



Kellen Homes

CASTLETON SIDINGS, ROCHDALE

Planning Statement





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Planning Statement

TYPE OF DOCUMENT (VERSION) PUBLIC

PROJECT NO. 70105603

OUR REF. NO. RPT.01.70105603

DATE: MAY 2023

WSP

8 First Street

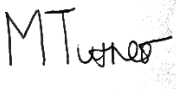
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QUALITY CONTROL

Issue/revision	First issue	Revision 1	Revision 2	Revision 3
Remarks				
Date	May 2023			
Prepared by	MT / AD			
Signature				
Checked by	VW			
Signature				
Authorised by	DH			
Signature				
Project number	70105603			
Report number	00			
File reference	Rpt.00.70105603			

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COUNSEL'S OPINION

1 INTRODUCTION

- 1.1.1. This Planning statement has been prepared by WSP on behalf of Kellen Homes Limited (the applicant), to assist Rochdale Borough Council as Local Planning Authority (LPA) in the consideration of a planning application at Castleton Sidings (“the site”).
- 1.1.2. A hybrid planning application is sought for the following development:
“Full planning application for residential development, including access, car parking, landscaping, open space and associated engineering and infrastructure including an electric substation and foul water pump station.
“Outline planning permission with all matters reserved for built development to facilitate the East Lancashire Railway (ELR) extension”.
- 1.1.3. The site is a derelict former railway sidings and steel storage facility, which lies largely in the Green Belt at the edge of Castleton. It represents a sustainable brownfield development opportunity which can deliver significant social and economic benefits to the town, new open space to repair part of the Green Belt and improve access to it and enable the ELR to progress their shared vision for use and facilities on site, a vision endorsed by the council and community. This unique combination of benefits makes the site critical to the on-going regeneration of Castleton.
- 1.1.4. The proposal is for an exciting development that will bring forward 191 new homes in Castleton alongside a new park, whilst enabling the ELR to progress their ambitions on part of the site. It will deliver a longstanding aspiration for Castleton.
- 1.1.5. The development will provide a good mix of dwelling types and sizes to accommodate a broad spectrum of households in Castleton; delivering two, three and four bedroom family homes and affordable homes. The mix proposed is aligned to best meeting local need and policy aspiration.
- 1.1.6. A high-quality design-led approach has been taken, with significant work undertaken during scheme evolution to develop site specific design codes that appropriately respond to local context.
- 1.1.7. The proposal will importantly deliver a significant area of public open space, integrated with the new homes. It will bring forward a cohesive landscaping scheme, ecological enhancements and connections to the existing footpath network. It will reflect and celebrate the site’s historical use and connection to Castleton.
- 1.1.8. The proposals will also facilitate the delivery of land for development for the ELR and its onward links to access enhancement to Castleton. This is a key piece in a wider rail and Metrolink jigsaw to deliver not only ELR development but also improved connectivity to augment the town’s sustainability and linkage to Manchester and neighbouring towns.
- 1.1.9. This Planning Statement, along with the technical reports that form the application pack, demonstrate that the proposals are acceptable in planning terms and are in accordance with the development plan. There are very special circumstances that outweigh the harm of inappropriate development in the Green Belt. There are significant benefits that the scheme will deliver, which outweigh the limited harm to the Green Belt.
- 1.1.10. Therefore, in accordance with the presumption in favour of sustainable development, the application proposals should be supported and approved.

ENVIRONMENTAL IMPACT ASSESSMENT

- 1.1.11. To establish whether or not an Environmental Impact Assessment (EIA) should be submitted, the proposal has been screened under the Town and Country Planning (Environmental Impact Assessment Regulations 2017 (the EIA Regulations).
- 1.1.12. An Environmental Impact Assessment (EIA) Screening Request is provided within Section 3 of this Planning Statement. The proposal will not give rise to significant effects on the environment and that the proposal is not EIA development.

STRUCTURE OF THE REPORT

- 1.1.13. This Planning Statement is structured as follows:
 - Section 2 sets out the site context;
 - Section 3 sets out the approach to EIA development;
 - Section 4 outlines the proposed development;
 - Section 5 sets out the relevant planning policies at a local and national level;
 - Section 6 sets out the case for development;
 - Section 7 outlines the case for very special circumstances;
 - Section 8 assesses other relevant material considerations;
 - Section 9 sets out the draft S106 Heads of Terms; and
 - Section 10 summarises the planning balance.

1.2 APPLICATION SUBMISSION DOCUMENTS

- 1.2.1. Alongside this Planning Statement, the application is supported by the following plans and reports:
 - Application Form and Certificates
 - Covering Letter
 - Plans and Drawings
 - Site Layout (ref: KH003-A-100)
 - Site Layout Composite (ref: KH003-A-100)
 - Colour Site Layout (ref: KH003-A-100)
 - Storey Heights (ref: A-102)
 - Street Scenes (ref: KH003-A-)
 - Waste Management Plan (ref: A-700)
 - Boundary Treatments Plan (ref: KH003-A-300)
 - Materials Plan (ref: A-200)
 - Housetype Pack
 - View A
 - View B
 - View C
 - Arboricultural Impact Assessment (prepared by Ascerta ref:P.1733.22);
 - Air Quality Assessment (prepared by Redmore Environmental ref:6299r3);
 - Biodiversity Metric;
 - Construction Environmental Management and Transport Plan (prepared by Kellen Homes);
 - Construction Method Statement and Exit Plan (prepared by Kellen Homes);
 - Crime Impact Statement (prepared by Greater Manchester Police ref: 2023/0028/CIS/01);

- Design and Access Statement and Design Code (prepared by eSCAPE Urbanists ref: 22/016/001/RevB/DAS&CODE);
- Preliminary Ecological Appraisal (prepared by Ascerta ref: P.1733.22);
- Statement of Education Capacity (prepared by Alfredson York);
- Energy and Sustainability Statement (prepared by AES Sustainability Consultants Ltd);
- Flood Risk Assessment (prepared by Townsend Water Engineering Limited ref: FD086);
- Transport Assessment (prepared by Croft ref: 3334TA);
- Travel Plan (prepared by Croft ref: 3334TP);
- Advice of Richard Kimblin KC;
- Landscape and Visual Impact Appraisal (prepared by Ascerta ref:P.1733.2);
- Landscape Layout (prepared by Ascerta ref: P.1733.22.03);
- Phase I and II Geo environmental Site Assessment (prepared by e3p ref: 14-768-R1-3);
- Geo environmental Assessment Network Rail Land (prepared by e3p ref:14-768-L2-2);
- Geo environmental Assessment Public Open Space (prepared by e3p ref: 14-768-L3-2);
- Supplementary Ground Investigation Main Development Site (prepared by e3p ref: 14-768-L4-2);
- Mineral Safeguarding Assessment (prepared by e3p ref: 14-768-R2-1);
- Noise and Vibration Impact Assessment (prepared by e3p ref: 50-285-R1-4);
- Statement of Community Involvement (prepared by Kellen Homes);
- Viability Assessment (prepared by Northern Land Agency);

2 SITE CONTEXT

2.1 THE SITE AND SURROUNDS

- 2.1.1. The application site consists of previously developed land which is partly within the Green Belt and partly within the settlement boundary of Castleton, a suburban area of Rochdale, Greater Manchester. Figure 2.1 below shows the location of the site.
- 2.1.2. The site is a 10.93 Ha irregular shaped parcel of derelict land which was previously occupied by Baggs Tard Railway Sidings. It is understood the site was in use as a railway sidings since circa 1893. By 1970 the site had been cleared of engineering works and a welding shop, travelling crane, engineering shed, electricity substation and tanks were present on the site. Further detail is provided within the submitted Phase I and II Ground Conditions Report, prepared by E3P.
- 2.1.3. During the early 2000s hardstanding, tracks and sheds were present on the site. The site was cleared between 2005-2013 and has remained vacant for around 10 years. The former railway siding was most recently used for storage and distribution of steel. Now the site mainly consists of railway tracks, areas of hardstanding, and some remains of buildings that have been demolished.



Figure 2.1 – Aerial View showing the site outlined in red (source: Google Earth)

- 2.1.4. To the north and west of the site there is 'Castle Hawk' Golf Club which is separated from the site by mature coniferous and deciduous trees. To the north-east is the residential area of Castleton. The railway line borders the site to the south-east. Further south of the railway line, there is farmland and the M62.

- 2.1.5. Access to the site for vehicles and pedestrians is currently from Heywood Road. This is a gated, private access that only serves the northern part of the site.

Flood risk

- 2.1.6. The site is within Flood Zone 1 and therefore the likelihood of flooding is low.

Rights of Way

- 2.1.7. There is an existing public right of way (PRoW) to the north which enters the Hawk Golf Course and abuts part of the northern site boundary.

Arboriculture

- 2.1.8. We are not aware of any Tree Preservation Orders (TPO) trees on site.

Ecology

- 2.1.9. The site lies within the Impact Risk Zone of Rochdale Canal, Special Area of Conservation (SAC), Site of Special Scientific Interest (SSSI), located approximately 65 m east of the site. Habitat Regulations Assessment screening has been undertaken, to assess any potential impacts of the development on the designated site.

Air quality

- 2.1.10. The development is located approximately 280m west of the Greater Manchester Combined Authority (GMCA) Air Quality Management Area (AQMA).

Heritage

- 2.1.11. There are no listed buildings on the site but there are four listed buildings nearby, including:

- United Reformed Church – Grade II
- Rochdale Canal Lock Number 52 and Towpath bridge – Grade II
- Rochdale Canal Lock Number 53 – Grade II
- Church of Saint Martin – Grade II

- 2.1.12. The site does not fall within a Conservation Area. It lies approximately 150m south-east of the Castleton South Conservation Area which has Manchester Road as its western boundary. A heritage assessment is submitted alongside the Planning Statement, which considers the significance and impact on identified heritage assets.

2.2 SUSTAINABLE LOCATION AND CONNECTIVITY

- 2.2.1. The site is in a sustainable location and benefits from existing local services and good public transport connections.
- 2.2.2. There is a good network of existing public transport links, including a bus corridor along Manchester Road which provides a direct service to Rochdale Town Centre, approximately every 10 minutes. Castleton Train Station is around 0.4 miles from the site and offers a direct route into Manchester, taking just over 15 minutes.
- 2.2.3. Within a 2km walking distance, there are numerous educational establishments, including St Edwards C of E Primary School (0.4 miles), Castleton Primary School (0.6 miles), St Gabriels RC Primary School (0.6 miles), Matthew Moss High School.

- 2.2.4. The site has a good provision of local services, for instance Co-op (0.5 miles), Castleton Local Shop (0.4 miles), Aldi (1.5 miles), Well Castleton Pharmacy (0.8 miles), The Highfield Hospital (1.7 miles), along with numerous restaurants and bars.

2.3 POLICY ALLOCATION

- 2.3.1. The easternmost part of the site lies within the settlement boundary of Castleton, the remainder of the site is allocated as Green Belt in the Development Plan.
- 2.3.2. An excerpt from the adopted policies map is included at Figure 2.2 below, with the site outlined in red.

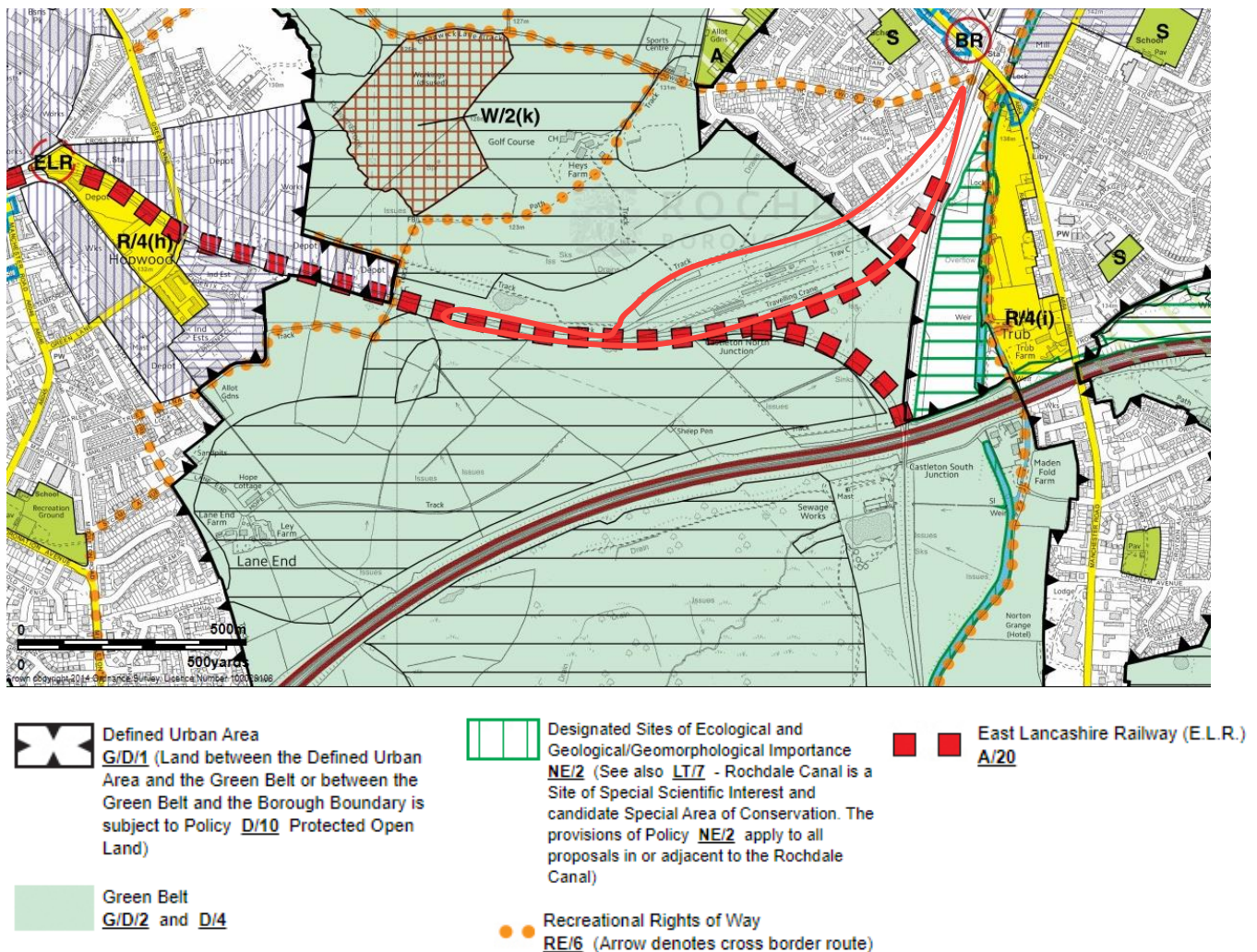


Figure 2.2: Proposals Map excerpt with red site outline annotated

EMERGING POLICY ALLOCATION

- 2.3.3. The site is identified as a strategic development allocation in the emerging Places for Everyone (PfE) joint plan. Part of the site is proposed for Green Belt release to deliver new homes.

- 2.3.4. PfE is well advanced and under examination. It is however, not yet adopted and can only be afforded limited weight. If the plan is found sound (or sound subject to modifications) the weight will increase significantly, especially if the allocation is supported.
- 2.3.5. In PFE, the site has been given the reference “JP Allocation 20: Castleton Sidings”. Which is for around 125 dwellings, available land for the East Lancashire Railway (ELR) line extension from Heywood to Castleton and tram-train infrastructure.
- 2.3.6. An excerpt from the main modifications (March 2023) showing the proposed allocation is provided below. The draft policy allocation retains the western part of the application site as Green Belt, establishing a new Green Belt boundary as shown in PfE. The proposed layout submitted with this application provides an EcoPark in this area, enhancing the existing Green Belt.

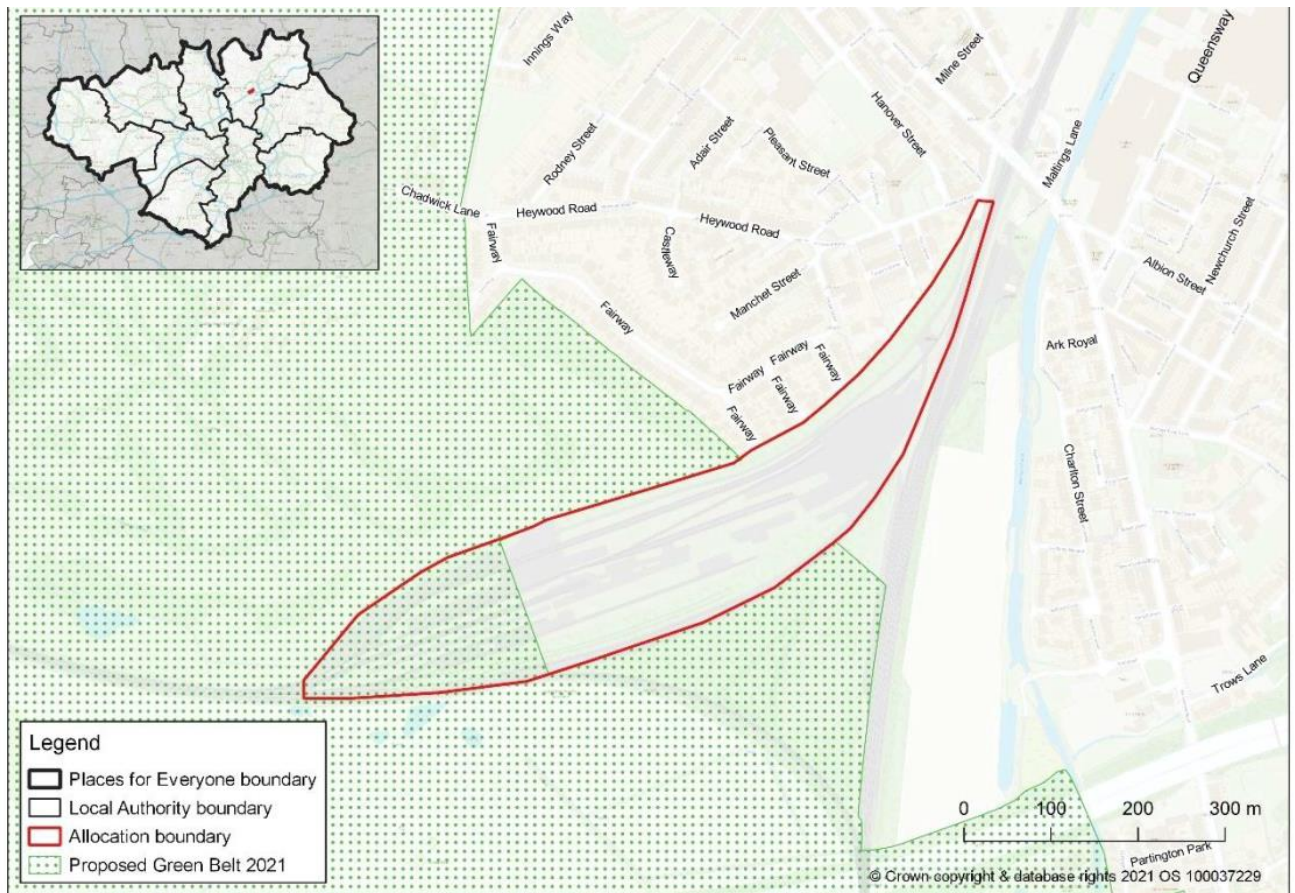


Figure 2.3: Draft Policy JP Allocation 20: Castleton Sidings

2.4 PLANNING HISTORY

- 2.4.1. A planning history search has been undertaken using the LPA's online web search. A summary of the key planning applications which have been identified on the site are set out in Table 2.1 below.
- 2.4.2. There are two applications relating to the railway sidings from 1994 and 1985 which involve the construction of hardstanding, and alteration and extension to the welding depot.

- 2.4.3. More recently, an Environmental Impact Assessment (EIA) screening request was submitted and decided in 2016. The LPA concluded that a proposal for up to 150 dwellings on the site did not constitute EIA development.

Table 2.1: Planning History

Ref.	Proposal	Key Dates
16/00209/SO	Screening opinion in respect of proposed residential development for up to 150 dwellings, means of access, on-site infrastructure, potential to deliver a rail platform for East Lancashire Railway and landscaping Former Railway Siding, Heywood Road, Castleton, Rochdale	Decision - 05 Apr 2016
94/D30267	Construction Of Concrete Hardstanding for Railway Crossing Assembly and Two Mobile Cranes Castleton Long Welded Rail Depot Castleton Rochdale	Decision - 17 Feb 1994
85/D17701	Alteration and Extension of Rail Welding Depot Castleton Rail Welding Depot Heywood Road Castleton, Rochdale	Decision - 25 Apr 1985

3 ENVIRONMENT IMPACT ASSESSMENT

3.1 SCREENING CRITERIA

- 3.1.1. When preparing this application, we have considered the proposed development in context of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the “EIA Regulations”). There are two schedules under the Regulations which set out the criteria used to determine whether EIA Screening is required: Schedule 1 and Schedule 2.
- 3.1.2. The site has been previously screened for 150 dwellings in 2016 (ref: 16/00209/SO). The LPA concluded that the proposed development was not EIA development and so an Environment Statement would not be required for the proposed development. Notwithstanding this chapter considers this proposal, which is for 192 dwellings, 42 more than the earlier screening request. It also considers the site with respect to the latest EIA regulations. A copy of the previous decision is enclosed at **Appendix B**.

SCHEDULE 1 – EIA SCREENING NOT REQUIRED

- 3.1.3. The first of these Schedules is Schedule 1. Schedule 1 sets out specific types of development for which EIA Screening is required. The proposed development does not fall within the definition of Schedule 1 development and therefore it does not trigger the requirement for EIA Screening.

SCHEDULE 2

- 3.1.4. The second is Schedule 2. Schedule 2 development is that which is “*likely to have significant effects on the environment by virtue of factors such as its nature, size or location*”.
- 3.1.5. It is defined as Development described in column 1 of the Schedule 2 Table (see Table 3-1 below), where:
- a) any part of that development is to be carried out in a sensitive area; or*
- b) any applicable threshold or criterion in the corresponding part of column 2 of that table is respectively exceeded or met in relation to that development”.*
- 3.1.6. In relation to Part a, the development is not within a “sensitive area” as defined in the EIA Regulations.
- 3.1.7. The table in Schedule 2 includes the following, which is of relevance to the proposed development:

Table 3-1: Schedule 2 Thresholds and Criteria

Column 1 – Description of Development	Column 2- application thresholds and criteria
10. Infrastructure projects	
(b) Urban development projects, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas.	(ii) the development includes more than 150 dwellings (iii) The overall area of development exceeds five hectares.

- 3.1.8. The proposed development exceeds the above thresholds in Column 2, and so it is therefore necessary to screen the development.

3.1.9. In determining whether the development is likely to give rise to significant environmental effects, reference should be made to Schedule 3 of the EIA Regulations. This identifies three categories of criteria:

- **Characteristics of the development**, with particular regard to: size, cumulative effects, use of natural resources, production of waste, pollution and nuisances, risk of accidents and risk to human health;
- **Location of the development** with regard to the environmental sensitivity of the area; and,
- **Characteristics of the potential impact**, having regard in particular to the extent of the impact, its trans-frontier nature, magnitude and complexity, probability and duration, frequency and reversibility.

3.1.10. The development team has assessed the proposal against these criteria and we set out our findings in Section 3.2 below. We conclude that the proposed development would not have a significant environmental impact on the local area, and therefore it will not form EIA development requiring an Environmental Statement.

3.2 SELECTION CRITERIA

3.2.1. The Planning Practice Guidance [PPG] provides further guidance as to when an EIA is needed, in which it confirms that the focus should be on those effects which are significant. It also provides, as an Annex, a series of Indicative Screening Thresholds. Indicative criteria are listed, which aims to assist in determining whether likely effects are significant.

3.2.2. PPG (paragraph 018, ID 4-018-20170728) confirms that not all criteria from Schedule 3 will be relevant in every case.

3.2.3. The same paragraph of PPG states:

“Only a very small proportion of Schedule 2 development will require an Environmental Impact Assessment. While it is not possible to formulate criteria or thresholds which will provide a universal test of whether or not an assessment is required, it is possible to offer a broad indication of the type or scale of development which is likely to require an assessment. It is also possible to provide an indication of the sort of development for which an assessment is unlikely to be necessary. To aid local planning authorities to determine whether a project is likely to have significant environmental effects, a set of indicative thresholds and criteria have been produced. See the indicative thresholds and criteria. The table also gives an indication of the types of impact that are most likely to be significant for particular types of development.”

3.2.4. The table’s indicative criteria and threshold are summarised below in respect of infrastructure projects 10.(b)(ii) “the development includes more than 150 dwellings” and 10.(b)(iii) “The overall area of development exceeds five hectares”.

Table 3-2 – Indicative Criteria

Development type	Indicative criteria and threshold	Key issues to consider
10. Infrastructure projects		
(b)(ii) the development includes more than 150 dwellings (b)(iii) “The overall area of development exceeds five hectares”:	EIA is unlikely to be required for the redevelopment of land unless the new development is on a significantly greater scale than the previous use, or the types of impact are of a markedly different nature or there is a high level of contamination. Sites which have not previously been intensively developed: (i) area of the scheme is more than 5 hectares ; or (ii) it would provide a total of more than 10,000 m2 of new commercial floorspace; or (iii) the development would have significant urbanising effects in a previously non-urbanised area (e.g. a new development of more than 1,000 dwellings).	Physical scale of such developments, potential increase in traffic, emissions and noise

- 3.2.5. Of the ‘indicative criteria and thresholds’, part (i) is of relevance (WSP emphasis added in Table 3-2), as the overall site area exceeds 5ha.
- 3.2.6. However, PPG is clear that each development will need to be considered on its own merits, regardless of whether or not a development exceeds the indicative thresholds.
- 3.2.7. The following subsections assess the proposal against Schedule 3 Selection Criteria for Screening Schedule 2 Development, to consider whether or not the proposed development would have a significant environmental impact on the local area.

3.3 CHARACTERISTICS OF DEVELOPMENT (SCHEUDLE 3, PART 1)

(a) the size and design of the whole development

- 3.3.1. The site is approximately 10.93 ha. The proposal is for 191 dwellings including substantial areas of public open space and circa 2 ha of land for the ELR proposal.
- 3.3.2. The site is a proposed PfE allocation for around 125 high quality homes. The proposal exceeds this number however the scheme delivers a high-quality, design led layout that accommodates 191 units. The gross density is appropriate and in keeping with the area, with a nett density of circa 37 dwellings per hectare (dph), and a gross density of circa 17.5 dph. Previous structures have been cleared and the site has remained vacant for many years.

