

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

25/00116/FUL

CASE OFFICER

Claire Ringwood

DATE22nd December 2025**Address:** Land Rear Of 83 Marland Fold Rochdale**Proposal:** Erection of 6 detached dwellings with associated access, gardens and parking

PUBLICITY	Weekly list expired?	Y	Site notice expired?	Y
	Neighbour letters expired?	Y	Press Notice expired?	N/A

DELEGATION	Significant departure from local plan?	N	Contrary to national policy?	N
	Applicant a Council Member or officer?	N	Contrary to previous decision?	N
	Major with 10 or more objections and recommending approval?	N	Called in or Planning Panel objection?	Y

COMMENTS	Planning Panel comments received?	N
	Neighbour comments received?	Y

EIA	Screening opinion completed and saved to OnBase?	N/A
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CONDITIONS	Pre-commencement conditions proposed?	N/A
	Pre-commencement conditions agreed (or notification period expired)?	N/A

RECOMMENDATION	REFUSE
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CHECKED AND SIGNED OFF BY:**DATE:**

SITE

The application site lies to the north of Marland Fold which comprises predominantly detached two storey / chalet style residential dwellings. The submitted Planning Statement refers to the site as vacant, overgrown land that was previously used for grazing horses on occasions which lies between two woodland areas on sloping land overlooking the River Roch. The site is accessed via a track and grassed access strip between 83 and 85 Marland Fold. Part of the site has recently been included on the Ancient Woodland Inventory and the red line on the submitted Location Plan was amended to reflect this. The site also includes a sub-station under the ownership of Electricity North West.

The site is within the Defined Urban Area (Policy G/D/1), a Greenspace Corridor (Policy G/8), a Recreational Management Area (Policy RE/7) and an SSSI Impact Risk Zone as identified in the Proposals Map of the saved UDP. The site is partly within a Coal Mining Development High Risk Area.



Aerial view of application site and wider area taken from the submitted Planning Statement

PROPOSAL

The proposal is for the erection of 6 x 4 bedroom detached dwellings with associated access, front and rear gardens and parking on land to the rear of Marland Fold.

Amendments have been submitted to address officer concerns and comments from consultees. The amendments included the repositioning of the units along with changes to the design, appearance and layout along with revised technical details relating to ecology/BNG, access and drainage. The proposed dwellings have also been reduced in height from approximately 9.4m to 8m to the top of the ridge. Eaves height has remained the same at approximately 5.3m.

The original and amended Proposed Site Plans are shown below:



As originally submitted



As amended

The red line on the Location Plan has also been amended to take into account the 15m buffer from the Ancient Woodland and to address the Council's Ecology comments.



As originally submitted



As amended

The proposed dwellings are two-storey in nature with a pitched roof design. All units have 4 bedrooms with a two-storey front gable. Units 4, 5 and 6 have external chimneys. The materials consist of facing brick, K Rend and Cedral cladding with Marley modern smooth grey roof tiles, dark grey fascias, soffits, barge boards, windows and doors and black PVC gutters and rainwater pipes.

Access into the site is between 83 and 85 Marland Fold providing a single access road and turning head. The access includes a two-way access directly from Marland Fold which leads to a single access into the site. The submitted Proposed Site Plan (Drawing No: 7164-002L) shows a maximum width of 5.5m which narrows to 2.75m before widening to 4.1m within the site itself. A 500mm footpath to either side of the access is also proposed. The driveway arrangement will be unadopted and remain private.

Unit 1 has a detached pitched roof garage to the north of the property, Units 2 and 3 have integral garages and Unit 4 has an attached single storey pitched roof garage. EV charging points are also proposed.

Waste collection will be via a private management arrangement and the Proposed Site Plan shows bin storage accommodated within each plot.

A foul pumping station is also proposed which would be situated to the north of the turning head and to the front of Units 5 and 6. A 500mm service strip is also provided to the north of the turning head.

There is an existing Electricity North West sub-station within the site which is located on the left hand side of the site to the rear of 81 and 83 Marland Fold. This sub-station will be retained and a car parking space for ENW access and maintenance purposes is proposed.

A 1.8m high close boarded timber fence is proposed between the proposed dwellings and hedging and fencing (1.8m) is proposed to the rear boundaries with existing residential properties.

A stone gabion wall in the form of gabion baskets is proposed to the north of the site and this will comprise a 1.2m black high bow topped railing to the path. The gabion wall would extend the full width of the site up to the detached garage at Unit 1. No details have been submitted on the height of the proposed gabion wall.

PLANS AND DOCUMENTS SUBMITTED

The following plans and information were received 6th February 2025:

Drawing No: 7164 – L01F – Location Plan
Drawing No: 7164-001 – Existing Site Plan
Drawing No: 7164-002 A – Proposed Site Plan
Drawing No: 7164-003 – Proposed Unit 1 – Plans and Elevations
Drawing No: 7164-004 – Proposed Unit 2 – Plans and Elevations
Drawing No: 7164-005 – Proposed Unit 3 – Plans and Elevations
Drawing No: 7164-006 – Proposed Unit 4 – Plans and Elevations
Drawing No: 7164-007 – Proposed Unit 5 – Plans and Elevations
Drawing No: 7164-008 – Proposed Unit 6 – Plans and Elevations
Drawing No: 7164-009 – Street Scenes / Sections
Drawing No: 7164-010 – Proposed Detached Garages
Drawing No: 7164-011 A – Trees, Shrubs and Hedges Retained/Removed
Drawing No: 7164-012 – Trees, Shrubs and Hedges Retained/Removed
Drawing No: 7532.01 Rev B – Landscape Proposals
Drawing No: S24-0198 – Topographical Land Survey
Transport Note/Technical Note by mode transport planning, Date: 20 January 2025, Job No: 328307
Arboricultural Impact Assessment by Iain Tavendale Arboricultural Consultant
Survey Details For Trees by Iain Tavendale Arboricultural Consultant, Date: 04 November 2024 including untitled plan Date: November 2024
Preliminary Ecological Appraisal by ERAP Ltd Consultant Ecologists, Date: January 2025, Ref: 2024-280, Version No: 1
Foul and Surface Water Drainage Strategy by REFORD Consulting Engineers Limited, Date: January 2025, Ref: 24.1540
Coal Mining Risk Assessment by REFA Consulting Engineers, Date: 11th November 2024, Ref: 51003456814001
Phase 1 Geo-Environmental Desk Study Report by REFA Consulting Engineers, Date: November 2024, Report No: 24143/GEDS

The following information was received 18th February 2025:

Planning Statement by Maybern, January 2025, Job No: 18-142

Assessment of Biodiversity Net Gain by ERAP Ltd Consultant Ecologists, Date: Feb 2025, Version 2, Ref: 2024-280b
Statutory Biodiversity Metric

The following amended plans and information was submitted on 13th August 2025:

Drawing No: 7164 – L01G – Location Plan
Drawing No: 7164-002 K – Proposed Site Plan
Drawing No: 7164-003A – Proposed Unit 1 – Plans and Elevations
Drawing No: 7164-004A – Proposed Unit 2 – Plans and Elevations
Drawing No: 7164-005A – Proposed Unit 3 – Plans and Elevations
Drawing No: 7164-006A – Proposed Unit 4 – Plans and Elevations
Drawing No: 7164-007A – Proposed Unit 5 – Plans and Elevations
Drawing No: 7164-008A – Proposed Unit 6 – Plans and Elevations
Drawing No: 7164-009B – Street Scenes / Sections
Drawing No: 7164-010A – Proposed Detached Garages
Drawing No: 7532.01 Rev C – Landscape Proposals
Covering Letter
Transport Note – Technical Note by mode transport planning, Job No: 328307, Date: 29 July 2025
Foul and Surface Water Drainage Strategy by REFORD Consulting Engineers Limited, August 2025 – Rev A
Arboricultural Impact Assessment by Iain Tavendale Arboricultural Consultant
Preliminary Ecological Appraisal by ERAP Ltd Consultant Ecologists. Ref: 2024-280, Version 2: Updated 31st July 2025
Assessment of Biodiversity Net Gain by ERAP Ltd Consulting Ecologists, Ref: 2024-280b, Version 3: Updated 5th August 2025
ERAP Ltd Consulting Ecologist, response to consultation comments, Ref: 2024-280, Updated 1st August 2025
Statutory Biodiversity Metric
Proposed Schedule of Accommodation

The following amended information was submitted on 15th October 2025:

Preliminary Ecological Appraisal by ERAP Ltd Consultant Ecologists. Ref: 2024-280, Version 2: Updated 15th October 2025 in accordance with new site boundary and layout
Statutory Biodiversity Metric v4 15th October 2025
Assessment of Biodiversity Net Gain by ERAP Ltd Consulting Ecologists, Ref: 2024-280b, Version 4: 15th October 2025 updated site boundary and site layout
Aerial Image with Photo Numbers and Directions

The following amended information was submitted on 22nd October 2025:

REFORD Consulting Engineers Limited dated 16th October 2025 responding to United Utilities letter dated 2nd October 2025
Drawing No: 7164-L01H – Location Plan
Drawing No: 7164-002L – Proposed Site Plan
Drawing No: 7164-011C – Trees, Shrubs and Hedges Retained / Removed
Drawing No: 7164-L02G – Existing Site Plan

RELEVANT SITE HISTORY

PREAPP/00061/24 - Pre-application advice for the erection of 6 dwellings with associated gardens and parking. Observations sent 08/11/2024.

