

# Planning Statement

For Mr S Thomas | 25-747

Erection of a single dwelling with associated works - Land off Langley Lane, Middleton,  
Rochdale

**Project:** 25-747  
**Site Address:** Land off Langley Lane, Middleton, Rochdale  
**Client:** Mr S Thomas  
**Date:** March 2026  
**Author:** Gareth Salthouse

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# 1. Introduction

- 1.1 This Statement accompanies our client's planning application for the erection of a single dwelling with associated works on land off Langley Lane, Middleton, Rochdale.
- 1.2 Planning permission was refused last year for the erection of a single dwelling (LPA ref: 24/01255/OUT). The Council found the principle of residential development to be acceptable, and the scheme was also found to be acceptable in terms of urban design, character and appearance and highway safety. The only reason for refusal related to the impact on the privacy of occupiers of nearby dwellings and future occupiers of the proposed house by virtue of the size and layout of the new garden curtilage. This new scheme fully addresses this single reason for refusal.
- 1.3 The site is visually prominent along the Langley Lane road frontage and it comprises an area of unmanaged land with no obligations on the landowner to maintain the land in any particular way. It is 'leftover' land within the built-up area and the proposed scheme would secure a beneficial use for the site in the form of a house and much of the site would be dedicated as open space. The open space area would be planted with wildflower, shrub, tree and hedgerow and the scheme would enhance the sense of a green corridor along the road frontage between the site and the new Dunnderdale Hill housing estate.
- 1.4 This statement demonstrates that the proposal would comply with relevant policies in the Rochdale Core Strategy and saved policies in the Rochdale Borough Unitary Development Plan (UDP). It is development plan compliant and planning permission should therefore be granted without delay in accordance with paragraph 11 of the Framework.



## 2. Site location and description

- 2.1 The application site comprises a rectangular-shaped plot to the north of Langley Lane in Middleton. The site falls within the administrative boundaries of Rochdale Council.
- 2.2 The site presently comprises grassland, enclosed by timber post and rail fencing, and there are no obligations on the landowner to manage the land in any particular way. There is no mechanism to ensure that the grass is maintained and it is an option available to the applicant to secure the site through security fence under permitted development rights e.g. palisade fencing or closed boarded timber fencing to a height of up to 2m where it is not adjacent to the highway (and 1m otherwise).

**Image 1: Unmanaged grassland and litter on the application site with no. 48 Dunnderdale Hill in the background**



- 2.3 Planning permission was granted by the Council in 2015 for the erection of 150 no. dwellings on land enclosing our client's site to the northern and western boundaries. This new housing estate, known as Dunnderdale Hill, has now been completed and is occupied pursuant to reserved matters granted. The planning permission granted excluded our client's site and this approved scheme does not confer any obligations on our client's site.



Image 2: Layout and landscape plan: Reserved matters consent 19/01182/REM



- 2.4 Whereas the Langley Lane frontage was to be subject to soft landscaping and discrete black metal fencing secured through the approved scheme, this planning permission did not address our client's site in any way.
- 2.5 The application site is enclosed by a public right of way to the eastern boundary and a detached property fronting onto Langley Lane, the Dunnderdale Hill estate to the northern and western boundaries and Langley Lane to the southern boundary. It is located within the built-up area of Middleton.



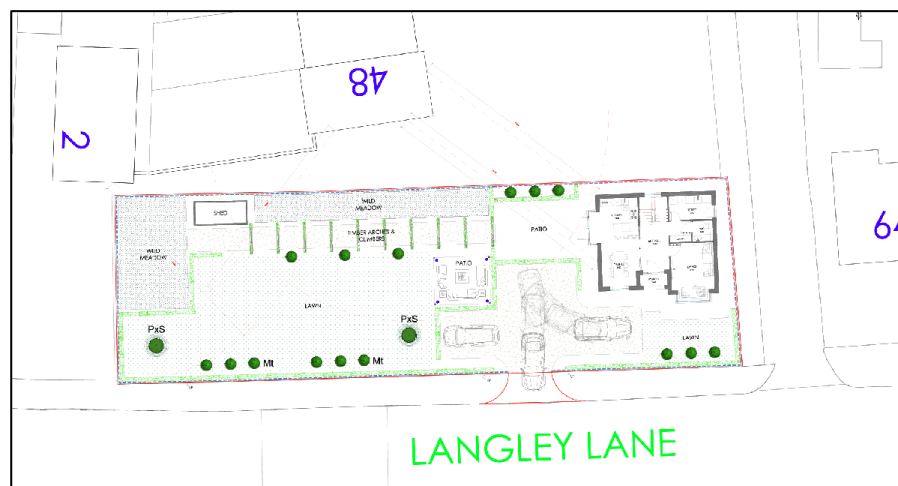
### 3. Relevant planning history

- 3.1 As noted earlier in Section 2, the outline planning permission and reserved matter consents granted for the Dunnderdale Hill housing estate excluded our client's site. See Image 2 further above in this Statement.
- 3.2 Planning permission was refused last year for the erection of a single dwelling on the application site itself (LPA ref: 24/01255/OUT). The Council found the principle of residential development to be acceptable and the scheme was also found to be acceptable in terms of urban design, character and appearance and highways.
- 3.3 The only reason for refusal for 24/01255/OUT related to the impact on the privacy of the occupiers of nearby dwellings and future occupiers of the proposed new house given the size and layout of the garden curtilage. We copy the reason for refusal below on the decision notice:

*"The proposed development by reason of the layout and siting of the proposed residential garden curtilage immediately adjacent to existing residential dwellings, will create an unacceptably harmful loss of privacy for future and existing occupiers. The existing dwellings (No 2 and 48 Dunnerdale Hill) will overlook the proposed dwelling's garden curtilage to an unacceptable degree. Similarly, the occupiers of No 2 will suffer overlooking and loss of privacy from the garden curtilage of the proposed dwelling into their ground floor habitable windows."*

- 3.4 The scheme was found to be acceptable in terms of outlook and light but unacceptable in terms of privacy. We copy the proposed site layout plan for 24/01255/OUT below:

Image 3: Site layout for 24/01255/OUT



- 3.5 The officer report and the refused plans for 24/01255/OUT are enclosed at **Appendix EP1** and **Appendix EP2** of this Statement.
- 3.6 This new scheme fully addresses this single reason for refusal. The proposed new house would be confined to the eastern part of the site, and the western part of the site would comprise an area of open space to subject to beneficial landscaping and management arrangements in perpetuity. There would be no direct overlooking as a result and the scheme would result in net benefits in terms of the outlook for nos. 2 and 48 Dunnderdale Hill.



