

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

25/00874/FUL

CASE OFFICER

Bob Melling

DATE

29 October 2025

Address: Hollingworth Heights, Peacock Lane, Littleborough, OL15 0AD**Proposal:** Demolition of existing dwelling and erection of a replacement dwelling together with associated landscaping and parking.

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

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?	N

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

RECOMMENDATION	REFUSE
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CHECKED AND SIGNED OFF BY: RK

DATE: 29/10/2025

SITE

The application relates to Hollingworth Heights, a two storey, detached dwelling located in Smithy Bridge. The property is sited within extensive grounds and faces Hollingworth Lake ('the Lake') to the north. To the west, the property is adjacent to Queens Cottage and to the east, there are open fields. The entrance to the site is flanked by agricultural buildings.

The application property dates from the second half of the twentieth century and has been variously altered and extended over its lifetime to create a four-bedroom dwelling. The accommodation is split over three levels owing to the level changes throughout the site and occupies an elevated position within the site. It is prominent in views from the Lake and the surrounding public footpaths. There is also a public right of way which runs along the site boundary, connecting Peacock Lane with the Lake.

The site contains large expanses of hardstanding to the northeast, south and southwest; otherwise, the site is cultivated, laid to lawn with belts of mature landscaping. The boundaries are delineated by a mix of mature landscaping, timber fencing and drystone walling.

Accessed off Peacock Lane leading north/northwest from Wildhouse Lane, the dwelling is served by a dedicated private drive with ample parking and turning space.

Hollingworth Lake Country Park is situated to the north/northeast, and, at its closest, the dwelling is situated approximately 50m from the Lake's edge.. Otherwise, the site offers clear views onto the surrounding moorland.

The site lies within the Green Belt and within the National Landscape of the Pennine Fringe and at the border of the Southern Pennine NCA. It also lies within areas assessed within the Greater Manchester Landscape and Character Sensitivity Assessment 2018. Within this, the site lies in the landscape character type Pennine Foothills (West/South) and within the landscape character area Rochdale and Oldham South Pennine Foothills.

PROPOSAL

Permission is sought for a contemporary, detached, five-bedroom dwelling following the demolition of the existing dwelling. The existing dwelling sits on a north/south axis with the rear elevation facing north towards the Lake. The new dwelling would occupy a similar position within the plot but would be rotated though 45 degrees with the rear elevation facing northeast.

The proposed dwelling would have a broadly horizontal composition with a flat roof and an overall height that would be approximately 8cm below the ridge height of the existing dwelling. It would be constructed from natural sandstone, timber cladding and aluminium glazing. Solar panels and an air source heat pump would be installed.

The proposals include various hard and soft landscaping works, including the repositioning of the driveway, the formation of terraced seating areas, replacement planting and the removal of some existing areas of hardstanding.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Places for Everyone Joint Development Plan (PfE):

JP-G1	Landscape Character
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-G9	The Green Belt
JP-H3	Type, Size and Design of New Housing
JP-P1	Sustainable Places
JP-S1	Sustainable Development
JP-S2	Carbon and Energy

Adopted Rochdale Core Strategy (CS):

C1	Delivering the right amount of housing in the right places
C3	Delivering the right type of housing
G6	Enhancing green infrastructure
G7	Increasing the value of biodiversity and geodiversity
G8	Managing water resources and flood risk
G9	Reducing the impact of pollution, contamination and land instability
P1	Improving image
P2	Protecting and enhancing character, landscape and heritage
P3	Improving design of new development
T2	Improving accessibility
Appendix 5	Schedule of Parking Standards
DM1	General development requirements

Rochdale Borough Unitary Development Plan (UDP):

EM/7	Development and Flood Risk
EM/8	Protection of Surface and Ground Water

Supplementary Planning Documents (SPD):

Guidelines and Standards for Residential Development SPD (2016).

RELEVANT SITE HISTORY

25/00308/CPL: Application for a certificate of lawfulness for the proposed erection of a two storey rear extension, 2 single storey side extensions, external alterations to existing dwelling and 2 new outbuildings, following demolition of an existing conservatory and side extension. **Part Granted and Part Refused** (May 2025)

CONSULTATION RESPONSES

Highways And Engineering

Summary: No objections.

United Utilities

Summary: Standard drainage advice provided, recommend pre-commencement conditions requiring the submission of detailed drainage design.

Greater Manchester Ecology Unit

Summary: GMEU are satisfied that this application can be forwarded for determination and that any permission if granted is supported by the conditions recommended above

Public Protection

Summary: The land does not warrant any further investigation.