(b) cumulation with other existing development and/or approved development

- 3.3.3. The site is one of two PFE proposed allocations within Castleton, the other being Trows Farm (Ref: JPA25). Significant work has been undertaken in preparing the draft PfE allocations, which has robustly assessed the growth potential of Castleton. The Trows Farm site has been subject to EIA screening which concluded it was not EIA development. The cumulative impacts of Castleton Sidings and Trows Farm would not result in significant environmental impacts.
- 3.3.4. The northeast corner of the site neighbours existing residential development on the Fairways, there is Green Belt to the north and west and the railway line forms the eastern and southern boundary of the site. It is therefore unlikely there will be any newer commitments in the immediate area to consider.

(c) the use of natural resources, in particular land, soil, water and biodiversity

- 3.3.5. The proposed development would not involve any significant or unusual use of natural resources and would not result in the use of natural resources that are considered to be in short supply. A site-specific drainage strategy is submitted with the planning application. There are no anticipated significant effects on the surrounding drainage network. The western part of the site will remain free from future built form but will provide an extensive area of open space that will deliver ecological and landscape enhancements. A central area of open space will be provided within the residential area. Circa 3.29ha of public open space will be provided in total.

(d) the production of waste

- 3.3.6. There will be no hazardous waste as a result of development and construction waste will be dealt with in accordance with best practice.

(e) pollution and nuisances

- 3.3.7. The development is for a residential and open space use and so the potential for pollution and nuisance is minimal. A Construction Management Plan (CMP) will be in place during construction to minimise pollution and nuisance to nearby properties. A CMP has been submitted to be reviewed and agreed as part of this application.

(f) the risk of major accidents and/or disasters relevant to the development concerned, including those caused by climate change, in accordance with scientific knowledge

- 3.3.8. The proposed development is for 191 dwellings with associated infrastructure and open space and ELR extension land. The risk of major accidents or disasters is minimal for this type of development.

(g) the risks to human health (for example, due to water contamination or air pollution).

- 3.3.9. The technical reports conclude that there would be no significant risks to human health as a result of the development.

- 3.4 As set out above, the characteristics of the development (a-g) do not trigger the need for an EIA.

3.5 LOCATION OF DEVELOPMENT (SCHEDULE 3, PARAGRAPH 2)

- 3.5.1. This subsection assesses the environmental sensitivity of geographical areas likely to be affected by the development, with particular regard to the selection criteria as set out below.

(a) the existing and approved land use

- 3.5.2. The site comprises previously developed land, with all buildings cleared from the site. There are remnants of the former railway sidings in the form of tracks, steels and hard standing. It is located adjacent to the settlement boundary of Castleton, with residential development forming the northern boundary, the railway line forming the eastern and southern boundaries and the golf course and Green Belt to the north-west. The development site is well contained by built form, mature landscaping and railway infrastructure on three sides. A new Green Belt boundary to the west would be defined as seen in the draft PFE allocation. This scheme respects the landscape visual work undertaken that underpins the proposed allocation. The urbanising effects would be contained and positioned in areas of previously developed land.

- 3.5.3. The application is supported by a suite of documents that demonstrate the proposed development can suitably be accommodated on the existing site.

(b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground

- 3.5.4. The submitted ground investigations report sets out the ground conditions present on site. It sets out recommended remediation and survey work to mitigate contamination on site, which will ready the site for residential development. There is no evidence of shallow coal seams or historic shallow coal workings recorded. It is likely that any coal seams will be at significant depth and thus highly unlikely to have been worked at this location. There is a low risk in respect of subsidence.
- 3.5.5. Blackish brown pseudo fibrous PEAT is present in the site, the residential layout has been designed to work around these areas, for instance by using the area for open space rather than building foundations.

(c) the absorption capacity of the natural environment

- 3.5.6. Having regard to the particular areas identified within the Schedule (i-viii), there would be no impact upon absorption capacity on the natural environment.
- 3.5.7. The application site is not within a sensitive location as defined in PPG, nor is it in an environmentally sensitive location or where national or internationally agreed environmental standards are affected. The closest sensitive site is Rochdale Canal (SAC and SSSI). There will be no impact on the canal, in part due to the distance to the canal and also the nature of this proposal.

3.6 TYPE AND CHARACTERISTICS OF POTENTIAL IMPACTS

- 3.6.1. Schedule 3 states that the likely significant effects of the development on the environment must be considered in relation to characteristics and location of development criteria discussed above, having regard to the impact of the development on the factors specified in Regulation 4(2), taking into account criteria a-h below:
- (a) The magnitude and spatial extent of the impact (for example geographical area and size of the affected population likely to be affected;
 - (b) the nature of the impact;
 - (c) The transboundary nature of the impact;
 - (d) The intensity and complexity of the impact;
 - (e) The probability of the impact;
 - (f) The expected onset, duration, frequency and reversibility of the impact;
 - (g) the cumulation of the impact with the impact of other existing and / or approved development;
 - (h) the possibility of effectively reducing the impact.
- 3.6.2. The site investigations and technical work undertaken to support the submission of this application, demonstrate that the proposals will not result in significant effects in any of the considerations set out within the regulations.
- 3.6.3. The magnitude, extent and nature of the impact is localised and all anticipated impacts can be satisfactorily mitigated.

- 3.6.4. A construction management plan will be in place throughout construction to minimise effects on the local environment. Any temporary disruption would be offset by the benefits the development would deliver.
- 3.6.5. Section 8 of this Planning Statement provides further detail of the potential impact from the proposals, detailing specific site constraints. The technical work undertaken and recommendations conclude that no unusual or significant effects are considered likely that would give rise to a need for EIA.

3.7 SUMMARY

- 3.7.1. The development proposal constitutes a Schedule 2 development as it is an urban development project proposal that includes more than 150 dwellings (part ii), and the overall area of development exceeds five hectares (part iii).
- 3.7.2. An assessment of the potential impacts has been undertaken in accordance with the Regulations and PPG. The assessment has been undertaken to the best of our knowledge based on available information at the time of writing.
- 3.7.3. The site can accommodate the proposed quantum of development at a density in keeping with local context and that is appropriate to this site. The scheme will be a high-quality development with a strong design approach reflected in the submitted design codes. The proposal will deliver a range of social, environmental and economic benefits which is discussed further within Section 7.
- 3.7.4. The site is not within a sensitive area as defined in the Regulations.
- 3.7.5. The planning application is supported by technical reports and assessments to assist the council to assess the level of environmental impact associated with the works. From this assessment and the technical work undertaken, it can be determined that the scale, nature and location of the proposed development would not result in significant effects that would require assessment in accordance with the EIA Regulations. Therefore, the preparation of an Environmental Statement is not required for the proposed development.
- 3.7.6. The information outlined above and within the EIA Screening request is sufficient for the Council to assess the impact of the proposed development and to confirm that it is not EIA development. In accordance with Regulation 6(6) of the 2017 EIA Regulations, we await notification of the Council's Screening Opinion within three weeks of the date of receipt of this request.

4 PROPOSED DEVELOPMENT

4.1 THE PROPOSAL

4.1.1. This is a hybrid planning application that seeks permission for:

“Full planning application for residential development, including access, car parking, landscaping, open space and associated engineering and infrastructure including an electric substation and foul water pump station.

“Outline planning permission with all matters reserved for built development to facilitate the East Lancashire Railway (ELR) extension”.

4.1.2. The proposed site plan can be found at **Appendix A**.

4.1.3. The key aspects of the proposed development are summarised as follows:

- 191 dwellings comprising, Mews (36), Semi-detached (91), Detached (56), Semi/Detached (8).
- 3.29 ha of on-site POS.
- Provision of an eco-park/POS within the retained Green Belt area.
- Creation of a POS central square and LEAP for use by existing and future residents.
- Walking and cycling routes, connecting to the town centre and PROWs.
- A comprehensive landscaping scheme across the site, including tree planting.
- Retained land to facilitate the ELR expansion.
- Provision of new footpath that will connect to the Bee Cycle Network.

4.2 ELR EXTENSION (OUTLINE ELEMENT)

- 4.2.1. The Castleton Sidings site is fundamental to facilitate the extension of the ELR from Heywood to Castleton and has been identified as one of the catalysts for securing the wider regeneration of Castleton itself. The development will facilitate the ELR extension through the gifting of the eastern part of the site for the ELR to bring forward a bespoke scheme for the expansion.
- 4.2.2. The residential element will release the ELR parcel, which will be transferred to the Council to secure the ELR line extension along with additional services and facilities when funds allow. On the basis that the options for the ELR line extension are still being considered, the ELR line element is sought in outline. We understand this could include a temporary rail halt and associated car parking.
- 4.2.3. The ELR line extension is one of the two main catalysts for the wider redevelopment of the Castleton area and would generate significant economic and environmental benefits beyond the line extension itself.
- 4.2.4. The proposed ELR extension would also facilitate the proposed expansion of the Metrolink to Heywood and Bury via Rochdale, thereby significantly improving connectivity in the area by other means of transport to the car.
- 4.2.5. Draft proposals have been shared with the applicant which includes a vehicular access for the ELR parcel, along with offset distances from the railway line. The parameters shown on the indicative ELR scheme have been incorporated into the residential layout, to ensure that the ELR proposal can come forward in the future.

4.3 RESIDENTIAL LAYOUT AND DESIGN

- 4.3.1. This application seeks full planning permission for the residential element and public open space (POS). The residential development comprises the erection of 191 dwellings and 3.29ha of POS. The following subsections relate to the residential element.
- 4.3.2. The proposal is for 191 dwellings comprising a mix of 30 two bed, 134 three bed, and 27 four bed family homes. There are 13 different house types offering a mix of townhouses, semi-detached and detached homes. The design approach positively responds to the character of site and wider landscape through incorporating materials that reflect the local vernacular.
- 4.3.3. The supporting Design and Access Statement (DAS) prepared by E*SCAPE, provides a detailed analysis of the proposal and the approach taken from a design perspective. This document should be read alongside the Planning Statement.
- 4.3.4. The proposal draws on the railway heritage of the site, maximising opportunities to create a strong sense of place and respond to the constraints of the site.

SCALE AND MASSING

- 4.3.5. Dwellings are typically two-storey, with some taller 2.5 storey units in key landmark positions within the site. The internal layouts of the different house types are provided in the house type pack submitted alongside this application.

DENSITY

- 4.3.6. The proposal respects the transitional nature of the site. A medium density layout is proposed in the north-east, leading to a lower density area which is more open and organic in the west, reflecting the rural-fringe location adjacent to the new Open Space within the Green Belt.

MATERIALS

- 4.3.7. Bespoke house types are proposed that will create visual interest within the street scenes, providing contrasting window frames, lintels and door frames. Varied roof pitches are proposed which take inspiration from St Martins' Church. The materials palette includes two red brick and a feature buff brick to create visual interest throughout the site.
- 4.3.8. A boundary treatments plan is submitted that provides details of the fencing proposed within the site. This includes 2.8m acoustic fencing along the southern boundary to the railway line to reflect the recommendations within the submitted acoustic report. The TfGM safeguarding boundary / offset to the railway line is accommodated within the scheme.
- 4.3.9. The following materials will be used:
- Manchester brick specialists cedarwood red multi
 - Wienerberger windmill orange brick
 - Manchester brick specialists St.Ives Buff
 - Wienerberger sandtoft calderdale concrete roof tile
 - Ian firth cottage door
 - JJ Harrison anthracite cottage style windows
 - Prestige artstone cills

- 4.3.10. A 7m high golf ball net is proposed along the northern site boundary to protect the northernmost properties from any incidental golf balls originating from the course to the north.
- 4.3.11. Full details of the design and materials proposed are provided within the submitted plan and Design and Access Statement.

HOUSING MIX AND AFFORDABLE HOUSING

- 4.3.12. The scheme will provide 191 high-quality homes, which comprise a mix of 2, 3 and 4 bedroom homes, including larger detached properties, helping to deliver a range of house types that meet local needs whilst also aligning with the Council's desire for larger and high value housing. The property size and mix has been informed by market demand.
- 4.3.13. The development will make a meaningful contribution to delivering affordable homes in Castleton. The proposed development will deliver 29 new affordable homes comprising:
 - A mix of 16 affordable rent and 13 shared ownership homes as set out below.

	Total	2 Bed	3 Bed
Affordable Rent	16	3	13
Shared Ownership	13	3	10
Total	29	6	23

- A housing product of high quality, in keeping with the wider development. There will be no visible difference between the open market properties or affordable housing and as a result it creates a tenure blind scheme.
- Affordable units will be located in different parts of the site to create mixed, sustainable communities.

4.4 OPEN SPACE AND LANDSCAPING

- 4.4.1. The scheme will deliver 3.29 hectares of publicly accessible, open space and more than 1.3km of permissive paths helping to improve the mental and physical health and wellbeing of the local community. It will transform a large area of degraded brownfield and private land to a high-quality residential development with a rectangular POS within the heart of the residential area, and a larger western public open space that will remain part of the Green Belt and provide a green buffer along the western urban edge of Castleton.
- 4.4.2. The central POS will contain a local equipment area for play (LEAP). Appropriate offset distances are provided to the surrounding houses, whilst still providing natural surveillance.
- 4.4.3. The POS and landscaping proposal draws on the site's railway heritage. New hoggin gravel and timber edged footpaths and cycle routes will follow the route of remnant railway line with natural planting integrated between the railway features. The theme of nature taking over a man-made environment is part of the design vision. Trim trail equipment and railway themed seating will be provided.
- 4.4.4. A comprehensive landscape scheme will be deployed in the park to enhance the Green Belt, provide ecological benefits through retaining existing habitat and enhancing it with creation of new

habitat and planting new trees and hedges. A new wetland area will be enhanced with aquatic and wetland planting. Where there are areas of pseudo-peat, planting is proposed that is suitable for the ground substrate.

- 4.4.5. A new pedestrian and cycle path is proposed to connect the residential development to the Bee Network at Manchester Road. Stage 3 of the Greater Manchester Bee Network involves the improvement from 775 Manchester Road to Castleton Railway Station. A new separate cycle lane will be created to encourage safe active travel through Castleton and beyond. The network of footpaths across the site will provide direct links between the proposed new neighbourhood, shops on Manchester Road, surrounding neighbourhoods, the Bee Network, and surrounding countryside. As such, the proposed footpaths will enhance the site's connectivity in terms of walking, cycling and public transport.

4.5 CAR PARKING AND ACCESS

- 4.5.1. Pedestrian, cycle and vehicular access will be offered from two locations, providing extensions to the existing cul-de-sacs on Fairway which join to Heywood Road. There will be a separate access to the ELR parcel of land.
- 4.5.2. As set out within the submitted SCI, feedback has been received from residents and members during the pre-application stage, that has asked whether a vehicular access from Manchester Road could be taken. The access is constrained in regard to visibility, however, Eddison's are exploring this option further with the Local Highways Authority (LHA) and discussions will continue during the course of the application.
- 4.5.3. All dwellings will have in-plot car parking (circa 192% provision). A variety of parking solutions are proposed with integrated garages, side parking and frontage parking. New landscaping will soften the street scene and help to break up the parking.
- 4.5.4. The site is easily accessible by rail since Castleton station is a 10 minute walk from the site. The site is accessible by bus with bus stops on Manchester Road. As set out above, the pedestrian and cycle routes though the site tap into the site's existing sustainable transport links.
- 4.5.5. The proposed development will incorporate pedestrian routes that connect to the PRoW in the north of the site. This is shown in the Movement and Context Plan with the DAS.
- 4.5.6. Swept path analysis has been prepared that demonstrates that the development can be suitably served by refuse vehicles.

4.6 PRE-APPLICATION AND SCHEME EVOLUTION

- 4.6.1. The applicant has undertaken community consultation and held meetings with the Council and local politicians to discuss the proposal and use this feedback to amend the scheme accordingly ahead of submission. A summary of the consultation undertaken is included below and set out fully within the accompanying Statement of Community Involvement, prepared by Lexington.
- 4.6.2. The applicant undertook consultation during summer 2021 with the community through leaflet drops and a website with updates sent to subscribers. Following this, the applicant revised the scheme to reflect discussions with residents.
- 4.6.3. In March 2023, residents were reconsulted on the revised scheme through a letter drop and updates to the dedicated website. Residents were able to make comments via the website or through email.

- 4.6.4. From the two consultation activities that were undertaken, over 70 comments were received by telephone, email, and the website.
- 4.6.5. The applicant has undertaken comprehensive pre-application engagement with the LPA (Ref: PREAPP/00050/21). The applicant met with the LPA on 17th June 2021, and written feedback was issued by the LPA on 7th October 2021. A copy of the pre-application response is enclosed at **Appendix C**.
- 4.6.6. The pre-application response explains that whilst the site is a PfE proposed allocation, the joint plan carried very limited weight at the time. As such, in accordance with the Framework, very special circumstances would be required to justify the inappropriate development in the Green Belt. The response concluded that the harm resulting from the development and loss of openness had not at that time been outweighed by other considerations. Since then, the plan position has progressed positively and the applicant has progressed technical work and refined the scheme accordingly. This application sets out in greater detail the very special circumstances that exist and are compelling.
- 4.6.7. The response also provided feedback on other matters, including the design, appearance and layout of the proposal, access/highways, ecology and biodiversity. The applicant team has sought to address the feedback where possible and an updated scheme was presented at a Places Matter design panel (25 August 2022) to obtain feedback on the revised design.
- 4.6.8. The Places Matter panel were encouraging of the design approach which celebrates the railway history and connections. The areas identified for consideration and improvement included:
- Focus on consolidating the railway theme vision and narrative to make the place special.
 - More analysis on matters other than constraints (contextual, landscape, heritage) before defining the masterplan layout.
 - Allow more freedom in the design and less rigidity.
 - Explore opportunities to allow more green space within the development, through using contemporary typologies at a higher density if necessary.
 - Create additional views out from the site if this helps with connectivity and contextualisation.
- 4.6.9. A copy of Places Matter feedback is included at **Appendix D**.
- 4.6.10. The applicant team has been working on updates to the scheme to address the feedback received. An updated scheme was shared with the LPA in December 2022 and a meeting took place on 25th January 2023 whereby the applicant presented the scheme. The LPA provided further feedback on the proposal during the meeting, which included:
- Refining the housing mix and inclusion of larger, 4+ bedroom properties.
 - Maximising opportunities for a sensitive design along the Green Belt development edge to soften the transition.
 - Feedback on house types, encouraging varied roofscapes, local materials and detailing.
 - Expectation for a hard and soft landscaping scheme that is acceptable to the LHA.
 - The requirement for a LEAP.
 - A reduced parking provision would be acceptable given the sustainable location, but a mix of solutions should be provided (not just frontage parking).
 - Explore opportunities to connect with the BEE Network, the residential site and the ELR land.

4.6.11. The submitted scheme has evolved in response to the feedback received from the LPA and Places Matter. Comprehensive design codes are provided within the Design and Access Statement which evidence the positive changes made to the scheme. Key changes include:

- The housing mix has been revisited to provide a range of 2-4 bed homes, including larger detached properties. Previously there was a greater proportion of 3 bed homes and no 4 bed properties.
- The design quality has been further refined, with updates made to materials and house types to create visual interest in the street scenes, strengthen the design quality and relationship to St Martin's Church.
- The transition to Green Belt has been revisited by providing a more organic build line of detached properties with enhanced landscaping which has softened the development edge.
- A LEAP has been provided in the central POS area and trim trail features are included in the western POS.

5 PLANNING POLICY

- 5.1.1. This section sets out planning policy relevant to the application site and the proposed development. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 5.1.2. The Council's Development Plan includes the Core Strategy (2016), saved policies from the Unitary Development Plan (UDP) (1996) and the Greater Manchester Joint Minerals Development Plan (2013).
- 5.1.3. There is also a Site Allocations document (2021) that has been prepared alongside the Greater Manchester Places for Everyone (PfE) Joint Development Plan Spatial Framework.
- 5.1.4. The National Planning Policy Framework (NPPF) is also an important material consideration in determining planning applications.

5.2 NATIONAL PLANNING POLICY (2021)

- 5.2.1. At the heart of the NPPF is a presumption in favour of sustainable development and paragraph 11 states that development proposals that accord with the Development Plan should be approved without delay. Where the Development Plan is absent, silent or relevant policies are out-of-date, permission should be granted unless "any adverse impacts of doing so would significantly and demonstrably outweigh the benefits".
- 5.2.2. The objectives, outlined at paragraph 8, include that planning should:
 - help to build a strong, competitive economy;
 - seek to support strong, vibrant and healthy communities by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations;
 - contribute to protecting and enhancing our natural, built and historic environment,
 - including making effective use of land; and
 - support the transition to a low carbon future.

Delivering a sufficient supply of homes

- 5.2.3. The NPPF is unequivocal in its drive to significantly boost the supply of homes. Paragraph 60 states: *"To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay"*.
- 5.2.4. Paragraph 62 states that LPAs should plan for a mix of housing based on current and future demographic needs, market trends and the needs of specific groups. They should identify the type, size and tenure of housing, and have policies to meet affordable housing need.

Identifying land for homes

- 5.2.5. Paragraph 69 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area.

Promoting healthy and safe communities

- 5.2.6. Paragraph 92 seeks to encourage developments which promote safe and accessible environments where crime and disorder and the fear of crime do not undermine quality of life and where clear and legible pedestrian routes and high-quality public spaces are provided.

Promoting sustainable transport

- 5.2.7. Paragraph 113 requires all developments that generate significant amounts of movements to be supported by a Transport Assessment and Travel Plan. Decisions on proposals should take account of whether opportunities for sustainable transport modes have been taken up, safe and suitable access can be achieved, and improvements can limit the significant impacts of the development.
- 5.2.8. Paragraph 112 sets out that developments should be located and designed where practical to give priority to pedestrian and cycle movements and have access to high quality public transport facilities.

Making effective use of land

- 5.2.9. Paragraph 119 states that decisions should promote an effective use of land in meeting the need for homes.
- 5.2.10. Paragraph 121 seeks to encourage LPAs to take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including sustainable sites on brownfield registers.

Achieving well-designed places

- 5.2.11. Paragraph 126 stresses the importance of planning positively for “the creation of high quality, beautiful and sustainable buildings and places”, noting that this is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 5.2.12. Paragraph 130 stresses that planning policies and decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive, sympathetic to the local character, establish a strong sense of place, optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and support local facilities and transport networks, and address the connections between people and places and the integration of new development into the natural, built and historic environment.
- 5.2.13. Paragraph 132 states:
- “Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot”.*

Conserving and enhancing the natural environment

- 5.2.14. Paragraph 174 states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes by (among other things) protecting valued landscapes, minimising impacts on biodiversity and providing net gains, and mitigating and remediating despoiled, degraded and derelict land.

- 5.2.15. Paragraph 180 sets out that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity and seek opportunities to incorporate biodiversity in and around developments.
- 5.2.16. Paragraph 183 confirms that in making planning decisions LPAs should be satisfied that the land is suitable for the use in ground condition terms.

Green Belt

- 5.2.17. Paragraph 137 sets out that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 5.2.18. Paragraph 148 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 5.2.19. Paragraph 149 sets out the requirements a local planning authority should regard in the construction of new buildings in the Green Belt. Exceptions to this include:
 - a) buildings for agriculture and forestry;
 - b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
 - c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
 - d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
 - e) limited infilling in villages;
 - f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
 - g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings).
- 5.2.20. Annex 2 of the NPPF sets out what previously developed land is:

Previously developed land: Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

- 5.2.21. Paragraph 150 sets out the certain forms of development that are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it, including:
- a) mineral extraction;
 - b) engineering operations;
 - c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
 - d) the re-use of buildings provided that the buildings are of permanent and substantial construction;
 - e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
 - f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

5.3 LOCAL PLANNING POLICY

- 5.3.1. The National Planning Policy Guidance (NPPG) notes that to be effective, plans need to be kept up to date. Paragraph 33 of the NPPF states that policies and spatial development strategies should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary. Reviews should be completed no later than five years from the adoption date of a plan.
- 5.3.2. As of October 2021, the Rochdale Core Strategy became five years old and so far, no review of the Core Strategy has been completed. Therefore, policies are now out-of-date.
- 5.3.3. Furthermore, as set out at paragraph 74 of the NPPF, where strategic policies are more than five years old (as is the case in Rochdale) LPAs are required to provide a minimum of five years' worth of housing against their local housing need as opposed to the requirement set out in adopted strategic policies. In instances where local housing need is used as the basis for assessing whether a five-year supply of specific deliverable sites exists, it should be calculated using the standard method set out in national planning guidance.
- 5.3.4. Notwithstanding that the policies within the Rochdale Development Plan are now out of date, relevant policies from the Development Plan are set out below.

Rochdale Borough Council Core Strategy (2016)

- 5.3.5. SP3/R 'The strategy for Rochdale' sets out the key priorities for Rochdale, which includes regenerating Castleton.
- 5.3.6. SO2 'Creating successful and healthy communities' focuses on delivery of sufficient housing to meet demand, improving the range of housing to meet everyone's needs and aspirations as well as ensuring new housing is supported by community facilities and service infrastructure.
- 5.3.7. C1 'Delivering the right amount of housing in the right places' outlines the need to deliver at least 460 net additional dwellings per year up to 2028 to assist in the creation of successful, inclusive and mixed communities and meet the housing need of the borough.
- 5.3.8. C3 'Delivering the right type of housing' requires all housing development to be well designed and built to appropriate densities to meet the overall needs and aspirations of the borough.