## 4. Proposed development

- 4.1 Full planning permission is sought for the erection of a single dwelling with associated works. The submitted plans fully address the previous reason for refusal for 24/01255/OUT in relation to privacy.
- 4.2 The proposed new two-storey house would be sited to the north-eastern corner of the site. The design, scale and fenestration for the new house takes its cues from the adjacent Dunnderdale housing estate. It would benefit from private garden areas to the front and side of the property and a detached garage.
- 4.3 The western part of the site would be laid out as open space and a suitably worded planning condition could secure management arrangements for this land in perpetuity in the form of a management company. This area of new open space would be subject to wildflower meadow planting and native tree, shrub and hedgerow planting and it would serve to extend the existing green corridor that extends along Langley Lane to the front of the Dunnderdale Hill housing estate.
- 4.4 In terms of boundary treatments, the site frontage for our client's site would comprise open cast iron fencing to a height of 1.2 power coated black to match the existing fencing to the road frontage of the Dunnderdale Hill housing estate. A native hedgerow would be planted behind this fencing.
- 4.5 Vehicular access to the site would be the same as that for the previous application 24/01255/OUT, which was found to be acceptable by the Council.

Image 4: Proposed site layout



## 5. Planning policy context

### The Development Plan

- 5.1 The Development Plan comprises the saved policies of the Rochdale Borough Unitary Development Plan (UDP), adopted 2006, the Rochdale Core Strategy, adopted 2016, and the Greater Manchester Places for Everyone Plan (PfE), adopted in 2024.
- 5.2 The adopted Policies Map for the Rochdale UDP shows that our client's site falls within an area of Protected Open Land, although this designation does not reflect what is now 'on the ground' in the form of the Dunnderdale Hill housing estate.
- 5.3 Relevant development plan policies include the following:

#### Rochdale Adopted Core Strategy (October 2016)

- C1 – Delivering the right amount of housing in the right places.
- C3 – Delivering the right type of housing.
- SO3 – Improving design, image and quality of places.
- P1 – Improving image.
- P2 – Protecting and enhancing character, landscape and heritage.
- P3 – Improving design of new development.
- SO4 – Promoting a greener environment.
- G5 – Managing Protected Open Land.
- G6 – Enhancing green infrastructure.
- G7 – Increasing the value of biodiversity and geodiversity.
- G8 – Managing water resources and flood risk.
- SO5 – Improving accessibility and delivering sustainable transport.
- T2 – Improving accessibility.
- SD1 – Delivering sustainable development.
- DM1 – General development requirements.
- DM2 – Delivering planning contributions and infrastructure.



## Rochdale Borough Unitary Development Plan (UDP)

- G/D/1 – Defined Urban Area.
- D/10 – Protected Open Land.

## Greater Manchester Places for Everyone (PfE)

- 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 and New Housing.
- JP-H4 - Density of New Housing.
- JP-P1 - Sustainable Places.
- JP-C6 - Walking and Cycling.
- JP-C8 - Transport Requirements of New Development.

## Other material considerations

### National planning policy guidance

- 5.4 Paragraph 61 of the National Planning Policy Framework (the Framework) says that a key Government objective is to significantly boost the supply of housing. Paragraph 73 says that great weight should be afforded to the release of land in existing settlements for new homes.

### Written Ministerial Statement (WMS) 30 July 2024

- 5.1 The Government published a WMS on 30 July 2024 alongside its consultation on changes to the Framework. The WMS has the effect of Government policy and is therefore a material consideration in planning decisions (*Cala Homes (South) Ltd v Secretary of State [2011] EWCA Civ 639*). It includes the following:

*“This Government has inherited an acute and entrenched housing crisis. The average new home is out of reach for the average worker, housing costs consume a third of private renters’ income, and the number of children in temporary accommodation now stands at a historic high of nearly 160,000. Yet just 220,000 new homes were built last year and the number of homes granted planning permission has fallen to its lowest in a decade.*



*That is why the Plan for Change committed to rebuild Britain, with the hugely ambitious goal of delivering 1.5 million new homes this Parliament, and the vital infrastructure needed to grow our economy and support public services.*

*..... But we are clear that these decisions must be about how to meet those needs, not whether to do so at all. We are therefore restoring mandatory housing targets. This means that local authorities must use the standard method as the basis for determining housing requirements in their local plans.”*

#### Plan for Change (HM Government) 5 December 2024

- 5.2 This document sets out the Government’s 6 no. milestones for the Parliament, one of which is building 1.5 million homes in England and fast-tracking planning decisions. The document recognises that tough decisions will be needed to meet this milestone with a step change necessary to radically reform the planning system, support growth and increase the supply and delivery of the biggest boost to affordable housing in a generation.

#### Supplementary Planning Documents

- 5.3 The Rochdale Design Guide SPD and Housing SPD are also relevant to the determination of this planning application.



## 6. Planning considerations

### Principle of development

- 6.1 The erection of a dwelling on the site was found to be acceptable in land use terms by the LPA through planning application 24/01255/OUT.
- 6.2 The proposed scheme is consistent with the Government's emphasis on significantly boosting the supply of housing and the site is highly accessible in terms of walking distance to key services and amenities. It would make efficient and effective use of a vacant site in the built-up area, and this should attract significant positive weight in the decision-making process in accordance with the Framework.
- 6.3 The principle of the proposed development remains acceptable in relation to Policies C1, JP-S1, JP-H2 and JP-H4 of the development plan.

### Character and appearance

- 6.4 The previous scheme for planning application 24/01255/OUT was found to be acceptable in terms of the impact on the character and appearance of the area.
- 6.5 As discussed earlier at Section 2, the application site is not in any beneficial use. There are no obligations on the landowner to maintain the land in any particular way. The site has been subject to fly-tipping and as a result requiring with security fencing. However unsightly that fencing may be, it remains a viable option for the landowner. The site can be enclosed with 2m high security fencing without the need for planning permission pursuant to Schedule 2 Part 2 Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended)<sup>1</sup>.
- 6.6 The proposed development would secure much of the site for open space through a landscape scheme that includes wildflower meadow mix, shrub, tree and hedgerow planting which would enhance the appearance of the site and provide biodiversity benefits. A suitably worded planning condition can secure a maintenance schedule for this land such that the visual and biodiversity benefits are secured in perpetuity. The statutory nature of biodiversity net gain adds further certainty to the deliverability and maintenance of the land as open space given the on-site biodiversity net gain uplift secured.