Public Rights of Way Officer

No comments received at time of writing.

Environmental Health

No comments received at time of writing.

REPRESENTATIONS

The application has been publicised with neighbour notification letters, two site notices (posted 02.10.2025) and an advert in the local press (posted 08.10.2025). No representations were received.

ANALYSIS

Principle of Development

Policy Position

Inappropriate Development

The application site is located within the Green Belt as allocated under PfE Policy JP-G9. The NPPF states that:

'The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence'

Paragraph 153 of the NPPF establishes that:

'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.'

What results in very special circumstances is not defined within either the NPPF or local policy. There could be a single and substantial factor that clearly outweighs the identified harm, or a number of seemingly ordinary benefits which, when considered in isolation might not be particularly noteworthy, but collectively, clearly outweigh the identified harm and amount to 'very special circumstances' existing. The weight given to any particular factor, and their combination, is a matter of planning judgement for the decision taker.

Paragraph 154 of the NPPF sets out that development in the Green Belt is inappropriate unless it meets one of the exceptions. The applicant contends that exceptions d) and g) are relevant to the current application:

'd) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.'

At the local level, PfE Policy JP-G9, which has superseded CS Policy G4, sets out that:

'The beneficial use of the Green Belt will be enhanced where this can be achieved without harm to its openness, permanence or ability to serve its five purposes. In particular, the enhancement of its green infrastructure functions will be encouraged, such as improved public access and habitat restoration, helping to deliver environmental and social benefits for our residents and providing the high-quality green spaces that will support economic growth'.

As set out by the applicant, the replacement dwelling would be materially larger than the existing dwelling and so would not comply with exception d).

Turning to exception g), it is considered that the proposals would comprise the redevelopment of previously development land (PDL) and, therefore, the test is whether or not there would arise substantial harm to the openness of the Green Belt. This will be assessed under the sub-heading *'Impact on Openness.'*

In accordance with the NPPF, this report will evaluate harm to the Green Belt, any other harm and any other considerations, before coming to a conclusion as to whether very special circumstances exist. In assessing harm, the following weight

has been ascribed to each matter either in favour or against the proposed development:

- ☐ Neutral;
- ☐ Limited;
- ☐ Moderate;
- ☐ Significant; or
- ☐ Substantial.

Harm to the Green Belt

Impact on Openness

Paragraph 142 of the NPPF sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. In order to determine whether the proposed development would fall within inappropriate development exception g), it is necessary to establish whether the proposed development would result in substantial harm to the openness of the Green Belt.

Planning Practice Guidance provides further advice on what factors can be taken into account when considering the potential impact of development on openness. This guidance clarifies that assessing this impact requires a judgment based on the circumstances of the case in question. Furthermore, the guidance gives a number of examples where the courts have identified matters which might need to be taken into account in making the assessment. In summary these include, but are not limited to, the following:

- ☐ Openness is capable of having both spatial and visual aspects.
- ☐ The duration of the development, and its irremediability.
- ☐ The degree of activity likely to be generated, such as traffic generation or use of the land by future occupiers.

As alluded to above, openness is an essential characteristic of the Green Belt that has spatial as well as visual aspects.

Spatially, the proposed dwelling would replace the existing dwelling with a substantially larger, contemporary flat-roofed structure with an extended footprint. The resultant increase in built volume (+80%) and site coverage (+11%) would materially intensify the extent of development on the plot.

Visually, the site occupies a prominent and elevated position above Hollingworth Lake and is visible in wider landscape views from the lakeside and surrounding public rights of way (Figure 1). The proposed dwelling's unbroken roofline, bulkier form and contemporary design with extensive glazing would create a more assertive and dominant structure compared to the modest built form and design vernacular of the existing dwelling.



Figure 1 – Officer Photographs from Various Vantage Points around the Lake

The replacement dwelling would benefit from some natural screening due to the mature vegetation around the site, however it is recognised that the effect of this screening will vary throughout the year. Moreover, the nearby trees are not protected, meaning they could be pruned or felled without permission. On this basis, only limited weight can be attributed to their screening function.

Similarly, while it is noted that the stepped topography would provide moderate mitigation, it would not sufficiently obscure the building in key views (Figure 1).

Overall, it is considered that there would be a greater impact on Green Belt openness by the simple merit of the quantum of development proposed compared to that which currently exists. The proposal would result in a materially larger and more visually prominent building, causing substantial harm to the openness of the Green Belt. Consequently, the development is not considered to fall within exception g) of paragraph 154 of the NPPF and would therefore constitute inappropriate development in the Green Belt.