Following a meeting on 18th July 2024 an amended scheme was submitted on 2nd August 2024 which reduced the number of proposed dwellings from 10 to 6. The

principle of residential accommodation on the site was considered acceptable subject to any future planning application taking into consideration the Greenspace Corridor policies. Officers were satisfied that subject to the matters raised being addressed at application stage including design and appearance, landscaping, boundary treatment, accesses and impact on neighbouring properties etc and the required reports and assessments being acceptable, officers would be supportive of a residential scheme.

R/O 85-91 Marland Fold

79/D08122 - One Detached Bungalow With Integral Garage And A Septic Tank.
Refused 18/06/1979.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Sub-Regional

Places for Everyone Joint Development Plan (PfE)

The Places for Everyone Joint Development Plan was adopted and became part of the statutory development plan for each of the 9 authorities covered by the plan on 21st March 2024. The following policies are relevant:

JP-S1: Sustainable Development
JP-S4: Flood Risk and the Water Environment
JP-H1: Scale, Distribution and Phasing of New Housing Development
JP-H3: Type, Size and Design of New Housing
JP-H4: Density of New Housing
JP-G1: Landscape Character
JP-G6: Urban Green Space
JP-G7: Trees and Woodland
JP-G8: A Net Enhancement of Biodiversity and Geodiversity
JP-P1: Sustainable Places
JP-C8: Transport Requirements of New Development

Rochdale Core Strategy:

The following policies of the adopted Rochdale Core Strategy are relevant:-

SO2	Creating successful and healthy communities
C1	Delivering the right amount of housing in the right places
C6	Improving health and wellbeing
SO3	Improving design, image and quality of place
P2	Protecting and enhancing character, landscape and heritage
P3	Improving design of new development
SO4	Promoting a greener environment
G1	Tackling and adapting to climate change
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 stability

SO5 **Improving accessibility and delivering sustainable transport**
T2 Improving accessibility

DM1 General development requirements

Relevant saved Rochdale Unitary Development Plan (UDP):

G/D/1 Defined Urban Area
G/3 Protection of Existing Recreational Open Space
G/8 (A, B & D) Greenspace Corridors
RE/7(i) Recreational Management Areas (Roch Valley (west of Rochdale
Town Centre))

Supplementary Planning Documents (SPD):

Guidelines and Standards for Residential Development (June 2016).
Provision of Recreational Open Space in New Housing

SUMMARY OF CONSULTATION RESPONSES

Highways

Summary: No objection to the application.

Environmental Health (Noise)

Summary: No objection subject to conditions for the submission of a Construction Management Plan and a restriction on working hours.

Environmental Health (Land)

Summary: The submitted Phase 1 and recommendation for an intrusive investigation is acceptable subject to a Site Investigation and Assessment condition being imposed.

United Utilities

Summary: No objection subject to conditions relating to a sustainable surface water drainage scheme and a foul water drainage scheme along with a sustainable drainage management and maintenance plan. A Full copy of United Utilities letter has been sent to the applicant's agent.

The Coal Authority

Summary: No objection subject to the imposition of conditions and informatives.

Urban Design Officer

Summary: No written response has been provided by the Council's Urban Design Officer however, following a meeting and through internal conversations they have advised that although the principle of development is acceptable the proposed scheme is not reflective of the special characteristics of the site and does not achieve a satisfactory standard of design.

Drainage Officer

Summary: No objection following the submission of a revised Foul and Surface Water Drainage Strategy and subject to relevant conditions.

Greater Manchester Ecology Unit (GMEU)

Summary: Whilst the updated information has addressed some of my previous points, there is still currently insufficient information provided on ecology.

Electricity North West

Summary: No objection subject to the parking space provided adjacent to the sub-station being restricted to ensure exclusive use for ENWL representatives and an informative advising that any works ensure there is no damage to underground cables.

REPRESENTATIONS

The application has been publicised with a site notice and neighbour notification letters. 45 letters of objection have been received, and the comments are summarised below (some of these objections are from the same individuals). Due to the number of objections raised, these have been listed in (general) topic areas:

Ecology and Biodiversity

1. The proposal fails to deliver the required amount of BNG on-site. Given its siting within a greenspace corridor, any attempts to deliver net gains off-site would be unacceptable;
2. The Preliminary Ecological Appraisal is woefully inadequate;
3. Loss of greenspace and impact on green corridor;
4. Loss of trees;
5. More trees will need to be removed than are shown in the submitted documents including the need for pipework to be sunk and connected to the existing drains which is not accounted for;
6. T3 on the proposed site plan in the back garden of unit 1 is shown as retained but in section 3 of the AIA its not included;
7. The surveys and planning submissions have been completed in winter when all the trees are at their worst;
8. Tree protection needs to be considered;
9. Insufficient evidence that appropriate root protection measures will be implemented effectively throughout the construction process;
10. Impact on biodiversity interests at the site;
11. Greenspace corridors function best when left undeveloped;
12. Either this Green Corridor is protected or it isn't. If it isn't the whole Strategic Plan is worthless;
13. The proposed development will result in polluting the riverside by road run-off, during construction and general rubbish;
14. The existing pattern of development along Marland Fold establishes a definitive and natural boundary, the proposal would disrupt that established edge, extending urban sprawl into an area that currently maintains a distinct and valuable separation between town and countryside;
15. Whilst not currently designated officially as ancient woodland the site is bounded on both sides by ancient woodland and it is reasonable to expect protection similar to that of ancient woodland;
16. The dwellings will be built on ancient marshland;
17. Impact on the Green Belt;
18. The application states the site is not within a conservation area which is absolutely untrue;

19. A whole woodland is being chopped down, surely there are enough brownfield sites in Rochdale;
20. The proposal would inevitably lead to pressure for felling or severe pruning of trees due to the proximity to proposed dwellings;
21. Impact on wildlife;
22. The proposal does not include features to compensate for the irreversible ecological damage that will be done to the site;
23. Lack of any meaningful landscaping;
24. The negatives of this development far outweigh the need;
25. Existing residents should be able to access the riverside from their gardens;
26. The adjoining residents have rented the land for many years and referring to the site as vacant equestrian land and overgrown grassland is disingenuous;
27. Existing residents have spent time and money maintaining the area when the current owners refused to do so;
28. The land has only ever been used for grazing horses for a matter of months in 2019 and is not used for horse riding;
29. The land is used for recreational purposes by the community and will deprive local residents of amenity;
30. Residents have formed a group called the Marland Wood Community Group and wish to enter the area for the Rochdale in Bloom award and maintain the land where the landowners do not;
31. The land should be re-designated as common land so that it can be enjoyed by everyone;
32. The supplied report states there is no public right of way which is incorrect;
33. A public footpath signpost has been removed;
34. No prior notice has been given to the residents by the landowner regarding this planning application;
35. The continued use for recreation should be protected;
36. Impact future residents will have on nature and wildlife;
37. Rochdale has a responsibility to protect habitats and the environment;
38. Leaf drop will wash into drains and block them;
39. The deeds include a copy of the original planning permission and within it is stated that provision should be made for open space 'for amenity and recreational purposes';
40. The continuous and unchallenged use of the site for recreation over such an extended period suggests that it may meet the criteria for designation as a Village Green under the Commons Act 2006;
41. Topography of the site has not been properly considered;
42. The proposed development will become an eye sore from the river side;

Housing

1. These are not affordable homes;
2. This is not about housing need but greed on behalf of the landowners;
3. In an area ranked 14 in the current government lists of deprived areas, more high-quality expensive housing is unacceptable;
4. The nearby construction of over 20 houses on the former site of Higher Birch School would address any housing needs in the area;
5. Planning permission was refused for 22/00624/HOUS and therefore this planning application should be refused as it fails to meet the same requirements;

Design and Appearance and Impact on neighbouring properties

1. Existing properties have been designed to enjoy the view and outlook towards the site;
2. Loss of outlook;
3. Loss of visual amenity;