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<sup>1</sup> Up to 1m adjacent to a highway.



- 6.7 The proposed scheme includes the erection of low iron cast open black power coated fencing to the road frontage. This would be to match the existing fencing that extends to the front of the Dunnderdale Hill housing estate, and a hedgerow would be planted behind the fencing to provide a green frontage.

**Image 5: The existing boundary treatment along the Langley Lane frontage to be extended along the front of our client's site through this planning application**



- 6.8 The proposed house type design reflects the vernacular and appearance of the existing housing on the wider Dunnderdale housing estate.
- 6.9 The previous scheme 25/01255/OUT was found to be acceptable by the Council in terms of character and appearance. The proposed development now before the LPA includes dedicated open space and beneficial landscape works, and it would serve to further strengthen the sense of a green corridor along the Langley Lane frontage. This new scheme would enhance the general character and appearance of the area, and the case for granting planning permission is even more compelling than it was previously.
- 6.10 The proposed development is compliant with Policies SO3, SO4, P1, P2, P3 and JP-H3 of the adopted development plan.

### Residential amenity

- 6.11 This is the key consideration for this new planning application given that it formed the basis for the only reason for refusal for the previous planning application 24/01255/OUT.
- 6.12 The previous scheme was found to be acceptable by the Council in terms of the potential impact on light and outlook for existing and future occupiers. The siting of the building itself was found to be acceptable by the LPA. There would be no justification for coming to a different view for this new planning application.



- 6.13 In terms of privacy, the LPA's concern for the previous scheme related to proximity of the proposed garden curtilage to nos. 2 and 48 Dunnderdale Hill only. The site in its entirety was to be used as garden for the previous scheme for future occupiers and there was direct overlooking from the neighbouring houses to the proposed garden curtilage.
- 6.14 The proposed development now before the LPA is for a house and a modestly sized garden that would be contained to the eastern part of the site. The western part of the site would be dedicated and maintained as open space, outside of residential garden curtilage of the proposed house.
- 6.15 The proposed new house and garden would be located a substantial distance away from no. 2 Dunnderdale Hill. In terms of no. 48 Dunnderdale Hill, there would be no direct intervisibility. The garden for the proposed new house would be at a splayed angle and screened by the proposed detached garage such that there would be no direct overlooking from the windows to this neighbouring property.
- 6.16 Furthermore, the existing view from nos. 2 and 48 Dunnderdale Hill is of unmanaged land that has no beneficial use as discussed earlier. There are no obligations on the landowner to manage the land in any particular way and this land is not maintained as it is on the open space areas on the adjacent Dunnderdale Hill housing estate. It could be enclosed with unsightly securing fencing in the absence of a beneficial and sustainable use.
- 6.17 The proposed scheme would result in no harm in terms of privacy for the adjacent residential properties. Furthermore, there would be net overall benefits through securing beneficial use for the land directly in front of these houses as open space such that their outlook is enhanced and maintained in perpetuity.
- 6.18 The proposed development is acceptable in terms of residential amenity and would comply with Policy DM1 of the adopted development plan.

## Highways

- 6.19 The proposed access arrangements are the same as for planning application 24/01255/OUT where the local highways authority raised no objections.
- 6.20 There is no conflict with Policies JP-C8, SO5, T2 and SD1 of the adopted development plan.

## Ecology

- 6.21 A Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment has been prepared for the planning application by Project Ecology and findings are summarised below:
- The site as it exists is of low ecological importance.



- There would be no impact on any nearby statutory ecology sites.
- There would be no harm in terms of any protected species.
- The proposed landscape scheme would secure a 12.72% net gain in terms of biodiversity on-site.

6.22 The proposed scheme would result in significant biodiversity net gain and there would be no conflict with Policy G7 of the adopted development plan. The statutory nature of biodiversity net gain requirements means that there is certainty as to the delivery and ongoing management of the on-site ecology benefits set out by Project Ecology and this adds further positive weight to the benefits of the scheme overall.

## Other matters

6.23 It remains the case further to the LPA's conclusions for the previous planning application that the scheme is acceptable in terms of drainage, pollution control and land contamination. There would be no justification for coming to a different view on these matters for this new planning application.



## 7. Conclusion

- 7.1 This Statement demonstrates that the proposed development is compliant with the provisions of the development plan. Planning permission should therefore be granted without delay in accordance with paragraph 11 of the Framework.



## 8. Appendices

**EP1** – LPA officer report for 24/01255/OUT.

**EP2** – Refused plans for 24/01255/OUT.



EP1

## DELEGATED DECISION CHECKLIST AND REPORT

| APPLICATION NO. | CASE OFFICER  | DATE       |
|-----------------|---------------|------------|
| 24/01255/OUT    | Nick Brookman | 1 May 2025 |

**DETERMINATION DATE (EXTENSION OF TIME)**

9 May 2025

**Address:** Land to the front of Dunnderdale Hill Development, Langley Lane, Middleton, M24 5AN

**Proposal:** Outline application (including access, appearance, landscaping, layout and scale) for the erection of one dwelling

|           |                            |   |                       |     |
|-----------|----------------------------|---|-----------------------|-----|
| 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? | N |

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

|     |                                                  |     |
|-----|--------------------------------------------------|-----|
| EIA | Screening opinion completed and saved to Onbase? | N/A |
|-----|--------------------------------------------------|-----|

|            |                                                                      |     |
|------------|----------------------------------------------------------------------|-----|
| CONDITIONS | Pre-commencement conditions proposed?                                | N/A |
|            | Pre-commencement conditions agreed (or notification period expired)? | N/A |

|                |        |
|----------------|--------|
| RECOMMENDATION | REFUSE |
|----------------|--------|

CHECKED AND SIGNED OFF BY: LA

DATE: 22.05.25

## **SITE**

The application site relates to a vacant and rectangular piece of grassland fronting the Dunnderdale Hill Development site off Langley Lane.

The site is currently an unremarkable piece of grassland surrounded by a ranch style fence around the east and south boundaries and a metal fence to the west and north boundaries to delineate it away from the new residential development to the north.

There is no direct vehicular or pedestrian access into the site itself and it is fully enclosed.

The application site is surrounded by residential development and the application site is located approximately 2km away from Middleton town centre which provides a number of amenities.

Public Right of Way MidRupp114 runs immediately adjacent to the eastern boundary of the site.