It is now important to consider the impact of the proposal on the purposes that land within the Green Belt should serve.

Impact on purposes

Paragraph 143 of the NPPF sets out that Green Belt Serves the following five purposes:

- a. To check the unrestricted sprawl of large built-up areas;
- b. To prevent neighbouring towns merging into one another;

- c. To assist in safeguarding the countryside from encroachment;
- d. To reserve the setting and special character of historic towns; and
- e. To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

A) To check the unrestricted sprawl of large built-up areas

The site comprises an existing dwelling which sits in a ribbon of development. The development applied for however is not significant enough in size to contribute towards what could be considered to constitute the sprawl of a large built-up area and it would not conflict with this purpose.

B) To prevent neighbouring towns merging into one another.

The development and application site involved with this application serves no purpose in preventing neighbouring towns merging and as such it would not conflict with this purpose.

C) To assist in safeguarding the countryside from encroachment

The replacement dwelling would result in an uplift in built form; however, it would sit in a similar position as the existing dwelling. As such, it would not conflict with this purpose.

D) To preserve the setting and special character of historic towns

The application site does not abut an identified historic settlement and does not have a physical or visual relationship to the setting or significance of an historic town. The proposed development would not conflict with this purpose.

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

The application site does not conflict with this purpose as it does not assist in urban regeneration by encouraging the recycling of derelict and other urban land.

Openness Conclusion

Taken together, the proposed development would lead to a material reduction in both the spatial and visual openness of the Green Belt. The harm is judged to be substantial in the context of paragraph 154(g) of the NPPF. Substantial weight should be attached to this harm in the planning balance.

OTHER HARM

As set out in paragraph 153 of the NPPF, there is a need to assess whether any other harm would result from the proposed development.

Design / Visual Amenity / Character of the Countryside

PfE Policy JP-G1 requires development to reflect and respond to the special qualities and sensitivities of the key landscape characteristics of its location having regard to various features. This application is located within the 'Open Moorlands and Enclosed Upland Fringes (West/South Pennines)' as defined by Figure 8.1 of PfE.

The NPPF establishes that achieving good design is a key aspect of sustainable development, and decisions should ensure developments are visually attractive and sympathetic to local character. This is also reflected in PfE Policy JP-P1 and CS Policies DM1 and P3, which require development to respect local context with regard to siting, size, scale, massing, height and materials.

While it has been difficult to understand the full visual impact of the proposals without 3D visualisations, it is considered that the design presents a series of shortcomings which coalesce to result in an unacceptable degree of visual harm.

The site occupies a highly sensitive and elevated position overlooking Hollingworth Lake within the Pennine rural fringe. It is visible from the lake and surrounding public footpaths, including in longer views across the Lake.

It is not considered that the architectural language of the replacement dwelling would respond positively to the prevailing local character. The surrounding area, particularly along Peacock Lane and the slopes above Hollingworth Lake, is defined by traditional stone-built agricultural buildings and dwellings with pitched, slate roofs and articulated forms. These buildings typically demonstrate a clear massing hierarchy with a principal range and smaller, subservient wings, and are embedded within the landscape through the use of local stone boundary walls and simple pitched roofs.

The replacement dwelling reads as a single, continuous two storey block with limited massing hierarchy, a strong horizontal composition and extensive glazing. Moreover, the materiality and detailing appear haphazard and lack rhythm. The result is a standalone, contemporary villa rather than a building derived from the distinctive agricultural vernacular of its surroundings.

Although the dwelling is partially set into the slope, the degree of excavation and engineered raised platforms create the perception of an urban intervention rather than a rural assimilation. The proposed material palette has the potential to be sympathetic, but the overall massing, the horizontal emphasis and the detailing result in a dwelling that would be visually assertive within the open landscape setting.

Overall, the proposals would introduce a building of markedly different scale and typology to its context, and it is therefore considered that the proposed dwelling lacks the level of contextual integration expected in such a sensitive location.

Having due regard to PfE Policies JP-G1 and JP-P1, CS Policies DM1, P1, P2 and P3 and the NPPF, it is considered that the development would have a significant harmful impact on the site and its surroundings.

CONCLUSION ON OTHER HARM

In summary, the development would have a significant harmful impact on the site and its surroundings including the special qualities and characteristics of the landscape setting. While careful consideration has been given to landscaping mitigation, which will assist in blending the development into the landscape over time, the location of the replacement dwelling requires a high degree of design sensitivity, and it is not considered that this has been achieved. Therefore, the visual impacts of the proposed development should attract significant weight in the planning balance.