- 5.3.9. C4 'Providing affordable homes' seeks affordable housing of 7.5% of the development sales value of the overall scheme for developments of 15 dwellings or more.
- 5.3.10. C7 'Delivering education facilities' aims to provide good quality primary and secondary schools, in addition to improving accessibility to educational facilities by sustainable transport. The Council will seek developer contributions for the provision of educational facilities and employment skills and training.
- 5.3.11. C8 'Improving community, sport, leisure and cultural facilities' seeks to protect existing recreational facilities from development for other uses, through the Allocations DPD.
- 5.3.12. SO3 'To improve design, image and quality of place' focuses on raising design quality and promoting sustainable developments as well as improving gateways into the borough and main transport corridors to improve the image of the borough.
- 5.3.13. P1 'Improving image' requires high quality design for all new development to ensure new development improves the image of the borough.
- 5.3.14. P2 'Protecting and enhancing landscape, character and heritage' seeks to ensure new development protects and enhances the borough's character and housing areas.
- 5.3.15. P3 'Improving design of new development' requires all new development to adhere to design principles including ensuring it contributes positively to the townscape in addition to ensuring the impact upon the environment is minimised.
- 5.3.16. SO4 'Promoting a greener environment' promotes ensuring development is energy efficient and contributes to carbon reduction, maximising green open areas and biodiversity.
- 5.3.17. G1 'Tackling and adapting to climate change' aims for new developments to address climate change and ensure the development does not increase CO2 emissions.
- 5.3.18. G2 'Energy and new development' puts forward three objectives for new development including demand reduction, energy efficiency technologies, and allowable solutions such as developer contributions.
- 5.3.19. G4 'Protecting Green Belt' states that "development will be restricted to those limited types of development which are deemed not to be inappropriate by national planning policies unless very special circumstances can be demonstrated."
- 5.3.20. G6 'Enhancing green infrastructure' seeks to ensure residential development provides or contributes financially towards recreational open space.
- 5.3.21. G7 'Increasing the value of biodiversity and geodiversity' outlines sites and features of biodiversity and geodiversity importance will be given full and appropriate recognition and protection and no development should result in a net loss of biodiversity or geodiversity interest in the borough and overall development in the borough should result in a net gain.
- 5.3.22. G8 'Managing water resources and flood risk' seeks to ensure that new development does not lead to any form of increased flooding locally, does not impede natural water and flood risk management, is not detrimental to existing or potential flood storage areas, contributes where possible to alleviating existing flood risk, and is well protected from flood risk.
- 5.3.23. G9 'Reducing the impact of pollution, contamination and land instability' requires that development does not have impacts that lead to an unacceptable increase in air, water, noise, light or other

pollution; seeks to ensure that new residential development is not adversely affected by existing sources of pollution or ground contamination or land instability.

- 5.3.24. SO5 'Improving accessibility and delivering sustainable transport' highlights development should be directed to the most accessible locations.
- 5.3.25. T2 'Improving accessibility' promotes development that has good access to public transport, or it can be delivered, along with active travel. Proposals will also be supported where the need to travel by car is minimised.
- 5.3.26. DM1 'General development requirements' highlights all development proposals should be of high-quality design, enhance the quality of the area, be compatible with surrounding land uses, do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.
- 5.3.27. DM2 'Delivering planning contributions and infrastructure' shows that for residential development, the following contributions will be required:
 - a) Affordable housing
 - b) Open space provision and maintenance
 - c) Health and well-being
 - d) Education facilities and/or
 - e) Community facilities
- 5.3.28. SD1 'Delivering sustainable development' confirms planning applications that accord with the policies in the local plan will be approved without delay, unless material considerations indicate otherwise.

Saved policies Rochdale Borough Council's Unitary Development Plan (2006)

- 5.3.29. The following saved policies from the Rochdale Unitary Development Plan (UPD) are also relevant:
- 5.3.30. G/D/2 'Green Belt' notes that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open and its most important attribute is its openness.
- 5.3.31. EM/7 'Development and flood risk' states that development will not be permitted in areas identified as flood plains or that may contribute to increased flood risk unless a flood risk assessment has been undertaken and criteria has been met.
- 5.3.32. EM/8 'Protection of surface and ground water' outlines that development is unlikely to be permitted if it poses an unacceptable risk to surface water and ground water quality.
- 5.3.33. BE/17 'Development affecting Conservation Areas' promotes the preservation or enhancement of the character or appearance of conservation areas.

SUPPLEMENTARY PLANNING GUIDANCE

Guidelines and Standards for Residential Development SPD (June 2016).

- 5.3.34. The Council adopted this SPD in June 2016 to inform the development management policies relevant to residential development, and to set guidelines for specific design issues which should be addressed by new residential developments.

- 5.3.35. These include but are not limited to standards surrounding overlooking distances between dwellings, waste management arrangements and minimum space standards.

Affordable Housing SPD (March 2008)

- 5.3.36. This SPD sets out Rochdale's position with regards to affordable housing policy and is based around three themes:
- providing high quality homes in mixed sustainable communities for those in need;
 - widening the opportunities for home ownership; and
 - offering greater quality, flexibility and choice to those who rent.
- 5.3.37. The Council will in most cases expect the contribution to affordable housing to be made on site as an integrated part of the development.
- 5.3.38. This will promote socially inclusive and sustainable communities and minimise the delay in making the affordable housing available. Providing affordable housing off-site is not the Council's preferred method. However, in certain circumstances consideration will be had if there are good planning and housing need reasons, that on-site provision is not suitable.

Climate Change Adaption SPD (June 2012)

- 5.3.39. The document highlights actions for developments to help climate change adaption through eight categories, including: location, layout and orientation, materials / structure, environmental performance, green roofs and walls, rainwater harvesting, Sustainable Drainage Systems (SUDS) and green and blue infrastructure.

Guidelines & Standards for Residential Development SPD (June 2016)

- 5.3.40. The SPD provides guidance to help in the design of high-quality residential development. This includes development in the Green Belt where the SPD outlines that when understanding whether a proposal can be seen as an exception to inappropriate development, it must be consider whether its siting, height, scale, design and use of materials will preserve the openness of the Green Belt.

Oldham and Rochdale Urban Design Guide SPD (September 2007)

- 5.3.41. The Residential Design Guide forms one part of a series of the Design Guides produced jointly by Oldham Metropolitan Borough Council, Rochdale Metropolitan Borough Council, and the Oldham Rochdale Partners in Action Housing Market Renewal. The aim of the document is to provide clear guidance on the quality of design expected by both boroughs.

Oldham and Rochdale Residential Design Guide SPD (September 2007)

- 5.3.42. This SPD forms one part of a series of Design Guides produced jointly by Oldham Metropolitan Borough Council, Rochdale Metropolitan Borough Council, and the Oldham Rochdale Partners In Action Housing Market Renewal. The guide is structured in five categories, including "response to site and context, layout, public realm design, building design, and bringing it all together".

Provision of Recreational Open Space in New Housing SPD (March 2008 – updated January 2017)

- 5.3.43. This SPD sets standards for the open space required within new residential developments. For developments of 100 bedrooms or more, they will be expected to make some recreational open space provision on the site. This includes 2.1 hectares of recreational open space per 1000

population, comprised of 1 hectare of local open space and 1.1 hectares of outdoor sports provision.

5.4 PLACES FOR EVERYONE (PFE)

- 5.4.1. The PFE is a framework to set out how Greater Manchester (excluding Stockport) should develop up to 2037. It identifies the amount of new development that will come forward in the nine Local Authority areas, including Rochdale, and subsequently seeks to allocate strategic sites for employment and housing. The PFE is reasonably well advanced and its examination is currently underway, with adoption anticipated later this year/2024.
- 5.4.2. A key objective of PFE is to meet the local housing needs and direct development to the most sustainable areas. Greater Manchester is facing a housing crisis and PFE is designed to be one of the tools that Greater Manchester has to address these issues.
- 5.4.3. The site is identified within the emerging PFE for a residential development of circa 125 dwellings (allocation JPA21). The policy clearly acknowledges the suitability of the site for housing: stating that the site *“offers the opportunity to deliver high quality housing on previously developed land in a sustainable location, the site is also located within an urban area and is well placed to utilise existing community facilities and social infrastructure”*.
- 5.4.4. Statements of Common Ground (SoCG) have been prepared by individual Councils on behalf of the nine PFE districts (Greater Manchester Combined Authority (GMCA)) for each proposed allocation. For the Castleton Sidings allocation, the SoCG notes that both parties (the Council and site promoters) support the redevelopment of the site due to it being a brownfield site that is situated in a sustainable location.
- 5.4.5. Draft Policy JP-H1 sets out the proposed scale, distribution, and phasing of new housing development across the Greater Manchester area stating that a minimum of 164,880 net additional dwellings are to be delivered over the period 2021-37.

WEIGHT TO POLICY

- 5.4.6. The emerging PFE can currently be given limited weight given its stage of progression to examination stage. The site continues to be included as a housing allocation in all iterations of the Joint Development Plan which is clear indication of the Council's direction of travel for the future development of Castleton, and indeed how it proposes to meet the housing needs of the wider Borough. The examinations have concluded and the Inspectors' report is awaited. On the basis the plan is found sound subject to modifications, and the allocations remains, then much greater weight will be able to be afforded to PFE.

DRAFT ALLOCATION JPA20

- 5.4.7. Although PFE is presently of limited weight in the determination of this application, it does provide a clear vision into the Council's ambition for this site and the likely future direction of travel with regards to how the site will be allocated and come forward for development. Therefore, set out below is a summary of how the scheme responds to the submission draft policy allocation as a means of demonstrating that the site is line with this future direction of travel.
- 5.4.8. Draft Allocation JPA20 Castleton Sidings Proposed Modifications (March 2023) states that the site:

Will be required to deliver around 125 high quality homes including higher value family housing. This includes making provision for affordable housing in accordance with relevant local plan requirements.

- 5.4.9. This application conforms by providing 191 high-quality homes, which comprise a mix of 2, 3 and 4 bedroom homes, including larger detached properties, helping to deliver a range of house types that meet local needs whilst also aligning with the Council's desire for larger and high value housing. The property size and mix has been informed by market demand.
- 5.4.10. A policy compliant level of affordable housing is proposed.
- 5.4.11. The technical work and detailed design work undertaken demonstrate that a scheme of 191 dwellings will provide good design. Furthermore, it is deliverable and appropriate to the site and its constraints.

Re-configure the area within the allocation to be retained as Green Belt.

- 5.4.12. This application conforms by providing a park and ecological enhancements to the Green Belt area, the areas of hard standing will be removed and replaced with native species planting. Pathways will be created to introduce public access for the existing and future residents to enjoy and appreciate the space.

Make land available within the site to facilitate the extension of the East Lancashire Railway (ELR) from Heywood to Castleton, and tram-train trial infrastructure.

- 5.4.13. This application conforms by reserving the eastern part of the site for ELR purposes and seeking a change of use to facilitate this. The application seeks outline consent for ELR development within this part of the site, establishing the acceptability of this use within the urban area.
- 5.4.14. The applicant has met with TfGM to discuss the requirements in respect of tram-train trial infrastructure. The residential layout accommodates the safety offset distances provided by TfGM, which is necessary for the tram-train line to come forward in the future.

Achieve excellent design and sustainability through masterplanning and the use of design codes for the whole site to ensure comprehensive development.

- 5.4.15. This application is accompanied by a bespoke design code for the site. The approach taken is high quality and informed by local context analysis and pre-application feedback from the LPA and Places Matter. The proposal will deliver an excellent and sustainable development that is appropriate in its context.

Make provision for new and improved sustainable transport and highways infrastructure having regard to the indicative transport interventions set out in Appendix D in accordance with policy JP-C7. This should include the provision of good quality pedestrian and cycling routes through the site to facilitate safe and convenient links to the centre of Castleton and the Castleton Bee Network scheme, the nearby railway station, and westwards to employment locations around Heywood.

- 5.4.16. The proposal provides new, good quality pedestrian links through the site which integrate with existing walking and cycling infrastructure. A new walking and cycling route will be provided to the east, linking in with the Greater Manchester Bee Network at Manchester Road. The Bee Network proposals include new footpaths, cycle lanes and crossings to encourage active travel.

Opportunities for walking will be provided by connecting to the golf club and existing PRoW in the west.

5.4.17. For JPA20, appendix D identifies the following works are necessary:

- Manchester Road / Queensway (signal alterations)
- Active travel links beyond allocation boundary

5.4.18. Mitigation and contributions will be discussed through the course of the application with the LPA and relevant consultees.

Carry out a project specific Habitats Regulation Assessment in relation to the Rochdale Canal for planning applications of 50 dwellings or more.

5.4.19. This application conforms as a HRA has been carried out.

Incorporate high quality landscaping, multi-functional green and blue infrastructure and acoustic attenuation to mitigate the potential visual and noise impact on the railway side of the land and provide appropriate boundary treatment in relation to the retained Green Belt.

Make provision for compensatory improvements to the environmental quality and accessibility of remaining Green Belt within and/or in the vicinity of the site in accordance with policy JP-G2;

5.4.20. This application provides a high-quality landscaping scheme throughout the site, with substantial areas of public open space that include green and blue infrastructure. Walking routes are provided through the site which improve accessibility to the Green Belt.

5.4.21. The application is supported by a noise impact assessment that sets out recommendations for the scheme. The design incorporates the acoustic attenuation recommended, which includes an acoustic fence along the southern boundary of the site to control noise levels in rear gardens, and whole dwelling ventilation for some plots.

Make financial contributions for offsite additional primary and secondary school provision to meet needs generated by the development in accordance with policy JP-P5.

5.4.22. Financial contributions will be discussed and agreed with the LPA during the course of the application, to ensure needs generated by the development which cannot be accommodated by existing capacity are suitably mitigated. This application is supported by an education capacity statement which demonstrates that in January 2022 there was a surplus of both primary and secondary schools. Where schools can meet the needs generated by the development, a financial contribution would not be appropriate as it would not meet the NPPF tests.

Consider the extraction of any viable mineral resources within Mineral Safeguarding Areas, in accordance with Policy 8 of the Greater Manchester Joint Minerals Development Plan (or any relevant policies in subsequent minerals plans).

5.4.23. The site is located within a much larger Mineral Safeguarding Area (MSA) for Brick Clay in the Greater Manchester Joint Minerals Plan. A Mineral Safeguarding report has been prepared that concludes that mineral extraction is constrained in this site, and that the proposed development would not sterilise mineral extraction in the wider MSA.

5.5 OTHER MATERIAL CONSIDERATIONS

Rochdale Rail Corridor Strategy (2020)

- 5.5.1.1 The strategy was produced by RBC and the Rochdale Development Agency (RDA).
- 5.5.2. The document highlights that the following plans for the Castleton station and surrounding area include:
- 1,500+ new homes, catering for up to 3,500 people
 - Expansion of Metrolink to Heywood and Bury via Castleton
 - New £11m cycle corridor
 - Extension of the East Lancashire railway to Castleton
 - New station entrance directly fronting onto Manchester Road
 - Creation of new commercial and community space around the station
 - Expansion of parking facilities
 - Longer trains and additional services at peak times

The draft Castleton Station Area Masterplan SPD (March 2022 version)

- 5.5.3. The draft SPD notes that regeneration and improvement to Castleton represents a strategic priority for the Council to contribute to the wider housing strategy for new and improved housing offer in the area. The document offers guidance for proposals through outlining the development, design, and accessibility principles. The overall aim of the guidance is to tackle climate change through the delivery of new housing and commercial space near to rail stations and promote active travel.
- 5.5.4. The draft SPD recognises the need to diversify the housing supply within Castleton and that the delivery of market housing within the area is required to achieve this diversification.

The East Lancashire Railway Trust Development Strategy (2009)

- 5.5.5. The ELR trusts vision consists of two key aims including:
- Steadily improving annual visitor figures to a target of 200,000 per annum
 - Continuing to add value to the regeneration in the surrounding towns and villages and to support growth within the wider visitor economy
- 5.5.6. The document also recognises the significant opportunity which would be created by linking up the ELR track to the national rail network at Castleton.

6 PLANNING CONSIDERATIONS

- 6.1.1. This section firstly considers whether the development proposals amount to inappropriate development within the Green Belt and considers Green Belt matters which has been assessed through the submitted Landscape Visual Impact Assessment (LVIA). Section 7 considers whether very special circumstances exist, and Section 8 then goes on to consider other materials considerations.

6.2 DEVELOPMENT IN THE URBAN AREA

- 6.2.1. The site falls partly within the Green Belt and partly within the settlement boundary, an overlay of the layout with the policy allocation is provided at Figure 6.1 below. The following development is located in the urban area of Castleton, outside of the Green Belt:
- Residential development at (plots 1-23);
 - Pumping station and substation;
 - East Lancashire Railway Line expansion, including a temporary rail halt and associated car parking (sought in outline).
- 6.2.2. The principle of residential development and associated infrastructure is acceptable within the settlement boundary and is consistent with Local Policy and the Framework. The development will bring forward much needed homes on previously developed land, which supports the NPPFs drive to boost the supply of homes in sustainable locations.
- 6.2.3. The expansion of the ELR heritage line is consistent with the site's previous use as a railway siding. Whilst the full details of the scheme will be provided in a later Reserved Matters application, the principle of development is appropriate in this location. The ELR expansion is yet to be fully worked up but could include a temporary railway halt, highways infrastructure, parking provision and associated infrastructure and landscaping.

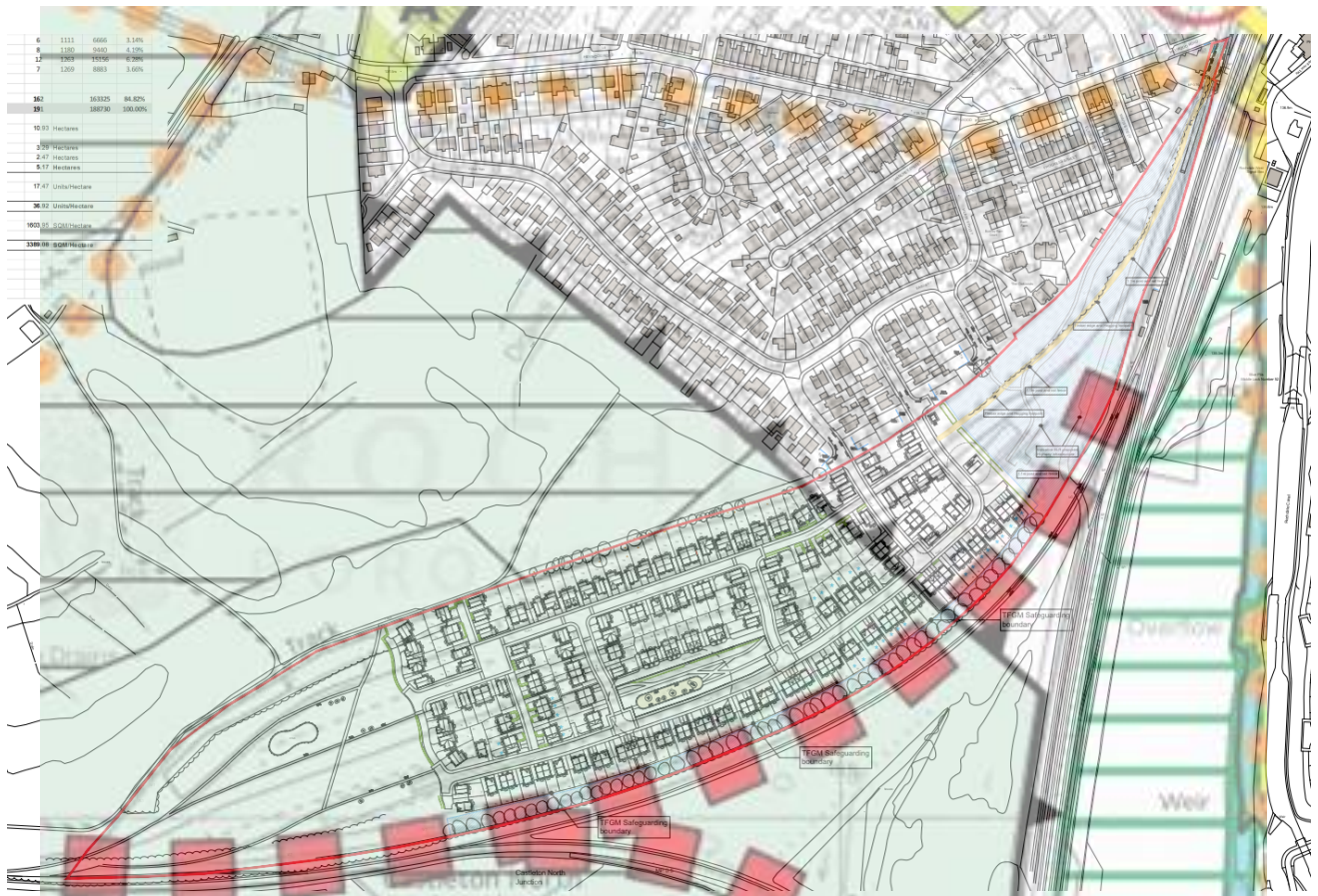


Figure 6.1, Overlay of the site plan and the Rochdale UDP Planning Policies Map (2006)

6.3 WHETHER THE DEVELOPMENT PROPOSALS AMOUNT TO INAPPROPRIATE DEVELOPMENT WITHIN THE GREEN BELT

6.3.1. The NPPF establishes that new buildings in the Green Belt should be regarded as inappropriate development unless one of the seven specific exceptions (a-g) apply (Paragraph 149).

6.3.2. The exception set out at Paragraph 149(g) is:

“g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

– not have a greater impact on the openness of the Green Belt than the existing development; or

– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority”.

6.3.3. Redevelopment of redundant, previously developed land is proposed. The development will deliver much needed affordable housing, which is compliant with policy, meeting an identified affordable housing need in the borough. The submitted landscape and visual impact assessment (LVIA) assesses the proposal against the purposes of the Green Belt. The LVIA concludes that “the

openness of the green belt would not be substantially harmed by the partial loss of Green Belt on site” and the proposal would therefore meet NPPF paragraph 149(g).

- 6.3.4. The LPA’s earlier pre-application response concluded that there would be substantial harm caused by inappropriateness, and “significant additional harm” would result from the loss of openness and conflict with the purposes of the Green Belt as the development would reduce the width of open land between Rochdale/Castleton and Heywood. The LVIA was not available to the council at that time.
- 6.3.5. In accordance with the LPA’s pre-application advice, a very special circumstances case has been prepared. This is set out at Section 7.
- 6.3.6. A further six forms of development that are not deemed inappropriate are set out at Paragraph 150, none of the exceptions at Paragraph 150 are relevant to this proposal.

APPROPRIATE DEVELOPMENT

- 6.3.7. The following elements of the proposal meet the exceptions set out within the Framework and are appropriate development within the Green Belt:
 - The change in use of land from railway sidings to public nature park;
 - Introduction of the trim trail and LEAP;
 - The creation of the waterbody features within the public nature park.

INAPPROPRIATE DEVELOPMENT

- 6.3.8. Considering the exceptions set out within the Framework, the following elements of the proposal comprise inappropriate development within the Green Belt:
 - Residential development (plots 24-191).
- 6.3.9. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (NPPF Paragraph 147).
- 6.3.10. When considering applications, LPAs should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations (Paragraph 148).
- 6.3.11. The NPPF, PPG or any other material policy and guidance does not provide definitive guidance on what constitutes very special circumstances. Indeed, each site and each proposed development must be assessed on its own merits. This is a reflection of the sometimes complex and sometimes subjective nature of very special circumstances. This assessment has therefore been prepared with reference to the fact that the NPPF sets out in paragraph 133 that the Government attaches great importance to Green Belts. It also assesses the benefits of the development proposal and the potential harm caused, framed within the context of the development plan and local issues.
- 6.3.12. It is important to consider that VSCs are specific to each individual case and each individual site. They do not necessarily have to demonstrate a rare circumstance, they can be demonstrated as a result of a combination of a number of benefits and circumstances. Assessing very special circumstances is not a mathematical exercise, but a single exercise of judgement to assess whether there are very special circumstances which justify the grant of permission notwithstanding the particular importance of the Green Belt. In accordance with the NPPF and policy G4 ‘Protecting Green Belt’, very special circumstances are demonstrated to exist as set out in Section 7.

6.4 GREEN BELT HARM

PURPOSES

- 6.4.1. The fundamental aim of Green Belt policy is set out in paragraph 137 of the NPPF which seeks to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence.
- 6.4.2. The NPPF identifies at paragraph 138 the five purposes of the Green Belt:
- a) To check the unrestricted sprawl of large built-up areas;
 - b) To prevent neighbouring towns merging into one another;
 - c) To assist in safeguarding the countryside from encroachment;
 - d) To preserve the setting and special character of historic towns; and
 - e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

6.4.3. An assessment of the proposal's impact on the Green Belt is set out within the Landscape and Visual Impact Appraisal prepared by Ascerta and is summarised below. The assessment uses the Greater Manchester Combined Authority Green Belt Assessment (2016) as a guide and provides commentary in terms of the five purposes of the Green Belt.

6.4.4. An assessment of each of the purposes is set out below.

To check the unrestricted sprawl of large built-up areas

- 6.4.5. The GM Green Belt assessment rated the allocation site (RD52) as weak towards purpose A (unrestricted sprawl of large built-up areas). The term 'weak' is defined as "*Adjacent to large built-up area and land parcel already contains urban sprawl compromising the sense of openness*".
- 6.4.6. This recognises that the openness of the site is already affected by urban form within the site as part of the baseline, therefore the site lends itself to being partly removed from the Green Belt. Additional planting and landscaping in the open space area in the western part of the site will help define the urban edge from the urban fringe farmland.

To prevent neighbouring towns merging into one another

- 6.4.7. The Review of Places for Everyone – JPA20 Castleton Sidings Allocation Topic Paper (the topic paper) advises full development of the site (including the open space area) would have a significant impact on the Green Belt between Castleton and Heywood. This is why the western part is proposed for open space to ensure separation.
- 6.4.8. The GM Green Belt assessment rated the allocation site as moderate in respect of this purpose.

To assist in safeguarding the countryside from encroachment

- 6.4.9. Whilst there would be encroachment into the Green Belt, the western part of the site would be used for high-quality open space and retained within the Green Belt (having been remediated). The

proposed development of the site would result in the loss of 5.15ha of Green Belt land. However, it would be the loss of vacant, previously developed industrial land and not valued countryside. Further, brownfield land would be remediated to repair the Green Belt and improve its quality and longevity

- 6.4.10. The GM Green Belt assessment rated the allocation site as having no contribution to this purpose.

To preserve the setting and special character of historic towns

- 6.4.11. As set out within the accompanying heritage assessment, the site makes no positive contribution to the significance or appreciation of designated or non-designated heritage assets. Nor does the site contribute to the setting of the assets. The site therefore has no contribution towards this purpose of the Green Belt.

- 6.4.12. The GM Green Belt assessment rated the allocation site as having no contribution to this purpose.

To assist in urban regeneration, by encouraging the recycling of derelict and other urban land

- 6.4.13. This part of the policy seeks to restrict Green Belt land to encourage development on derelict land. In this instance, the Green Belt land is derelict and in need of regeneration. As such the development accords with this part of the policy.
- 6.4.14. The site is previously developed land that was a former East Lancashire Railway site to repair and maintain trains; it was most recently used for storage and distribution of steel. There are no buildings remaining on the site, but there are large areas of concrete slabs and redundant tracks where the large steel fabricated buildings used to store trains used to be.
- 6.4.15. Indeed, the Review of Places for Everyone – JPA20 Castleton Sidings Allocation Topic Paper (2021) identifies the Castleton Sidings site to offer the opportunity to deliver high quality housing on previously developed land.