The site is designated as Protected Open Land on the saved Rochdale Unitary Development Plan (UDP) Proposals Map.

## **PROPOSAL**

The planning application seeks Outline consent (including all matters of access, appearance, landscaping, layout and scale) for the erection of one dwelling with associated access, landscaping and boundary treatments.

It is notable to mention that the scheme has been reduced from two dwellings to one dwelling on the basis of concerns formerly raised by highways and urban design.

## **RELEVANT PLANNING POLICY**

### **National Guidance**

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

### **Local**

Adopted Rochdale Core Strategy (CS):

DM1 General development requirements

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

- C1 Delivering the right amount of housing in the right places
- C3 Delivering the right type of housing

### **SO3 Improving Design, image and quality of place**

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

### **SO4 Promoting a greener environment**

- G1 Tackling and adapting to climate change
- G2 Energy and new development
- G7 Increasing the value of biodiversity and geodiversity
- G8 Managing water resources and flood risk
- G9 Reducing the impact of pollution, contamination and land instability

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

T2 Improving Accessibility

### Unitary Development Plan (UDP):

D/10 Protected Open Land

### Supplementary Planning Documents (SPD):

Supplementary Planning Guidance note 'Guidelines and Standards for Residential Development' (June 2016).

### **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 and New Housing
- JP-H4 Density of New Housing
- JP-P1 Sustainable Places
- JP-C6 Walking and Cycling
- JP-C8 Transport Requirements of New Development

### **RELEVANT SITE AND NEIGHBOURING HISTORY**

There is no site specific planning history but there is a lot of planning history regarding the development site to the north.

- 19/01182/REM Submission of reserved matters (appearance, landscaping, layout and scale) for 24 dwellings pursuant to outline planning permission 15/01195/OUT (Phase 2) – Approved.
- 18/01403/REM Submission of reserved matters pursuant to outline planning permission 15/01195/OUT relating to appearance, landscaping, layout and scale for the erection of 117 dwellings – Approved.
- 18/00088/REM Submission of reserved matters pursuant to outline planning permission 15/01195/OUT relating to scale, layout and appearance of the proposed detached garages – Approved.
- 16/01430/REM Submission of reserved matters pursuant to outline permission 15/01195/OUT (relating to appearance, landscaping, layout and scale) for the erection of 117 no. dwellings – Approved.
- 15/01195/OUT Outline application (including access) for up to 150 dwellings (Use Class C3), potential primary school site with associated

landscaping, open space, access arrangements and car parking provision (Resubmission of 14/00851/OUT) – Granted.

14/00851/OUT      Outline application (including access only) for up to 150 dwellings (Use Class C3), potential primary school site with associated landscaping, open space, access arrangements and car parking provision. All matters reserved save for access – Refused.

## **CONSULTATION RESPONSES**

### **Highways**

No objection to the amended scheme.

### **Environmental Health – Noise**

No objection subject to condition.

### **United Utilities**

United Utilities advised that they have no further comment on this application and set out that it is the applicant's responsibility to investigate the existence of any pipelines that might cross or impact their proposed site and also to demonstrate the exact relationship between United Utilities' assets and the proposed development.

### **Tree Officer**

No comments received.

### **Greater Manchester Ecology Unit**

No objection subject to condition.

### **Urban Design**

Before the scheme was amended from two dwellings to one Urban Design set out that the proposed development brought several issues concerning privacy, outlook, access, layout and design.

Once the scheme was amended further comments were received which set out that whilst the new scheme was less imposing on one neighbouring dwelling at No. 2 Dunnderdale Hill, concerns brought up initially in previous consultation persisted.

## **REPRESENTATIONS**

Letters of notification were sent to the occupiers of surrounding buildings/dwellings and x1 site notice was displayed adjacent to the application site on the 3<sup>rd</sup> March 2025.

Five objections were received which raised the comments outlined below:

- ❑ The application site cannot accommodate 2 dwellings.
- ❑ Construction work would impact on the highway.
- ❑ Development would obstruct scenic views.
- ❑ Development would negatively affect the visual appeal and character of the area.

- ☐ The development would decrease property value of existing dwellings.
- ☐ Loss of a view would directly impact on existing resident's quality of life.
- ☐ The development is not in harmony with the existing surroundings.
- ☐ Construction will disrupt the natural beauty of the area.
- ☐ The development would cause overlooking and impact on privacy.

## **ANALYSIS**

### **Principle of Development**

The application site is located within Protected Open Land as defined on the Proposals Map under Policy D/10 of the UDP. This designation relates to sites such as this which are located beyond the Defined Urban Area, but are outside of Green Belt. The aim of the policy is to limit development and to keep land largely open by allowing development that falls within one of the specified categories:

- 'a) development which would be acceptable were it in the Green Belt; or*
- b) limited infilling within an established pocket of housing or industry where this is in scale with the area and will not adversely affect its character or surroundings; or*
- c) a limited extension to an existing building which:*
  - i. forms part of an existing source of employment; or*
  - ii. is necessary for the establishment of a new enterprise or business which satisfies other policies of the Plan; and*
  - iii. is sited within the existing curtilage of the business concerned, and will not adversely affect the character of the surrounding land and its openness.*

The policy goes on to state that if a new building is permitted, *'they should be sited to form a group with existing buildings. Where this is not possible, buildings, car parking areas and other new structures, should be sited where they will be well screened and unobtrusive in the landscape'*.

In this instance the proposed development would constitute a limited filling site in line with sub section b above as the proposed development would be located within a very well-established pocket and area of housing which would not adversely affect the character of the surrounding environment.

In addition to the developments position when assessed against the application site's land designation, Places for Everyone (PfE) establishes the need for at least 616 net additional dwellings per year in Rochdale to meet the housing needs of the borough.

CS Policy C1 is focused on ensuring that new housing is provided on sites that are sustainable with good access to local services, facilities, green infrastructure, shops, jobs, schools and public transport. CS Policy C1 also sets out that, inter alia, in the south of Rochdale Borough (which includes the township of Middleton), the opportunity to provide new housing in sustainable locations will be maximised. Housing should be located in key economic growth areas and/or within town centres.

In accordance with CS Policy C1, the Council will consider the sustainable development of greenfield sites within the urban area where it is demonstrated that:

- a. The development would have limited adverse impact on green infrastructure or amenity value in and around the site; and

- b. Green infrastructure is wherever possible, incorporated into the scheme.

