

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
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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: 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 3rd 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.

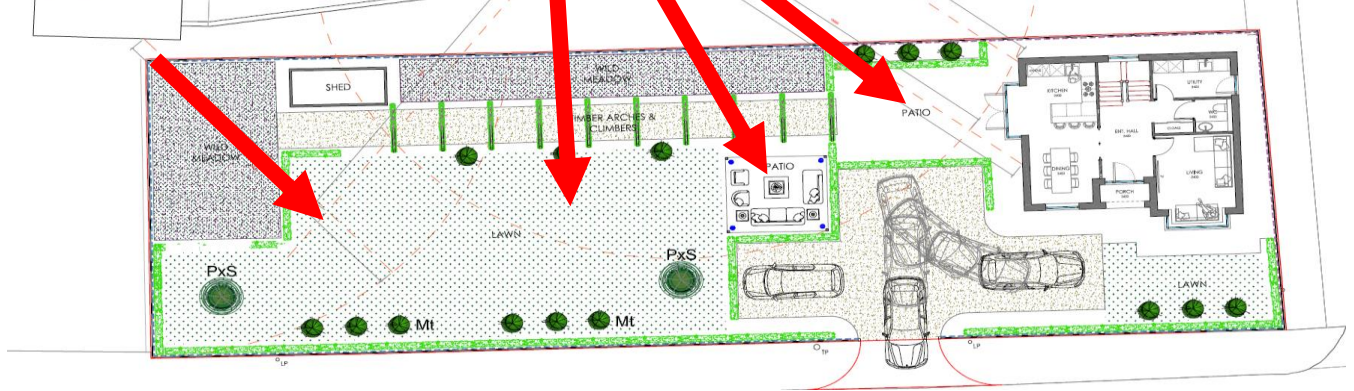
Owing to the benefit of a site visit by the Officer to ascertain the context of the application site, with regards to directly facing habitable room windows and owing to the siting and orientation of the proposed dwelling itself in the context of the neighbouring dwellings, in accordance with the minimum 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 PfE 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 2nd 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