SUMMARY

- 6.4.16. It has been assessed that the site makes a weak contribution towards purposes A (unrestricted sprawl of large built-up areas), moderate towards purpose B (prevent neighbouring towns merging into one another), and no contribution towards purposes C (assist safeguarding the countryside from encroachment) and D (preserve the setting and special character of historic towns). The proposal will help to deliver purpose E (encouraging the recycling of derelict and other urban land).
- 6.4.17. The performance of the site against the aims and purposes of the Green Belt as set out within the NPPF is comparatively low.
- 6.4.18. Overall, there is no-low net harm in respect of Green Belt purposes, as the neutral-beneficial impacts in relation to C-E balance the harm of A-B.
- 6.4.19. Therefore, the harms identified relate to openness and inappropriateness.

IDENTIFIED HARM

- 6.4.20. Paragraph 144 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of

inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

6.4.21. Where limited harm is identified it follows that a lesser weight of VSC will be required to outweigh the harm.

6.4.22. The LVIA prepared by Ascerta concludes that:

- In terms of spatial openness, the proposed built form would appear as a logical extension to the edge of the urban area of Castleton, and would not result in substantial spatial harm. This is in part due to the shape of the site and that the scheme will provide housing in keeping with adjacent dwellings.
- In terms of visual openness, the site is reasonably enclosed from the north and south due to lines of mature trees that screen or partially screen views towards the site. Intervisibility from the north, east, south and west is limited by existing landscape features such as woodland, hedgerows and undulating field.
- Overall, visibility of the site is limited not just within the Green Belt, but also from the surrounding wider landscape.
- The duration of the proposed development will be long term; however, the whole site will be improved compared to its current state as a developed industrial site that is vacant, derelict, and overgrown.
- The newly added green infrastructure will over time help mitigate visual impacts of the proposed built form on the surrounding Green Belt particularly for visual receptors from the west and south-west.
- The openness of the green belt would not be substantially harmed by the development.

6.5 SUMMARY

6.5.1. In the light of the above assessment, the following weigh against the development:

- Definitional harm to the Green Belt by virtue of inappropriate development; and
- The limited and localised harm to Green Belt openness and the moderate harm in respect of settlements merging, and weak harm in respect of unrestricted sprawl.

6.5.2. The harm is thus limited.

6.5.3. In addition, there is less than substantial harm identified with respect to spatial and visual openness. The site is derelict with no public access, the proposal will enhance the use of the Green Belt by providing public access and improving derelict land.

6.5.4. The Green Belt harm identified carries substantial weight.

7 VERY SPECIAL CIRCUMSTANCES

- 7.1.1. This section sets out the very special circumstances case for the redevelopment of the Castleton Sidings site. Counsel opinion has been sought on the VSC case below with the formal advice appended to this statement (Appendix E).
- 7.1.2. There are very special circumstances to justify the proposed development in the Green Belt, including:
- Facilitate the ELR and extension through the gifting of land in the north east of the allocation to assist the delivery of a strategic allocation. The Castleton Sidings site is fundamental to facilitate the extension of the ELR from Heywood to Castleton and has been identified as one of the catalysts for securing the wider regeneration of Castleton itself;
 - Facilitate the future tram/train trial with the intention for the Metrolink to be extended through Castleton to Heywood and Bury;
 - Delivers the only site capable of delivering the ELR/tram improvements. There are no alternative sites, with the Council's own evidence base confirming that the site is uniquely placed to deliver the ELR/Metrolink expansion. The benefits of the scheme are site specific and localised to this site only. Without the gifting of land, the strategic ambitions for ELR and Castleton regeneration cannot be achieved.
 - Delivery of 191 high quality new homes on a previously developed site including higher values homes aligning with one of the Council's key objectives;
 - Delivery of policy compliant affordable housing, targeting an identified local need;
 - Certainty of delivery as the site is under single ownership and therefore there can be delivered , , including gifting of the ELR land and EcoPark;
 - Redeveloping a previously developed site and in a sustainable location within a high-ranking settlement, well placed to utilise existing community facilities and social infrastructure, delivering locational benefits and aligning with national guidance to focus new development on areas benefitting from sustainable transport options;
 - Delivering a strategic draft allocation identified at a regional level (Places for Everyone) helping to deliver economic opportunities for Castleton, an area identified by the Council as being in need of regeneration;
 - Deliver substantial socio-economic benefits on a previously developed site including;
 - Support for 370 person years of construction employment over the 44 month construction phase equating to around 101 construction jobs per year;
 - Generation of around £7.4 million in GVA per year during the construction phase;
 - Estimated local residential spend of around £2.6 million per annum from the new population to take up residence at the Site;
 - Generation of around £400,000 a year in Council Tax receipts;
 - New Homes Bonus payments to RBC of around £371,000;
 - Gifting of land to support the extension of the East Lancs Railway proposals – providing the catalyst for further regeneration and economic benefits arising from spillover effects associated with heritage tourism;
 - Generation of positive social outcomes in relation to reduced carbon footprints of residents, enhanced carbon literacy, reduced fuel poverty, crime prevention, community cohesion and inclusiveness;
- The site is in an economically deprived area, as identified in the English Indices of Deprivation 2019, where the socio-economic benefits will be felt more strongly.
- Environmental benefits including remediation of a contaminated site and provision of the Eco Park;
 - Social benefits- delivery of a new 3.29 hectare publicly accessible, open space and more than 1.3 km of permissive paths helping to improve the mental and physical health and wellbeing of the local community.

- Strengthening of the Green Belt with the provision of the EcoPark to improve degraded Green Belt land and provide a new strong edge to the Green Belt and reduce encroachment and merging with Heywood;
- The proposal will bring beneficial use to currently privately owned Green Belt land in line with paragraph 145 of the NPPF whilst delivering Green Belt compensation, through a betterment of the Castleton Sidings site;
- Sustainability benefits through energy efficient homes including sustainable technologies and PV; and
- A biodiversity net gain of 10.2%.

7.1.3. There are substantial public benefits to be delivered, the social value to be added, the environmental gains to be provided and the local economic boost including a significant expansion of public transport infrastructure through the redevelopment of Castleton Sidings.

7.2 ELR/METROLINK EXPANSION

ELR

7.2.1. The Castleton Sidings site is fundamental to facilitate the extension of the East Lancashire Railway (ELR) from Heywood to Castleton and has been identified as one of the catalysts for securing the wider regeneration of Castleton itself. The East Lancashire Railway 2020 Development Strategy states there is a target to nearly double annual visitors from 107,000 to 200,000 per year. The Heywood to Castleton extension is one of seven development priorities identified in order to achieve this goal.

7.2.2. The Council themselves acknowledge the importance of promoting local regeneration within the Castle Station Supplementary Planning Document (SPD) which sets out that;

‘The regeneration and improvement to Castleton represents a strategic priority for the Council to contribute to the wider housing strategy for new and improved housing offer in the area, exploit its connectivity to the strategic road and rail network, regenerate under-utilised land and buildings and support further planned investment in transport infrastructure’.

7.2.3. And that;

‘The Council is seeking to promote transit led integrated development and place making around existing stations with the aim of unlocking the dormant potential of Castleton station through dynamic urban regeneration and the creation of a Transport-Orientated Community (TOC)’.

7.2.4. The SPD is heavily reliant on the Castleton Sidings site coming forward, acknowledging that the site is uniquely placed to deliver;

- The ELR extension and associated benefits;
- Potential Metrolink tram-train provision; and
- Potential for additional parking lost due to proposed Bee Network Scheme

7.2.5. Minutes from Council meetings held in September 2014 refer to the ELR and the Heywood and Castleton Masterplan. Specifically of relevance is the Council’s acknowledgement that the ELR extension to Castleton would secure significant benefits to Castleton Centre.

7.2.6. Paragraph 3.14 of the minutes sets out that;

‘3.14 The closure of the former Corus site at Castleton opens up the exciting possibility of extending the ELR tourist line through from Heywood to link up to the mainline at Castleton. Doing this would provide many benefits to the ELR and the wider Castleton village, enabling the railway to come

into the village and link with the mainline and **exploit the tourism and leisure potential of the canal and support the wider regeneration of Castleton centre**. Evidence from elsewhere shows that where a heritage railway station is located adjacent to a town or village centre, there is a significant benefit to that centre. Ramsbottom is a case in point.

The view is that Castleton would secure similar benefits should the railway be able to meet the mainline. Consultation by the ELR and the Council on the 2020 Development Strategy and to explore this regeneration opportunity with the local community took place in 2009. Officers have worked with private landowners, the local community and other stakeholders such as Network Rail and Transport for Greater Manchester to develop a regeneration Masterplan for the Castleton area.

This was endorsed by Township in 2010. The 2010 Masterplan identified **the opportunity for an additional platform to be provided at Castleton station adjacent to the Rochdale bound platform. This would be subject to the acquisition of land to extend the track and construct the ELR platform**, with the opening up of an archway under the Manchester Road bridge. Other passenger improvements associated with the construction of an additional ELR platform would be needed’.

- 7.2.7. More recently, the Council have prepared a topic paper (August 2021) to support the proposed Castleton Sidings Allocation within the Places for Everyone Joint Development Plan. The importance of site is again referenced within the policy wording;
- ‘The development of the site is important to facilitate the extension of the East Lancashire Railway (ELR) from Heywood to Castleton. The delivery of this extension is identified in the ELR 2020 Development Strategy and will assist in the wider regeneration of Castleton local centre. It also offers further potential connectivity given that it provides a convenient link between the heritage line to mainline passenger services at Castleton station’.*
- 7.2.8. It is important here to flag that as part of the site’s allocation, the Council have been through a rigorous site selection process to identify the most suitable sites for residential, employment and regeneration purposes. The topic paper confirms that the site satisfies criteria 1 *‘Land which has been previously developed and/or land which is well served by public transport’* and criteria 7 *‘Deliver significant local benefits by addressing a major local problem/issue’*.
- 7.2.9. Criterion 1 relates to sites which are previously developed land as well as the most sustainable and accessible locations which are already well served by public transport. The site is previously developed in a sustainable location and well placed to utilise existing community facilities and social infrastructure.
- 7.2.10. Criterion 7 relates to sites which can demonstrate direct links to addressing a specific local need. The development of the site is important to facilitate the extension of the ELR from Heywood to Castleton. The delivery of this extension is identified in the ELR 2020 Development Strategy and will assist in the wider regeneration of Castleton local centre. It also offers further potential connectivity given that it provides a convenient link between the heritage line to mainline passenger services at Castleton station.
- 7.2.11. The importance of the site is confirmed as part of the Council’s site selection process (as part of their exceptional circumstances paper) which states that site would deliver significant local benefits by addressing a major local problem/issue.

Metrolink

- 7.2.12. The site has also been earmarked for a future tram/train trial with the intention for the Metrolink to be extended through Castleton to Heywood and Bury. Whilst at an early stage, the design of the proposals ensures that any future Metrolink scheme is futureproofed with appropriate track access built into proposals from the outset.
- 7.2.13. The Council's Castleton Station Area SPD confirms that work has started on the Tram Train Pathfinder Project stating that;
- 'A Business Case that supports the feasibility of the proposal is expected to be completed by 2025 at the latest, from which funding can be sought by the GMCA and Tram-Train implemented'.*
- 7.2.14. And;
- 'In September 2020 TfGM made a successful bid from the Department for Transport (DfT) Restoring Your Railways Fund to explore the options and feasibility of extending public transport services between Oldham and Bury via Rochdale and Castleton stations using the existing Metrolink and heavy rail lines...It is paramount that any proposals that come forward protect the successful and increasingly popular East Lancashire Railway Heritage services'.*

The Proposals

- 7.2.15. In terms of the proposals themselves, from the outset, they have been designed to ensure the opportunities presented by the ELR and Metrolink expansion are maximised and achieved. The scheme dedicates land in the northeast of the allocation adjacent to the railway line to accommodate a temporary ELR halt and potentially associated parking to the west of A664 Manchester Road. This element of the proposal is submitted in outline to ensure future flexibility for ELR/Metrolink when they are ready to move forward with the extension.
- 7.2.16. Kellen Homes have been in regular contact with ELR to ensure that the proposals being brought forward align with their strategic vision and requirements. The latest scheme ensures appropriate track access for both ELR and Network Rail to undertake any maintenance and improvements where required.
- 7.2.17. Discussions are underway in terms of land transfer between the landowner/Kellen Homes and ELR/the Council to ensure that the land is safeguarded and that the ELR extension is delivered. Further details will be provided on the mechanism used to secure the transfer of land to ELR/the Council as the application progresses, however, it is anticipated this will form part of the Section 106.

Summary

- 7.2.18. In light of the above, it is clear that delivering the ELR and potential Metrolink extension will have significant benefits for Castleton and the local community and will act a catalyst for regeneration delivering increase tourism, investment and spending in the local economy. The proposals will also fully accord with and will deliver the key objectives and development principles of the Castleton Station Area SPD (2022).
- 7.2.19. The application site is unique given it is only this site which can unlock the ELR extension due to the local of the rail track.

- 7.2.20. There are no alternative sites which could deliver the expansion and as such the benefits associated of the proposal are localised to this site only. The proposals are fundamental to achieving the vision for Castleton and delivering significant public benefits.

7.3 HOUSING NEED

- 7.3.1. The Rochdale Core Strategy sets out the target for 460 additional homes per year over the period 2012 to 2028. A key part of the Council's housing strategy is to promote and support development which widens the choice of housing available to residents.
- 7.3.2. The range and type of housing that would be provided by the proposed development at Castleton would contribute to widening the choice of housing available to residents. The provision of 191 residential units represents 42% of the Rochdale annual target, beneficially contributing to the need to supply good quality, comfortable homes for communities.
- 7.3.3. Policy C3 'Delivering the right amount of housing in the right places' sets out that the Council will deliver the right type of homes by (amongst other principles) ensuring that the supply of larger and higher value in the borough is improved.
- 7.3.4. The proposals comprise a mix of 2, 3 and 4 bedroom homes helping to deliver a range of house types that meet local needs whilst also aligning with the Council's desire for larger and high value housing.
- 7.3.5. Delivering higher value housing is crucial in attracting and retaining skilled residents within the local area and borough. This in turn has spill over impacts in terms of higher paid households supporting higher value business sectors and to the wealth that a local economy is able to capture.
- 7.3.6. The proposed dwellings are high quality, energy efficient and will assist in mitigating any risk of residents moving away from the borough to secure a home.
- 7.3.7. Proposals also include policy compliant affordable housing, helping to address an identified need within the local area.

7.4 DELIVERABILITY

- 7.4.1. Another element that makes the proposals distinct is that Kellen Homes will control, manage and deliver every stage of the development and build, this is not a speculative proposal. The application site is under single ownership with the owner/developer fully supportive of the proposals. The investment required to fund the development has been sourced and with both the owner and Kellen Homes both fully committed to the scheme.
- 7.4.2. As such there is clear evidence that the proposed development and its associated benefits including gifting ELR land and the EcoPark can be delivered on a commercially viable basis. Numerous Inspectors have given weight to this point acknowledging that the benefits would be unlocked within a short period of time. This is clearly relevant here.
- 7.4.3. The benefits of the proposal will be felt locally and publicly. In addition to housing, the ELR expansion and economic benefits there will be significant public benefit in the form of publicly accessible open space. The proposal will give residents greater opportunity for recreation, improve access to nature and improve health and wellbeing. These benefits are only deliverable in this location by the development of the Castleton Sidings site.

7.5 MAKING EFFECTIVE USE OF LAND

- 7.5.1. Paragraph 120 of the NPPF states that planning decisions should give substantial weight to the value of using previously developed land for homes and other identified needs. Given that the proposal will make significantly more effective use of a plot than its current use, it is clearly in accordance with the NPPF in the context of efficient use of land and reusing previously developed land.
- 7.5.2. The proposal seeks to redevelop a previously developed site in an accessible and sustainable location within a high ranking settlement. The proposal therefore helps reduce the pressure on greenfield Green Belt land to accommodate the Borough's growth. This should be given weight in the determination of the application.
- 7.5.3. The Council themselves as part of their 'exceptional circumstances' evidence to support the PfE allocation confirm that the site is previously developed and in a sustainable location, well placed to utilise existing community facilities and social infrastructure.
- 7.5.4. The benefits of delivering new residential development, including affordable provision, on previously developed cannot be understated as evidenced by the recent World of Pets, Thorley Lane, Timperley appeal decision (APP/Q4245/W/22/3306715).
- 7.5.5. In respect of previously developed land, the Inspector stated that the reuse of a sizeable area of under-utilised and unattractive previously developed land for housing carries significant weight as a benefit in favour of the proposal.
- 7.5.6. There is a clear need for both housing and the delivery of the ELR expansion and as such substantial weight should be given to the reuse of previously developed land.

7.6 PUBLIC BENEFITS

- 7.6.1. The development will deliver significant environment, social and economic benefits. The benefits associated with this application should be considered as part of the very special circumstances case.
- 7.6.2. A socio-economic benefits report has been produced by WSP. The report estimates the socio-economic effects of the development and the ways in which this will have an impact upon the immediate community and the local economy more broadly. The full report accompanies this submission, however, is summarised below.

ECONOMIC BENEFITS

- 7.6.3. Temporary economic benefits such as;
- Support for 370 person years of construction employment over the 44 month construction phase equating to around 101 construction jobs per year; and
 - Generation of around £7.4 million in GVA per year during the construction phase;
- 7.6.4. Permanent economic benefits such as;
- Generation of around £400,000 a year in Council Tax receipts;
 - New Homes Bonus payments to RBC of around £371,000; and

- Gifting of land to support the extension of the East Lancs Railway proposals – providing the catalyst for further regeneration and economic benefits arising from spillover effects associated with heritage tourism.

SOCIAL BENEFITS

7.6.5. Social benefits such as;

- Support for local skills through job creation;
- Generation of positive social outcomes in relation to reduced carbon footprints of residents, enhanced carbon literacy, reduced fuel poverty, crime prevention, community cohesion and inclusiveness;
- Provision of recreational space thus improving health and well-being; and
- Providing new homes, including affordable provision for the local community.

ENVIRONMENTAL BENEFITS

- 7.6.6. The proposal will deliver a new a significant new area of public open space (circa 3.29ha) in the form of EcoPark, with a focus on reusing the sites former rail sidings as a feature. The open space will compromise a variety of habitats and open spaces. New footpaths and cycleways will be included following the routes of the former railway lines to create an interesting and legible space.
- 7.6.7. This will give existing and future residents better access to nature and improved health and wellbeing. Within the space, provision is made for over 1.3km of new circulation routes. This space will be for public use and will directly benefit Castleton residents.
- 7.6.8. The proposal will bring beneficial use to currently privately owned Green Belt land in line with paragraph 145 of the NPPF. Green Belt compensation will be provided, through a betterment of the Castleton Sidings site.
- 7.6.9. The proposal will contribute positively to the borough's environmental objectives to create and enhance high quality green spaces, improving opportunities for healthy lifestyles.

7.7 PLACES FOR EVERYONE

- 7.7.1. Castleton Sidings forms a draft Places for Everyone Allocation (JP20) for 125 homes, infrastructure to facilitate the extension of the East Lancashire Railway and Metrolink, provision of appropriate access for Network Rail and provision of green and blue infrastructure.
- 7.7.2. The supporting policy text highlights the importance of the allocation coming forward given its sustainable and accessible location, being well placed to utilise existing community facilities and infrastructure. There is acknowledgment of the importance of the site in delivering the ELR extension and other opportunities.
- 7.7.3. Whilst at this stage only limited weight can be given to the proposed allocation, it demonstrates the strategic direction for employment needs across Greater Manchester and within Rochdale Borough. The allocation has been through a full assessment by the Council including public consultation. In submitting the Plan, the Council have fully endorsed the allocation.
- 7.7.4. The Castleton Sidings allocation has recently progressed through an Examination in Public Hearing session. The Council and Kellen Homes expressed support for the allocation with little/no objection raised by other parties. Clearly as the Plan advances, more weight can be attributed to its allocation,

particularly strategic allocations such as Castleton Sidings. There is a high probability the allocation will be adopted.

- 7.7.5. Inspector Chamberlain in respect of the recent World of Pets appeal decision (APP/Q4245/W/22/3306715) for a site in Trafford also proposed for allocation in PfE, commented on the Places for Everyone emerging policy position, stating that whilst a draft allocation carries limited weight overall, the emerging policy position adds weight towards the acceptability of the scheme.
- 7.7.6. Even if the Plan does not progress, the area still remains a front runner to accommodate new growth and provide economic opportunities for Castleton and Rochdale Borough and would be highly likely to be allocated in any future Local Plan for Rochdale.

7.8 THE VERY SPECIAL CIRCUMSTANCES

- 7.8.1. Paragraphs 147 and 148 of NPPF state:

‘Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

- 7.8.2. The key considerations that clearly outweigh the harm (inherent harm to the green belt plus any harm identified through the planning application’s technical assessment work) are:
- Facilitate the ELR and extension through the gifting of land in the north east of the allocation to assist the delivery of a strategic allocation. The Castleton Sidings site is fundamental to facilitate the extension of the ELR from Heywood to Castleton and has been identified as one of the catalysts for securing the wider regeneration of Castleton itself;
 - Facilitate the future tram/train trial with the intention for the Metrolink to be extended through Castleton to Heywood and Bury;
 - Delivers the only site capable of delivering the ELR/tram improvements. There are no alternative sites, with the Council’s own evidence base confirming that the site is uniquely placed to deliver the ELR/Metrolink expansion. The benefits of the scheme are site specific and localised to this site only. Without the gifting of land, the strategic ambitions for ELR and Castleton regeneration cannot be achieved.
 - Delivery of 191 high quality new homes on a previously developed site including higher values homes aligning with one of the Council’s key objectives;
 - Delivery of policy compliant affordable housing, targeting an identified local need;
 - Certainty of delivery as the site is under single ownership and therefore there can be delivered , , including gifting of the ELR land and EcoPark;
 - Redeveloping a previously developed site and in a sustainable location within a high-ranking settlement, well placed to utilise existing community facilities and social infrastructure, delivering locational benefits and aligning with national guidance to focus new development on areas benefitting from sustainable transport options;
 - Delivering a strategic draft allocation identified at a regional level (Places for Everyone) helping to deliver economic opportunities for Castleton, an area identified by the Council as being in need of regeneration;

- Deliver substantial socio-economic benefits on a previously developed site including;
 - Support for 370 person years of construction employment over the 44 month construction phase equating to around 101 construction jobs per year;
 - Generation of around £7.4 million in GVA per year during the construction phase;
 - Estimated local residential spend of around £2.6 million per annum from the new population to take up residence at the Site;
 - Generation of around £400,000 a year in Council Tax receipts;
 - New Homes Bonus payments to RBC of around £371,000;
 - Gifting of land to support the extension of the East Lancs Railway proposals – providing the catalyst for further regeneration and economic benefits arising from spillover effects associated with heritage tourism; and
 - Generation of positive social outcomes in relation to reduced carbon footprints of residents, enhanced carbon literacy, reduced fuel poverty, crime prevention, community cohesion and inclusiveness.

The site is in an economically deprived area, as identified in the English Indices of Deprivation 2019, where the socio-economic benefits will be felt more strongly.

- Environmental benefits including remediation of a contaminated site and provision of the Eco Park;
- Social benefits- delivery of a new 3.29 hectare publicly accessible, open space and more than 1.3 km of permissive paths helping to improve the mental and physical health and wellbeing of the local community.
- Strengthening of the Green Belt with the provision of the EcoPark to improve degraded Green Belt land and provide a new strong edge to the Green Belt and reduce encroachment and merging with Heywood;
- The proposal will bring beneficial use to currently privately owned Green Belt land in line with paragraph 145 of the NPPF whilst delivering Green Belt compensation, through a betterment of the Castleton Sidings site;
- Sustainability benefits through energy efficient homes including sustainable technologies and PV; and
- A biodiversity net gain of 10.2%.

- 7.8.3. There are substantial public benefits to be delivered, the social value to be added, the environmental gains to be provided and the local economic boost including a significant expansion of public transport infrastructure through the redevelopment of Castleton Sidings.
- 7.8.4. The benefits are a combination of localised and site-specific circumstances which collectively represent very special circumstances.
- 7.8.5. The harm identified to the Green Belt has been demonstrated as limited, and therefore the above substantial benefits collectively more than outweigh the identified harm.
- 7.8.6. The proposals also benefit from a draft allocation within PfE, with a significant evidence base that demonstrates that ‘exceptional’ circumstances exist to take the site out of the Green Belt and allocate it for development. Accepting that the ‘exception’ and VSC tests are different with different bars to overcome, the ‘exceptional’ test still has a high bar and draws on many of the same issues required to demonstrate VSC. The Council and GMCAs acceptance of the ‘exceptional’ test being passed is a major step towards also demonstrating VSC. The allocation has recently progressed

through Examination in public. The allocation will kick start the wider regeneration of Castleton, there is therefore a strong case for 'exceptional circumstances'.

- 7.8.7. In light of the above, it is clear that the VSC benefits of this proposal outweigh the harm identified, and so the proposals should be supported.

8 OTHER MATERIAL CONSIDERATIONS

- 8.1.1. This section of the report provides a summary of the technical work undertaken to demonstrate that there are no site constraints preventing residential development from being delivered on the site in the short term. The assessment, reports and surveys referenced below have all been submitted as part of the planning application submission.

8.2 DESIGN

- 8.2.1. The Design and Access Statement (DAS) sets out the vision and design codes for the scheme. Detailed context analysis is set out within the DAS, that has informed the spatial framework underlying the masterplan for the site.
- 8.2.2. The National Design Guide (NDG) and National Model Design Code (NMDC) have informed the evolving scheme. The DAS sets out bespoke design codes for the proposal relating to spatial parameters, character and identity, land uses, green and blue infrastructure, movement and public realm hierarchy and built form.
- 8.2.3. The design codes maximise opportunities within the site to create a strong sense of place. The design incorporates the site's railway heritage through a strong rectilinear form, with streets, footpaths and cycleways following the alignment of the former railway sidings. This will carry through the residential layout and the open space, to integrate remnant sections of railway line with new planting. Street furniture such as lighting and seating will be selected with a railway theme to tie in with the design vision for the site.
- 8.2.4. A sensitive design approach has been taken along the western edge of development to gradually reduce density and create an organic building line, respecting the relationship with the Green Belt boundary.
- 8.2.5. The proposal also references the local context by using the landmark of St Martin's gothic architecture as a design cue in the house types, such as front gables and steep pitches. Views towards St Martin's Church will also be retained, in accordance with Policy P2.
- 8.2.6. The material palette complements the materials found on existing houses within the local area, including red and buff bricks. A palette of materials is proposed to create different character areas, visual interest and to create feature plots. House types are contemporary with a variation in the arrangement of roof alignments and gable features also creates visual interest. Whilst most dwellings will be two storey to reflect the local vernacular, with use of some 2.5 storey focal plots.
- 8.2.7. The residential layout comprises a street hierarchy of streets, lanes and shared drives with shared space squares at key locations. Feature plots are incorporated adjacent to the central POS and within the squares. Properties on the corner of the blocks will be dual aspect to overlook the public realm and create fenestrated elevations to the street.
- 8.2.8. The proposal successfully delivers a high-quality design that will create gateways on entry to the site from the Fairways, in accordance with Policies SO3 'To improve design, image and quality of place', P1 'Improving image' and P3 'Improving design of new development'. Design codes have been prepared which reflect national design guides and draw on local context and opportunities within the site. The proposal contributes positively to the townscape and will 'improve the image of the borough.