Paragraph 124 of the National Planning Policy Framework (NPPF) sets out that *“Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses”*. Sub paragraph (d) of Paragraph 125 of the NPPF states that *“Planning policies and decisions should promote and support the development of under-utilised land and buildings especially if this would help to meet identified needs for housing..”*.

Further to those relevant policies as identified in the Rochdale Core Strategy, relevant policies in Places for Everyone (PfE) have been identified. PfE Policy JP-S 1 sets out that development should seek to maximise economic, social and environmental benefits. Preference should be given to previously-developed (brownfield) land. PfE Policy JP-H2 states that there should be a significant increase in the supply of new housing, including, specifically, the supply of low-cost market housing. Furthermore, as set out in PfE Policy JP-H4, new housing should be delivered at a density appropriate for the location and taking into account the site's accessibility.

Policy JP-C8 of PfE also requires 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. In this instance, it is considered that the proposal would lead to the provision of a single detached dwelling in a sustainable location. The proposed dwelling created would assist the Borough in meeting its housing requirements with the proposed development being built to an appropriate density.

As such, the proposal is acceptable in principle and in accordance with adopted Rochdale Core Strategy Policies, C1 and Places for Everyone Policies JP-S 1, JP-H2 and JP-H4, as well as the National Planning Policy Framework.

### **Design and Appearance**

Paragraph 131 of the NPPF states that *“the creation of high quality, beautiful and sustainable buildings is fundamental to what the planning and development process should achieve”*. Paragraph 135 goes on to state that planning policies and decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

Additionally, paragraph 139 sets out that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

The National Design Guide (NDG) states that *“The long-standing, fundamental principles for good design are that is it: fit for purpose; durable; and brings delight”*. The NDG advises that scale, appearance materiality and detailing of buildings are key components for well-designed places. The Building for a Healthy Life guidance document states that building forms and materials should be used to reflect local character.

The above considerations are largely reflected within Policies DM1 and P3 of the Council's adopted Core Strategy which ultimately require development proposals to demonstrate high quality design.

CS Policy P1 sets out that high quality design will be required in all new developments, requiring that under-used land and buildings are re-used and creating people-friendly and safe environments. CS Policy C3 requires new development to adhere to high standards of design, respecting context (scale, density, massing, height, layout) and contributing positively to the townscape. CS Policy DM1 states that all development proposals should be of a high quality design and take the opportunity to enhance the quality of the area.

The layout, design and appearance of the proposed development has been significantly revised since the original submission and consequently the scheme has been reduced from two dwellings to one. The site's layout now results in one dwelling to the east of the site and a larger driveway and turning area in the centre of the site, with landscaped gardens and amenity space to the west.

The proposed dwelling is proposed to be primarily constructed of brick with a white rendered front gable and brick cills and heads would be incorporated into window and door openings. On the whole, the proposed dwelling would resemble that of a standard volume house type and this would be considered acceptable in the context of the surrounding built development around the application site which is predominantly red brick. With reference to the wider Dunnderdale Hill Development which sits behind the application site, it is recognised by Officers that this development also includes rendered house types and for that reason the appearance of the proposed development from a material standpoint would assimilate well with the surrounding built environment. Notwithstanding the Dunnderdale Hill development, render is also present on existing properties on the south side of Langley Lane immediately to the south and south east of the application site. It is therefore recognised by Officers that the use of render on the small scale which it is proposed, is not without precedent in this location and site specific application site.

The proposed window design by virtue of their locations, scale and siting are considered acceptable although it would be expected that two ground floor windows should also be incorporated onto the ground floor rear elevation to match in proportion and siting those on the first floor rear elevation. The almost full length rear staircase window is a contemporary feature but one that is not considered to respond well to the architectural styling of the proposed dwelling or the existing built environment in this location and in the event of an approval it would be requested that this window be removed from the scheme and replaced with a more traditional sized window at first floor landing level.

Section 5.16 of the Councils Guidelines and Standards for Residential Developments SPD sets out that rear dormers should be modest in size and not occupy a disproportionately large portion of the roof. In the case of the proposed dormer here, the dormer does appear to dominate the rear roof pitch being sited on the roof ridge and only being marginally set back from the eaves. Whilst the materials of the proposed dormer appear to match the proposed roof material and the proposed window lines up vertically with the staircase window on the rear elevation, the proposed dormer is excessive and would be looked upon more favourably if it was reduced in size so that its height on the roof slope was similar to that of the front gable roof ridge and if it was set back further from the eaves height to appear more subordinate to the dwelling.

In the event of an approval, the specific design comments referred to above could be overcome through design amendments with other matters such as the use of materials controlled by condition where necessary.

Paragraph 135 of the NPPF sets out that planning policies and decisions should ensure that developments function well and add to the overall quality of the area, are

visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment. In this instance, the proposed layout does not add to the overall quality of the area and nor is it considered to be appropriate to the surrounding built environment.

For reasons that are discussed in more detail in the succeeding section, the layout is poorly designed failing to take into account the surrounding context of the built environment which is detrimental to amenity. The site layout does not have regard to surrounding existing dwellings and the proposed site layout constitutes a contrived design that would in the main appear out of place in the existing street scene that does not add to the overall quality of the area.

For these reasons, the development is not in accordance with requirements of CS Policies P1 and P3, DM1 and the NPPF.

### **Occupier and Neighbour Amenity**

Paragraph 135 of the NPPF states *‘Planning policies and decisions should ensure that developments: f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.’*

Core Strategy Policy DM1 sets out that that all development proposals will be expected to demonstrate that they do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.

### **Occupier Amenity**

With regards to future occupier amenity, the Council’s Guidelines and Standards for Residential Development SPD refers to Space Standards at Section 4.1, and states the following:

*‘The following minimum space standards will be applied to all new residential developments and developments which affect existing residential properties:*

- (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 (Figure 2);*
- (ii) 14m between a principal window and any directly facing two storey elevation which does not contain a principal window to a habitable room (Figure 3);*
- (iii) 10m between a principal window and any directly facing single storey elevation which does not contain a principal window to a habitable room (Figure 4).’*

Section 4.3 states exceptions to these minimum standards are acceptable in some circumstances and applications are considered on their own merits.

