distance and a greater shortfall when the increase in storey height is considered. However, it is noted that the curved building façade would reduce the impact of direct cross-views helping to reduce the potential for undue loss of privacy and also the degrees of visual intrusion and overbearing impact that would otherwise have resulted should this design approach have not been employed. Undoubtedly the views out from nos. 61-69 Rochdale Road East would change, in particular in respect of nos. 61 and 63, but within the context of the dense urban environment and main thoroughfare position in this particular location, the impacts are considered to be acceptable.
23. Due to the setback position of the building in relation to nos. 1-13 Green Lane the separation distance would be in excess of 30m at a minimum which is considered to be acceptable. It is noted that the raised communal garden terrace would introduce a feature of height into the outlook from these properties but the impact of such a feature is not considered to result in undue harm.
24. The originally submitted plans contained a discrepancy in respect of bin storage arrangements which resulted in some concern from surrounding occupiers with regard to environmental pollution and disturbance. However, the bins are confirmed as to be located within the undercroft parking area and would therefore be collected from Roacre Street, and not located on Green Lane as indicated on the drainage plan.
25. Concern has been raised through the neighbour consultation process about an increase in light pollution as a result of the development. Lighting within the apartments would clearly be visible but would not be obtrusive and could not be said to be a form of light pollution given the urban location of the site. Any additional lighting of the communal garden area is likely to be less impactful than existing street lighting in the area. Nonetheless, a condition has been recommended requiring a detailed lighting strategy for the communal garden area and outside the building to ensure that it faces away from surrounding residential properties or is at an appropriate level of luminance.

## Noise

26. The impact of potential noise disturbance for future occupiers of the proposed development must be assessed in a two-fold manner. Firstly, internal noise levels must not be so loud as to be detrimental to the occupiers of the dwellings to ensure a satisfactory standard residential amenity can be achieved; and secondly, that the presence of residential development within a Mixed Employment Zone (MEZ) must not give rise to the potential for complaints from residents about ongoing or future noise impacts from existing or future businesses operating within the MEZ.
27. Concern has been raised by a neighbouring business about the potential impacts on their operations as a result of the proposed residential development but it is noted that residential dwellings already exist in close proximity to the MEZ and the potential effects of noise disturbance can be somewhat mitigated through the design and specification of the windows and ventilation installed within the most proximate facades of the building.
28. The presence of air-conditioning and extraction units on the western façade of the Aldi food retail store is acknowledged and can be suitably mitigated subject to the suggested condition as outlined below.
29. Consultation has been undertaken with the Council's Public Protection Service who have raised no overall objection to the proposed development subject to the imposition of a condition requiring that the apartments are to be constructed as per the mitigation detail in the submitted acoustic report and that upon completion a validation report is produced. Such measures will ensure that the future residential occupiers may enjoy a suitable level of quiet within the apartments and also ensuring that the risk of complaint about potential surrounding noise disturbance is minimised to protect the nearby businesses.
30. The effects of construction noise and disturbance would also be controlled through the recommended condition requiring that the hours of construction are limited to 08:00-18:00 Monday to Friday 09:00 – 14:00 Saturday with no work on Sundays or Bank holidays. This measure would ensure that all noise generating construction activities would only take place within sociable hours.

## Conclusion

31. Therefore, taking all of the above into account, it is considered that the proposed development, subject to the suggested conditions, would result in a satisfactory standard of amenity for future occupiers of the proposed dwellings and not unduly impact upon surrounding occupiers of land or buildings. The application therefore accords with the relevant parts of Policies DM1, G9 and E2 of the adopted Rochdale Core Strategy, saved policy EC/3 of the Rochdale Unitary Development Plan, the SPD 'Guidelines and Standards for Residential Development (2016) and the NPPF.

## **Highways, Parking and Access**

32. The site is in a relatively sustainable location to the east of Heywood Town Centre (Greater Manchester Accessibility Level 5 of 8, with 8 being the highest level of accessibility). Rochdale Road East (A58) is a bus corridor, with existing bus stops within 140m of the site providing access to services to Heywood

centre, Rochdale, Bury and Bolton (route 471). Connecting services within Heywood town centre provide links to Manchester city centre (routes 162/163).