- 8.2.9. The proposal is well designed to protect amenity of future and existing residents. Private amenity space is provided for all residents, with no adverse impacts with regards to overbearing, overshadowing or loss of privacy. As such the proposal accords with Policy DM1 'General development requirements
- 8.2.10. In accordance with Policies 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', the development will deliver a range of homes to meet the needs of the local community, in a sustainable location, built at appropriate densities and which provides a policy compliant level of affordable housing.

8.3 LANDSCAPING

- 8.3.1. To support this application, Ascerta has prepared an Arboricultural Impact Assessment (AIA) and a comprehensive landscaping scheme that accords with the Green and Blue Infrastructure Design Codes as set out in the accompanying DAS.
- 8.3.2. The landscape strategy will retain and enhance existing natural assets where possible. It comprises:
- A network of green spaces that connects to the wider rural landscape.
 - A substantial EcoPark in the west of the site, comprising multi-functional green and blue infrastructure that will positively enhance the Green Belt.
 - A series of more urban public spaces are provided such as residential squares and private gardens.
 - An appropriate planting scheme that has been specified for the different areas of green space, including wetland planting, defensive planting and habitat creation.
 - A sensitive treatment is provided between the residential scheme and ELR parcel. The landscaping has a dual function of creating visual interest as well as screening between the two areas, providing privacy to residents.
 - The existing woodland buffer is retained and enhanced to preserve the character around the perimeter of the site.
- 8.3.3. The proposal will retain existing trees wherever possible and take opportunities to provide new and replacement planting, in accordance with policy G1 'Tackling and adapting to climate change'. Indeed, the arboricultural report concludes that the proposal will have a positive impact on canopy cover in the medium to long term. Removal of some existing Category B and C trees will be necessary to facilitate the development coming forward. However, a comprehensive landscaping scheme is prepared to compensate for the loss of trees through planting and the use of native and ornamental species within the planting scheme.
- 8.3.4. The AIA recommends the erection of protective fencing in advance of commencement of development to safeguard the root system of retained trees. This will be adhered to in the development scheme.
- 8.3.5. As demonstrated in the technical work, the landscaping scheme accords with policy P2 'Protecting and enhancing landscape, character and heritage'. P3 'Improving design of new development' and G3 'Renewable and low carbon energy development'.

8.4 AFFORDABLE HOUSING STATEMENT

- 8.4.1. Annex 2 of the NPPF provides a definition of affordable housing which now includes affordable homes for rent, starter homes, discounted market sales, and other affordable routes to home ownership. At a local policy level, Core Strategy Policies C4 and DM2 and the Council's Affordable Housing SPD identify the need to provide affordable housing contributions for schemes over 15 dwellings either through on-site or via off-site contributions (the latter of which is in exceptional circumstances).
- 8.4.2. Paragraphs 7.3 and 7.4 of the SPD indicate that an average of 15% affordable housing will be required and equate to a maximum 7.5% contribution of the total scheme value. The proposal will provide 29 homes, equating to 15.18% provision, in accordance with the SPD.
- 8.4.3. Kellen Homes have engaged with Registered Provider, First Choice Homes Oldham (FCHO), and have prepared the statement below to detail how affordable housing will be delivered as part of the proposed development.
- 8.4.4. First Choice Homes Oldham is a social housing provider with over 12,000 homes across the Oldham and Rochdale areas of Greater Manchester. Formed to benefit the local community, they provide and manage housing - including social housing - and do so much more. They help to care for and support customers through a range of services designed to help improve people's lives. FCHO will own and manage the affordable homes on the site when complete, including being responsible for future lettings and maintenance of the affordable rented homes.
- 8.4.5. Kellen Homes & FCHO in consultation with Stuart Morris, Strategic Lead for Housing at Rochdale Council, have utilised their knowledge of the local area and demand data in determining an appropriate housing mix for the site.
- 8.4.6. The proposed development will deliver 29 new affordable homes and will comprise:
- A mix of 16 affordable rent and 13 shared ownership homes – a housing mix as set out below.

	Total	2 Bed	3 Bed
Affordable Rent	16	3	13
Shared Ownership	13	3	10
Total	29	6	23

- A housing product of high quality, in keeping with the wider development. There will be no visible difference between the open market properties or affordable housing and as a result it creates a tenure blind scheme.
 - Affordable units will be located across different parts of the site to create mixed, sustainable communities.
- 8.4.7. The development will make a meaningful contribution to delivering affordable homes in Castleton. The affordable homes will be delivered on site, which is the council's preference. The proposed provision of affordable homes accords with the three key aims of the Affordable Housing SPD (2008), in that it will:

- provide high quality homes in mixed sustainable communities for those in need;
- widen the opportunities for home ownership; and
- offer greater quality, flexibility and choice to those who rent.

8.4.8. As set out within this section, the scheme is policy compliant in terms of affordable housing provision.

8.5 HERITAGE AND ARCHAEOLOGY

- 8.5.1. Fenix Heritage has prepared a Historic Environment Desk-Based Assessment to support this application, examining evidence from the Lancashire Record Office (LRO), the Greater Manchester County Record Office (GMCRO), Rochdale Local Studies Library (RLSL), the Greater Manchester Historic Environment Record (GMHER), in addition to a site visit and walk-over survey.
- 8.5.2. Five designated built heritage assets were identified within the search radius, four listed buildings and one conservation area.
- 8.5.3. 16 archaeological monuments, buildings areas and findspots are within the Assessment Area, none of which within the Site.
- 8.5.4. The report identifies that in archaeological terms there is no overt interest at the Site. Besides an active signal box, the buildings associated with the sidings were demolished during the mid-20th century. Whilst there are relict rail infrastructure remains, their archaeological historic significance is low.
- 8.5.5. The council identifies eight non-designated heritage assets were identified within the search radius. There were no designated or non-designated heritage assets identified within the site boundary.
- 8.5.6. The proposed development would lead to no harm to the special architectural or historic interests of any Listed Building or harm the setting of any Listed Building. Furthermore, there will be no harm to the conservation area or any non-designated asset. Recommendations are made that the design is cognizant of the density and architectural styles of existing residential development along the Manchester Road spine and sightlines of St Martin's Church is incorporated within the layout.
- 8.5.7. The proposal utilises the identified heritage assets positively and intelligently to strengthen identity, in accordance with Core Strategy Policy P2 'Protecting and enhancing character, landscape and heritage' and the NPPF.

8.6 TRANSPORT AND HIGHWAYS

- 8.6.1. A Transport Assessment and Travel Plan Framework has been prepared to support the application.
- 8.6.2. The Transport Assessment identifies that the site would be highly accessible by non-car travel modes such as walking, cycling and public transport. Pedestrian and cycle access will be available via the vehicular access points off Fairway, that will provide connectivity with the surrounding Castleton area. These proposals are supported by a Travel Plan.
- 8.6.3. The proposal is sustainably positioned to make use of existing active and public transport infrastructure. Access to public transport is at the very heart of the scheme. A network of footpaths is provided across the site, providing easy access from the new neighbourhood to the existing services and facilities in Castleton and beyond. Figure 8-1 below includes an excerpt from the DAS which shows the connections to the Castleton, the Fairways and the PRoW in the Green Belt.

- 8.6.4. The proposal directly links to the Castleton Bee Network. Stage 3 of the Greater Manchester Bee Network involves the improvement from 775 Manchester Road to Castleton Railway Station. A new separate cycle lane will be created to encourage safe active travel through Castleton and beyond. The network of footpaths across the site will provide direct links between the proposed new neighbourhood, shops on Manchester Road, surrounding neighbourhoods, the Bee Network, and surrounding countryside. As such, the proposed footpaths will enhance the site's connectivity in terms of walking, cycling and public transport
- 8.6.5. Connecting to the Bee Network will be a significant benefit for future and existing residents, by providing a direct route between the EcoPark, residential neighbourhood and ELR land to the Network.

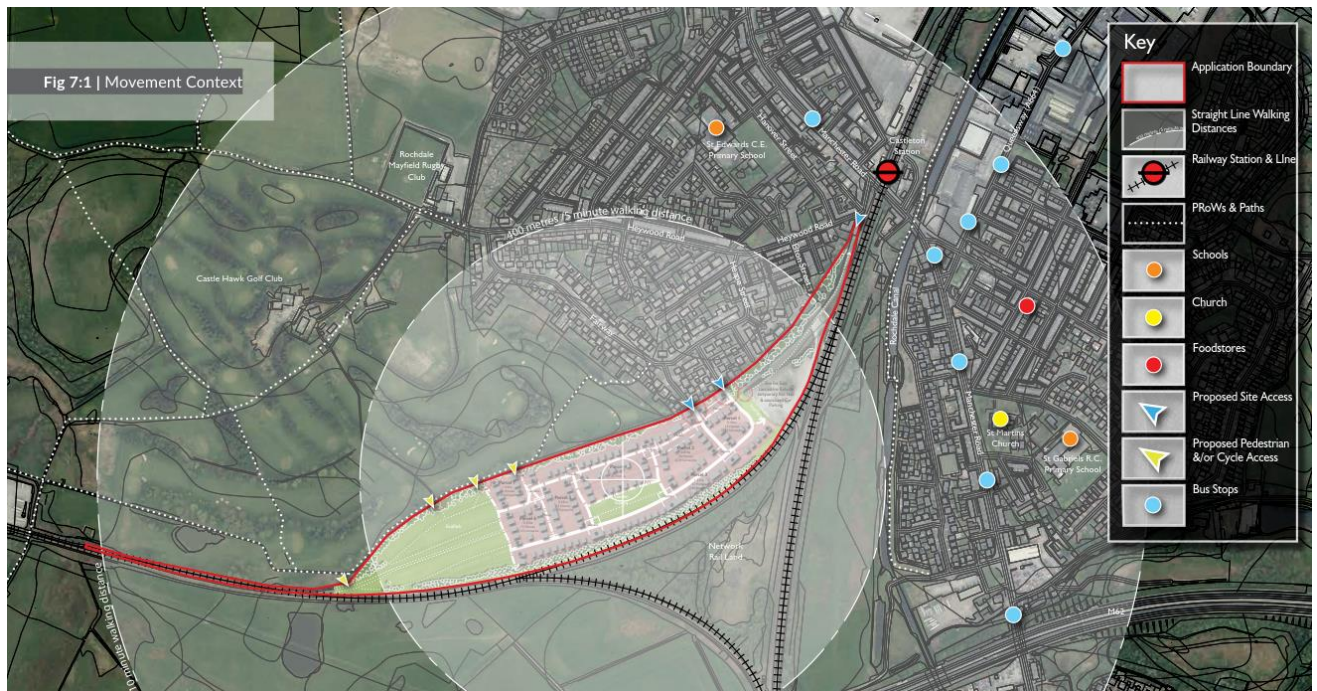


Figure 8.1, Movement Context (source: E*Scope Design and Access Statement)

- 8.6.6. Whilst the site is highly sustainable, each dwelling will have private on-plot car parking. A range of well-integrated parking solutions is provided including side drive parking and integrated garages and a limited amount of frontage parking interspersed with in plot landscaping.
- 8.6.7. Tracking has been undertaken which demonstrates that the site layout is safe and the proposed development will be accessed by safe and efficient vehicular access arrangements. Refuse vehicles can access the development safely and leave the site in forward gear.
- 8.6.8. The Transport Assessment concludes that the proposal will not have a severe impact on the local highway network, road safety or the number of accidents in the nearby area. The proposal is therefore acceptable in transport and highways terms.
- 8.6.9. In accordance with Policies SO5 'Improving Accessibility and delivering sustainable transport' and T2 'Improving Accessibility' the development is in a sustainable location, well connected to public transport.

8.7 ECOLOGY

- 8.7.1. A Preliminary Ecological Appraisal (PEA) has been prepared by Ascerta to support this application.
- 8.7.2. The site lies approximately 200m east of the Rochdale Canal which is a site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC).
- 8.7.3. The report concludes that the site contains habitats for nesting birds, badger, hedgehog, amphibians, and bats. However, the habitats that will be lost are small and not of high ecological value. Therefore, the loss can be mitigated for.
- 8.7.4. Further ecological surveys are recommended which have been instructed.
- 8.7.5. The proposal will adhere to the recommendations set out within the report, some of which include:
- Updated nocturnal bat activity, breeding bird, reptile surveys.
 - Precautionary Working Methods for badger.
 - Common amphibians are to be removed by hand from the working area during the clearance phase.
 - Sensitive lighting strategy to minimise impacts on areas identified as being suitable for foraging and commuting bats.
 - Construction Environmental Plan to protect the Rochdale Canal and deciduous woodland priority habitat.
 - Updated Habitat Suitability Index.
 - Hedgehog, Badger, and Amphibian RAMS.
 - Invasive species method statement.
 - Enhance site through planting.
 - Management Plan.
 - Vegetation clearance undertaken outside nesting bird season.

BIODIVERSITY NET GAIN

- 8.7.6. A Biodiversity Net Gain (BNG) assessment has been prepared to accompany the application.
- 8.7.7. In accordance with emerging legislation, the site can deliver a 10.2% net gain.

SUMMARY

- 8.7.8. As demonstrated in the technical work and design pack, the proposal will increase the value of biodiversity within the site, in accordance with Core Strategy Policy G7' Increasing the value of biodiversity and geodiversity'.
- 8.7.9. New habitat is proposed that will maximise biodiversity on site and furthermore, the development will not adversely impact ecological sites or protected species. As set out, there are opportunities to deliver enhancement through landscaping and habitat creation that will enhance the existing biodiversity on site and protect existing habitat features where possible.
- 8.7.10. In accordance with Policy G7, part e, the proposal will improve access to enhanced, existing biodiversity interest for public enjoyment.

8.8 FLOOD RISK AND DRAINAGE

- 8.8.1. Townsend Water Engineering Ltd. has prepared a Flood Risk Assessment (FRA) and Drainage Feasibility report to accompany the application.

- 8.8.2. The site is identified within the EA Flood Risk Map as being in Flood Zone 1, defined as having a low risk of fluvial flooding.
- 8.8.3. The site is at low risk from groundwater flooding.
- 8.8.4. Rochdale Canal lies east to the site, however there is no flood risk from the canal due to the existing embankment that separates the site from the Canal.
- 8.8.5. The site is also mainly at a very low risk of surface water flooding, and dwellings are all located in areas of low risk. A new drainage system is proposed which will attenuate up to and include the 1 in 100 year event plus climate change.
- 8.8.6. The existing site drains via a culvert into Trub Brook. The proposed drainage scheme proposes to drain into the existing culverted watercourse and outfall into Trub Brook. Infiltration is not feasible due to ground conditions. Modelling of the surface water has been undertaken and is presented in the submitted FRA.
- 8.8.7. Foul water will drain into an existing combined sewer in the northern corner of the site, which is understood to be in good working order.
- 8.8.8. In accordance with the NPPF, a site specific flood risk assessment has been prepared. The report concludes that the site is not at risk of flooding and would not impact flood risk elsewhere. The proposed development is considered sustainable in terms of flood risk, in accordance with the NPPF and Core Strategy Policy G8 (Managing Water Resources and Flood Risk).

8.9 NOISE

- 8.9.1. E3P has prepared a noise and vibration impact assessment (NVIA) in support of the application. The NVIA includes an inspection of the site and surrounding area; measurement of noise and ground vibration; an assessment of potential noise and vibration impacts on the proposed development. Mitigation recommendations are also provided.
- 8.9.2. A 2.8m acoustic barrier will be installed along the southern boundary as mitigation to reduce the noise level in private gardens adjacent to the railway line. Internal noise levels are acceptable and no higher specification glazing is needed and ventilation will be provided by openable windows, along with extract fans in kitchens and bathrooms.
- 8.9.3. Recommended glazing standards are also set out within the report which will be incorporated into the scheme. A system 1 ventilation system is recommended with trickle ventilators in living rooms and bedrooms.
- 8.9.4. The assessment has found that, with mitigation measures in place, no adverse impact is predicted at the proposed receptors during daytime and night-time periods. Rail vibration was found to have a is less than low probability for adverse impacts.
- 8.9.5. As such, the proposal therefore accords with NPPF Paragraph 185, and Core Strategy Policies G9 (Reducing the impact of pollution, contamination and land instability) and C6 (Improving health and wellbeing).

8.10 AIR QUALITY

- 8.10.1. Redmore Environmental Ltd has prepared an Air Quality Assessment (AQA) to assess the potential effects of the proposal on local air quality during the construction and operational phases. The

assessment considers potential impacts from construction works and road traffic exhaust emissions associated with vehicles travelling to and from the during the operational phase.

- 8.10.2. The development is located approximately 280m west of the AQMA. As such, there is the potential for vehicles travelling to and from the site to increase pollution levels in this sensitive area. This has therefore been considered throughout the assessment.
- 8.10.3. With good practice dust control measures implemented, the residual significance of potential air quality impacts from dust generated by earthworks, construction and trackout activities was predicted to be **not significant**.
- 8.10.4. Review of the dispersion modelling results indicated that impacts on annual mean NO₂, PM₁₀ and PM_{2.5} concentrations as a result of traffic generated by the development were predicted to be **negligible** at all receptor locations. Following consideration of the relevant issues, residual impacts as a result of the operation of the development were considered to be **not significant**, in accordance with the IAQM guidance.
- 8.10.5. The AQA concludes that there will be no material adverse impact upon local air quality, as such it accords with Core Strategy Policies G9, DM1, DM3, C6, and NPPF paragraphs 174, 186.

8.11 GROUND CONDITIONS

- 8.11.1. A Phase I & II Geoenvironmental Site Assessment report (ref: 14-768-R1-3), Supplementary Ground Investigation Letters (ref: 14-768-L2-2, 14-768-L3-2 and 14-768-L4-2) have been prepared by E3P to support the application submission. The reports detail the intrusive ground investigations undertaken and the findings of the investigations.
- 8.11.2. A geo-environmental assessment was undertaken by E3P for the Network Rail Land. It was found that the site has a very low gas risk. The risk to controlled waters from the site is low. There is made ground across the site which contains heavy metals however they do not exceed human health assessment criteria and so the overall risk is low.
- 8.11.3. A geo-environmental assessment was undertaken by E3P for the POS area in support of the application. It was found that made ground is present across the site and lead was found within the made ground. However, risks to human health is low or can be mitigated through a suitable cover system. It was concluded that the site does not pose an unacceptable level of risk to surface water, however further analysis may be needed in the drainage ditches. The site also has low concentrations of CO₂/CH₄ as found in the ground gas monitoring.
- 8.11.4. A supplementary ground investigation was undertaken by E3P to understand the extent of peat across the main development site. It was concluded that pseudo peat is the thickest in the centre south, south east and west of the site.
- 8.11.5. At four locations in the centre/east of the site, blackish brown pseudo fibrous PEAT was encountered. The risk from coal mining related hazards across the site is considered low.
- 8.11.6. Given the history of the site as railway sidings and recorded tanks, electrical substations and engine sheds, contamination has been identified on the site. The contamination identified can be mitigated through the installation of a suitable cover system in all proposed private gardens, landscaping, and public open space to remove any potential for direct exposure to impacted soils.
- 8.11.7. The reports make recommendations for further works and assessment in due course, including a detailed remediation and enabling works strategy and a plot-specific foundation schedule.

- 8.11.8. The contamination on site will be suitably mitigated through a scheme of remediation works. The recommendations for further works will be undertaken, to remove the risk to human health and the natural environment. The new residential development will not be adversely affected by existing sources of pollution or ground contamination or land instability. The proposal therefore accords with Core Strategy policy G9 'Reducing the impact of pollution, contamination and land instability'.

MINERAL SAFEGUARDING

- 8.11.9. A mineral safeguarding assessment has been prepared by E3P which found that based on the Mineral Safeguarding Area (MSA) map for Rochdale, approximately two thirds of the site falls within a MSA for sand and gravel, brick clay and coal. However, development on the site would not adversely affect the area as the site is small in comparison to the area for mineral extraction. There will be more suitable areas for extraction which are located further away from existing residential areas.
- 8.11.10. There are several factors which limit the viability of extraction:
- Glaciofluvial sand and gravel and Glacial Till (brick clay) is located deep beneath Made Ground and Peat deposits. Extraction would result in unjustifiable mass disposal.
 - Brick clay has previously been extracted from some parts of the site (pre 1900s), thus reducing the likely yield and economic viability of extraction.
 - The Coal Authority have confirmed previous workings beneath the site are unlikely and there are no plans for future mining in the area.
 - The site's position adjacent to highly sensitive receptors (residential, railway) would prejudice minimal extraction, and sterilise part of the site, limiting overall extraction potential.
 - Upgrades would be required to provide suitable access onto the site for mineral extraction.
- 8.11.11. The report concludes that there is an overriding need for the housing development, and mineral extraction cannot be achieved in an environmentally acceptable or economically viable manner

8.12 CRIME

- 8.12.1. A crime impact statement (CIA) has been prepared by Greater Manchester Police that provides recommendations and mitigation measures in respect of crime prevention and safety, including:
- Ensure access to operational rail tracks is suitably secured. Fencing and defensive planting will secure the rail tracks.
 - Introduce environmental enhancements to the streetscape at appropriate spaces within the development. Ecological and environmental enhancements are proposed through a comprehensive landscaping scheme, introducing new habitat into front gardens and public open space.
 - Include measures to restrict access to green spaces by off-road bikes and vehicles. The boundary treatments and defensive planting will restrict access by off-road bikes and vehicles.
 - Clearly define ownership, management and maintenance of peripheral greenspaces. The continued management and maintenance of greenspaces will be agreed by planning obligation or condition.
 - Install appropriately secure fencing and gates to define and secure front and rear boundaries to the houses. Suitable fencing is provided within the boundary treatments plan.
 - Specify Secured by Design standard doors, windows, glazing and door hardware for all houses and garages.

- 8.12.2. As set out above, the recommendations within the submitted report will be adhered to.
- 8.12.3. As a result, there are no anticipated concerns to safety or security in accordance with policy SO3 'To improve design, image, and quality of place' which seeks to improve image and quality of place and DM1 seeking to minimise opportunities for crime.

8.13 ENERGY

- 8.13.1. An Energy and Sustainability Statement has been prepared by AES Sustainability Consultants to support the planning application.
- 8.13.2. The statement demonstrates that by following a fabric first approach and with implementation of low-carbon, renewable technologies, the development will significantly reduce carbon emissions over a Part L 2021 baseline.
- 8.13.3. Solar photovoltaic modules will be installed to south and west facing roof pitches.
- 8.13.4. The design also utilises passive solar gain to maximise natural light and solar gain in the new properties. This is achieved by orientating buildings broadly south, creating streets that run east to west.
- 8.13.5. The approach taken accords with Policies G1 'Tackling and adapting to climate change' and G2 'Energy and new development' through proposing a development that is energy efficient and contributes to carbon reduction. The proposal will not increase CO2 emissions in accordance with Policy G1 'Tackling and adapting to climate change'.

9 DRAFT S106 HEADS OF TERMS

- 9.1.1. This section sets out the draft Heads of Terms based on the relevant development policies and supplementary guidance.
- 9.1.2. The applicant will continue discussions with the relevant departments/consultees to clarify the final range/scope and quantum of obligations sought in a manner to ensure compliance with relevant development policies and guidance in addition to national planning policy.
- 9.1.3. The detail of the obligations below will be agreed with the LPA as part of the application process. The applicant reserves the right to withdraw or amend these obligations during negotiations with the LPA, particularly if any obligations cannot be fully justified in accordance with Regulation 122 of the Community Infrastructure Regulations 2010 (as amended) and Government Guidance on Planning Obligations.
- 9.1.4. It is also important to note, that the NPPF, and the Rochdale Core Strategy allows applicants the opportunity to provide a viability assessment to justify why certain obligations cannot be provided and for this to be considered in the decision making process.
- 9.1.5. A Financial Viability Assessment (FVA) prepared by Northern Land Agency (NLA) has been submitted with the application.
- 9.1.6. The FVA tests two scenarios, a scheme with 15% affordable housing and a 100% market housing scheme.
- 9.1.7. The 100% market housing scheme presents a slight viability concern, but is within the NPPG guided range of 15% to 20% developer return and can be deemed deliverable.
- 9.1.8. The policy compliant scheme results in a developer return for the market sale units of 13% which is at the very limit of deliverability. Notwithstanding, the development proposes 15% on-site affordable housing provision, in accordance with Rochdale's Development Plan.
- 9.1.9. Therefore, in order to deliver the affordable units proposed, flexibility is required on any other S106 contributions.

9.2 PUBLIC OPEN SPACE

- 9.2.1. Policy G6 and the Provision of Recreational Open Space in New Housing SPD set out the POS requirements, split between Local Open Space and Outdoor Sports Provision. The calculation for determining the amount of POS to be provided is based on the estimated population from new development, assuming on person per bedroom.
- 9.2.2. Based on the proposed schedule of accommodation, the scheme will deliver 570 bedrooms/residents.
- 9.2.3. The POS requirements for 570 residents is 0.57 ha of Local Open Space and 0.627ha of Outdoor Sports Provision; a total of 1.197ha of POS.
- 9.2.4. The scheme provides 3.29ha of POS, against a policy requirement of 1.197ha.
- 9.2.5. Discussions during the determination period will continue with regards to the provision of POS.

9.3 EDUCATION

- 9.3.1. A Statement of Education Capacity has been prepared by Alfredson York that accompanies this application. The statement concludes that as of January 2022 there was a surplus of at least 400 primary school places within two miles of the development and a surplus of at least 353 secondary school places.
- 9.3.2. It is anticipated that this surplus would be sufficient to accommodate the new families associated with this development.
- 9.3.3. Discussions will take place with the Local Education Authority during the determination period with regards to education provision.

9.4 AFFORDABLE HOUSING

- 9.4.1. As set out previously, the scheme proposes a policy compliant level of affordable housing. 15% affordable housing is proposed, made up of rental and intermediate homes that are indistinguishable from market homes and located throughout the site.
- 9.4.2. Discussions with the LPA will continue during the determination period.