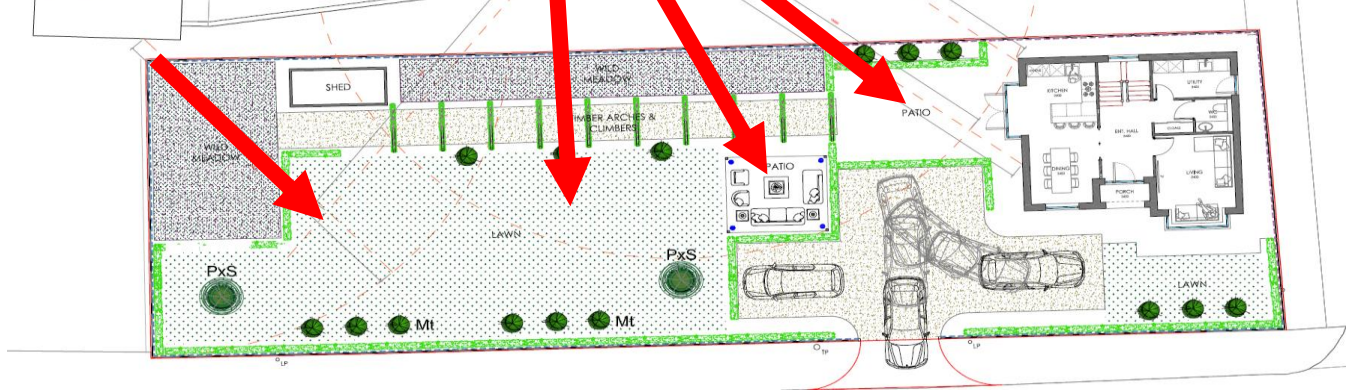
Owing to the benefit of a site visit by the Officer to ascertain the context of the application site, with regards to directly facing habitable room windows and owing to the siting and orientation of the proposed dwelling itself in the context of the neighbouring dwellings, in accordance with the minimum separation distances it is considered that those distances are acceptable.

However, as shown on the image below, there are significant concerns that the proposed dwelling and any future occupants of the proposed development would be subject to significant overlooking by existing dwellings.



Both No.2 Dunnderdale Hill (Left above) and No 48 Dunnderdale Hill (Right above) would be sited within exceptionally close proximity to the boundary of the proposed dwelling. No 2 would be approximately 1m away from the boundary and No.48 would be just short of 5m away from the boundary. These distances would not comply with the guidance contained within the Council's Guidelines and Standards for Residential Development SPD whereby a distance of 10.5m between a principal window at an upper floor level and a directly facing boundary of the curtilage should be maintained.

As shown by the red arrows in the photographs above, both dwellings would have unobstructed views from habitable room windows facing directly into the proposed residential curtilage of the proposed development which would severely damage the takeaway any privacy for future occupants of this dwelling. The submitted proposed site plan referenced 220 C demonstrates the unacceptable impact this would have by virtue of the proximity between the dwellings as shown below.



In light of the issues set out above, despite the proximity of the existing dwellings to the residential curtilage of the dwelling proposed, there is no acceptable boundary treatment that could be introduced nor any condition that could be imposed that would address and eliminate this unacceptable impact and the amenity of future occupiers would be severely affected as a result.

The proposed development is contrary to Core Strategy DM1 which requires all development proposals to demonstrate that they do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy. The proposed development is also contrary to NPPF Paragraph 135 (f) as it would not create a place with a high standard of amenity for future users.

#### Internal Occupier amenity

In terms of occupier amenity, the Nationally Described Space Standards (NDSS) is a technical standards document produced by the Government to ensure internal space within new dwellings is sufficient for future occupiers. Additionally, in accordance with PpE Policy JP-H3 (Type, Size and Design of New Housing), it is a requirement for all new dwellings to comply with the nationally described space standards and be built to the accessible and adaptable standard in Part M4(2) of the Building Regulations unless specific site conditions make this impracticable. These standards can be found here and any future development must adhere to the space standards: [Technical housing standards – nationally described space standard - GOV.UK \(www.gov.uk\)](https://www.gov.uk/technical-housing-standards-nationally-described-space-standard)

On assessment of the proposed floor plans, the proposed development does meet NDSS.

#### Neighbour Amenity

Officers also have concerns as to the creation and facilitation of a privacy impact for the existing occupiers of No.2 Dunnderdale Hill and the privacy which they currently enjoy through the ground floor habitable living room window as shown below. This photograph significantly emphasises the close proximity of the application site and it's boundary to the existing built development.



Whilst it is acknowledged that a boundary fence is currently located immediately adjacent to the existing bay window and the proposed boundary treatment in this location is proposed to be of a similar if not identical appearance, the proposed development would create a much more permanent degree of overlooking as future occupiers would be able to more readily and permanently utilise the space available in the proposed residential curtilage in this location. Whilst it would be the legal prerogative of any future occupier to enjoy a recreational use of their own residential curtilage, this would drastically come at the expense of the privacy enjoyed by the current occupiers of No.2 Dunnderdale Hill.

#### Amenity Conclusion

For reasons concerning privacy identified above, the development is considered to detrimentally impact on the amenity of future and existing occupiers privacy and the scheme is contrary to Core Strategy Policies G9 and DM1 and the NPPF and the guidance contained within the Council's Guidelines and Standards for Residential Development SPD.

#### Drainage

Core Strategy Policy G8 requires that new development does not lead to any increased form of flooding locally or further downstream, does not impede natural water and flood risk management, is not detrimental to existing or potential flood storage areas, contributes where possible to alleviating existing flood risk and is itself well protected from flood risk and ensures prudent use of water resources.

Policy JP-S4 (Flood Risk and the Water Environment) of PfE expects developments to manage surface water runoff through sustainable drainage systems and

development should achieve greenfield run-off rates unless it is demonstrates to be impracticable.

The site is located within Flood Zone 1, having a less than 1 in 1,000 annual probability of flooding.

The application is not accompanied by a Drainage Strategy but United Utilities were also consulted on this application and they advised that they had no comment to make on this application.

Nevertheless, in the event of an approval, subject to the inclusion of an appropriately worded condition requiring the submission of an acceptable Drainage Strategy, Officers consider that the development would accord with Policy G8 of the adopted Rochdale Core Strategy, Policy JP-S4 of PfE and the NPPF.

### **Pollution and Construction Management**

Core Strategy Policy G9 sets out the Council's requirements approach to all forms of pollution including the risk of noise, as they relate to new development.

Paragraph 198 of the NPPF also states that planning policies and decisions should ensure that new development is appropriate for its location, taking into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

The NPPG states that local planning authorities' decision taking should take account of the acoustic environment and in doing so consider: whether or not a significant adverse effect is occurring or likely to occur; whether or not an adverse effect is occurring or likely to occur; and whether or not a good standard of amenity can be achieved.