33. The quantum of development in this instance falls below the requirement for a highway impact assessment. Transport for Greater Manchester considers that the trip generation associated with the development is likely to be imperceptible on the local highway network. The application is accompanied by a Transport Statement which concludes through analysis of site location, sustainable accessibility, car-ownership data and a parking accumulation assessment, that the proposed parking provision is sufficient to accommodate the expected parking demand from the residential development. Neither the Highways Authority nor Transport for Greater Manchester have raised objections to the proposals. The Highways Authority has also considered the proposed access point on Roacre Street and does not predict any significant road safety issues at this location.
34. Residents' concerns with regards to on-street parking issues in the immediate vicinity are noted but the Highways Authority considers the on-site provision of at a level of 47 spaces to serve the development to be acceptable for a development of this nature and in this location. It is acknowledged that the level of parking provision falls short of the maximum standard but it is noted that the maximum standard is designed to encourage travel by other means than single occupancy private car and that subsequent Ministerial guidance has sought to establish that sufficient parking capacity would be provided, which the Highways Authority considers to be the case in this instance.
35. Existing Traffic Regulation Orders will serve to ensure protection against on-street parking at the key junction points on Roacre Street. A neighbouring occupier of a business premises and local residents have raised concerns about a potential increase in on-street parking on Roacre Street. The concerns are that this could affect the access to the business and would also reduce on-street parking available for the existing local residents. The Highways Authority has not raised concerns about on-street parking given the accessibility of the location, the 47 on-site car parking spaces proposed and the proposed cycle parking which is to be secured through condition.
36. No concerns have been raised over the refuse collection strategy. It is recommended that an informative be applied requiring a dilapidation survey of the highway in advance of development taking place as any damage to the highway must be repaired at the applicant's expense. The Highways Authority has stated that they expect the footways and kerb line surrounding the development to be renewed. A condition is recommended, in line with the suggestion of the Highways Authority, that dropped kerbs and tactile paving are introduced at the site access point/s prior to occupation of the development to a design approved by the Highways Authority.
37. The suggested landscaping and boundary treatments conditions would ensure that adequate visibility splays can be achieved for vehicles leaving the underground parking element of the development.
38. In light of the above analysis, it is considered that the proposed development is acceptable in terms of highways, access and parking and would not conflict with the relevant requirements of Policies DM1 and T2 of the adopted Rochdale Core Strategy or the NPPF.

## **Flood Risk and Drainage**

39. The site falls within Flood Zone 1 and is therefore at a low risk of flooding (less than 1 in 1000 or 0.1% annual probability of river or sea flooding in any year). The site is therefore suitable for residential development in this respect, subject to appropriate wastewater and surface water disposal to reduce the risks of flooding or aquatic pollution elsewhere. It is noted that the site is located within an identified Critical Drainage Area.
40. The Drainage Calculations document proposes to limit discharge to combined sewer to 5 l/s via a new hydrobrake and new on-site attenuation storage units. Two options are shown on the drawing so the type and size are still to be determined at the detailed design stage. The drainage proposals by the Applicant separates foul from surface water, combining them only at the last manhole on the site. This and the attenuation provision is deemed to be a sustainable drainage design. United Utilities have confirmed that they will accept a discharge rate of 5 l/s to the combined sewer. A condition has therefore been suggested requiring details of a fully detailed drainage scheme for approval that shall be substantially in accordance with the submitted details, including details of ongoing maintenance and management responsibilities.
41. Subject to the suggested condition, the development would accord with the requirements of adopted Rochdale Core Strategy policy G8, saved Rochdale Unitary Development policy EM/7 and the NPPF.

## **Air Quality**

42. The site is immediately adjacent to an Air Quality Management Area and the application is accompanied by an Air Quality Assessment which includes, amongst other things, a qualitative assessment of the potential dust impacts during the construction phase of the development and the impacts of road traffic emissions during the construction and operational phases of the development.
43. The report concludes that subject to the suggested mitigation measures to be secured via condition, the air quality impacts of the development through its life cycle would be not significant.
44. On this basis, and subject to the suggested conditions, the proposed development would be acceptable in terms of air quality and is therefore compliant with adopted Rochdale CS policies DM1 and G9 and the NPPF.