9.5 PEDESTRIAN / CYCLE CONNECTIONS

- 9.5.1. The Castleton Station Area SPD also seeks to focus the regeneration of the area on reducing car dependency, as part of the vision to tackle climate change, and improving pedestrian and cycle corridors.
- 9.5.2. The application can assist the Borough in working towards its regeneration ambitions for Castleton to reduce car dependency and improve pedestrian and cycle corridors. The proposal will deliver new cycle and pedestrian routes through the site, which link to the Bee Network and PRoWs; therefore, assisting in promoting sustainable travel and healthier urban living.

9.6 OTHER DEVELOPER CONTRIBUTIONS

- 9.6.1. If it becomes clear during the course of the application that any additional developer contributions are required/requested to those set out above, this will need to be discussed during the application determination period.
- 9.6.2. The final developer contributions are subject to negotiation with the LPA during the course of the planning application regarding both the range/scope of developer contributions and the amounts.

10 PLANNING BALANCE AND CONCLUSIONS

- 10.1.1. This Planning Statement assesses the proposed development at Castleton Sidings, Rochdale. The proposed development comprises residential development of 191 new family homes, a substantial area of public open space and land that will be used to facilitate the ELR heritage line expansion.
- 10.1.2. The site is a highly sustainable site in an accessible location, with good access to walking, cycling and public transport connections.
- 10.1.3. The site will deliver a mix of high-quality family homes, which have been designed in accordance with bespoke design standards for the site.
- 10.1.4. The site partly falls within the Green Belt and residential development within the Green Belt is inappropriate as defined by the NPPF.
- 10.1.5. In terms of Green Belt harm, the site has been assessed as making a weak contribution towards purposes 1a and 1b (unrestricted sprawl of large built-up areas), moderate towards purpose 2 (prevent neighbouring towns merging into one another), and no contribution towards purposes 3 (assist safeguarding the countryside from encroachment) and 4 (preserve the setting and special character of historic towns). The submitted LIVA concludes the harm to openness will be limited, localised and not substantial.
- 10.1.6. There are significant benefits associated with the development that collectively outweigh any harm to the Green Belt. The benefits which constitute very special circumstances include:
- Facilitate the ELR and extension through the gifting of land in the north east of the allocation to assist the delivery of a strategic allocation. The Castleton Sidings site is fundamental to facilitate the extension of the ELR from Heywood to Castleton and has been identified as one of the catalysts for securing the wider regeneration of Castleton itself;
 - Facilitate the future tram/train trial with the intention for the Metrolink to be extended through Castleton to Heywood and Bury;
 - Delivers the only site capable of delivering the ELR/tram improvements. There are no alternative sites, with the Council's own evidence base confirming that the site is uniquely placed to deliver the ELR/Metrolink expansion. The benefits of the scheme are site specific and localised to this site only. Without the gifting of land, the strategic ambitions for ELR and Castleton regeneration cannot be achieved.
 - Delivery of 191 high quality new homes on a previously developed site including higher values homes aligning with one of the Council's key objectives;
 - Delivery of policy compliant affordable housing, targeting an identified local need;
 - Certainty of delivery as the site is under single ownership and therefore there can be delivered , , including gifting of the ELR land and EcoPark;
 - Redeveloping a previously developed site and in a sustainable location within a high-ranking settlement, well placed to utilise existing community facilities and social infrastructure, delivering locational benefits and aligning with national guidance to focus new development on areas benefitting from sustainable transport options;
 - Delivering a strategic draft allocation identified at a regional level (Places for Everyone) helping to deliver economic opportunities for Castleton, an area identified by the Council as being in need of regeneration;
 - Deliver substantial socio-economic benefits on a previously developed site including;
 - Support for 370 person years of construction employment over the 44 month construction phase equating to around 101 construction jobs per year;
 - Generation of around £7.4 million in GVA per year during the construction phase;

- Estimated local residential spend of around £2.6 million per annum from the new population to take up residence at the Site;
 - Generation of around £400,000 a year in Council Tax receipts;
 - New Homes Bonus payments to RBC of around £371,000;
 - Gifting of land to support the extension of the East Lancs Railway proposals – providing the catalyst for further regeneration and economic benefits arising from spillover effects associated with heritage tourism;
 - Generation of positive social outcomes in relation to reduced carbon footprints of residents, enhanced carbon literacy, reduced fuel poverty, crime prevention, community cohesion and inclusiveness;
 - The site is in an economically deprived area, as identified in the English Indices of Deprivation 2019, where the socio-economic benefits will be felt more strongly.
 - Environmental benefits including remediation of a contaminated site and provision of the Eco Park;
 - Social benefits- delivery of a new 3.29 hectare publicly accessible, open space and more than 1.3 km of permissive paths helping to improve the mental and physical health and wellbeing of the local community.
 - Strengthening of the Green Belt with the provision of the EcoPark to improve degraded Green Belt land and provide a new strong edge to the Green Belt and reduce encroachment and merging with Heywood;
 - The proposal will bring beneficial use to currently privately owned Green Belt land in line with paragraph 145 of the NPPF whilst delivering Green Belt compensation, through a betterment of the Castleton Sidings site;
 - Sustainability benefits through energy efficient homes including sustainable technologies and PV; and
 - A biodiversity net gain of 10.2%.
- 10.1.7. There are substantial, social, economic and environmental benefits that are far reaching and will have a significant impact for the local area and further afield. The constitute very special circumstances.
- 10.1.8. Limited harm has been identified by virtue of the inappropriate development in the Green Belt.
- 10.1.9. The benefits realised through the development clearly outweigh the harm identified. As such very special circumstances have been demonstrated and the scheme can be supported by the Council.
- 10.1.10. It therefore falls to the assessment of the 'other harm' that the proposal might generate. A full suite of technical reports has been submitted which demonstrate the proposal is technically and environmentally acceptable in terms of flood risk/drainage, landscape, ecological impact, highways, contamination, noise and vibration, air quality and energy. There will therefore be no 'other harm' that cannot be appropriately mitigated.
- 10.1.11. This Statement, along with the supporting reports, conclude that the proposal will accord with the main policies of the Development Plan and there are no material considerations that would prevent the grant of consent.
- 10.1.12. As such, the proposed development clearly accords with the development plan and the NPPF.
- 10.1.13. The proposal will deliver the ELR expansion and new homes, including affordable homes, in a highly sustainable location that is key to future growth in Rochdale. Furthermore, the proposal will unlock significant benefits for local community, economy and Rochdale and should be approved without delay.

Appendix A

SITE PLAN





Rev	Date	Amend	Initials

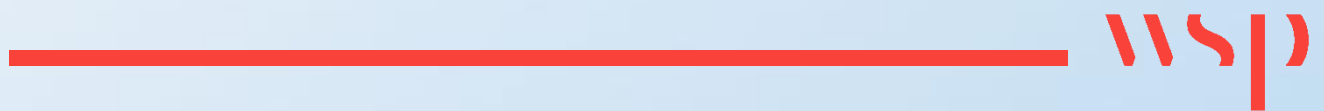
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CASTLETON SIDINGS	
Location	
ROCHDALE	
Drawing Title	
Colour Site Layout	
Job Number	Drawing Number
KH003	KH003-A-100
Revision	Scale
-	1:1000 - A1
Drawn By	Date
BP	09.02.23
Checked by	Date Checked
RC	-

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Appendix B

EIA SCREENING DECISION





Town and Country Planning Act 1990 (as amended)

The Town and Country Planning (Environmental Impact Assessment)
Regulations 2011 (as amended)

ENVIRONMENTAL IMPACT ASSESSMENT SCREENING OPINION

APPLICATION REFERENCE: 16/00209/SO

Name and address for correspondence:	Applicant name:
Harris Lamb Grosvenor House 75-76 Francis Road Edgbaston Birmingham B16 8SP	Sam Silcocks

Part 1 - Particulars of Application

Date of Application: 22nd February 2016

Proposal:	Screening opinion in respect of a proposed residential development for up to 150 dwellings, means of access, on-site infrastructure, potential to deliver a rail platform for East Lancashire Railway and landscaping
Location:	Former railway siding, Heywood Road, Castleton, Rochdale

Regulation 5 of the Town and Country Planning (Environmental Impact Assessment)
Regulations 2011 (as amended)

Part II - Particulars of decision

The proposed development does not fall within Schedule 1 of the above regulations.

The proposed development falls within the description of paragraph 10(b) of Schedule 2 of the above regulations.

The proposed development would not be located in a sensitive area and having taken into account the criteria in Schedule 3 of the regulations, would not be likely to have significant effect on the environment by virtue of factors such as its nature, size and location.

The proposed development for which planning permission is sought is not EIA development and an Environmental Statement would not be required for the proposed development.

Date Decision Issued 5th April 2016

Head of Planning

Reasoning:

The application relates to an 11.3 ha parcel of land which is a former railway siding (no longer operational). A large proportion of the site lies within the Green Belt on the Rochdale Unitary Development Plan. Approximately one-third of the site (north east) lies in the defined urban area. The site is mainly bounded by trees and open countryside. However there is a pocket of brownfield land which makes up a proportion of land to the south, and there is some housing on the northern boundary.

The majority of the site is covered by a combination of hardstanding, rail lines and storage areas. There are also a handful of buildings/building frames. The remainder of the site consists of some low profile soft landscaping. The only access to the site is currently from Heywood Road from the north eastern corner of the site. This in turn provides access onto Manchester Road.

The proposal relates to the erection of up to 150 residential dwellings. It is understood there would be a variety of infrastructure normally associated with housing development, and the proposal may include a new railway platform. No significant level of detail accompanies the Screening Opinion request, but there is considered to be sufficient information to make a decision in accordance with EIA Regulations.

Whether EIA Would Be Required

- The development does not fall within Schedule 1 of the regulations.
- The proposed development falls within the definition of an urban development project as listed at Category 10(b) of Schedule 2. However, it does NOT exceed the relevant thresholds in this category of 5 hectares site area or 150 dwellings.

Notwithstanding the above, the screening opinion has been undertaken in accordance with the selection criteria set out in Schedule 3 to the Regulations. The screening opinion has taken into account the information submitted with the letter dated 17 February 2016, additional supplementary information and the case officer's knowledge of the site.

The site is not a Sensitive Area, as defined by Regulation 2(1).

CHARACTERISTICS OF THE DEVELOPMENT

The screening opinion is in respect of the proposal to construct up to 150 dwellings and potentially a new railway platform.

Whilst it is envisaged that there would be additional traffic, noise, dust and air quality implications from the construction of the development and from the ongoing use of the site by residents, in their daily activities and from daily traffic generation, it is noted that these are no different to any other similar residential development. The development is not considered to be particularly complicated or unique in its character. It is considered that such implications can be appropriately assessed in the submitted reports, and it is noted that these impacts are also controlled by separate legislation.

In view of the scale and form of the proposed development, it is not expected that the proposal is likely to result in materially different, additional, unexpected or unusual environmental impacts or raise issues that would be considered to require an Environmental Statement.

LOCATION OF THE DEVELOPMENT

As set out above, the site is not located within a sensitive area as defined by the regulations. Whilst part of the site lies in the Green Belt, it is considered that the characteristics and sensitivity of the site are not more than of a local significance and the detailed implications could be reasonably and properly assessed as part of a normal planning application and within appropriately detailed statements regarding traffic implications; the potential noise/acoustic, dust mitigation, odour and air implications, landscape and visual impact assessment. The nature of the residential use is considered complementary to adjacent residential land uses and not particularly unique in its implications. The site is previously developed.

CHARACTERISTICS OF THE POTENTIAL IMPACTS

In respect of ground conditions and contamination, the Council's contaminated land officer does not consider the scheme to be significantly complex. Whilst the site is a former steel yard/railway siding and is likely to be contaminated, it is not considered that the implications of site remediation would lead to significant environmental effects.

With regards to the transport implications of the proposed development, there are a range of mitigation measures which could be considered. The traffic arising from a development of up to 150 dwellings would not lead to significant environmental effects.

Whilst there are dwellings in close proximity of the site to the north, the construction phase of any permitted development would not lead to significant environmental effects. Similarly the proximity of housing to any new housing development would not lead to significant environmental effects.

With regards to arboricultural and ecological implications, the site is not located within a statutory or non-statutorily designated site of nature conservation importance.

In terms of landscape and visual implications, it is noted that the site lies partly within the Green Belt but the site is not in any locally or nationally defined area of landscape importance. The environment effects of the development on the landscape are not considered to be significant.

With regards to the flood risk and drainage implications, it is noted that the site is located within flood zone 1 and is therefore at low risk of flooding. It is envisaged that the detailed design of a surface water drainage scheme to manage surface water could be required through the application process.

In terms of heritage and archaeology, the proposed development is not in close proximity of any heritage assets.

The extent of the impact - The extent of the impact will be limited to the site and adjoining urban area of Castleton. The principal impact will be on the local highway network and the scale of the development reflects our review on the ability of the surrounding highway network to accommodate a development on this site.

The transfrontier nature of development - The development will not have any significant physical impact beyond the site itself and the immediate area. The scheme will provide economic and social benefits to the wider area through creation of construction jobs, future expenditure from residents and indirect employment associated with the development. The platform would also form an important component in the regeneration aspirations for Castleton.

Magnitude and Complexity of the Impact – It is anticipated that there will be no impact that cannot be addressed by normal mitigation measures. The impacts will be typical of those associated with medium scale residential led developments.

Probability of the impact - There will inevitably be environmental impacts associated with the proposed development as the intensity of use will increase. However, this does not necessarily mean that the impacts will be significant.

The duration, frequency and reversibility of the impact – The proposed development will result in the permanent redevelopment of a previously developed site.

Based on the above it is envisaged that all of the potential environmental implications could be suitably mitigated by way of appropriate assessments and conditions associated with any subsequent planning application and there are unlikely to be any significant or particularly complex environmental implications to warrant more detailed assessment.

ACCUMULATION

It is noted that there are no existing permissions for residential and other forms of development on the adjoining sites to the east and south that may lead to an accumulation of the above environmental implications.

CONCLUSION

Schedule 3 of the 2011 Regulations sets out a series of criteria of environmental effects that should be considered when reaching a decision as to whether a planning application should be supported by an Environmental Statement. The PPG provides further guidance on the application of Schedule 3. It confirms that not all of the identified criteria will be relevant in every case. Each case should be considered on its own merit in a balanced way and the authority should obtain the evidence to justify that decision.

The PPG advises that “Only a very small proportion of Schedule 2 development will require an assessment”. It also goes on to say:

“Environmental Impact Assessment is unlikely to be required for the redevelopment of land unless the new development is on a significantly greater scale than the previous use, or the types of impact are of a markedly different nature or there is a

high level of contamination. Sites which have not previously been intensively developed:

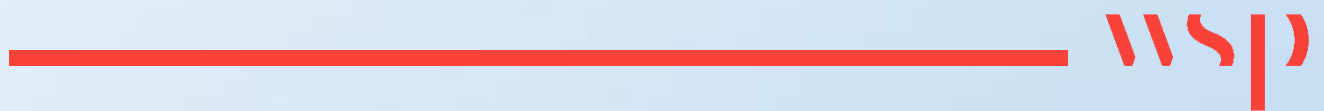
- i) area of the scheme is more than 5 hectares; or*
- ii) it would provide a total of more than 10,000 sq m new commercial floorspace, or*
- iii) the development would have significant urbanising effects in a previously non urbanised area (e.g. a new development of more than 1,000 dwellings)."*

In this case the proposed development is significantly under the indicative threshold of 1000 dwellings, although it involves the development of more than 5 hectares of land. It is established that the proposed development comprises an urban development project as defined by Schedule 2 of the above Regulations and is not located within a sensitive area. On this basis and having taken into account the criteria in Schedule 3 of the regulations, it is considered that the proposal would not have significant effects upon the environment by virtue of factors such as its nature, character, size or location. Furthermore, when considered cumulatively, it is not considered that the development would comprise EIA development as set out in the above regulations.

The proposal is therefore not considered to be EIA development and an Environmental Statement is not required in this instance.

Appendix C

PRE-APPLICATION LETTER





ROCHDALE
BOROUGH COUNCIL

ECONOMY DIRECTORATE

PLANNING AND DEVELOPMENT

Paul Moore
Head of Planning Services

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Enquiries to: Michael Atkinson-Smith
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Email: michael.atkinson-smith@rochdale.gov.uk
Direct Line: 01706 925976

BY EMAIL ONLY

Reference: PREAPP/00050/21
Date: 7th October 2021

Dear Sam,

Reference No:	PREAPP/00050/21
Proposal:	Residential development
Location	Castleton Sidings, Heywood Road, Castleton, Rochdale

I write further to your request for pre-application advice relating to the proposals described above at the Castleton Sidings site and further to our meeting on 17th June 2021.

This response is based upon the following information submitted with your request:

- KE001 PL01 Rev. P13 Draft Planning Layout
- Harris Lamb letter dated 9th April 2021
- Eddisons Transport Note – April 2021
- BASE-C-2B3P(60) Floor Plans – C-01 Rev. P1
- BASE-C-2B3P(60) Elevations – C-02 Rev. P1
- BASE-X-3B5P(79) Floor Plans – X-01 Rev. P1
- BASE-X-3B5P(79) Elevations - X-02 Rev. P1
- NDSS-Z-M4(2)-2B3P(77) Semi Elevations – Z-M4(2)-04 Rev. P1

EIA Screening Opinion

The proposed development would be categorised as an urban development project that would exceed the applicable threshold and criteria in Part 10 of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations).

In addition, the site of enquiry lies in close proximity to the Rochdale Canal, which is a European protected ecological site designated as a Special Area of Conservation (SAC) and a nationally designated Site of Special Scientific Interest (SSSI) on the basis of its plant communities and in particular the presence of floating water plantain. It is also designated as a Site of Biological Interest (SBI). The site therefore constitutes a 'sensitive area'.

Therefore in accordance with Regulation 6 (2) of the EIA Regulations a request for a screening opinion is required to be submitted to the LPA (with the relevant information) for it to consider in whether the proposal is likely to have a significant effect on the environment. This should normally take place at an early stage in the design of the project.

Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan consists of the Rochdale Core Strategy (CS) and saved Unitary Development Plan (UDP) policies. Other material considerations include, amongst other things, Supplementary Planning Documents (SPDs), Development Plan Documents (DPDs), the Greater Manchester Joint Minerals Plan, the National Planning Policy Framework (NPPF), and the National Planning Practice Guidance (NPPG).

The key policy designation in respect of the application site is Green Belt which covers the majority of the site. The draft Greater Manchester Spatial Framework (GMSF) proposed to remove the Green Belt designation from the site and allocate it for residential development. However, the draft GMSF has been withdrawn and is proposed to be replaced by a Regulation 19 stage Places for Everyone (PFE) Joint Development Plan, which was signed off by the Joint Committee on 20th July 2021 and will now be subject to a further governance process by each district. Whilst it is currently proposed that the site allocation (JP20) be carried forward, due to the current stage of the plan preparation limited weight can be afforded to this allocation.

The site is also identified for residential development in the Draft Castleton Station Area Supplementary Planning Document (SPD) which was recently subject to public consultation. The draft SPD carries similarly limited weight at this stage and the site allocation will be reliant on the adoption of the PFE joint plan.

As such any application coming forward ahead of the adoption of the PFE joint plan will need to be assessed against current Green Belt policy.

Principle of Development

Paragraph 138 of the NPPF sets out the purposes of including land in the Green Belt, including to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; and to assist in safeguarding the countryside from encroachment.

The proposed residential development does not fall under any of the exceptions set out under paragraphs 149 and 150 of the NPPF and therefore constitutes inappropriate development in the Green Belt. Paragraphs 147-148 of the NPPF state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

In this case it is clear that substantial harm would be caused by the proposed development by reason of inappropriateness. In addition, due to the location, scale and form of the site, the proposed built development would protrude over 300m west of the existing Defined Urban Area. This would reduce the width of the open land between Rochdale/Castleton and

Heywood to less than 700 metres. Significant additional harm would therefore result in terms of loss of openness and conflict with the purposes of including land in the Green Belt. It is acknowledged that such an incursion into the Green Belt could occur should the PFE joint plan be adopted, but again the allocation within the joint plan carries very little weight at the present time. It is important to note that the NPPG states that openness is capable of having both spatial and visual aspects, meaning that addressing both the visual and spatial impacts of the proposal as part any attempt at putting forward a case for very special circumstances case is essential.

Based on the information provided, it is understood that the applicant proposes to make a very special circumstances case as summarised below:

- The site was proposed for allocation in the GMSF and is proposed for allocation in the draft Places for Everyone Joint Development Plan. There is no reason why the site will not be taken forward as an allocation.
- The site needs to be released to secure the extension of the East Lancashire Railway (ELR) line into Castleton. The residential development of part of the site will facilitate the release of the surplus land, which will be transferred to the Council to be used to secure the ELR line extension along with additional services and facilities when funds allow. On the basis that the options for the ELR line extension are still being considered, it is proposed that this land would not be included within the red edge of the application site, but would be transferred separately to the Council. The ELR line extension is one of the two main catalysts for the wider redevelopment of the Castleton area and would generate a number of economic and environmental benefits beyond the line extension itself. The proposed ELR extension would also facilitate the proposed expansion of the Metrolink to Heywood and Bury via Rochdale, thereby significantly improving connectivity in the area by other means of transport to the car.
- The site is a derelict previously developed site, and the proposal would secure the remediation of the site and an enhancement to its character and appearance, through the delivery of high-quality family housing in a highly sustainable location.

As stated above, the potential future allocation of the site within the PFE joint plan carries very limited weight at this time. Notwithstanding this, however, were any proposal to come forward in advance of the adoption of the joint Places for Everyone Plan, it would be expected that the proposal would substantially accord with the overall allocation requirements. Policy JP Allocation 20 of the Places for Everyone joint plan expects, amongst other things, the delivery of around 125 high quality homes including higher value family housing, a scheme which achieves excellent design and sustainability through masterplanning and the use of design codes for the whole site to ensure comprehensive development. It is also expected that any development takes account of the National Design Guide and actively demonstrates its compliance. Building on from that point, also required is high quality landscaping including multi-functional green and blue infrastructure and an appropriate boundary treatment in relation to the retained Green Belt land. It is not considered that these aims have been met based on the information provided for consideration thus far. As you will be aware, the scheme put forward for consideration includes 196 mainly 3-bed homes which represents around three quarters of the site and the design quality does not meet the expectations for higher value family housing, as discussed in greater detail below.

In relation to the land to the east of the site, it is not entirely clear why the residential development is required to enable this land to be released for the ELR line extension. If planning permission was granted for the proposed residential development there would be no

mechanism to secure the transfer of the land if it was excluded from the red edge of the application site. Even in the event that the land was included within the red edge and its transfer secured through a Section 106 agreement, there could be no certainty that the land would in the future be developed for the intended purpose in connection with the ELR extension. In addition it appears unlikely that such an agreement would meet any of the three tests for planning obligations set out at paragraph 57 of the NPPF.

It would be necessary to provide as much evidence as possible of any permanent structures of any size that have occupied the site in demonstrating that the site constitutes previously developed land in accordance with the NPPF definition. Notwithstanding this, it is acknowledged that the land is currently derelict and its development would secure its remediation.

Based on the above assessment it is not considered that the substantial weight that must be afforded to the harm by reason of inappropriateness, and the other harm resulting from the proposal due to loss of openness and conflict with the purposes of including land in the Green Belt, is clearly outweighed by other considerations.

For completeness, a detailed assessment of other matters follows below, including the design, appearance and layout of the proposal, access/highways, ecology and biodiversity. Advice is also provided in respect of the provision of financial contributions. Notwithstanding this, the Local Planning Authority considers that a case for very special circumstances at this time is unlikely to be made out.

Design, Appearance and Layout

The revised NPPF places a particular emphasis on the importance of design, noting that good design is a key aspect of sustainable development. The Council's requirements for design are contained within Policies P1, P2 and P3 of the Core Strategy, and there is a wealth of design guidance contained within the adopted Supplementary Planning Documents, as well as within national guidance. Given that the site is currently located in the Green Belt and is of significant scale, it would also be expected that any scheme would be presented to the Places Matter design review panel or similar at an early stage and that any recommendations be incorporated into the final scheme of development.

The latest version of the proposed layout (KE001 PL01 Rev.13) differs to that submitted with the original request for pre-application advice, but it is this latest document that is referred in providing the following comments and advice on the design, appearance and layout of the draft scheme:

- The direct continuation of the two spurs of The Fairway fails to respect the existing character of those streets by virtue of the immediate presence of the new development. Provision of on-site Public Open Space in this location would provide a buffer between existing development and the proposed development and would lead to a less severe change of character of existing street scenes and benefit residents of both the new and existing development. A much better arrival sequence into any new development in this location should be considered.
- The interface at the western edge of the development and the retained Green Belt land is notably poor and lacks any degree of gradual density reduction and transition from urban to rural.

- The use of private driveways starts to become excessive at the western end of the development and it is not understood why these are necessary in certain parts. This also results in almost a third of the development being accessed from a single access point which raises issues in respect of accessibility, including for emergency service vehicles. Private driveways that provide no meaningful linkages or routes through should normally be avoided, as specifically referred to in the National Model Design Code.
- It is acknowledged that the blue hatched area to be retained as ELR land is subject to unknowns but scope should be made for any development to successfully interact with this site. A successful and high quality development in this location would seek to avoid an estate road abutting a fence with little room for buffer planting. A suitable interface with the land to the north east of the site is a necessity, not least given that any such situation may exist for a lengthy period of time.
- Affordable housing should not be grouped together and constrained to the least favourable part of the site. The differences in layout, density and a stark contrast in housetypes would create a clear distinction between tenure types and this would be unacceptable to the LPA given that it is well established that this arrangement does not foster inclusive, healthy and sustainable communities. It is also contrary to the NPPF, National Design Guide and Building for Healthy Life principles.
- The concept of a central boulevard could, in theory, make a reasonable degree of sense were a top-to-bottom street hierarchy being employed; that is to say one that acknowledges the hierarchy of existing residential streets. A boulevard-style thoroughfare would normally be expected to be just that - a route through. The reality is that opportunity for that does not exist at this site and therefore the street hierarchy that underpins sound urban design principles, and is the underpinning philosophy of the Manual for Streets, appears to have not been followed within the proposed design solution.
- The building line is confused and inconsistent throughout, especially on the central boulevard, with varying degrees of separation from the highway and in certain cases whole dwellings positioned forward of the building line. For a boulevard to be effective as a design solution, consistent spacing is required and the use of corner plots should be carefully considered to denote gateways to routes away from the street. It is not considered that this has been achieved in the proposed layout. It is noted that the arrangement does appear to allow for views towards St Martin's Church which is a positive.
- A central focus on an area of useable Public Open Space could provide a much more positive urban and living environment for future residents of any development.
- Greater care should be given to the proposed parking layout. Whilst there is some variation across the site and side parking is welcomed, the reality is that front-to-back parking often leads to an increase in on-street parking and little space remains for this in the proposed development owing to the dense layout. Front-to-back-parking can work well alongside a sufficiently sized front garden where future occupiers may modify their plot to suit their needs, but employed poorly it can result in an over-dominance of on-street car parking which the whole concept of providing a suitable amount of parking space would naturally seek to avoid.
- The nature of the parking layout in the area shown to include the affordable housing would present a near unbroken row of parking which is unacceptable. It is noted that trees are shown on the layout plan to soften this appearance but they are shown to be positioned on the footpaths leading to the dwellings where clearly they cannot be

positioned. In reality, therefore, this area would be provided with almost no on-plot greenery based on the proposed layout which would fall far short of the required standard.