4. Loss of peace and beauty for many that are of an advanced age and that have lived here for most of their adult lives;
5. Loss of sunlight and daylight;
6. A Daylight and Sunlight Assessment should be provided;
7. Light pollution;
8. The fresh, green, open, quiet area will become congested and polluted;
9. Noise and disturbance;
10. Noise from the pumping station which will need to run constantly;
11. Harm to air quality;
12. Loss of privacy and overlooking;
13. Minimum distances between dwellings should be increased due to levels;
14. The proposed dwellings could be increased without the need for planning permission which would impact neighbours further;
15. Overdevelopment of the area;
16. The proposal would result in a contrived and cramped form of development;
17. Overbearing impact;
18. Overshadowing impact;
19. Loss of views;
20. Views from existing properties would be severely affected;
21. The plans do not show any street lighting so assume the private driveway will be very dark;
22. Oppressive impact on existing dwellings;
23. Visually oppressive;
24. Erosion of openness and rural character of the site;
25. There is no established precedent of back land development within the locality;
26. The proposal will restrict existing properties extending their properties due to overlooking;
27. The layout is dictated by the site constraints rather than a genuine design-led approach;
28. The development would be extremely prominent;
29. Unacceptable relationship with existing properties;
30. The design is not in keeping with the area;
31. The proposed dwellings/materials will have an adverse impact on the character and appearance of the area;
32. The proposed dwellings will destroy the area;
33. Allowing this development could set an unwelcome precedent;
34. The proposal is contrary to policy and guidance;
35. This very small development will not contribute to the PfE plan for the Castleton area;
36. The Higher Birch School development has been ongoing for years and there are concerns that a similar situation will occur here, residents have suffered from this appalling decision;
37. PfE is meant to stop this type of small development due to all the big developments in better locations;
38. The application is contrary to the Rochdale Township Green Infrastructure Plan page 33 Character Area 7 Roch Valley as recreational space will be lost, more trees will be destroyed than planted and the biodiversity score shows a net loss;
39. Contravenes the RMBC Roch Valley Green Corridor commitments;
40. A key consideration for adoption of PfE was to protect against smaller, unplanned development on unallocated green spaces by providing a clear framework for sustainable growth;
41. To build 6 high quality homes on this green back land site offers only a miniscule contribution to the government target whilst impacting catastrophic damage to everything else;
42. The proposal is in complete opposition to everything that is set out in the Green Infrastructure Action Plan;

Drainage, Flooding and Land Stability

1. Effect on surface water and foul drainage;
2. Flooding and drainage concerns;
3. The site is in an area at risk of flooding as it is in Flood Zone 1;
4. Concerns that the banking down to the river will be destabilised;
5. The land is marshy, boggy and there is subsidence which could affect neighbouring properties;
6. If piling is required there could be structural impacts on the existing houses;
7. The land is not suitable for construction of any kind and permission should be refused;
8. The site is high risk due to unknown coal seams under it and the impact it will have on the water table and how the road will be underpinned;
9. The presence of mine gas also needs to be taken into account;
10. The unknown cost of the works to the land must mean that the financial viability of the whole project is thrown into doubt;
11. Concerns over the foul water pumping station, if it overflows it will pollute the river and wildlife;
12. No clear indication that statutory bodies and utility providers have been consulted or approved the foul water pumping station works;
13. Any drainage will cause significant disruption and disturbance to neighbouring gardens and compensation will need to be sought

Highways

1. Highways safety concerns;
2. Increased traffic flow;
3. Inadequate on-site parking and where do visitors park;
4. The development would represent a disproportionate intensification of use;
5. Impact of the proposed access on neighbouring residents;
6. The narrow approach suggests potential problems regarding emergency vehicle access;
7. A fire tender tried to get through the gap between 83 & 85 Marland Fold in order to fight a recent fire at 73 & 75 Marland Fold but it couldn't get through, this shows the access is not suitable;
8. The Fire Authority should be consulted;
9. The proposed access road does not provide a safe entrance/exit and would have an unacceptable impact on highway safety;
10. The access fails to meet the required visibility splays set out in Manual for Streets 1 for a 30mph speed limit and there is no justification for relaxing these standards in this case;
11. The access is situated within a known blind spot;
12. The proposed access road poses a risk to children, pedestrians and other vehicle users and is described as a shared access surface;
13. Marland Fold is the type of road where accidents go unreported;
14. Marland Fold has too much traffic already;
15. Vehicular activity will increase in the form of resident's, visitors, taxis and deliveries;
16. Impact of having two developments ongoing will severely impact the vehicular access to and from the existing estate;
17. There is no provision for bin stores and bins will be left outside properties creating obstacles on the roads;
18. Can private refuse collection be considered a truly sustainable solution;
19. By needing private refuse collection highlights the fundamental unsuitability of the road for accommodating larger vehicles;

20. Permitting a development without proper safeguards would fail to adhere to legal requirements under the Road Safety Act as it would directly prejudice the safety and free flow of traffic;
21. There is growing concern that the development will choose to demolish the house at 83 Marland Fold that they have recently purchased;
22. The development will accelerate wear and tear of Marland Fold further damaging the estate for its residents and creating more costs for RBC road repairs;
23. Running underneath the access road will be all the electricity cables, gas pipes, water pipes and sewage pipes. When something goes wrong with these services the access point will have to be dug up which could prevent residents accessing the site;

Other Matters

1. Concerns to the validity of the planning application as the statement and supporting documents are inaccurate and misleading;
2. Many of the reports submitted have been desk exercises with no actual on-site observations and reports relating to trees and wildlife were undertaken at possibly the worst time of the year;
3. The landowners did not consult with existing residents about their application prior to it being submitted;
4. Property values would be affected;
5. Residents paid more for their properties because of the openness at the rear;
6. Houses will become unsellable;
7. Neighbour's deeds refer to Marland Fold and the farm tracks as unsuitable for use as access to new residential development;
8. The proposal would infringe on residents right to a private family life and home under Article 8 of the Human Rights Act 1998;
9. RBCs commitments to protect and improve the health and wellbeing of its people is well documented and set out in strategic plans. This strategic commitment should not be side lined or manipulated to our detriment in order to meet a housing target;
10. The land has been part of the Marland Folds public community green common and an application is being crowd funded by the neighbours for the land to be registered as a green common;
11. The development will breach our rights to light as set out in legislation, including The Rights of Light Act 1959;
12. The applicant's company has strong links with RBC. There is a clear conflict of interest between the applicant and RBC that needs to be declared prior to the planning meeting and should not be, in any way, allowed to influence the planning decision in the applicant's favour;
13. The proposal will impact mental health and day to day living;
14. Afraid of the increased risk of ill health the development will bring;
15. Existing medical conditions could be aggravated by airborne pollutants, dust and construction related debris;
16. The thought of additional houses being built on this space is causing stress and anxiety and could result in longer term issues should this be allowed to proceed;
17. Public services cannot cope with further houses being added;
18. Planning should learn from previous failures, notably the executive housing development on Cut Lane, Norden that had to be demolished because it sank into the boggy land;
19. This is a developer and profit led scheme with no regard for the people, local environment or wildlife;
20. Surprised a neighbour notification letter was not received as although they do not back onto the proposal, they will still be impacted;

21. The PEA was not available online for over 2 weeks of the initial 24 day review period;
22. The development will reduce resident's quality of life;
23. The proposal will exacerbate pressure on school places, healthcare provision and local services

Amended plans letters were sent to all those who were previously consulted including all objectors on 15th August 2025 giving them until the 8th September 2025 to provide comments. Following a discussion with a neighbour, this consultation period was extended to 26th September 2025. 21 letters of objection have been received (from 14 individuals). A large number of comments reiterated previous concerns however, new objections are detailed below:

1. Creating a road to the development will cause major issues with neighbouring drives;
2. A fire engine could not get through the existing access point when there was a recent fire on Marland Fold and this raises serious public safety concerns for both existing and proposed residents;
3. The application fails to achieve the statutory 10% net gain and necessitates off-site habitat creation which is inappropriate and insufficient in the context of this site;
4. The amendments have moved the proposed dwellings closer to neighbouring properties;
5. An updated Planning Statement should have been submitted to avoid confusion and additional time allowed to review it and submit objections;
6. The amendments have made worse the loss of privacy concerns;
7. The number of car parking spaces in the 'Proposed Scheme of Accommodation' is inaccurate as there are 17 car parking spaces and not 20;
8. The Ancient Woodland should also apply to the North West of the site and all the stretch of woodland in between and the site boundary reduced accordingly;
9. There remain inconsistencies and discrepancies within the submitted plans and documents;
10. The proposed detached garage is on land identified as priority habitat;
11. The existing trees in the north west corner of the site have not been identified and all related documents assume there are none present;
12. The proposed site has been identified in the Greater Manchester Local Nature Recovery Strategy as an opportunity site for the expansion of woodland and scrub habitat and is an important part of the woodland network;
13. The proposed gabion wall will be unsightly and what is currently proposed may not be sufficient to act as a retaining wall and a more substantial structure would be required and be more imposing and unsightly;
14. The Biodiversity Metric Calculation is unreadable on the Council website, has this been done on purpose?
15. The size, scale, massing and proximity of the proposed dwellings would create an oppressive sense of enclosure;
16. Human Rights considerations should be protected under Article 8 of the Human Rights Act 1998;
17. The sites long-standing use suggests the site could potentially satisfy the criteria for designation as a Village Green under the Commons Act 2006;
18. The cumulative effect of the application alongside the 22 dwellings currently under construction at the top of Marland Fold has not been assessed;
19. How will the 1.8m high timber fence between the existing and proposed properties be implemented and how will it be maintained long term when existing properties already have fences

In addition to the above representations, comments were also received from the Lancashire Wildlife Trust who raised the following points:

- 1) Winter surveys should be avoided;
- 2) The boundary of the development should be amended so that the entire woodland habitat to the north is retained;
- 3) A more detailed biodiversity strategy should be provided that identifies a definite pathway for BNG delivery; and
- 4) The site has been identified within the Greater Manchester Local Nature Recovery Strategy (LNRS) as an opportunity area for the expansion and creation of woodland and scrub habitat and the importance in enhancing the ecological network in the area has been recognised within the LNRS. Clearly the site would be better suited for the delivery of BNG and for offsetting the requirements of development elsewhere rather than the reduction of the biodiversity interest of the site which would result from the proposed development. If RBC are minded to grant planning permission, it is recommended that any off-site provision should be identified as close to the LNRS opportunity area as possible to strengthen the ecological network locally.