## **Ecological Impacts and Biodiversity Enhancement**

45. The site includes a combination of hardstanding and amenity grassland and therefore has low ecological value. The site is not in close proximity to any statutory (SSSI or European sites) or non-statutory Sites of Biological Importance and there are no direct or indirect impact pathways to any such sites. The site is also not in a location and condition where protected species such as bats and protected/priority amphibians are likely to be present.
46. Whilst the site is of low ecological value and therefore the scheme would result in little to no harm in respect of ecology, the NPPF guides decision takers to seek biodiversity enhancement via planning decisions. On this basis it is therefore proposed that the required landscaping scheme to be secured through condition includes arrangements in the courtyard which provide pollen and

nectar bearing planting beds along with shrubs (small trees) which are berry or seed bearing. This will be an enhancement over the current condition and will provide resources for local invertebrates/pollinators and birds. Subject to the suggested condition, it is considered that the proposed development would accord with adopted CS policy G7 and the NPPF.

### **Ground Contamination and Site Conditions**

47. A Phase I Preliminary Risk Assessment has been submitted in support of the application. The report concludes that the site is suitable for residential development; with very little risk to human health due to the location of the ground level car park and the only outdoor spacing consisting of the communal terraced garden over the car park. However, owing to the previous uses a full site investigation is recommended to determine what level of contamination may be on site. The Council's Public Protection Officer concurs with the recommendation and therefore a condition requiring the submission of a Phase II intrusive site investigation and report is recommended. Subject to the suggested condition, the requirements of adopted CS policies DM1 and G9 and the NPPF will be satisfied.

### **Planning Obligations**

48. Policy DM2 of the CS sets out the Council's requirement for developers to provide, or contribute towards the cost of providing, any physical and social infrastructure that is needed because of proposed development. In the case of residential development of this scale, this specifically requires contributions towards affordable housing (Policy C4), open space and formal sports provision and maintenance (Policy G6) and provision of new school places.

#### **Affordable Housing**

49. Policy C4 of the CS and the associated Affordable Housing SPD require schemes of 15 or more dwellings to provide 15% of total site capacity for on-site affordable housing or 7.5% of the Gross Development Value (by virtue of offering a discount of 50% of average open market value).

50. The applicant proposes that the development will comprise entirely of dwellings for Affordable Rent. In order to meet the definition of Affordable Rent as set out in Annex 2 of the NPPF, the development must meet the following conditions:

- a. The rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents;
- b. The landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and
- c. It includes provision to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision.

51. The significant overprovision of 100%affordable housing in comparison to the policy requirement of 15% represents a significant benefit of the scheme. A S106 Legal Agreement is proposed to secure the provision of on-site affordable housing and include provision for rents to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision.

### Local Open Space / Formal Sports

52. Policy G6 of the CS requires that residential development should contribute financially towards recreational open space (both Local Open Space or Public Open Space and Outdoor Sports Provision) in accordance with the standards set out in the Provision of Recreational Open Space in New Housing SPD. The scheme attracts contributions, calculated in accordance with the adopted schedule of charges, of £61,969.20 (including 5% admin fees). As no public on-site open space provision would be provided, with the residents-only communal courtyard not counting towards such provision, a commuted sum towards improvements to the older children's play area at Queens Park or towards a new allotment site on Queens Park Road, subject to member consultation, would be secured through a legal agreement. The formal sports contribution would be directed towards enhancements to the facilities at Heywood Sports Village, specifically towards increased outdoor activities.

### Education

53. In light of the submitted viability report and subsequent independent review, along with the number on one-bedroomed units proposed, the Schools Service has confirmed that education contributions are not required.