- There is an almost complete absence of any substantive usable front garden areas across the estate. This would be expected in an estate of higher value family housing, which is what the Council is seeking to achieve through the inclusion of the site in the PFE allocation.
- The relative lack of variation in the arrangement of roof alignments and sparing use of gable features or other design tools would create a somewhat bland estate which is far from the intention of the Council should this site come forward for development.
- In looking at the draft housetype range, I would encourage a more contemporary approach to the design and appearance of the development. The site is not necessarily immediately read alongside existing housing stock and therefore a more radical approach may be appropriate. I have not been provided with the full range of housetypes but it appears from the ones that have been reviewed that there is little variation in overall design. Windows generally appear too small and the alignment of them on the elevations could be significantly improved. The design detailing of the housetypes also falls significantly short of what would be expected for such a high profile site.
- Utilisation of character areas could be one option for consideration, and careful use of variation in building height could assist in making the layout more legible and better respond to the gradual change from urban to rural across the site.
- Circuitous routes from back gardens to the street should be avoided. They are often poorly used, difficult to maintain and often lead to bins being stored on the highway or to the front of properties.
- There are areas where the existing tall woodland buffer surrounding the site could lead to poor outlook and an absence of direct sunlight to homes and gardens. This should be considered and a daylight/sunlight assessment submitted with any application.
- Opportunity exists on this site to provide contemporary homes to very high environmental standards. Demonstrably well-integrating the dwellings with landscaping, biodiversity enhancements, open space and blue infrastructure is strongly recommended.
- There is nothing in the design or layout, other than the shape of the site, which references the heritage and former use of the site as railway sidings. Significant scope exists therefore, beyond potential street nomenclature and branding, to reflect this rich heritage through site layout, building design and materials. Examples could include retention of iron rails in their original alignment within the landscaping or crossing carriageways, use of railway sleepers within the landscaping, street signs and furniture reflecting those of the traditional railway or public open space adjacent to the ELR land with a railway themed influence. Any scheme that comes forward could do well to incorporate suitable reference to the site's history, thereby contributing positively to local distinctiveness and potentially adding value.

The above list of comments is not exhaustive but a starting point for further discussion about the type of housing and development that could potentially be provided on site.

A Crime Impact Statement should be commissioned in order to inform the proposals for the layout of the development. The report should be completed by a suitably qualified security

assessor, and identify, predict, evaluate and mitigate the site-specific crime and disorder effects of a development. Core Strategy policies P1, P2 and P3 and DM1 are relevant.

Historic Environment

The site itself does not share an immediate relationship with the Castleton South Conservation Area but the railway sidings themselves have formed an important part of the development of Castleton and the form and layout of the settlement. Any development would be expected to reflect and consider the historical importance of the wider process of evolution and design of the settlement and therefore a Heritage Impact Assessment should be provided as part of any application. Views to St Martin's Church should be afforded from within the development.

A Historic Environment Assessment was carried out by the University of Salford, which houses the Greater Manchester Archaeological Advisory Service, as part of the preparatory work for including the Castleton Sidings site in the Places for Everyone Land Allocations. It noted that no further archaeological work is recommended but other recommendations in respect of the built environment are contained within the report. Core Strategy policies P1 and P2 are most relevant, alongside saved UDP policy BE/17.

Wider Landscape Considerations

Whilst for the most part surrounded by an existing woodland buffer, the development would stretch out into the Green Belt and radically alter the form of the settlement of Castleton with visual impacts that may be recognisable from afar. Therefore a Landscape and Visual Impact Assessment should accompany any application for planning permission. Core Strategy policies P1, P2, P3 and G4 are most relevant.

Residential Amenity Standards

Spatial Standards

The site largely stands in isolation from other residential properties, with the exception of the shared boundaries with the adjacent dwellings on The Fairway.

Core Strategy Policy DM1 requires, amongst other things, that development proposals are compatible with surrounding land uses and that they do not adversely affect the amenity of residents. The development should be laid out such that it will accord with the standards set out in the Council's 'Guidelines and Standards for Residential Development' SPD, to ensure that satisfactory intervening distances can be achieved between proposed and existing dwellings in the interest of light/outlook/privacy. These standards should also be applied across the site between the new dwellings.

Noise & Vibration

Policy G9 of the Core Strategy sets out that new housing development should not be adversely affected by existing sources of pollution such as roads, railways and certain commercial activities. The site immediately abuts the existing Calder Valley rail line to the south and east and as such the application would need to be accompanied by a Noise and Vibration Impact Assessment to consider whether appropriate amenity standards may be provided.

Access and Highways

The application site straddles Greater Manchester Accessibility Levels 3, 4 and 5 and is therefore considered to have a medium accessibility level overall. However, the Council is involved, alongside partner organisations, in working to enhance the accessibility of Castleton over the long term through a variety of transportation improvements. On this basis, it is considered overall that the site constitutes a reasonably sustainable location in this regard, with future enhancement of the accessibility level possible.

It is understood that discussions have been undertaken with the Highways Authority and the council's Strategic Transport Co-Ordinator in respect of the proposed means of access to the site. The Highways Authority have raised no objection in principle to the proposed development but note that a Transport Assessment will be required to consider the traffic impacts of the proposed development on the surrounding highway network. The Transport Assessment should identify where financial contributions may be required to mitigate the impacts on the highway network. The Highways Authority also notes that the site would have more than a single access point which would lend itself to the requirements of the emergency services but, that being said, the proposed means of access via the two identified cul-de-sacs of The Fairway would significantly change the character of those streets, exacerbate existing parking problems which have already been reported and likely prove significantly unpopular amongst the most directly affected residents. A reduction in the proposed number of units may be one avenue to consider to overcome this issue unless an alternative and more suitable means of access can be found and negotiated.

Service strips within new developments are generally not considered to be acceptable although it is noted these have been removed from the original submission. Planting within the proposed verges would require a financial contribution to the Council's Environmental Management service for maintenance over 25 years and the estate would need to provide 200% parking provision for all dwellings. The estate would also need to be subject to a self-enforcing 20mph speed limit through built-in traffic calming measures. Core Strategy policies DM1 and T2 are relevant.

Arboricultural & Ecological Impacts

A number of nature conservation sites sit adjacent to or within a 1km buffer zone of the site including the Rochdale Canal which is designated as a Site of Biological Importance (SBI), Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC).

The Rochdale Canal contains important habitats for submerged aquatic plants and emergent vegetation, including extensive colonies of the nationally scarce SAC species floating water-plantain *Luronium natans*. The application should include a full assessment of the direct and indirect effects of the development on the features of special interest within the site and should identify such mitigation measures as may be required in order to avoid, minimise or reduce any adverse significant effects. Natural England would be a statutory consultee on any forthcoming application; I would encourage use of their discretionary advice service in preparing proposals for the site.

There are a number of prominent and mature trees that are growing predominantly around the edges of the site - a detailed Tree Survey and Arboricultural Impact Assessment would be required with the application to provide an understanding of the impacts of the development on existing green infrastructure. There is likely potential for trees to be retained within the layout for the site. In the event that protection/retention is not feasible and tree removal is accepted, the Authority requires replacement planting at a minimum ratio of 2:1.

There is potential for the habitats on and around the site to support protected species. As the proposals include elements of vegetation clearance, the application should be accompanied by a preliminary ecology survey. This should be carried out by a suitably qualified ecologist following best practice guidance. Any additional survey work recommended after the preliminary appraisal should also be undertaken as necessary and submitted as part of the application. The main features of ecological interest on the site are likely to be the mature trees/hedgerow, which should be retained where possible with a sufficient buffer from the development. Any loss or part-loss of these features would need to be adequately compensated for.

Development is expected to deliver biodiversity gains and it would be expected that the Defra biodiversity metric would be used to demonstrate that at least a 10% net gain for biodiversity would be achieved in line with the upcoming legislation (Environment Bill) which is due to be passed later this year. It is expected that this would be delivered within the site. Core Strategy policies G6 and G7 are relevant.

Flood Risk & Drainage

The application site is located within Flood Zone 1; however the scheme comprises 'major' development. Accordingly, the application should be accompanied by an outline drainage strategy/SUDs assessment.

In respect of surface water drainage proposals, the sites should be drained in the most sustainable method in accordance with the hierarchy set out within the National Planning Practice Guidance. For greenfield sites, rainfall runoff should be attenuated such that any rainfall discharges from the developed site are not increased. Greenfield runoff rate of 1.4 l/s/ha shall be applied, unless an assessment conclusively demonstrates greenfield runoff to be greater than this. Additional advice on Sustainable Urban Drainage for major development is available on the council's website, and guidance is provided by United Utilities on their respective website.

The UK's National Planning Policy Framework (NPPF) requires new developments to take account of the effects of climate change. Table 5 of the NPPF indicates increases in peak rainfall intensity of up to 30% by 2085.

Following the flooding events experienced nationally in 2015, new climate change allowances and criteria were introduced by the Environment Agency in February 2016 and updated in July 2021. This recommends that a 40% upper end climate change allowance should be used to assess the potential flood risk implications arising from the critical duration design rainfall event. New development drainage and attenuation features must take account of this potential 40% increase in order to mitigate surface water flooding within the proposed development.

Guidance on soakaway suitability can be found in BRE digest 365, available online or from the council's Drainage & Flooding Engineer (stephen.mccann@rochdale.gov.uk or 01706 924606). The council's Drainage Engineer has highlighted that discussions are ongoing

separately with yourselves in respect of drainage and confirms that the principle of draining to the watercourse in the vicinity would appear to be acceptable in principle and that significant issues in respect of achieving the sustainable drainage requirements are not anticipated.

For the buildings, a foul water discharge consent agreement from United Utilities will be required. Early contact with United Utilities' Developer Services Section is recommended. Rochdale Core Strategy policy G8 and saved UDP policies EM/7 and EM/8 are relevant.

Energy Demand/Climate Change Adaptation

Core Strategy Policy G1 sets out measures to address climate change and emissions, whilst Policy G2 requires that new development adhere to the energy hierarchy. The development should be designed in order to meet the requirements of these policies and an Energy Statement should be submitted with the application setting out the detail of how the development complies with the policy base. Where it is possible for developments to achieve higher standards than required by building regulations and contribute actively towards targets for a net zero carbon future will be considered a strong positive in the planning balance of any such application.

Contaminated Land

The application should be accompanied by at least a Phase I Site Investigation or Preliminary Risk Assessment to provide an initial assessment of potential land contamination within/adjacent to the site. If an initial assessment identifies a need for further intrusive investigations or remediation strategy to be required, these would be required as part of pre-commencement conditions on any permission unless provided as part of the main application. It is recommended, however, that a Phase II site investigation and remediation strategy is provided at the outset given the high likelihood of significant contamination on site as a result of the previous usage. Core Strategy policy G9 is relevant in this regard.

Coal Mining Risk

The area highlighted in red below which passes through the site falls within the Development High Risk Area for coal mining. A Coal Mining Risk Assessment is therefore a validation requirement and must be submitted in support of any application for planning permission. Again, Core Strategy policy G9 is relevant in this regard.

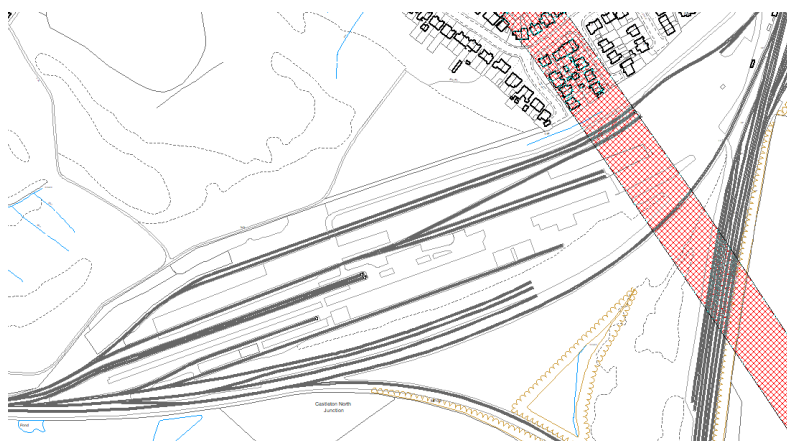


Figure 1: Coal Mining High Risk Area

Air Quality

The site itself is not located within an Air Quality Management Area (AQMA), however, traffic generated in association with the development will access/egress the site indirectly via Manchester Road (A664), sections of which are part of the Greater Manchester AQMA. An Air Quality Assessment (AQA) will therefore be required.

The AQA should assess impacts of both NO₂ and PM₁₀ emissions including on surrounding sensitive land uses including adjacent residential areas. The assessment methodology should be consistent with the IAQM Guidance on *Land-Use Planning & Development Control – Planning for Air Quality* (2017) and *Guidance on the Assessment of Dust from Demolition and Construction* (2014). In accordance with the GM Clean Air Action Plan it is expected that electric vehicle charging point infrastructure is provided within the development.

Health and Wellbeing

Improving the health and well-being of the borough's residents is a high priority in the Sustainable Community Strategy. In line with national policy, the Core Strategy promotes health through better physical access to facilities, stronger Local Centres, safer environments and accessible routes and transport.

Core Strategy Policy C6 states that where appropriate the LPA will seek a Health Impact Assessment (HIA) for major planning applications and consider the use of Section 106 agreements or Community Infrastructure Levy (CIL) to deliver measures to improve the health impacts of development. Based on the proposed quantum of development a HIA would be required to demonstrate the impact of the development on health infrastructure and/or the demand for healthcare services. The results of this may result in the requirement of a financial contribution via a planning obligation to address any potential deficiencies in the area.

Mineral Extraction

The site is located within the Mineral Safeguarding Areas for sand & gravel, brick clay and coal. Policy 8 of the adopted Greater Manchester Minerals Plan (2013) states '*all non-mineral development proposals within the Mineral Safeguarding area should extract any viable mineral resources present in advance of construction.... provided the proposal is in accordance with Policy 2 Key planning and Environmental Criteria*'. Should prior extraction not be proposed, the proposed development would sterilise any mineral resource which may exist under site.

Policy 8 of the Minerals Plan states that proposals for non-mineral development within the Mineral Safeguarding Areas that do not allow for the prior extraction of minerals will only be permitted where:

1. The need for the development outweighs the need to extract the mineral; or
2. It can be clearly demonstrated that it is not environmentally acceptable or economically viable to extract the mineral prior to non-mineral development taking place; or;
3. It can be clearly demonstrated that the mineral is either not present or of no economic value or too deep to extract in relation to the proposed development; or;

4. The development is limited or temporary and would not prevent minerals extraction taking place in the future.

Should the applicant not propose prior extraction, they would be required to demonstrate that the proposal meets one or more of the four criteria listed above.

Planning Obligations and Section 106 Requirements

The Core Strategy requires, for proposals of this scale, development contributions in relation to Public Open Space (POS), formal sports provision, education provision and affordable housing. A contribution towards maintenance of verges and on-site landscaping could also be sought depending upon the final layout and the required Transport Assessment may highlight where financial contributions would be required to mitigate the impacts on the wider highway network. Core Strategy policy DM2 is most relevant.

Public Open Space/Formal Sports

The Council's Public Open Space requirements are set out in the Provision of Recreational Open Space in New Housing SPD. The open space standard is 2.1 hectares per 1000 population; this is split between 1.1 hectares of Outdoor Sports Provision and 1.0 hectares of Local Open Space. The occupancy rate used in the calculation (see page 11 of the SPD) is 1 person per bedroom. In the case of residential developments of above 400 bedrooms in total it is normally expected that there would be **on-site** POS provision, including a Local Equipped Area for Play (LEAP). Detail of the design of the facility and future management arrangements would be required as part of any application for planning permission.

A contribution towards off-site formal sports provision, is expected. This would be spent on improvements to outdoor sports provision within the local area to be of benefit to the residents of the new development.

POS and outdoor sports commuted sum figures are calculated in accordance with the latest table of charges.

Education

The need to provide contributions towards education provision has arisen as a result of schools within the Borough reaching capacity; there is significant pressure for school places in the local area and both primary and secondary education contributions will be required for such a residential development within the area.

Education contributions are currently calculated in accordance with pupil yield and current basic funding levels, as follows:

- Primary education contribution = (no. of dwellings x 0.25 = no. of pupils) x £12,817.74
- Secondary education contribution = (no. of dwellings x 0.1 = no. of pupils) x £16,022.17

Education contribution per pupil costs are index linked and updated on the 1st January each year in line with inflation. Any deviation from this requirement would need to be justified by detailed evidence. If the argument for not complying with this requirement is based around site viability then this would need to be accompanied a detailed viability assessment (see

further below). Note, however, that point 12 of Policy JP Allocation 20 in the consultation draft Places for Everyone joint plan clearly sets out that education contributions would be required on this site and therefore, whilst this emerging policy carries little weight at present, full contributions would be expected.

Affordable Housing

The Council's affordable housing requirements are set out in the Affordable Housing SPD. Where on-site provision is proposed, a total of 15% of total site capacity should be provided at an affordable level (discount of 50% against the average market cost of the dwellings on the site). Where an off-site commuted sum payment is proposed, this should equate to 7.5% of the Gross Development Value.

Affordable Housing Quota Contribution	x Financial contribution/ Discount	= Developers contribution / discount
(15% of total site capacity)	(50% average open market value)	(7.5% contribution of the total scheme value)

It would be expected that affordable housing would be provided on site, in accordance with the above formula.

Viability

The Council is mindful of the need to ensure that financial planning obligations do not undermine the viability and deliverability of any scheme, having regard to site specific requirements, whilst ensuring that the impacts of the development are adequately mitigated. As such, the developer may wish to provide a viability appraisal at application stage, which may demonstrate the ability of the scheme to provide the contributions. Should a viability appraisal be submitted, the Council requires an independent review of such appraisals, with the cost to be met by the applicant.

Public and Stakeholder Consultation

The Council has an adopted Statement of Community Involvement that we would encourage developers to consider when preparing engagement plans. We encourage that developers seek to engage with local residents and, where appropriate, undertake consultation with ward councillors.

It is noted that initial consultation documentation has already been sent out to surrounding properties and that you have received approximately 30 responses to date. You will also be aware of the petition signed by a high number of local residents presented at the Castleton community meeting regarding wider development in the Castleton area on Wednesday 25th August. Predominantly the concerns of residents relate to the proposed access along The Fairway and its implications.

The method of consultation undertaken by yourselves, detail of where any consultation event was held and details of how the development has been presented to the local community should be outlined within a Statement of Community Involvement to be submitted with any

application for planning permission. This statement should also include details of the feedback received, including if any amendments have been made as a result of comments received.

Conclusion

In conclusion, it is the view of the council that any application coming forward ahead of the adoption of the PFE joint plan will need to be assessed against current Green Belt policy and that based on the information provided to date, a case for very special circumstances at this time is unlikely to be made out. On this basis, we would recommend that Kellen Homes work with the ELR to further develop the case associated with the use of the land that it is intended would be transferred to the ELR. Again, any case being put forward must address the spatial and visual harm to the Green Belt that would result.

At such time as the site is allocated for residential development through the adoption of the PFE joint plan, a number of issues would need to be addressed prior to the submission of any planning application.

Validation Requirements

In the event that a formal planning application is submitted, the following list of supporting information would be required:

- Compliance with National Information Requirements
- Compliance with the Council's adopted Local List
- Affordable Housing Statement
- Air Quality Assessment
- Archaeology desk based assessment
- Coal Mining Risk Assessment
- Crime Impact Statement
- Design & Access Statement
- Ecological Appraisal (incl. nesting bat & bird surveys and any other surveys recommended)
- Energy Statement
- Flood Risk Assessment and Drainage Strategy (including SUDS pro-forma)
- Green Belt Assessment
- Habitats Regulation Assessment
- Health Impact Assessment
- Heritage Impact Assessment
- Invasive Species Method Statement (if required)
- Landscape Visual Impact Assessment
- Lighting Assessment
- Minerals Assessment
- Open Space Assessment
- Outline Drainage Strategy/SUDs assessment
- Noise Impact Assessment
- Phase I Site Investigation Report/PRA and Phase II Ground Investigation and Remediation Strategy
- Planning Statement
- Section 106 Draft Heads of Terms

- Statement of Community Involvement
- Transport Assessment and Travel Plan
- Tree Survey and Arboricultural Impact Assessment
- Utilities Strategy
- Viability Appraisal (if applicable)
- Waste Management Statement

Also please note that any advice provided above is an informal opinion of the author only and is made without prejudice to any formal determination which may be given in the event of an application being submitted. In particular, it does not constitute a formal decision of the Council with regard to any future planning applications, which will be subject to wider consultation and publicity, and provides no guarantee of a future decision.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M. Atkinson-Smith', with a stylized flourish at the end.

Michael Atkinson-Smith
Senior Planning Officer
Planning & Development

Appendix 1 – Relevant Policies

In addition to the requirements of the National Planning Policy Framework, any application for the proposed use of the site would be subject to an assessment against the following list of key policies contained within the adopted Rochdale Core Strategy:

SP3/R The Strategy for Rochdale

S02 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
- C7 Delivering education facilities
- C8 Improving community, sport, leisure and cultural facilities

S03 To improve design, image and quality of place

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

S04 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, contamination and land instability

S05 Improving Accessibility and delivering sustainable transport

- T2 Improving Accessibility

DM1 General development requirements

DM2 Delivering planning contributions and infrastructure

SD1 Delivering sustainable development

The following saved policies from the Rochdale Unitary Development Plan (UPD) are also relevant:

G/D/2 Green Belt

- EM/7 Development and Flood Risk
- EM8 Protection of Surface and Ground Water
- BE17 Development affecting Conservation Areas

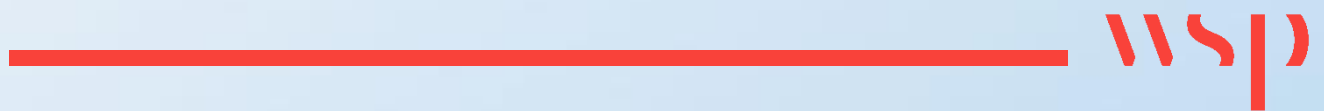
Additional Core Strategy and saved UDP policies may also be relevant depending upon the details of any submitted proposal.

Supplementary Planning Documents:

- Affordable Housing (March 2008)
- Biodiversity and Development (January 2008 – updated February 2017)
- Climate Change Adaption (June 2012)
- 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)

Appendix D

PLACES MATTER FEEDBACK



PlacesMatter

Design Review Report Castleton Sidings

01 September 2022

Castleton Sidings, Rochdale

Reference: PM_2022_017

Report of the Design Review Panel

Date of Review:	25 August 2022
Location:	On-Line Design Review
Site Visit:	3D digital maps and 'street view'
Design Lead:	e*SCAPE Urbanists for Kellen Homes

Findings

You need a much less process driven approach and a defining idea/ consolidation of your railway theme vision that will make this place special – a vision and a narrative that tell you what it is intended to be.

But there is a real need for more analysis of matters other than constraints to inform the contextual, landscape and heritage aspects of the vision, before you define a masterplan and layout.

So, try and give yourselves the time to be allowed the freedom to shape the delightful place that this needs to be and move away from the current rigid feel.

Explore opportunities to allow more green space within the development, through using contemporary typologies at a higher density if necessary.

Be clear that you are doing the right thing with the peat relocation.

Create additional views out from the site if this helps with connectivity and contextualisation.

Background

The site consists of c.11ha of former railway sidings, to the south of an existing residential area accessed from Heywood Road. Part of the site lies within the Green Belt, but it is proposed that this be amended to enable the development, as part of its allocation within the Greater Manchester Places for Everyone, joint Development Plan.

The proposal is for c.192 dwellings, together with public open space and other amenity areas. The proposition would meet GM policy objective of 15% affordable homes across the site in a “tenure blind” approach.

Design Review

The Panel thanked you for your very clear presentation and were appreciative of you bringing the scheme to Design Review at an early stage in its development.

This site presents a good opportunity for residential development and the Panel welcomed your intentions to celebrate its railway history and connections as a good idea. The opportunities for placemaking though are not yet being fully explored, as you are not yet telling the story of what the new place is intending to be – village or urban extension? – but instead you have a very strong focus on the constraints of the site and creativity appears to be being held back by that approach.

You were urged to look across a much wider area first and use the context and nearby facilities to help you define a clear narrative and vision before you set out a layout. Map the walkable facilities, the landscape character, townscape and the ecology and inform your approach through contextual and typology studies. In this way you will discover something from which to create a starting point for this place – the mills or the terraces perhaps – and this in turn will help you to realise your ambition of creating homes and not just houses, which you have stated and the Panel supports.

A strategic movement map would help you to create an active travel plan for the development, as well as showing how the PRoW could be used to access wider facilities and also how wider connections would flow back in to the site itself.

Heritage can also be an influencing factor and you should again look further afield for factors that could be brought to inform the site. One possibility might be canal locks and the pedestrian access to these as an influencing element on the story and vision.

Whilst you seem clear about the value of the views to St Martin's Church, these need to be clearly shown in your LVIA/TVIA, alongside other views out of the site, either existing or new ones that you can create through minor vegetation clearance. All this mapping work and analysis will help you develop your masterplan. The LVIA/TVIA should inform the masterplan's design development, not come later.

You have illustrated a very high-level approach to Green Infrastructure, which is fine at this early stage, but you have yet to articulate the landscape functions of these spaces and this needs to be done with reference to public open spaces nearby, so that you inform your approach with evidence of what is needed for the wider community.

The Panel felt that there is a real need to pull your green areas and the 'eco-park' more into and across the whole site. The Panel disagrees with such stark, straight boundaries between residential and landscape areas. The Panel encourages you to explore whether the green and blue infrastructure could thread its way through all of the site and whether this approach could also have environmental benefits by reducing the peat removal.