Officer response to some of the comments received

The points raised in relation to the health implications of the proposed development, as well as the safety, property values, the financial gains of the developer and the saleability of properties are not material planning considerations. Officers acknowledge the concerns raised and some of these are discussed in more detail in 'Other matters' at the end of this report however, planning permission cannot be refused on these grounds and as such will not be included in the analysis of this recommendation.

In regard to concerns over the validity of the application and the reports submitted, these were deemed to be sufficient to validate the application. In regard to residents not being notified, the statutory requirement for notifying neighbours is to consult those adjoining the site by letter OR the display of a site notice. The Local Planning Authority undertook both, neighbour letters were sent to all those adjoining the site and a site notice was also displayed. Clearly, the level of response indicates the success of the publicity.

In regard to residents not being notified by the applicant of the proposed development prior to the application being submitted, this is not a statutory requirement. Comments relating to documents not being available to view on the Council website were rectified and various extensions of time were agreed in order for residents to provide comments.

The points raised in regard to the highway implications of the proposal, potential impact on the amenity of neighbouring properties, in addition to the ecological impact of the proposal are all relevant planning considerations which will be discussed.

ANALYSIS

Principle of Development

The application site is allocated as a Defined Urban Area under the Proposals Map of the Unitary Development Plan (UDP). Policy G/D/1 of the UDP aims to locate new development in the urban area in order to support urban regeneration and to protect the countryside. Paragraph 11 of the NPPF sets out the 'presumption in favour of sustainable development' and states that development plans should be approved without delay. Having specific regard to residential developments, paragraph 61 of the NPPF requires Local Planning Authorities to "support the Government's objective of significantly boosting the supply of homes".

Policy C1 of the Core Strategy outlines that the Council will promote the reuse and regeneration of vacant and underused previously developed sites and focus only on sustainable greenfield sites which provide the best access to a range of services, jobs and facilities and have limited impact on green infrastructure and amenity.

The latest published information suggests that the Council can demonstrate over 5 years' worth of deliverable housing sites, as required by national policy however, this does not preclude the promotion of sustainable development where this can assist in delivering additional housing to meet local needs. The recent adoption of PfE has also increased the housing requirement to 568 per annum through to 2025 and 616 averaged across the plan period.

The application site falls within the Roch Valley Recreational Management Area (Policy RE7(i) of the saved UDP) which states that where resources and opportunities permit, develop the recreational potential of the areas shown on the Proposals Map. This policy states that *'new built development will not generally be permitted unless it is in connection with an existing building or use, or is ancillary to an outdoor use, and is of an appropriate scale, design and layout'*.

The site is also within, and along the edge of, a Greenspace Corridor which covers a large area of land to the north. The site is to the north of an existing residential area and is in a relatively sustainable location with reasonably good proximity to local amenities and public transport facilities.

Although the application site is accessible to local residents and seems to have been used by the community for some time, it is in private ownership. The area in question is a relatively small area set in the outside curve of a much wider section of the Recreational Management Area and Greenspace Corridor, and it is located between more established residential dwellings. As such, the proposed development does not extend any further into these protected areas than the existing dwellings which directly back onto the boundary of the Recreational Management Area and the Greenspace Corridor.

As such, the principle of development of this greenfield site in the urban area for residential purposes is considered acceptable however, this factor must be balanced against all other material considerations, as outlined below.

Greenspace Corridor Policy

Policy G8 of the Core Strategy states *that 'we will protect and improve green spaces and water bodies and ensure that their value to sustainable development and regeneration are maximised'*. Saved Policy G/8 (A) of the UDP supports Policy G8 and states *'Greenspace Corridors shown on the Proposals Map will be protected. Development and other measures which will enhance their recreational, ecological or landscape and amenity value will be permitted. Within all parts of Greenspace Corridors, the Council will not permit development proposals which would:*

- a) *Lead to an unacceptable narrowing or a division of the corridor into sections, thereby,*
 - i. *restricting the movement of wildlife along it, or*
 - ii. *restricting the movement of people along established or proposed recreational routes or rights of way;*
- b) *Result in the loss or severance of links between areas of recreational open space;*

c) Result in the loss of existing valued recreational facilities or prejudice proposed new facilities; or

d) Prevent public access into the corridor at strategic locations; or which would result in unacceptable harm to:-

e) The better landscape qualities and character of the corridor;

f) The amenity value of the corridor where it provides welcome visual relief from urban development, including attractive views in and out of the corridor;

g) Features of nature conservation interest, including designated and non-designated sites; or

h) Viable agricultural operations, including good quality grazing land and allotments'.

Policy G/8 (B) states *'any new development permitted within or adjacent to the corridors will be of a design, and use materials appropriate to, the character and setting of the corridor. Boundary treatments and landscaping should help to retain or re-establish a 'countryside' character in the corridors and contribute to nature conservation interest through design and use of appropriate species'.*

Paragraph 14.25 of Policy G/8 (D) states *'it is accepted that limited small scale built development may be appropriate but proposals must demonstrate high standards of design, layout, materials and landscaping which complement the character, landscape and nature conservation qualities of the corridor. This is especially important within corridors which have a more natural or rural character such as river valley corridors'.*

Character, appearance and visual amenity

Policy DM1 of the Council's Core Strategy requires all development proposals, including changes of use of land and buildings, extensions and alterations, to demonstrate that they are of a high-quality design and take the opportunity to enhance the quality of the area. Policy P3 of the Core Strategy acknowledges that good design will improve the image and attractiveness of the borough as a place to live, work and visit. This policy requires all new developments to adhere to high quality design and enhance the borough's identity and sense of place, by respecting context where it is positive and having regard to the scale, density, massing, height, layout, landscape, materials and access of surrounding buildings and areas in general.

In addition, Core Strategy Policy C3 requires a high standard of development and layout that produces attractive places. Furthermore, Paragraph 135 of the National Planning Policy Framework states that planning decisions should ensure that developments are sympathetic to local character and visually attractive as a result of good architecture, layout and effective landscaping.

Policy JP-H3 of PfE requires development 'to incorporate a range of dwelling types and sizes' and a key aim of the Plan is to boost the supply of well designed, adaptable new homes with appropriate access to private space.'

Paragraph 139 of the NPPF states that in determining applications, significant weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings. Development that is not well designed should be refused.

Paragraph 5.15 of the submitted Planning Statement states 'the scale of the proposed development has been carefully considered in the context of its surroundings, namely the existing residential properties and character of the area and the backdrop of the wooded edge and the current underused poor-quality grassland on the site'.

Paragraph 5.16 of the Planning Statement states that 'the proposed design has sought to carefully blend the proposed dwellings into their setting, taking design inspiration from the existing residential character while also seeking to deliver high quality modern family housing that conserves and enhances its setting, provided by its landscape backdrop of the wooded edge and grassland'. Paragraph 5.17 also states that the materials have been carefully selected to ensure that the proposed development is viewed as part of the natural evolution of the areas residential nature and to avoid being seen as visually incongruous to the existing setting'.

Following consultee and officer comments with the original scheme in regard to impact on neighbouring properties, layout, materials, design and appearance, amended plans were provided on 13th August 2025. The changes included:

1. The re-orientation of Units 4 and 5 to face outwards towards the greenspace corridor;
2. The house types were reduced in scale to improve separation distances, residential amenity and the ancient woodland buffer zone easement;
3. Units 4, 5 and 6 were revised to a different house type;
4. Changes to overcome the officer comments regarding the 'over engineered' nature of the site included using minimal sized driveways, minimal sized paths around the perimeter of dwellings and a reduction in the overall footprint of the patio at the rear to lessen the hardstanding throughout.

In respect of the proposed materials, the agent re-affirmed their position regarding the selected materials and other than including K Rend the material palette remains as originally proposed.

Officers consider that the proposal has failed to respond to the positive, established character of Marland Fold and the Greenspace Corridor setting. Officers have always been concerned with the 'overly engineered' nature of the proposal and although the agent's applicant has attempted to address this matter through the amendments noted above, officers remain of the opinion that the proposed layout remains 'overly engineered' and does not integrate well with the Greenspace Corridor and the green open setting in which the site is located; this includes the extensive use of retaining structures along the northern boundary of the site use of hardstanding.