### **Conclusion**

54. The development would provide a valuable contribution to housing supply in the form of 40no. Affordable Housing units that meet the definition of 'Affordable Housing for Rent' in Annex 2 of the NPPF. The significant overprovision of affordable housing in comparison to the policy requirement represents a significant benefit of the scheme.
55. No unacceptable harm has been identified in respect of the residential amenity of surrounding occupiers or the living conditions of the future occupiers. In addition, the potential impacts of noise nuisance resulting from surrounding uses can be mitigated through appropriate window and ventilation design which will ensure no negative impact on the operations on those uses and that a satisfactory standard of residential amenity can be achieved.
56. The development makes efficient use of the site and is acceptable having regard to layout and design, and requirements are met or can be met by way of condition with regards to drainage, contaminated land, landscaping and biodiversity enhancement. No significant highways, access or parking issues have been identified.
57. Taking all of the above into account, subject to the suggested conditions and Section 106 legal agreement, the proposed development would accord with the relevant outlined policies contained within the Development Plan and meet the requirements of the National Planning Policy Framework. Accordingly, the application is recommended for approval.



## **RECOMMENDATION**

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

- iii. The provision of 100% Affordable Housing units that meet the definition of 'Affordable Housing for Rent' in Annex 2 of the National Planning Policy Framework; and
- iv. A financial contribution of £61,969.20 (including 5% admin fees and (subject to multipliers in place at the relevant time) towards formal sports provision at Heywood Sports Village and Public Open Space at Queens Park, Heywood, and/or new allotment provision off Queens Park Road.

And that the Head of Planning Services is authorised to grant planning permission upon execution of the above agreement/s and subject to the following schedule of conditions:

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

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

2. This permission relates to the following plans:-
  - T18-81 07 Location Plan
  - T18-81 06 Rev. B Proposed Site Plan
  - T18-81 01 Proposed Level 0 Rev. B
  - T18-81 02 Rev. C Proposed Level 1 & 2
  - T18-81 03 Rev. C Proposed Level 3 & 4 (Amended Plan Received 20.10.20)
  - T18-81 04 Rev. C Proposed Elevations 1 of 2 (Amended Plan Received 16.10.20)
  - T18-81 05 Rev. C Proposed Elevations 2 of 2 (Amended Plan Received 16.10.20)
  - D-1811004\_001 Topographical Survey

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

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

3. No development shall take place until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include details of the following:
  - (i) hours for construction, including deliveries (which should not take place outside of the hours of 08:00-18:00 Monday to Friday and 09:00-14:00 Saturday, with no work taking place on Sundays or Bank Holidays).
  - (ii) the route of access and parking of vehicles of site operatives and visitors;
  - (iii) loading and unloading of plant and materials;
  - (iv) storage of plant and materials used in constructing the development;
  - (v) the erection and maintenance of security hoarding;

- (vi) wheel washing facilities;
- (vii) any external lighting of the site.

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

Reason: To minimise detrimental effects to the amenity of surrounding residential occupiers and dangers to highway safety during the construction phase in accordance with Policies DM1, T2, and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

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

4. No development shall take place until an investigation and risk assessment, in addition to any assessment provided with the planning application, to assess the nature and extent of any contamination on the site, whether or not it originates on the site, has been submitted to and approved in writing by the local planning authority. The investigation and risk assessment must be undertaken by competent persons and include:
- i) a survey of the extent, scale and nature of contamination
  - ii) an assessment of the potential risks to:
    - human health,
    - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes, adjoining land,
    - groundwaters and surface waters,
    - ecological systems,
    - archeological sites and ancient monuments;
  - iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report demonstrating the completion of works set out in the approved remediation strategy shall be submitted to, and approved in writing, by the local planning authority before any part of the development hereby approved is first occupied.

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

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

5. Notwithstanding any detail shown on the approved plans or provided with the application submission, no development shall take place until a scheme for the discharge of foul and surface water from the site (including surface water from hard landscaped areas), has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be based on the hierarchy of drainage options in the National Planning Practice Guidance,

shall be accompanied by evidence of an assessment of the site conditions and shall accord with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. For the avoidance of doubt, foul and surface water shall be drained on separate systems and only combined at the site's final outfall manhole in accordance with Building Regulations Part H5 (2020). Details of how the drainage scheme will be maintained and managed after completion shall be provided in the form of a Maintenance Document. For the avoidance of doubt, the surface flow rate shall be attenuated to 5 litres per second and the drainage scheme shall be in general accordance with that shown on drawing ref. 19-3422 Dr01-p1 BY STL Projects Ltd. The duly approved scheme shall be implemented prior to first occupation of the development hereby permitted, retained as such thereafter and maintained in accordance with the approved details.