Your arrival spaces have the effect of cutting this new development off from the existing neighbourhood and this was felt not to work and you were asked to look at this again.

It was uncertain why you had chosen the density of housing and this relates to the surrounding place. It might be that a higher density in some parts of the site, e.g. terraces, would allow you to create bigger and more meaningful green spaces. You could also use landscape character areas to help define your hierarchy of streets and spaces and allow you to create different character areas within a development of this size.

Both your Green and Blue Infrastructure need to be a much softer and integrating factor threading across the whole site as part of your streetscape and greenspace approach. You should make the street landscape a part of the adopted areas to

ensure its green infrastructure function persists and that it is fully maintained in the future.

Site sections are needed to go with your sketches that relate the typologies you are selecting on each street to a broader townscape and placemaking approach. Use precedents from elsewhere, such as modern terrace typologies, to help you drive the masterplan, alongside views, connections, context, landmarks and active edges / frontages. You will need some shifts in orientation if you are to link out successfully to the key views.

The Panel welcomed your thoughts on using the railway influences on the site and directed you to a much larger example of how this has been achieved in the Emscher Park, at the Zollverein Park, Dusseldorf - <https://protect-eu.mimecast.com/s/uy1gC68wIfoMjMjIpC4Nv> for more details.

You were urged to “try and shape somewhere special” and move away from the sense that this has only been a technical exercise so far. Because of this there is a feeling that the plan is already too fixed, when vital bits are still missing. So, try and give yourselves the time to be allowed the freedom to shape the delightful place that this needs to be. So, “put the technical stuff back in the drawer and start a more creative discussion” that brings the character aspects of the local area to this new place.

This is an unusual and interesting site and the decision to access it through the two existing spur roads is somewhat peculiar, though the Panel understands the reasons for this. The effect though is that the access doesn't feel like the entrance to what is a significant development. There is also a lack of integration between the land parcels and you need to blend these more and merge the whole thing with the area to the North.

It would be worth you checking if there are any particular issues with the boundary to the golf course, as this can sometimes be the case. If not, then your Garden Square needs to avoid feeling “locked in”, when it could be a springing off point to the golf course.

You should be seeking a walkable, threaded route, through the site, which may require wider footpaths and cycle networks. This healthy network of active routes needs to be part of how you keep asking yourself the question, “how does this NOT feel like a very large cul-de-sac”. Whilst you may need pavements on the

wider streets in the hierarchy, be more radical whenever you can, particularly around mews and terrace typologies in particular. You should be striving for '12-greens' in a Building for a Healthy Life assessment and at the moment, this feels way off that mark.

Don't be constrained by existing parking ratios or formats, particularly tandem off-street parking, as they will likely change in the imminent iteration of the Manual for Streets. Seek out other national guidance as well to avoid any risks of people parking on pavements and do studies to help you make the place interesting, varied and characterful. The National Design Guide has many good examples of what you can do, so adds these in to your thinking and the exemplars that the LPA has directed you toward, in a deeper consideration when choosing more contemporary typologies.

The Panel, acknowledged it does not have ecological expertise, but expressed concern about the peat relocation and the potential adverse ecological impacts of this process on the peat and the role it plays in carbon storage and water management. A holistic and integrated approach is needed for this to ensure that the peat does not dry out on transfer and that the carbon remains locked in. You should seek advice from Natural England and utilise a full Ecosystem Services approach to addressing ecology, water management and landscape in the masterplan development.

You were encouraged to consider sustainability in your material choices and the use of solar PV on South and West facing roof slopes. Whilst we assume that construction access will need to be taken from an alternative to the two Fairway access points, you also need to consider the suitability of these access points for bin lorries and other large vehicles going forward.

You will need a proper assessment of how people already access local facilities to help you develop your masterplan and you were encouraged to be as creative and engaging as possible in your consultation process as a way of opening up a positive discussion with the site's adjacent residents.

In summary, the Panel felt that this site has much to offer, but that you need to relax your thinking to realise its potential fully. You need a much less constraints and process driven approach and you should develop a defining idea further that will make this place special – a vision and a narrative that tell you what it is intended to be.

Before you define a masterplan and layout there is a real need for more evaluation to inform the contextual, landscape and heritage aspects of the vision, as well as evidence-based consideration of peat relocation and mapping existing peat with landscape opportunities. You could consider utilising a mapping process such as Ian McHarg's overlay methods for design with nature. So, try and give yourselves the time to be allowed the freedom to shape the delightful place that this needs to be and move away from the current rigid feel.

Explore ways to allow more green space within the development, through using contemporary typologies at a higher density if necessary. Be clear that you are doing the right thing with the peat relocation and create additional views out from the site if this helps with connectivity and contextualisation.

The Panel thanked you for bringing this scheme to Places Matter Design Review Programme and for your constructive response to participating in the On-Line format. We would welcome the opportunity to see this scheme again, with the same Panel members, once you have refined your proposition and the discussions with the Planning Authority are concluded on this current version of the proposals.

Addendum: 01 November 2022

Viewpoints Review and Recommendations

Further to receiving the viewpoint location map and the table, this note includes a review of the viewpoints and recommendations to assist with the selection of the viewpoints. The purpose of this note is to provide suggestions and recommendations to assist with progressing the LVIA assessment.

Assumptions

This review assumes the following:

1. Consideration of any proposed built form has not been taken into consideration and is subject to design proposals.
2. Committed developments surrounding the site have not been considered.
3. This review has been undertaken through desk study and recommendations of viewpoints are subject to field surveys, including a site visit.
4. This review references Google Earth Viewshed mapping to map the Zone of Visual Influence taken from the centre of the site. A map of the ZVI Google Viewshed mapping is provided. This showed that the site is well screened from the immediate surroundings. This information suggests that viewpoints selected are likely to be focussed on the immediate interface with the town and perhaps a few from long range locations.
5. This note does not assess any viewpoints to determine cumulative impacts.



Figure 1 - Google Earth Viewshed mapping to map the Zone of Visual Influence taken from the centre of the site

Recommendations

The following actions are recommended:

2. Consideration of the proposed built form and landscape proposals should be taken into consideration.
3. Removal of any existing trees should be considered as part of assessing viewpoints.
4. Committed developments surrounding the site should be included as part of the assessment.
5. Field surveys including a site visit should be undertaken to determine viewpoints.
6. An assessment of the cumulative impacts should be undertaken to help to shape the concept development and influence the design proposals.
7. Long range elevated views to the site should be considered.

Site Overview

The Site occupies a relatively concealed position due to landscape screening. Viewpoints selected are likely to be focussed on the immediate interface with the town and perhaps a few from long range locations. Viewpoints to consider are recommended to include:

- Residents within surrounding buildings and urban areas.

- Users of key routes such as roads, cycle ways, or long-distance paths located around the Site, including the Rochdale Canal and Castleton Railway Station
- Drivers of vehicles on the adjacent roadways.
- Heritage buildings and conservation areas.

Viewpoint recommendations within this note have been summarised within the following categories to provide a comprehensive summary.

4. Public Rights of Way
5. Heritage
6. Environmental

Potential Viewpoints

The following potential views are subject to on site investigation and field surveys. The following locations have been marked approximately on a map for reference, these views are shaded using blue dots labelled PV1 (Potential Viewpoints).

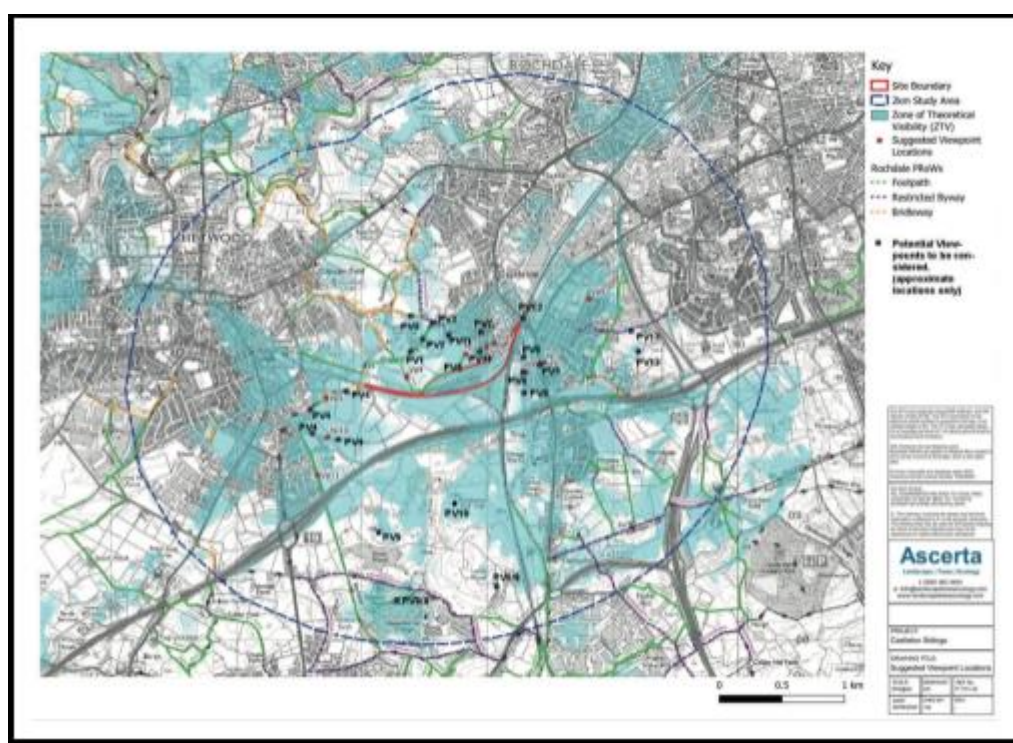


Figure 2 – Viewpoints map with additional potential view to be considered (subject to further on site investigation).

PLEASE NOTE LOCATIONS ON THIS MAP ARE APPROXIMATE ONLY DUE TO DESKTOP BASED REVIEW, VIEWPOINTS ARE SUBJECT TO FURTHER ASSESSMENT.

Public rights of way

5. Public Rights of Way are an important consideration for viewpoint selections. VP4 is located on the PROW that is situated to the north-western corner of the site however there may be other potential viewpoint locations to consider.
6. PROW binds the northern edge of the site, connecting to further PROW's and bridleways that run north south and to the west.
7. Viewpoints from Castle Hawk Golf Course to the north of the site should be considered. This is because it seems like the ground rises in this area, so there may be longer views over the site from PROW that surround the golf course.
8. Viewpoints from the bridleway to the west of the site should also be considered. This is the PROW that runs to the edge of Hopwood. VP5 has been selected, however further locations could be explored.

Heritage

Heritage, including listed buildings and conservation areas are a key consideration for viewpoints and this information should be mapped and included in the baseline analysis, supporting the LVIA.

6. There are a few potential views from Castleton South Conservation area (along Manchester Road). The view from outside of Listed Grade II Church of Saint Martin has already been picked up from VP7.
7. **Rochdale Canal** – There are potential views west along the Rochdale Canal from the Listed Canal Locks and canal footpaths. The canal locks are listed and include Rochdale Canal Lock Number 52 and Towpath Bridge (grade II listing) and the Rochdale Canal Lock Number 53, (grade II listing). Views from the bridge are characterised by vegetation and the railway and views are experienced predominantly from pedestrians travelling north-south between Castleton and Middleton.
8. **United Reform Church** - Heywood Road, a residential area located to the north of the site is situated within the ZVI area. The United Reformed Church is in this area and designated as a grade II listed, potential viewpoints from the church should be considered.
9. **Lords Wood and Hopwood Hall Icehouse** – To the south of the site is grade II listed, there is potential viewpoint within the ZVI area due to the rise in levels here.

Environmental

7. **Landscape**- Hopwood Woodlands is a nature reserve to the south of the site to the edge of Hopwood Hall. There are possible long range views from Hopwood Woodlands Nature Reserve and Glade Wood as the ground levels appear to rise above the site ground levels. that are recommended for further consideration.
8. There may be possible elevated long range views form Manchester Golf Course to the south of the site.
9. **Townscape** – There are potential impact to the adjacent residential area to the north of the site as this area is within the ZVI area. Views from Fairway and the proposed site entrances are recommended. VP1 and VP2 covers this however a further viewpoint could be considered in this area. A view further north on Fairway and to the north of Greenway could be considered in addition to VP1 and VP 2, as ground rises so there may be elevated views out over site.
10. **Travel** – It is recommended that views associated with travel and transport are considered. Views from the Railway bridge on Manchester Road, at the platform stepped exit, looking south towards site should be considered.
11. **Open Space** – There are potential elevated long-range view from hillside/ rough moorland adjacent to Cown Top Lane.

Summary

Subject to further on-site investigation and assessment of the viewpoints, the following describes possible potential impacts and effects to be considered following the LVIA assessment.

Townscape Character:

Potential impacts could be changes to townscape character within the study area due to construction and potential upgrades associated with vehicular access and views from roads and homes immediately adjacent to the site. Potential effects could be changes to the character and amenity of views within surrounding residential areas due to the removal of vegetation, which forms a backdrop to the existing townscape. This effects all viewpoints.

Site Character:

Potential impacts could be changes to the character of the site and the visual amenity it provides due to construction and proposed buildings (subject to design

proposals). Possible potential effects are changes to the character and amenity of direct views of the site from the canal and surrounding long range views from areas such as the two Golf Courses and other landscape areas, depending on the impact to vegetation due to the proposals.

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Appendix E

COUNSEL'S OPINION



KELLEN HOMES

LAND AT CASTLETON SIDINGS

ADVICE

Introduction

1. I am instructed by WSP on behalf of Kellen Homes to advise on the planning strategy and prospects for an application for 191 new homes, an Eco Park and provision of land to facilitate the East Lancashire Railway.
2. I have a very full and helpful set of Instructions. In addition to the clear and helpful Instructions as to the advice sought, there is a full suite of application documents which assess and explain the effects of the proposed development. There is also a collection of materials which explain the position in respect of the emerging development plan, namely the strategic plan for the conurbation – *Places for Everyone* ('PfE').
3. On 7th March I attended a site view with those Instructing. It was a bright morning and we were able to spend time viewing all parts of the site. I took the opportunity to visit the surrounding areas.

The Issues

4. This is a Green Belt case. The proposed development is inappropriate development in the Green Belt which would cause harm by reason of that inappropriateness. Substantial weight would be given to that harm by the decision maker. Planning permission would not be granted unless the potential harm to the Green Belt including by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations, i.e. very special circumstances have to be shown per paragraphs 147 and 148 of the NPPF. This question is the question in the case. It is determinative of the application.

5. The site is a proposed allocation in PfE. It is the subject of Policy JPA 20 – Castleton Sidings. This fact raises the issues of its materiality to the main issue in the case and as to the optimum planning arguments and timing of the application.
6. Those Instructing seek advice on these issues and prospects locally and at appeal.

The Site

7. The site has many striking features in the context of the main issue, namely:
 - a. It is derelict. It is what its name describes – Castleton Sidings. It is located adjacent to and connecting to the built-up area of Castleton, protruding as a lozenge shape towards the SE and Heywood. By reason of its former use as sidings, the site is heavily affected by track, hardstanding and other railway infrastructure.
 - b. It has been derelict for sufficient time for scrub and small trees to have established.
 - c. On its northern boundary, part of the site adjoins a golf course.
 - d. To the SE there is the Leeds-Manchester railway, which is accessible via Castleton station, which is an 8-9 minute walk from the site¹.
 - e. The M62 passes parallel to the site, to the SSE and can be heard from the site
 - f. There is no public access to the site.
 - g. The surrounding land is not elevated. Views into the site are modest in scope. Pennine hills are distant. There is a detailed LVIA, but the site is not difficult to assess.
8. The questions which immediately occur on viewing the site is “What is the future use of this site; what built development is most appropriate, and; why has it been left for so long?”

¹ §5.5.1 of the Croft draft TA dated 15.12.22

The Development Plan

9. There is little that needs to be said about the extant development plan. Policy G4 of the Rochdale Core Strategy 2016 emphasises that the Green Belt will be protected to prevent neighbouring towns from merging². It expressly refers to Heywood.
10. The Core Strategy does not repeat national Green Belt policy but explains that is because it is not appropriate to do so³.
11. The upshot is that the determinative policies are those in Chapter 13 of the Framework, with particular emphasis on the topic of preventing neighbouring towns from merging⁴.
12. There is a Supplementary Planning Document ('SPD') for Castleton. It is supplementary to the Core Strategy.
13. It highlights a four-part vision for Castleton:
 - High quality, residential led development that integrates employment, social and community infrastructure that supports the future growth and development of Castleton.
 - Defining a focused local centre for Castleton that is centred around maximising the grouping of the station, canal, square and historic buildings , with a focus upon enhanced facilities and services for the existing and future community;
 - Creating a gateway experience to Castleton that is integrated with the town's tourism offer through the extension of the East Lancashire Heritage Railway, Tram-Train links and through the revitalisation of the Rochdale Canal and historic buildings;
 - Creating a multimodal movement network that has sustainable travel, accessibility and local connections with walking and cycling at its heart; by

² Page 93 of the Core Strategy

³ Supporting text at §10.21

⁴ §138 b) of the Framework, read alongside Policy G4 of the Core Strategy

making the area more pedestrian friendly as well as redirecting large vehicles away from the main centre.

14. The SPD is supportive of and seeks to facilitate the East Lancashire Heritage Railway by allowing its extension from its current Heywood Terminus to Castleton. That proposal has reached Governance for Railway Improvement Projects (GRIP) Stage 2 with a number of options identified to deliver a new platform interchange with the national rail network at Castleton⁵.

The Emerging Development Plan

15. PfE is at examination, and that examination is at an advanced stage. Green Belt remains a live topic in some respects – tomorrow it considers Green Belt additions.
16. Policy JPA 20 ('the Policy') would have the effect of removing the site from the Green Belt.
17. The Policy is supported by evidence. In particular, an assessment of the Green Belt has been undertaken and included in the 'Green Belt Topic Paper and Case for Exceptional Circumstances to amend the Green Belt Boundary', dated July 2021. As is normal for such documents, it presents a strategic level (Appendix 1) and local level case (Appendix 2) for exceptional circumstances.
18. The strategic case considers:
 - The need to identify an appropriate growth and spatial option having considered other reasonable alternatives;
 - The need to identify sufficient employment land to meet the overall economic growth strategy for the joint plan area;

⁵ SPD at §2.5, page 7

- The need to identify sufficient land to meet the local housing need for the joint plan area;
- The site selection process for identifying strategic allocations in the PfE;
- An assessment of the overall harm caused by the releases from the Green Belt;
- Opportunities to help increase the beneficial use of remaining Green Belt, including interventions that meet green infrastructure and biodiversity net gain objectives.

19. At the local level, the assessment finds, in respect of the site:

- Makes a moderate contribution to checking the sprawl of Greater Manchester preventing the merging of Castleton and Heywood
- Makes a relatively limited contribution to preventing encroachment.
- Release of the Allocation would constitute moderate harm to Green Belt purposes, would increase the containment by inset development of retained Green Belt land to the north but would only have a minor impact on adjacent Green Belt.
- Strengthening the boundary of land proposed to be released within the Allocation and land proposed to be retained within the Allocation could potentially increase the future distinction between inset land and retained Green Belt land, limiting the weakening of this retained Green Belt land.

Very Special Circumstances

20. I consider that very special circumstances ('VSC') can be shown.

21. VSC cases are a planning balance. The starting point is to understand the harm:

- a. There is harm by reason of inappropriateness
- b. There would harm to openness by reason of new built form
- c. There would a encroachment and reduction in the Green Belt buffer with Heywood, i.e. the Policy G4 point as to merging of towns

- d. There would therefore be harm to specific Green Belt purposes, subject to further consideration of those purposes, read as a whole.

22. It is worthwhile to say something further about Green Belt purposes.

23. Paragraph 138 of the NPPF says:

“Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.”

24. The proposal would cause harm in respect of a), b) and c). The proposal is neutral on d).

25. As to e), the policy is in tension with the facts. The policy presumes that Green Belt land is not derelict and in need of regeneration. The policy seeks to encourage urban regeneration by constraining development in the Green Belt, assuming that the urban area is not Green Belt. Here, the converse applies. The Green Belt is derelict and in need of regeneration. Purpose e) is well served by the development.

26. I therefore consider that it is arguable that there is no net harm in respect of Green Belt purposes, or that such harm is low. The harms and benefits to Green Belt purposes balance out. There is no deliverable way to make this Green Belt site have any beneficial planning function without built development.

27. The principal harms are therefore by reason of inappropriateness and to openness.

28. Harm to openness may be visual or otherwise by reason of built form. However, in this instance it seems to me that the real assessment is as against the current visual baseline

and the derelict built form. It is rather artificial to simply look at harm to openness without considering both the baseline and the beneficial aspects of the proposal.

29. The assessment of visual effects and Green Belt harms therefore run together and are inseparable. This is because the derelict nature of the site is one of its defining visual characteristics. Its lack of public access is also a defining characteristic which is relevant to visual assessment because the receptors would change if the site was re-developed – people would benefit from the amenity, including visual amenity, of the Eco Park. The proposal is to remedy that dereliction and to provide an Eco Park with public access. The change from the baseline to the completed form of development is one which has to be assessed by reference to all of the Green Belt purposes and to the use of the Green Belt.
30. In that latter regard, paragraph 145 of the Framework is relevant in that local planning authorities should plan positively to enhance beneficial use, such as opportunities to provide access and to enhance visual amenity or to improve derelict land.
31. Having regard to the assessments which have been undertaken of the proposals and their effects, I do not consider there to be ‘any other harm’ to put in the VSC balance.
32. The benefits appear to me to be substantial and likely to attract significant weight⁶. In my view, it is quite obvious that the site will remain derelict, unused, inaccessible, a drag on the amenity and ambience of the town and a waste of planning opportunity without built development. VSC is and always will be a very high hurdle to clear but I do consider that the balance falls in favour for a proposal such as this. The argument should be articulated in the Planning Statement and I would happy to review this.
33. In addition, the following should form part of the VSC argument:
 - a. Encroachment and merging with Heywood is limited by the Eco Park
 - b. That limitation arising from the Eco Park is a real benefit, endorsed by the PfE evidence base

⁶ I do not think that there is a real difference between ‘substantial’ and ‘significant’ weight, though some Inspectors do distinguish the two terms.

- c. Locational sustainability is high both as a high tier settlement and in terms of its location within Castleton, particularly with respect of Castleton Station
- d. The site is not tranquil – see adjacent railway and M62 and the fact of dereliction. The proposal would remedy that in various ways – inside the site you would no longer feel like you are proximate to the railway and M62. At the moment the site is ‘nowhere’ – it would become ‘somewhere’
- e. Regeneration benefits including that such re-development would be an important signal as to the direction of travel for Castleton and its people
- f. Conversely, to leave it in its current state is harmful to Castleton’s vision (per the SPD)
- g. The only deliverable route to these VSC is development
- h. The costs associated with the site are substantial, arising from the state of the land the foundation’s required. There is no viable alternative to bringing the site back into beneficial use.

34. I have read the Mytham Road and World of Pets appeal decisions. They do not add anything to the arguments which need to be advanced here. Moreover, they are cases in which policies in the development plan were out of date and in authorities which were struggling with housing land supply. They cannot be preyed in aid of any decision here, but they are a useful indicator that an appropriate case may receive support from an Inspector. It is possible, but difficult, to demonstrate VSC for substantial built development in the Green Belt.

Access

35. The design panel of PlacesMatter said this⁷:

“This is an unusual and interesting site and the decision to access it through the two existing spur roads is somewhat peculiar, though the Panel understands the reasons for this. The effect though is that the access doesn’t feel like the entrance to what is a significant development. There is also a lack of integration between the land parcels and you need to blend these more and merge the whole thing with the area to the North.”

⁷ Page 5 of their Report dated 1 September 2022

36. I agree that the access is peculiar for the reasons given by the Panel. It is an approach which will generate some local resistance and which may be an impediment to a prompt decision locally.

37. I have not seen an assessment of any alternative. I can take the point no further.

Application and Appeal

38. I agree that a hybrid application should be submitted. It is not possible to define the operational development required for the heritage railway. The Schedule to a s106 agreement should be drafted for submission with the application which sets out terms of the transfer of the land. It is an important element of the VSC case and must be secured by legal agreement.

39. Both the emerging Policy and the underlying evidence are each and separately material to any decision. In my view, reliance should first of all be placed on the PfE evidence. The development of the site is supported for strategic reasons as set out in the Topic Paper and its development is further supported at a site-specific level. Those materials should be prominent in the application. The local planning authority subscribes to that evidence and it is therefore common ground.

40. I agree that the Policy attracts only limited weight at this stage and will continue to do so until an Inspector's report or positive interim letter is received. At that stage, it is appropriate to give the policy significant weight.

41. Conversely, if the PfE is found to be not sound, but the reasons for that finding are unrelated to the Green Belt issues, then the evidence base continues to attract weight as a material consideration.

42. I see no advantage in waiting for the PfE to complete its statutory stages and do see some real disadvantages, namely that the policy wind is currently in the right direction. To wait may be tactically unwise because the wind might turn.

43. I noted the BNG discussion during the site view. There is also the question of affordable housing provision. There is evidently significant cost associated with remediation,

provision of the Eco Park, construction on peat and other matters. There is, however, sufficient capacity in local schools so that an off-site contribution which appears unlikely to be necessary or justified.

44. I understand that policy-compliant BNG and affordable housing provision is currently considered to be viable, though there is no report or detailed discussion of viability in the Instructions. Essentially, a viability report is only necessary if less than policy compliance is contended for. To fail to meet policy compliance in these respects would be a harm to add to the VSC balance. Policy compliance would be seen by the planning authority as neutral. At appeal I would be prepared to argue that provision of affordable housing at policy-rates is indeed a benefit and in my view that position should be taken in the Planning Statement in order to preserve and reserve that position for any future argument.
45. The same reasoning applies to BNG and sustainable forms of construction.
46. If the local planning authority do not determine the application within 13 weeks, then the question of appeal against non-determination arises. I consider that the proposal is sufficiently strong to merit appeal. Subject to the point about access and developing the planning argument as discussed above, the application documents appear to be in a state which is suitable for appeal. The planning authority should be told what the planning strategy is, i.e. it should be made expressly clear that if it appears that a decision is not imminent at the 13 week stage, and there is no good reason for that, then the applicant will appeal to the Secretary of State. The position should be kept under review.
47. I advise accordingly. In the event that any particular questions arise from the above, those Instructing should not hesitate to contact me via any convenient means.

RICHARD KIMBLIN KC

27th March 2023

KELLEN HOMES

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