The proposed dwellings have been moved forward to the north of the site to overcome neighbouring amenity concerns which has pushed all the hard surfacing and buildings closer together. The site is also dominated by the access road and the front gardens have large areas dedicated to parking which altogether, diminishes the green character of the site, leaving little space for any meaningful landscaping interventions that could assist in otherwise mitigating this impact.

Although the site itself cannot be described as cramped, there is an element that the buildings themselves are squashed together to respond to the neighbouring amenity issue but also to retain the six dwellings on the site. The character of Marland Fold is such that building are arranged in a relatively cohesive building line, with more historic buildings with agrarian roots arranged piecemeal as would be expected for buildings of their age and function; the proposals appear unresolved by achieving neither and having a loosely arranged building line that places blank or secondary

elevations to key viewpoints, which is ultimately to the detriment of the visual qualities of the Greenspace Corridor and the surrounding area.

The National Design Guide forms the most relevant design guidance for the application of paragraph 139 of the Framework in the absence of up-to-date local design guidance or a code. Both context and identity comprise an individual characteristic of good design. Well-designed development should enhance positive qualities, and should be influenced by an understanding of vernacular, local or regional character and elements of a place that make it distinctive.

Within this context, the proposed dwellings adopt a two-storey, domestic vernacular with very ordinary use of proportions and a material palette of facing brick, wooden cladding, render and concrete roof tiles. Whilst clearly physically related to the settlement of Marland Fold, the development site clearly sits within a different context of the River Roch corridor.

Taken in isolation the proposed dwellings are of no notable standard of design with seemingly contrived use of materials and forms that do little to create visual interest, or clearly relate to any special qualities of the surrounding area. When taken in context, the prominence of the buildings within such a visually sensitive location would amount to an adversely harmful addition that fall short of the expectation to be well-designed.

Proposed Sections were not provided with the amended plans which would have been helpful to demonstrate how the scheme sits within its surroundings or how it would function as an addition to the Greenspace Corridor, and the use of retaining structures at the northern boundary would only serve to exacerbate the harm to the character of the greenspace corridor and surrounding area more generally.

The proposed dwellings do not take any opportunity to respond to the proposed layout and further diminish the already lacking design quality with views throughout the site punctuated by blank gable elevations or rear elevations but most notably upon arrival into the development. Boundary treatments include 1.8m high timber boundary fencing along the rear boundaries with the existing properties on Marland Fold which will dominate outlooks from Marland Fold. This is considered to provide a poor transition between existing and new properties. Although the proposal does include a landscaping scheme, the proposal misses the opportunity to provide a meaningful buffer of trees or structured planting to reinforce the Greenspace Corridor location. Several trees are shown within private curtilages, but these cannot be relied upon long term and are vulnerable to removal and therefore will not mitigate the scheme's visual impact or strengthen the Greenspace Corridor. It is acknowledged that boundary detailing and landscaping could have been secured by way of condition if the application had been acceptable however, in this particular location, and in combination with the other concerns raised above, the number of issues identified only reinforce officer opinion that the scheme in its present form is unacceptable.

In respect of the proposed materials, the existing properties that back on to Marland Fold include bungalows and chalet-style bungalows which, in the majority, consist of brick. The Council's Urban Design Officer has stated that the proposed house types are not bespoke but reminiscent of volume housebuilder stock and do not justify a departure from the established material palette within the surrounding area. The proposed Cedar cladding, K-Rend and UPVC fenestrations are non-contextual and no design rationale has been provided to justify these departures. The Urban Design Officer has advised that Cedar cladding is a poor substitute for well-detailed timber and render rarely offers an improvement over brickwork. There are a few examples on Marland Fold where owners have opted for contemporary materials (i.e. render) and this has been to the detriment of the street scene and disrupts the established

character of the more attractive brick frontages. Officers consider the proposed materials lack contextual sensitivity and fail to contribute positively to the character and setting of the area contrary to Policy DM1 of the Core Strategy and national design expectations in the NPPF.

The agent has made reference to an appeal that was allowed in March 2025 (Appeal Ref: APP/P4225/W/24/3348342 – Old Falinge, Falinge Fold, application ref: 22/00341/OUT) which is also in a Greenspace Corridor. While this information has been considered, each proposed development is site specific and individual assessments should be made from the Local Planning Authority on each proposed development, i.e. the application must be assessed on its own merits.

However, Officers have looked at this appeal which was an outline application for the erection of 4 dwellings (two pairs of semi-detached dwellings) with access and layout being considered. During the course of the application, the number of dwellings was reduced from 6 to 4. It should be noted that this application was recommended for approval by the Planning Officer, but the recommendation was overturned by Councillors at Planning Committee. Planning permission for a similar scheme had also been granted at appeal by the Planning Inspectorate (application ref: 14/01506/FUL, appeal ref: APP/P4225/W/15/3132265). The main issue considered by the Inspector was the effect of the proposed development on the Greenspace Corridor and its contribution to local ecology and landscape setting, with regard to the loss of trees and planting. As the application was at outline stage, scale and appearance were reserved matters and not something the Inspector could consider. The main considerations were around whether a landscaping scheme could be provided that addressed the loss of trees at the site (notwithstanding the fact that landscaping was a reserved matter).



Refused Location Plan



Refused Proposed Site Plan

The Committee Report in paragraph 20 stated the size of the semi-detached dwellings as approximately 97sqm. Those proposed with the application at Marland Fold range from 124sqm to 188sqm and are detached. Taking the above into consideration, there are significant differences between the proposal at Marland Fold and the example at Old Falinge and the appeal referenced is therefore not a relevant comparison to the application site.

Taking the above into consideration, the proposed development is considered overly engineered and does not demonstrate high standards of design, layout, materials or landscaping to compliment the character, landscape and nature conservation qualities of the corridor and it does not retain or re-establish a 'countryside' character which is considered to the detriment of the Greenspace Corridor. The proposed development also fails to contribute positively to the character and setting of the Greenspace Corridor and surrounding area and is unsympathetic and insensitive to

its Greenspace Corridor location and the local character of the area and is contrary to Policies C3, P3 and DM1 of the Core Strategy, Policy JP-H3 of PfE, Policy G/8 of the UDP and the NPPF.

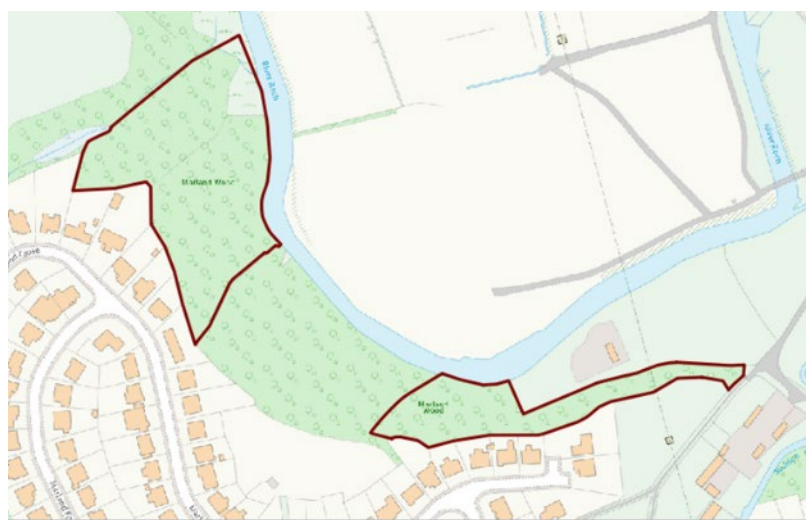
Landscaping and Ecology

Policy G6 establishes that development should protect and improve green spaces and where trees are to be removed they should be replaced at a ratio of 2:1. This is reinforced in Policy JP-G7 of PfE which states 'where development would result in the loss of existing trees, requiring replacement on the basis of two new trees for each tree lost, or other measures that would also result in a net enhancement in the character and quality of the treescape and biodiversity value in the local area, with a preference for on-site provision'.

Policy G7 states that development proposals which would affect a species protected by law or its habitat will not be permitted unless it can be demonstrated that there is no adverse impact on the species concerned, and damage to habitats is minimal and alternative habitat provision is effective in maintaining those species. Policy G7 continues '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'. Chapter 15 of the NPPF establishes that local authorities should aim to protect and enhance biodiversity. Policy JP-G8 of PfE states that 'through local planning and associated activities a net enhancement of biodiversity resources will be sought'.

The initial surveys for the site were undertaken on 1st November 2024 which was outside the optimal survey season for botanical surveys including for woodland and grassland habitats. While this was acknowledged within the ecology report, the Council's Ecologist advised that a precautionary approach should be applied for interpretation of the results, especially the grassland habitats in the BNG interpretation. From the description of some areas of 'modified grassland' which are not highly maintained, could potentially be classed as 'other neutral grassland' as described in UKhab rather than modified grassland, and it may be that surveys at an appropriate time of year would detect more species.