OTHER CONSIDERATIONS

Paragraph 153 of the NPPF requires analysis of other considerations in the planning balance and these are set out below.

Residential Amenity

Paragraph 135(f) of the NPPF advises that planning decisions should seek to secure a high standard of amenity for existing and future users. Further to the above are the considerations of the Council's Supplementary Planning Document (SPD) 'Guidelines and Standards for Residential Development' which states that new developments '*should be carefully designed to protect the amenity of the occupants of adjoining properties.*'

The proposed dwelling would be sited a suitable distance away from nearby dwellings in order that it would not be unduly overbearing on, or unacceptably overshadow, the habitable room windows and outdoor amenity spaces of nearby dwellings. Furthermore, the positioning of habitable room windows, relative to the windows of surrounding dwellings, is considered to satisfy the minimum distance standards of section 4.1 of the SPD and would safeguard the privacy of nearby residents.

No concerns are had in respect of noise and disturbance where the overall intensity of residential use would be low and is considered to be compatible with surrounding land uses.

The proposed dwelling would accord with the Nationally Described Space Standards (NDSS) for five-bedroom dwellings, and each habitable room would be supplied with adequate light and outlook, with a suitably sized private garden.

In light of the above assessment, it is considered that the scheme fulfils the relevant requirements and aims of both local and national policy regarding the impact on the residential amenity of occupiers of adjoining land and with regard to the amenity standards provided for the future occupiers of the proposed dwelling, in accordance with CS Policy DM1, the SPD and the NPPF. Therefore, neutral weight is attributed against the development in this regard.

Highways and Refuse Collection

CS Policy T2 seeks to improve accessibility by locating development where good access to public transport is available or can be provided and in all circumstances,

prioritises the safety, accessibility and amenity of those who live or have business in the area. CS Policy DM1 also states that all development proposals should provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements taking into account of the proposed use and location. Paragraph 116 of the NPPF 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.

Paragraph 117(d) of the NPPF states that application for development should allow for the efficient delivery of goods, and access by service and emergency vehicles. The Guidelines and Standards for Residential Development SPD states that bin storage areas that require excessive movements from the storage area to the street should be avoided and any bin storage areas and access arrangements, including access routes for collection vehicles, should be provided in accordance with all relevant legislation and guidance, such as any relevant local planning documents, Building Regulations and Highways requirements.

The submitted drawings show that the development would utilise the existing entrance with a new driveway formed to access the new dwelling. Access and servicing requirements are clearly long established at the site, and the proposals would not seek to materially intensify the use of the site. Consultations have been undertaken with the Highway Authority, and they have confirmed that they have no objections to the application. In terms of impacts on highway safety, the application is acceptable and in accordance with the requirements of CS Policy DM1. Therefore, neutral weight is attributed against the development in this regard.

Ecology and Biodiversity Net Gain

Paragraph 187 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity, providing net gains where possible, and contributing to the Government's commitment to halt decline. CS Policy G7 requires that no development should result in a net loss of biodiversity and geodiversity.

PfE Policy JP-G9 seeks to deliver a net enhancement of biodiversity resources through a collective of measures which are broadly aligned with the approach to Biodiversity Net Gain (BNG) outlined within the Environment Act (2021), the NPPF and supporting guidance documents. The provisions of the Environment Act in respect of BNG are a statutory requirement for planning applications.

The application is accompanied by an Arboricultural Report & Impact Assessment (AWA Tree Consultants, August 2025), an Arboricultural Method Statement (AMS) (AWA Tree Consultants, August 2025), a Preliminary Ecological Appraisal (PEA) report (Rachel Hacking Ecology, April 2025), a Bat Activity Survey Report (Estrada Ecology, July 2025), a Biodiversity Enhancement Plan (Estrada Ecology, July 2025) and a Biodiversity Net Gain (BNG) Exemption Statement.

The Greater Manchester Ecology Unit (GMEU) have been consulted on the proposals, and are satisfied that, subject to several conditions, the development can

take place without substantive harm to any ecological assets or protected species, including bats and wild birds.

While the proposals would result in the loss of two trees and two tree groups, it is noted that the trees to be removed are all lower value and their loss can be suitably mitigated through replacement planting. Furthermore, the AMS provides a detailed methodology for the protection of all the trees to be retained.