Reason: To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface water from the site in accordance with Policy G8 of the adopted Rochdale Core Strategy, saved policies EM7 and EM/8 Rochdale Unitary Development Plan and the National Planning Policy Framework.

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

6. No development shall take place until finished ground and floor levels for the proposed buildings relative to agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details prior to the first occupation of the development.

Reason: In the interests of amenity and in compliance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework

Reason for pre-commencement: An understanding of proposed levels in relation to existing levels is required prior to commencement of any relevant engineering operations on site.

7. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the building have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details prior to the first occupation of the development.

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

8. (a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans,

specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works. For the avoidance of doubt, the landscaping scheme shall include arrangements in the courtyard which provide pollen and nectar bearing planting beds along with shrubs (small trees) which are berry or seed bearing.

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

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

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

9. No part of the development shall be occupied until details of the type, siting, design and materials to be used in the construction of boundaries, screens or retaining walls have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

Reason: In the interests of amenity and in compliance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

10. No part of the development shall be occupied until details of the external lighting strategy, to include external building lighting and lighting of the communal garden area, has been submitted to and approved in writing by the Local Planning Authority and the approved lighting features have been implemented in accordance with the approved details. The lighting installations shall thereafter be retained and maintained as per the approved details.

Reason: In the interests of residential amenity and reducing light pollution and in compliance with policies P3, DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

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

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

12. No part of the development shall be occupied until such time as the car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted have been made fully available for use. The arrangements shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and the free flow of traffic in accordance with Policies T2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

13. No part of the development shall be occupied until such time as the waste and recycling facilities shown on drawing no. '118-81 01 Rev. B Proposed – Level 0' have been implemented in accordance with the approved details and made available for use. The waste and recycling facilities shall be retained thereafter for their intended purpose.

Reason: In the interests of ensuring suitable and sufficient refuse storage and collection facilities in accordance with policy DM1 of the adopted Rochdale Core Strategy, the Supplementary Planning Document 'Guidelines and Standards for Residential Development' (2016) and the National Planning Policy Framework.

14. No part of the development shall be occupied until such time as the bicycle parking facilities shown on drawing no. '118-81 01 Rev. B Proposed – Level 0' have been implemented in accordance with the approved details and made available for use. The bicycle storage facilities shall be retained thereafter for their intended purpose.

Reason: In the interests of encouraging use of modes of transport other than the private car to reduce the potential impacts of congestion and poor air quality in accordance with policies DM1, T2 and G9 of the adopted Rochdale Core Strategy, the Supplementary Planning Document 'Guidelines and Standards for Residential Development' (2016) and the National Planning Policy Framework.

15. The development hereby approved shall not be carried out otherwise than in accordance with suggested mitigation measures contained within the submitted Noise Assessment by Echo Acoustics dated 28<sup>th</sup> April 2020 and no part of the development shall be occupied until such time as a verification report providing details of the implemented acoustic mitigation measures, and demonstrating that internal noise levels within habitable rooms meet the levels set out within the above referenced report, has been submitted to and approved in writing by the Local Planning Authority. The duly installed mitigation measures shall be retained thereafter.

Reason: In the interests of ensuring a satisfactory standard of residential amenity for future occupiers, and to ensure against potential effect on surrounding businesses in accordance with adopted Rochdale Core Strategy policies DM1 and G9, saved Rochdale Unitary Development Plan policy EC/3 and the National Planning Policy Framework.

16. The development hereby approved shall not be carried out otherwise than in accordance with the suggested mitigation measures contained within the

submitted Air Quality Assessment by SLR ref. 410.10645.00001 Rev. 2 dated April 2020.

Reason: In the interests of preventing pollution and protecting the amenity of surrounding occupiers in accordance with adopted Rochdale Core Strategy policies DM1 and G9 and the National Planning Policy Framework.