Paragraph 135 also seeks to ensure that planning decisions create places which promote health and well-being, with a high standard of amenity for existing and future users. Policies DM1 and G9 of the adopted Rochdale Core Strategy seek to ensure that new development is compatible with surrounding land uses, both in terms of its impact upon those uses and the impact of the surrounding land uses upon the amenities of future residents / users, also requiring that development does not have impacts that lead to an unacceptable increase in air, water, noise, light or other pollution.

The resulting scheme by its very nature would not cause any significant impacts in terms of noise and disturbance. Environmental Health were consulted on this application and they have no objection with its findings subject to condition requiring the need the submission of a construction management plan that would address matters of noise, vibration, dust suppression, hours of operation, parking of construction vehicles etc.

Accordingly, subject to condition, in the event of an approval, the scheme would be considered acceptable in accordance with Core Strategy Policy G9 and DM1.

### **Ecology and Biodiversity Net Gain**

Core Strategy Policy G7 requires that sites and features of biodiversity and geodiversity importance are given full and appropriate recognition and protection and that opportunities for enhancing biodiversity and geodiversity will be supported. It is expected that development proposals will protect and include existing biodiversity and take opportunities to promote biodiversity and create new habitats using

landscaping and building and construction features wherever possible. CS Policy G7 requires that no development should result in a net loss of biodiversity and geodiversity.

PfE Policy JP-G8 seeks to deliver a net enhancement of biodiversity resources through a collective of measures which are broadly aligned with the approach to BNG outlined within the Environment Act (2021), the NPPF and supporting guidance documents. The provisions of the Environment Act in respect of BNG are now a statutory requirement for planning applications and so the proposed development should achieve net gains for biodiversity via species enhancement as guided by the NPPF (paragraphs 187d and 192 b) to achieve demonstrable net gain for biodiversity.

When determining planning applications paragraph 193 of the NPPF sets out 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. Opportunities to improve biodiversity in and around developments should also be integrated as part of their design, especially where this can secure measureable.

As of 2<sup>nd</sup> April 2024, BNG of 10% for minor planning applications is mandatory for development in England under Schedule 7A of the Town and Country Planning Act 1990. In this instance the applicant has claimed the development to be self-build which falls within the exemptions listed under The Biodiversity Gain Requirements (Exemptions) Regulations 2024.

However, in order to meet the self-build exemption, the development must meet the definition provided in the Self-Build and Custom Housebuilding Act (2015) in that such is the case where an individual, an association of individuals, or persons working with or for individuals or associations of individuals, build or complete houses to be occupied as homes by those individuals. Officers are satisfied in this instance that the development meets this definition.

Notwithstanding the above, the provisions of Paragraph 180 of the NPPF and PfE Policy JP-G8 in respect of providing a net gain to biodiversity would still apply to the proposed development. In this regard, the application proposes a landscape led approach to the development which is proposing a strong landscaping scheme comprising of wildlife meadows, hedgerows, trees and various shrub species. Overall, the scheme will provide a strong enhancement of biodiversity on this site.

### Biodiversity Enhancements

The application is accompanied by an Ecological Appraisal and Biodiversity Impact Assessment. The GMEU were consulted on this application and they have not raised any objections. There would be very limited impacts on the local ecology as a result of the proposed development.

They have however recommended the provision of ecological enhancements comprising of the provision of one bird box and one bat box to be integrated onto the development.

Accordingly, subject to condition and in the event of an approval, the scheme would be acceptable in accordance with Core Strategy Policy G6 and G7, PfE Policy JP-G8 and the NPPF.

## **Highways**

Policy T2 of the CS requires development to comply with the Council's car parking standards and policy DM1 requires that development provides satisfactory vehicular access with adequate parking, manoeuvring and servicing arrangements, taking into account the proposed use and location.

Policy JP-C8 of PfE requires 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.

Paragraph 115 of the National Planning Policy Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Owing to the submission of a revised scheme, the development is not considered to have an adverse impact on highway safety and would not generate a level of additional traffic which would have a detrimental impact on the safe and efficient operation of the immediate local highway network, or strategic routes. Highways Services have raised no objections and in the event of an approval, the development would be considered acceptable in accordance with CS Policy T2, Policy JP-C8 of PfE and the NPPF.

## **Land Contamination**

Core Strategy Policy G9 requires that any risks arising from contaminated land are identified and that any appropriate actions are taken.

It is noted that the site forms part of an existing residential garden area but the onus lies with the applicant to demonstrate that the site is safe and suitable for the type of development proposed in accordance with the NPPF.

A Phase 1 Preliminary Risk Assessment has not been submitted in support of this application the submission and the review of such a site specific assessment will be secured by condition.

Any future assessment may conclude that further intrusive ground investigations are required to assess the ground conditions for contamination and should this be the case, the ground investigation should obtain soil samples for contamination analysis and asbestos detection and, where possible, groundwater and surface water samples for contamination analysis.

Therefore, subject to condition, in the event of any approval, the proposed development is acceptable with regards to CS Policy G9 and the Framework.

## **Conclusion**

In summation, the application site is located within a sustainable location and this application would be considered to make a positive albeit very minor contribution to the housing supply and local economy within the borough.

However, the proposed development would be significantly detrimental to future occupier privacy and amenity and for that reason on balance, the development as a whole is unacceptable and contrary with the adopted Rochdale Core Strategy, the Council's Guidelines and Standards for Residential Development SPD and the NPPF.

## **RECOMMENDATION**

**Refuse** for the following reasons:

1. The proposed development by reason of the layout and siting of the proposed residential garden curtilage immediately adjacent to existing residential dwellings, will create an unacceptably harmful loss of privacy for future and existing occupiers.

The existing dwellings (No 2 and 48 Dunnerdale Hill) will overlook the proposed dwelling's garden curtilage to an unacceptable degree. Similarly, the occupiers of No 2 will suffer overlooking and loss of privacy from the garden curtilage of the proposed dwelling into their ground floor habitable windows.

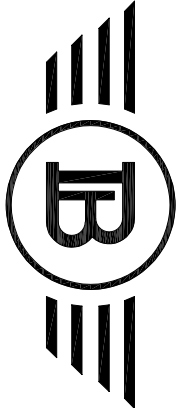
For these reasons the proposed development is contrary to Policy DM1 of the adopted Rochdale Core Strategy, the National Planning Policy Framework and the guidance contained within the Council's Guidelines and Standards for Residential Development SPD.