It is noted that the development would comply with the self-build/custom build BNG exemption. Accordingly, it is not considered that the statutory requirement to provide 10% BNG is applicable. Notwithstanding, biodiversity enhancements are proposed which appear appropriate and in accordance with CS Policy G7 and the NPPF.

Overall, it is considered that the ecological impacts of the proposed development are acceptable and that any potential harm can be controlled or suitably mitigated through conditions or informatives. Therefore, neutral weight is attributed against the development in this regard.

Drainage

The site falls within Flood Zone 1 and is therefore at a low risk of flooding (less than 1 in 1000 or 0.1% annual probability of river or sea flooding in any year). The site is therefore suitable for residential development in this respect, subject to appropriate wastewater and surface water disposal to reduce the risks of flooding or aquatic pollution elsewhere.

Full details of the proposed surface and foul water drainage schemes have not been provided with the application and would therefore need to be secured through condition. Additionally, no details on proposed areas of hardstanding have been included in this submission. It is considered that such details can be secured by an appropriate condition.

Subject to an acceptable drainage scheme being submitted to and approved by the LPA, the requirements of CS Policy G8, saved UDP Policies EM/7 and EM/8 and the NPPF will have been satisfied. Therefore, neutral weight is attributed against the development in this regard.

Land Contamination

Paragraph 187(e) of the NPPF seeks to prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. CS Policy G9 similarly seeks to ensure that sensitive new forms of development are not adversely affected by existing sources of pollution.

The Council's Public Protection department have been consulted on the application and do not feel that the site warrants any further investigation. Therefore, neutral weight is attributed against the development in this regard.

VERY SPECIAL CIRCUMSTANCES

A Court of Appeal judgement in Redhill Aerodrome Ltd v Secretary of State for Communities and Local Government establishes that 'any other harm' in paragraph 153 of the NPPF includes non-Green Belt harm that is to be taken into account in the weighing exercise of the planning balance as to determining whether or not very special circumstances exist which would clearly outweigh the harm to the Green Belt by inappropriateness and any other harm.

This Court of Appeal judgment is an important reminder that under paragraph 153 of the NPPF, when considering any planning application concerning proposed development in the Green Belt, LPAs should continue to ensure that substantial weight is given to harm to the Green Belt and any other harm.

The replacement dwelling would result in harm to the Green Belt through inappropriateness and additional harm has been identified to the openness of the Green Belt and to the character and appearance of the area more generally including the landscape setting.

In light of the above, it is necessary to now consider whether there are 'very special circumstances' which clearly outweigh harm to the Green Belt and any other harm resulting from the proposal as set out in paragraph 153 of the NPPF.

THE APPLICANT'S CASE

The applicant's case rests on an extant Certificate of Lawfulness (CLD) which was partly granted and partly refused in May 2025 (reference: 25/00308/CPL). The CLD proposed various extensions to the existing dwelling and outbuildings within its curtilage. However, the proposed two storey rear extensions and propose rear dormer extension were deemed not to constitute permitted development. Therefore, the CLD granted only two single storey side extensions and two outbuildings.

It is important to note that the applicant has included a single storey rear extension (4m in depth by 3m in height) in their volume and footprint calculations when comparing the replacement dwellings with the 'fallback' position. Referred to throughout the submission as the 'revised CLD' it should be noted that a single storey rear extension was not part of the CLD approved by the LPA (reference: 25/00308/CPL). Therefore, the lawfulness of this aspect has not been confirmed and cannot be confirmed without the submission of a separate CLD.

It should be noted that the extensions and outbuildings approved under application 25/00308/CPL constitute an approximate 100.5 percent increase in volume and a 159.6 percent increase in footprint when compared to the existing dwelling. For the avoidance of doubt, these calculations do not include the single storey rear extension for the reasons outlined above.

THE COUNCIL'S ASSESMENT

It is important to recognise that the assessment of the CLD was limited in the scope of what could be considered, and most pertinent to this assessment, the visual appearance and impact on the openness of the Green Belt could not be considered.

The applicant has supplied footprint and volume calculations for both the extant scheme and the proposed replacement dwelling, where the replacement dwelling would be approximately 11 percent larger in footprint, and 80 percent larger in volume, with the maximum height being approximately 8cm below the maximum height of the extant scheme.

In *Samuel Smith Old Brewery (Tadcaster) v Secretary of State for Communities and Local Government* [2009] EWCA Civ 333 Sullivan LJ held that in order for a prospect to be a real prospect, it does not have to be probable or likely: a possibility will suffice. Given the existence of the CLD, it is considered that the relatively low threshold of reasonability is met, and the fallback scheme comprises a material consideration.