Since the Council's Ecologist provided comments on the pre-application enquiry (PREAPP/00061/24), a piece of work for Natural England has been completed which reviewed the Ancient Woodland Database. This identified two woodland parcels to be included on the Ancient Woodland Inventory layer within Marland Woods which is relevant for this planning application. The screen shot below show the parcels of woodland:



Provided by GMEU in an email dated 2nd April 2025

This had implications for the application site given the protections provided to Ancient Woodland which is considered an irreplaceable habitat (NPPF paragraph 193c and also Natural England's Standing Advice for decision making and protection of ancient woodland) as well as impacting the BNG calculations for the site. A minimum of 15m undeveloped buffer was required to be provided around the areas of Marland Wood that have been identified as Ancient Woodland, in line with government guidance to protect the irreplaceable habitats.

Due to the inclusion of part of the application site into the Ancient Woodland, amendments to the red line boundary of the site were submitted along with a revised Preliminary Ecological Appraisal, an Assessment of Biodiversity Net Gain, an Arboricultural Impact Assessment and a Proposed Site Plan. These were reviewed by the Council's Ecologist who advised that the amendment to the redline boundary so that there was no development proposed within 15m from the woodland was welcome.

However, some concerns were raised as there were works detailed in the drainage plan that were outside of the red line boundary and within the surrounding woodland and the impacts of this had not been accounted for within the PEA. There were also two areas shown on the BNG Proposed Post-intervention Habitats Plan that were also outside of the red line boundary, and it was unclear what these were. Clarification was required on these matters as these could have had implications from a BNG perspective in addition to the impact assessment on the habitats in the site. There was also an unresolved issue with the baseline habitat map presented in the PEA and BNG report compared to aerial photographs and the Arboricultural Impact Assessment and tree removal plan.

The Council's Ecologist also raised concerns that the baseline habitat of the site was not clearly reflected in the PEA and the BNG assessment of the site. The Council's Ecologist had also previously requested further clarity around the modified grassland on the site. This had been mapped as one compartment and a species list recorded as one list, despite there being two distinct areas of modified grassland recorded on the site, differentiated by the management regime. The Council's Ecologist advised that due to the survey timings being sub-optimal and the data for each grassland not being separated out, it was not possible to be confident that the less intensively managed grassland (i.e. photo 5 in the PEA report) is not other neutral grassland. No additional survey work at an appropriate time of year, or further information around this point had been provided. However, the Council's Ecologist advised that if the habitat type is 'other neutral grassland' it would likely be in a poor condition and therefore would not make a material difference to the BNG metric, therefore they would not insist on this update being provided, however it would have been preferable for these comments to have been reflected in the updated report.

Notwithstanding the proposed drainage works and the works outside the red line, there was a predicted loss of woodland habitat on the site. This woodland has been identified as 'other broadleaved woodland' and of being of local importance. The PEA recommends (para 4.3.5 and 5.3.1) in the first instance that avoidance of this loss is explored over providing compensation for the loss, and this is the approach that the Council's Ecologist would advocate for, in line with Policy G7 of Rochdale's Local plan which identifies that:

"We will expect development proposals and improvements to:

a. Protect and include existing biodiversity (including established biodiversity interest on brownfield land) within new developments, public realm and open spaces and meet the requirements of the Biodiversity and Development SPD, Greater Manchester and Local Biodiversity Action Plans;

- b. *Protect and enhance existing features such as peatland, ponds, wetlands, reservoirs, mill lodges, trees, hedges, wooded areas, meadows, flora and fauna;*
 - c. Take opportunities to promote biodiversity and create new habitats through new development using landscaping and building and construction features wherever possible (e.g. ponds, species of vegetation, green roofs and walls, bat boxes, roof space, appropriate nest boxes and landscaping);
 - d. Enhance strategic wildlife corridors and the most natural areas and ensure that habitats and corridors are not fragmented by development;
 - e. Improve access where appropriate to new or existing biodiversity interest for public enjoyment; and
 - f. Protect important geology and take opportunities to increase interest and accessibility.”
- (emphasis added)

Following these further comments from the Council's Ecologist, additional information was submitted by the applicant's agent on 15th October 2025 which included an updated PEA and BNG information. The Council's Ecologist advised that some of their previous points had been addressed but there still remained insufficient information provided on ecology.

The updated PEA (October 2025) identified direct and indirect impacts on areas of broad-leaved woodland, some of which was identified as lowland broadleaved woodland (Habitat of Principle Importance, NERC Act, 2006). The direct loss involves felling/removal of areas of woodland and indirect losses include impacts from construction work including pollution, compaction and disturbance.

Although some areas of woodland creation are proposed in the final site layout, it does not adequately make up for the loss of woodland habitat on the site. This is evidenced within the BNG Assessment, which shows a loss of -0.79 woodland habitat units, and a total loss of -1.55habitat units (-62.61%).

The PEA recommends measures to address this loss (para 4.3.5 and 5.3.1), including re-design of the site to avoid impacts, or to provide off site compensation. The Council's Ecologists previous comments recommended that a more detailed compensation strategy for the woodland needed to be provided so it can be evidenced how the woodland losses would be addressed. No further detail has been provided and as such the proposal is not policy compliant.

It is also noted that the site is almost wholly recorded as an opportunity area within the Greater Manchester Local Nature Recovery Strategy, and thus comprises an area of strategic significance for the purposes of the BNG metric. The submitted metric does not reflect the designation of the site and therefore casts even further doubt on the validity of the metric.

There were also a number of other matters that should have been clarified but which would not merit an objection on their own. These include missing information in the baseline BNG metric for lowland deciduous woodland in the baseline habitat; clarification that the area at the northern section of the site has had appropriate surveys for badger and roosting bats as no new survey work has been carried out to provide the updated PEA; there is confusion with the habitat references as marked on the BNG metric and how they are referred to in the BNG metric; and no details of the intended lighting of the site during operation has been provided as there are concerns about the impacts to nocturnal animals.

It is noted that the layout of the site was reduced to address the location of the ancient woodland however, the same number of units are proposed and although other amendments have been made, these are considered relatively minor in light of the Greenspace Corridor location, and this is reflected in the total loss of habitat units

as shown above. The PEA recommends a re-design of the site to avoid impacts or to provide off-site compensation. The agents covering letter dated 13th August 2025 acknowledges this deficit advising the constraints of the site make this undeliverable and the only viable solution is to deliver part of the habitat provision off-site which can be secured via condition.

In the first instance, a condition would not be appropriate to secure off-site provision, and a S106 Legal Agreement would be required and secondly, a more detailed compensation strategy for the woodland has not been provided. The NPPF is clear in paragraph 193 a) that *'if significant harm to biodiversity resulting from a development cannot be avoided.....adequately mitigated, or as a last resort, compensated for, then planning permission should be refused'*.

In combination with the other outstanding matters addressed above, the application has failed to provide sufficient information to demonstrate that all options for biodiversity net gain on-site have been properly explored and has failed to show how the impacts on the woodland will be mitigated for. As such, the proposal is contrary to Policies G6 and G7 of the Core Strategy, Policies JP-G7 and JP-G8 of PfE and the NPPF.

Residential Amenity

Paragraph 135 of the National Planning Policy Framework advises that planning decisions should always seek to secure a high standard of amenity for all existing and future occupants of land and buildings. Further to the above are the considerations of the Councils Supplementary Planning Document (SPD) 'Guidelines and Standards for Residential Development' which states that new developments *"should be carefully designed to protect the amenity of the occupants of adjoining properties."*

Space Standards & Privacy

Section 4.1 of the SPD sets out minimum distance standards which all new residential developments should adhere to in order to ensure a satisfactory standard of amenity for surrounding, existing and future occupiers.

4.1 of the SPD requires:

- (i) 21m between directly facing principal windows of habitable rooms, at an upper floor level AND 10.5m between a principal window at an upper floor level and a directly facing boundary of the curtilage;
- (ii) 14m between a principal window and any directly facing two storey elevation which does not contain a principal window to a habitable room; and
- (iii) 10m between a principal window and any directly facing single storey elevation which does not contain a principal window to a habitable room.

4.2 of the SPD states *'where buildings of three or more storeys are proposed, or there is a marked difference in levels, it may be necessary for the minimum distances set out in (ii) and (iii) above to be increased'*.

The plans as originally submitted for Units 1, 2 and 3 just met the minimum back-to-back distance of 21m with existing properties at 73, 75, 77 and 79 Marland Fold. These existing dwellings have been designed with their living accommodation, balconies and large rear facing windows at first floor with bedrooms at ground floor. Officers raised concerns that due to the levels at the site and the existing properties being at a higher level, there would be direct views into the rear gardens and rear windows of the proposed dwellings.

Due to concerns raised, Units 1, 2 and 3 were repositioned further east into the site and as noted above, the height of the proposed dwellings has been reduced. The back-to-back distances of the proposed dwellings and their neighbouring properties are now:

Unit 1 – 29.5m

Unit 2 – 29.4m

Unit 3 – 25.7m

Unit 4 – 34.1m

Unit 5 – 30.8m

Unit 6 – 34.3m

Although Site Section drawings were provided with the original set of plans submitted with the application, these have not been provided with the amended plans. However, the proposed dwellings are now at a distance greater than the minimum requirements detailed above and officers are therefore satisfied that the proposal would not have a detrimental impact on the living environment of neighbouring properties in terms of loss of privacy and overlooking. There may be some degree of overlooking from the existing properties to the proposed dwellings which are at a higher level to the proposed properties, but future occupiers would be aware of this relationship at the time of purchasing the property.