## **Procedure Statement**

The development does not 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.

Report Author Nick Brookman

EP2



PROJECT REF  
24070

DRAWING REF  
220 C

Bluechip Architecture

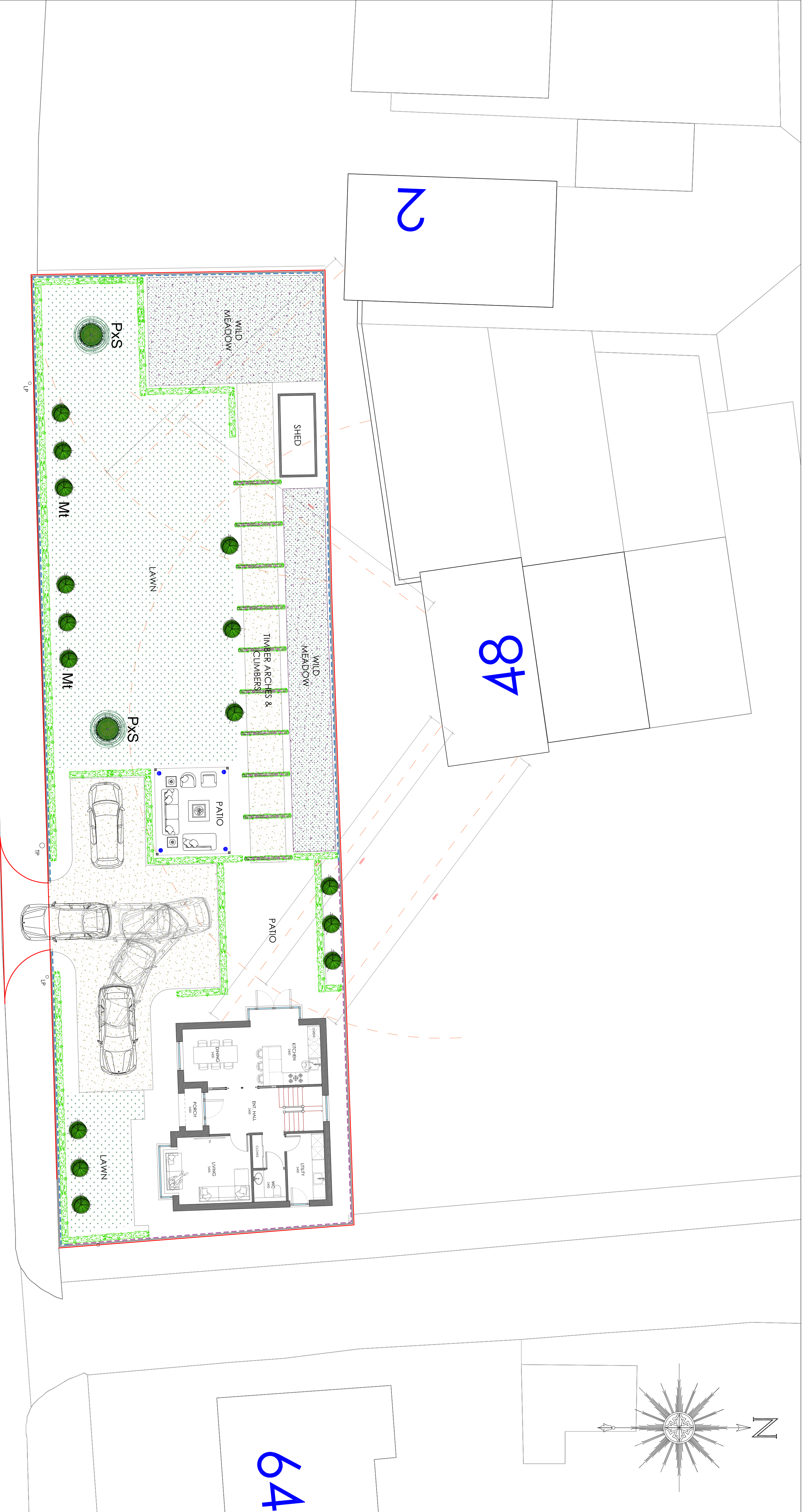
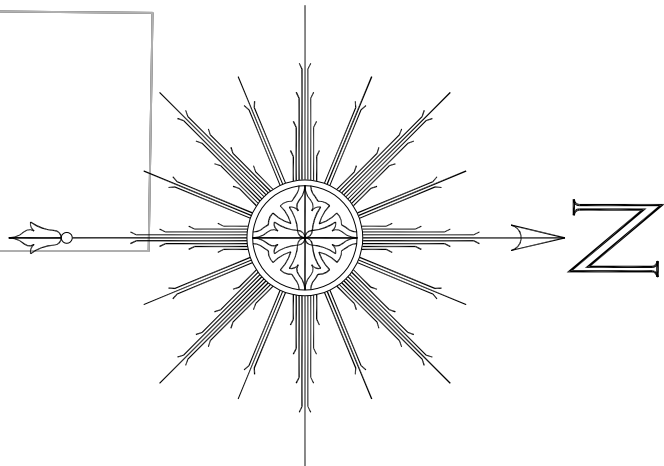
CLIENT  
MR S THOMAS  
LAND @ LANGLEY LANE  
MIDDLETON  
MANCHESTER  
M24 5AN

PROJECT  
NEW BUILD DETACHED HOUSE &  
ASSOCIATED LANDSCAPING

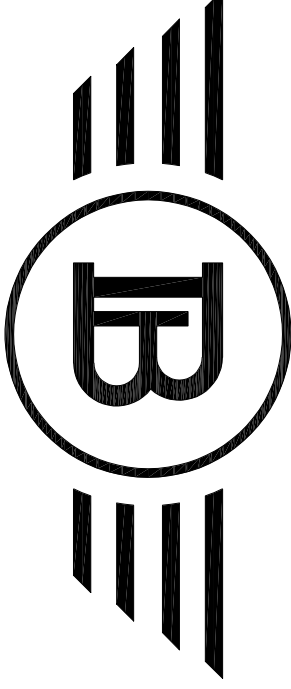
DRAWING TITLE  
PROPOSED SITE PLAN  
  
PLANNING

DATE  
DEC '24

SCALE  
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C UPDATED FOLLOWING LPA COMMENTS 17.03.25  
B UPDATED WITH PROPOSED LANDSCAPING 12.02.25  
A RED EDGE AMENDED 31.01.25  
ISSUED FOR PLANNING APPROVAL 18.12.24

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