There is no definition in the NPPF or the CS and supplementary guidance of 'materially' larger, accordingly this is a matter of planning judgement having regard to the particular circumstances of the case.

It is accepted that in spatial terms (footprint, volume and floor area) the extant CLD would be greater than the proposed development measured against the same indicators, particularly in terms of footprint.

It is also accepted that the scope of what could be considered under the CLD was limited, with the LPA unable to secure improvements to the landscape setting or ensure a high standard of design. Moreover, when experienced from certain viewpoints, the extent of the area of the site developed in association with the CLD would have a greater visual effect than the proposed development.

However, while the CLD extensions and outbuildings would result in substantial increases in footprint and volume, they would retain the character of a smaller, traditional dwelling with pitched roof forms, domestic scale and articulation. The proposed flat-roofed, two storey replacement dwelling appears more monolithic and visually assertive, which would exceed the openness impact of the fallback scheme.

Therefore, while it is recognised that the quantum of development proposed under the CLD would exceed the quantum of development proposed under the current application, the CLD is not considered to have the same level of visual prominence as the proposed replacement dwelling. On this basis, it is considered that only moderate weight can be attached to the fallback scheme in the planning balance.

PLANNING BALANCE AND CONCLUSION

Section 38 of the Planning and Compulsory Purchase Act 2004 states that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 11 of the NPPF states that decision should apply a presumption in favour of sustainable development by approving development proposals that accord with an up-to-date development plan without delay.

Paragraph 153 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special

circumstances. Paragraph 153 also states that when considering any planning application, LPAs should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

The development would negatively impact both spatially and visually upon openness. In conclusion, the impact upon openness and definitional harm by reason of inappropriateness mean that substantial weight should be attached to the harm to the Green Belt as a result of the proposal.

Alongside the substantial weight that should be attached to the harm to the Green Belt resulting from the development, other matters of harm include the impact of the development on the character and appearance of the site and its surroundings through the failure to be well-designed. This other harm should attract substantial weight in the planning balance.

The harm to the Green Belt, including any other harm, is set against the moderate weight that has been attached to the fallback scheme, which is a material consideration. However, the fallback scheme and any other benefits, such as energy efficiency and biodiversity enhancements, are not considered to substantially weigh in favour of the development as a whole. It is considered that the harm to the Green Belt by reason of inappropriateness together with any other harm resulting from the proposal is not clearly outweighed by other considerations and consequently very special circumstances do not exist to support the grant of planning permission.

RECOMMENDATION

Planning permission is **REFUSED** for the following reason.

The proposed development comprises inappropriate development in the Green Belt that is harmful by definition and furthermore, fails to preserve the openness of the Green Belt. Additionally, the proposed development would have an unacceptable impact on the character and appearance of the application site and the surrounding area including the special qualities and characteristics of the landscape setting. Very special circumstances do not exist as the identified harm (by definition and other harm) is not clearly outweighed by other considerations, and the application is therefore contrary to CS Policies DM1, P1, P2 and P3, PfE Policies JP-G1, JP-G9 and JP-P1 and the NPPF.

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.

Notes for Applicant:

For the avoidance of doubt, the decision notice relates to the following plans and supporting reports:

- Planning Statement (HERA Planning, August 2025)
- Landscape & Visual Impact Appraisal (tpm landscape, July 2025, revA)
- Energy Report (elmhurst energy, July 2025)
- Design And Access Statement (Kimble Roden, July 2025)
- Arboricultural Report & Impact Assessment (AWA Tree Consultants, August 2025)
- Arboricultural Method Statement (AWA Tree Consultants, August 2025)
- Preliminary Ecological Appraisal (Rachel Hacking Ecology, April 2025)
- Bat Activity Survey Report (Estrada Ecology, July 2025)
- Biodiversity Enhancement Plan (Estrada Ecology, July 2025)
- Biodiversity Net Gain (BNG) Exemption Statement.
- Landscape Layout. Dwg no. 101. Rev C
- Planting Plan. Dwg no. 201. Rev B
- Existing Plans and Elevations. Dwg no. P/01
- Existing Site Plan. Dwg no. P/02
- Proposed Site Plan. Dwg no. P/03
- Proposed Plans. Dwg no. P/04
- Proposed Elevations. Dwg no. P/05
- Proposed Elevations and Sections. Dwg no. P/06
- Location Plan. Dwg no. P/08

Report Author Bob Melling