It is acknowledged that the proposed development would significantly change the outlook and the visual appearance of the site for the existing residents that back onto the site however, the proposed development is a sufficient distance away from the existing properties and would not have a detrimental effect in terms of being overbearing or visually dominant.

Due to the location of the proposed dwellings in the Greenspace Corridor and the relationship with the neighbouring properties, had the application been acceptable in all other regards, a condition would have been imposed removing certain permitted development rights to protect neighbouring amenity and ensure the development does not have a detrimental impact on the character and appearance of the area and the Greenspace Corridor.

Taking the above into consideration, officers consider there would be no detrimental impact in terms of overlooking, loss of privacy, loss of light or overbearing effects from the proposal on existing and future residents and the proposal accords with Policy DM1 and the Council's SPD.

Noise and Disturbance

It is considered unlikely that a residential use would result in a significantly increased level of noise and disturbance. A residential use, and the activities reasonably expected from such use, would be compatible with the surrounding residential use and the vehicle movements associated with the use is not considered to result in an undue level of disturbance.

As such, the proposal is considered to have an acceptable impact on neighbouring residential amenity.

Living conditions of future occupiers

Internal layout

The Nationally Described Space Standards (NDSS) is a technical standards document produced by the Government to ensure internal space within new dwellings is suitable for application across all tenures. Whilst not a standard formally

adopted by the council it has been used more recently to seek to improve the size and quality of new homes in the borough it has become part of the Council's adopted framework PfE. Table 1 of this document sets out the minimum gross internal floor area requirements for new dwellings, across varying number of bedrooms, occupants and floors.

Table 1 - Minimum gross internal floor areas and storage (m²)

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	

The submitted Proposed Schedule of Accommodation shows the following measurements:

Unit 1 – 188.2m²

Unit 2 – 188.2m²

Unit 3 – 188.2m²

Unit 4 – 145.3m²

Unit 5 – 124.3m²

Unit 6 – 124.3m²

The Proposed Schedule of Accommodation (updated in August 2025) states that all the dwellings would have between 4-5 occupants and these would be suitable to accommodate families and all bedrooms meet or exceed the space requirements. The internal configuration provides suitable living, kitchen and dining areas to bedroom ratio and all habitable rooms benefit from windows to ensure a suitable level of light and outlook would be achieved to these rooms.

The Council's Environmental Health (Noise) Officer has raised no objection to the proposal subject to conditions requiring the submission of a Construction Management Plan and given the close proximity to existing residential properties, a restriction on site hours.

The proposed dwellings are provided with adequate sized gardens which will enhance the living environment for existing and future residents.

Conclusion

It is considered that the scheme would not have any detrimental impact on the amenity of neighbouring properties due to the separation distances and would provide a more than satisfactory standard of occupier amenity and therefore meets the requirements of Core Strategy Policy DM1 and the NPPF.

Highways

Policy T2 of the adopted Core Strategy is regarding improved accessibility and parking and requires that developments provide parking in compliance with the Council's Car Parking Standards (Core Strategy Appendix C5). Policy JP-C8 of PfE

states 'we will require new development to be located and designed to enable and encourage walking, cycling and public transport use, to reduce the negative effects of car dependency, and help deliver high quality, attractive, liveable and sustainable environments'.

Part 3.13 of the Rochdale Design SPD stipulates that car parking areas should be designed in such a way to prevent parked cars from dominating the street scene and to prevent cars from overhanging the public highway.

Part 'e' of Policy DM1 states that satisfactory vehicular access with adequate parking, manoeuvring and servicing arrangements taking into account of the proposed use and location should also be required.

The proposed development provides 2 parking spaces to all the dwellings with 4 of the dwellings being provided with a garage. The Council's Highways Officer has reviewed the submitted information and advised that the proposed development would not generate a significant volume of traffic and falls below the threshold for a further transport study to be undertaken. Adequate space for parking has been provided within the site, the road layout meets the minimum standards for access for emergency vehicles and the road layout supports service vehicles turning within the site. The Council's Highways Officer has stated that the access has a very narrow width but it is of adequate width to accommodate a fire engine if required.

It is acknowledged that following a recent fire at a property on Marland Fold which backs onto the application site, residents stated that fire engines were not able to access the application site from the rear however, the Council's Highways Officer has raised no objection to the proposal in this regard and the proposals would be required to meet other regulations to fire safety.

The access to the site is pre-existing and the Highways Officer has advised that it is capable of dealing with the expected volume of traffic. It is acknowledged that the access to the site has poor visibility and is not ideal particularly as it also serves as a pedestrian access point however, the access point is a previously established access which has been adopted by the local authority and the Council's Highways Officer has stated that given the low number of units on the site, the potential for conflict is very low and could not be considered severe to warrant an objection.

Although a large number of objections have been received in regard to the access and road safety, the Council's Highways Officer has not raised any road safety concerns resulting from the proposal and has stated that they could not sustain an objection on these grounds.

Bin storage is shown for Units 1, 2 and 3 on the submitted Proposed Site Plan and there is ample space for bins to be stored within the gardens of the proposed dwellings. As the access road is to remain unadopted, waste collection will be through a private management arrangement. The Highways Officer has advised that swept path analysis of the vehicle movement has been undertaken to prove the site can be adequately serviced. As no details of this waste collection has been provided, had the application been acceptable, this matter would have been dealt with by way of a condition.

There is Electricity North West Ltd (ENWL) infrastructure located on the left hand side as you enter the site and ENWL have a right of way and cable easement from the substation, through the access road to Marland Fold. ENWL have advised that they require 24-hour access in the event of a fault or repair works which need to be carried out. The Proposed Site Plan shows the inclusion of a parking space which is to be provided adjacent to the sub-station for the exclusive use of ENWL representatives attending the site. To prevent trespass and/or parking by third

parties, the inclusion of a lockable drop-down bollard is required. Had the application been acceptable, this matter would have been secured by way of condition. ENWL have also advised that any works carried out in the area where there are cables, must be completed in accordance with ENWL standards, this matter would have been dealt with by way of an informative.

Taking the above into consideration and subject to relevant conditions, Officers consider that the proposed parking would have an acceptable impact on the highway network in line with Policy T2 of the Core Strategy, JP-C8 of PfE and the NPPF.

Drainage and Flooding

Policy G8 of the Core Strategy sets out the Council's strategy for managing water resources and flood risk more effectively in the interests of public safety, protecting property and infrastructure and the conservation of the natural environment. Policy JP-S4 of PfE states 'an integrated catchment-based approach will be taken to protect the quantity and quality of water bodies with reference to the North West River Basin Management Plan and managing flood risk, by: 2) Working with natural processes and adopting a natural flood management approach to slow the speed of water drainage and intercept water pollutants'.

The site is under 1 hectare and is not within Flood Zone 2 or 3 and a Flood Risk Assessment is therefore not required. However, a comprehensive drainage strategy has been provided, and the Council's Drainage & Flooding Officer has advised that this meets the minimum requirements for surface water and foul water drainage management. Calculations are included to justify the surface water discharge rate (Qbar) at 4.7 l/s. This discharge rate is accepted as it matches the existing pre-development greenfield runoff rate.

The Council's Drainage & Flooding Officer states that the aim should be to discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable. The ordered drainage techniques to be assessed with the aim to reduce or omit lower techniques:

- Control at Source (Infiltration / Recycling)
- On Site Treatment (Basins, Swales, Rain gardens, Tree pits)
- Local Treatment (Adoptable Ponds, Basins, Swales etc)
- Regional Treatment (ditto usually to a larger scale)
- Discharge to Watercourses / Bodies
- Discharge to SW Sewers
- Discharge to Combined Sewers

The application was supported by a Foul and Surface Water Drainage Strategy however, the Council's Drainage & Flooding Officer raised a number of concerns with this document and it was lacking in a number of different areas such as:

- i. Infiltration potential should be fully assessed and if viable should be the primary option for all areas of the site.
- ii. The attenuation tank should be reviewed with regards to requirements and location.
- iii. Adoption strategies for drainage and highways should be clarified.
- iv. United Utilities approval in principle will be required for the proposed diversion.
- v. A management and maintenance strategy should be provided.
- vi. Summary Points ii, iii & iv should be addressed before the application is approved. The remaining points could be conditioned.

A revised Foul and Surface Water Drainage Strategy Rev A Aug 2025 was submitted and the scheme has adopted the approach recommended by the Council's Drainage Officer. Subject to site based testing and detailed design, and subject to conditions relating to detailed design based on site testing and clarification of drainage and highways adoption strategy, the application in drainage terms is considered acceptable.

United Utilities have been consulted throughout the application process and they have provided responses, the latest one following the submission of the revised Foul and Surface Water Drainage Strategy Rev A. United Utilities recommends a condition is imposed for details of a sustainable surface water drainage scheme and a foul water drainage scheme to be submitted to approved in writing along with a condition for the maintenance and management of SuDS to ensure they do not fail or become ineffective.

A foul water pumping station is proposed within the site at the end of the development's access road opposite Unit 6 enabling foul water to be pumped to the public foul sewer. Other than shown on the Proposed Site Plan, no further details of this structure have been provided. It is not clear how large this structure would be, whether it would generate any noise or how it would be screened from view or blend into the site particularly the Greenspace Corridor. Had the application been acceptable in all other regards, a condition could have been imposed for details of the pumping station along with any mitigation measures.

With the above conditions in mind, the proposed development would comply with Policy G8 of the adopted Rochdale Core Strategy and Policy JP-S4 of PpE.

Land Contamination and Stability

Policy G9 requires that any risks associated with contaminated land are identified and addressed prior to development. In addition, the borough has been subjected to past coal mining activity, which has left a legacy. It is therefore important that ground conditions are fully considered by developers as part of new development proposals and, where necessary, appropriate remedial measures must be set out and implemented to address any issues of unstable land and ensure safety and stability of new development.

Paragraph 187 of the NPPF states that planning decisions should contribute to and enhance the local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability, and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

The Coal Authority has confirmed that the application site falls largely within the defined Development High Risk Area and therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

The Coal Authority records indicate that a coal seam outcrops at or close to the surface of the site which is likely to have been subject to historic unrecorded mining activity at shallow depth. Voids and broken ground associated with such workings can pose a risk to ground instability and public safety.

The application is accompanied by a Coal Mining Risk Assessment report (11 November 2024 prepared by REFA). The report concludes that the site is at medium risk of instability from possible unrecorded shallow coal mine workings which may

result in future settlement that could in turn affect surface structures. The report goes on to recommend the undertaking of ground investigations, in the form of the drilling of rotary boreholes, in order to establish the presence, depth and condition of shallow coal seams/workings and to inform any drilling and grouting stabilisation works required.

The Coal Authority are satisfied with the recommendation for the undertaking of intrusive site investigations. Had the application been acceptable, conditions relating to a scheme of intrusive investigations and the submission of a signed statement or declaration confirming the site has been made safe and stable would have been imposed.

The Coal Authority have also advised that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. An informative would have been added to the decision if the application had been acceptable. The Council's Environmental Health (Land) officer has reviewed the submitted information and advised the submitted phase 1 geo-environmental desk study report is acceptable. The recommendations of this report are that further investigations are warranted, and a condition would have been imposed for the submission of a site investigation and assessment had the application been acceptable.

The Coal Authority have also advised that where SuDS are proposed as part of the development scheme, consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. An informative would have been added to the decision if the application had been acceptable.

Subject to the conditions noted above, the proposed development is considered to accord with Policy G9 of the Rochdale Core Strategy and the NPPF apply in regard to land stability and contamination.

Developer Contributions and Obligations

The proposed development would fall below the local thresholds in terms of dwelling numbers or floor space created to require any contributions towards affordable housing, open space, or education provision. The development would be in accordance with the development plan and NPPF.

Human Rights Act

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out their rights in respect for private and family life and for the home. These articles are qualified and are not "absolute" which means a public authority can sometimes interfere with such a right if it is in the interest of the wider community or to protect other people's rights. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.

The application has been considered in accordance with the Rochdale Equity, Diversity and Inclusion policy – 'Embracing All Voices (2024-2026)', which seeks to promote a culture of equity, diversity and inclusion that benefits the community as a whole.

Equality Act 2010, Section 149

The above provision requires authorities to consider how their policies and decisions affect people protected under the Equality Act. Its purpose is to ensure that public authorities promote equality and improve society in their day-to-day operations. This duty is known as the Public Sector Equality Duty ("PSED") and requires public authorities to have due regard to eliminating discrimination, advancing equality of opportunity, and fostering good relations between different people when carrying out their activities. In writing this report due regard has been given to these matters and the PSED.

A number of objections have been received referring to the impact of the proposed development on mental health, increased risk of ill health, right to light, existing medical conditions being aggravated by the proposed development along with stress and anxiety by the land being developed.

Officers do acknowledge that existing residents who back onto the application site would be impacted by the proposed development as any development brings about some degree of disturbance and visual change. However, had the decision been to grant planning permission it would have been subject to conditions relating to numerous aspects of the development which would ensure any disruption to neighbouring properties is mitigated as far as practicably possible such as, but not limited to, controlling hours of work and the submission of a Construction Management Plan along with technical conditions to ensure the development is constructed in a safe manner.

Further to the above, the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation, and that any works undertaken which impact unreasonably upon the surrounding area may be subject to action by the Councils Environmental Health Department.

Other Matters

Concerns have been raised regarding the loss of views from neighbouring properties, loss of value to neighbouring properties together with neighbours wanting to leave their homes because of the development. Officers are sympathetic with the concerns raised but these matters are not material planning considerations.

From representations received and from visiting the site, the residential properties that back on to the application site have gated access to the land and it has been stated that residents have rented the land and maintained and used it for recreational purposes. Officers are sympathetic with the residents who use this land however, the land is privately owned. Any deeds, covenants or any interpretation of how the land has been previously used (i.e. as a public community green common) are not planning matters.

Representations have also made reference to another development close by at the former High Birch School (application 16/01279/FUL) which is currently under construction for 22 dwellings and the impact that this is having on the local area. Further development at Marland Fold, it is argued, will impact even more on local residents. The determination of planning applications cannot take into consideration other developments within the area and an application cannot be refused on this basis.

Concerns relating to the additional demand the proposed development will have on services such as doctor's, dentist's, pharmacies etc has also been raised however,

the addition of six new dwellings would not be expected to give rise to significant detrimental impact on such services.

Comments relating to there being a conflict of interest as the applicant's company has strong links with RBC, if this were the case, would have no bearing on the determination of the application. Applications are assessed against policy and guidance and determined on their own merits.

RECOMMENDATION

REFUSE for the following reasons:

1. The proposed development is considered overly engineered and does not demonstrate high standards of design, layout, materials or landscaping to compliment the character, landscape and nature conservation qualities of the corridor and it does not retain or re-establish the positive characteristics of the Greenspace Corridor or surrounding area otherwise. The proposed development also fails to contribute positively to the character and setting of the Greenspace Corridor and surrounding area and is unsympathetic and insensitive to its Greenspace Corridor location and the local character of the area. Overall, the development proposals fall well-short of being considered well-designed and are therefore contrary to Policies C3, P3 and DM1 of the Core Strategy, Policy JP-H3 of PfE, Policy G/8 of the UDP and the National Planning Policy Framework.
2. The application has failed to provide sufficient information to demonstrate the impacts of the development on the natural environment including being able to demonstrate that all options for biodiversity net gain on-site has been properly explored, and has also failed to show how the impacts on the woodland will be mitigated for. As such, the proposal is contrary to Policies G6 and G7 of the Core Strategy, Policies JP-G7 and JP-G8 of PfE and the NPPF.

Procedure Statement

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application.

Notes for Applicant:

The assessment of this application is based on the following drawings:

Drawing No: S24-0198 – Topographical Land Survey
Survey Details For Trees by Iain Tavendale Arboricultural Consultant, Date: 04 November 2024 including untitled plan Date: November 2024
Received on 6th February 2025

Drawing No: 7164-003A – Proposed Unit 1 – Plans and Elevations
Drawing No: 7164-004A – Proposed Unit 2 – Plans and Elevations
Drawing No: 7164-005A – Proposed Unit 3 – Plans and Elevations
Drawing No: 7164-006A – Proposed Unit 4 – Plans and Elevations
Drawing No: 7164-007A – Proposed Unit 5 – Plans and Elevations
Drawing No: 7164-008A – Proposed Unit 6 – Plans and Elevations
Drawing No: 7164-009B – Street Scenes / Sections
Drawing No: 7164-010A – Proposed Detached Garages

Drawing No: 7532.01 Rev C – Landscape Proposals
Arboricultural Impact Assessment by Iain Tavendale Arboricultural Consultant
ERAP Ltd Consulting Ecologist, response to consultation comments, Ref: 2024-280,
Updated 1st August 2025
Proposed Schedule of Accommodation
Received on 13th August 2025

Preliminary Ecological Appraisal by ERAP Ltd Consultant Ecologists. Ref: 2024-280,
Version 2: Updated 15th October 2025 in accordance with new site boundary and
layout
Statutory Biodiversity Metric v4 15th October 2025
Assessment of Biodiversity Net Gain by ERAP Ltd Consulting Ecologists, Ref: 2024-
280b, Version 4: 15th October 2025 updated site boundary and site layout
Aerial Image with Photo Numbers and Directions
Received on 15th October 2025

Drawing No: 7164-L01H – Location Plan
Drawing No: 7164-002L – Proposed Site Plan
Drawing No: 7164-011C – Trees, Shrubs and Hedges Retained / Removed
Received on 22nd October 2025