

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
25/00143/FUL	Nick Brookman	20 th June 2025

DETERMINATION DATE (EXTENSION OF TIME)

24th June 2025

Address: Yew Tree Farm, South Stott Lane, Middleton, M24 6XJ

Proposal: Conversion of existing agricultural barns into three dwellings with associated external works, landscaping and off road parking (re-submission of planning application 16/00347/FUL)

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?	N

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

RECOMMENDATION	Approve
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CHECKED AND SIGNED OFF BY: LA

DATE: 24/06/25

SITE

The application site relates to Yew Tree Farm South, accessed from Oaken Bank Road, an un-metalled track which leads to a junction with Hollin Lane to the west and the Hopwood Hall college site to the east.

The site is comprised of a collection of agricultural buildings (brick, breeze block and steel framed) in addition to the farmhouse.

The farmhouse is located on the west side of the farmyard, with two storey and single storey barns on the east side, and a two storey brick barn on the south side, separating the farmyard from the cattle sheds and tank to the south. An area of hardstanding to the east of the barns is currently used for the storage of vehicles and scrap; however, beyond this the land expands to open fields.

The nearest neighbouring properties are approximately 20 metres to the north east (Yew Tree Farm East), 95 metres to the north west (a row of semi-detached properties comprising 1 to 11 Oaken Bank Road) and 230 metres to the south (the collection of buildings forming Hatters Farm and Cottage).

The site is located within the Green Belt.

PROPOSAL

The planning application proposes the conversion of some of the existing agricultural barns into three dwellings with associated external works, landscaping and off road parking. The application is effectively an identical re-submission of planning application 16/00347/FUL).

The proposed development comprises the following works:

- Property 1: A 4 bed dwelling formed of the northernmost barn and part of the adjoining central section. Internally the property would comprise two bedrooms, two bathrooms and a combined kitchen/dining/lounge on the ground floor and two bedrooms, two bathrooms and a mezzanine study area at first floor level.
- Property 2: A 4 bed dwelling formed of part of the central section and a proportion of the southernmost barn. Internally the property would comprise two bedrooms, two bathrooms and a combined kitchen/dining/lounge on the ground floor and two bedrooms, two bathrooms and a mezzanine study area at first floor level accessed via a gantry above the living area.
- Property 3: A 3 bed dwelling formed of the remainder of the southernmost barn. Internally the property would comprise a kitchen/dining room, separate lounge and utility/WC at ground floor level and three bedrooms and three bedrooms at first floor level.

The scheme also includes the re-development of the storage/scrap yard to the east of the barns with garden area and hardstanding for parking provision for six vehicles.

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
- G4 Protecting Green Belt
- 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):

G/D/2 Green Belt

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-G9 The Green Belt
- JP-P1 Sustainable Places
- JP-C6 Walking and Cycling

RELEVANT SITE AND NEIGHBOURING HISTORY

16/00347/FUL - Conversion of existing agricultural barn into three dwellings together with external alterations with associated external landscaping and provision of off road parking spaces. Approved with conditions on the 24th June 2016.

18/01100/DOC - Submission of details to comply with conditions 3 (Materials), 4 (SI), 5 (Sample Wall Panel), 6 (Acoustic Protection Measures), 7 (Window and Door Details), 9 (Bin Stores) and 15 (Demolition Method Statement) of planning permission 16/00347/FUL.

CONSULTATION RESPONSES**Highways and Engineering**

No objection.

Environmental Health (Noise)

No objection subject to condition.

Greater Manchester Ecology Unit (GMEU)

No objection subject to condition.

United Utilities

No comments received.

Land Contamination

No objection subject to condition.

Public Rights of Way Officer

No comments received.

REPRESENTATIONS

Letters of notification were sent to the occupiers of surrounding buildings on the 20th March 2025. In addition, x1 site notice was displayed adjacent to the application site on the 24th March 2025. No objections or comments were received.

ANALYSIS**Principle of Development****Planning History**

The principle of the conversion of the existing buildings has previously been established through the approval of application 16/00347/FUL on the 24th June 2016. The scheme subject to this application now before the LPA is identical and the reason for the re-submission is purely because the time of implementation has now expired.

Nevertheless, the principle is re-assessed below given the passage of time between the date of the previous decision and the date of this application which is approximately 9 years difference.

Policy Position

The application site is located within the Green Belt as allocated under the Rochdale Unitary Development Plan Proposals Map G/D/2. The National Planning Policy Framework, 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 requires 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'*.

Paragraph 154 of the NPPF sets out that *'Development in the Green Belt is inappropriate unless one of the following exceptions applies:*

....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.

h) Other forms of development provided they preserve its openness and do not conflict with the purpose of including land within it. These are:

...iv. The re-use of buildings provided that the buildings are of permanent and substantial construction'.

The recent NPPF revision in December 2024 has also introduced additional forms of development that should also not be regarded as inappropriate and these fall under Paragraph 155 of the NPPF which relates to the development of homes, commercial and other development in the Green Belt where:

- The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
- There is demonstrable unmet need for the type of development proposed;*
- The development would be in a sustainable location with particular reference to paragraphs 110 and 115 of this Framework; and*
- Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below.*

In interpreting Paragraph 155 above, the application site is not Grey Belt land, the Council can demonstrate a 5 year supply of housing as well as a score of 138% on the recently published Housing Delivery Test 2023 measurement.

With reference to paragraphs 110 and 115 of the Framework, Policy C1 of the Core Strategy (Delivering the right amount of housing in the right places) sets out that in the south of the borough, the Council will deliver a majority of new homes to reflect its

accessibility to the core of the city region and the opportunities that existing for new housing. This would be done by:

- a. Maximising the opportunities that existing to provide new housing in sustainable locations;
- b. Deliver new homes in regeneration areas; and
- c. Focus new housing in or close to key economic growth corridors and town centres.

In accordance with Paragraph 7 of the NPPF, the purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner.

Harm to the Green Belt and Impact on Openness

The proposed development is not considered to be inappropriate development and it would meet exception G and H (iv) of paragraph 154 of the NPPF. However, the development must not cause substantial harm and it must preserve the openness of the Green Belt in doing so.

In this regard, Paragraph 143 of the NPPF sets out the 5 purposes of the Green Belt, one of which is to assist in safeguarding the countryside from encroachment.

Paragraph 142 of the Framework 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. Given that the development has been identified as being inappropriate, the next test is to assess the impact of the development upon 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 a number of matters which might need to be taken into account in making the assessment. In summary these include, but are not limited to:

- 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.

The proposal in this instance is for the conversion of existing agricultural barns into three dwellings with associated external works, landscaping and off road parking. Given the very nature of the proposed development predominantly comprising of conversion works Officers can confirm that this would preserve the visual or spatial openness of this part of the Green Belt. The proposed ancillary and associated external works comprising of landscaping and off road parking would in fact alleviate and remove the existing paraphernalia comprising of vehicles, materials and machinery to the east of the existing barns.

In terms of harm caused to the openness of the Green Belt, the consideration of openness can involve various factors, relating to a proposals site context, including the visual sensitivity within the landscape and appreciation of such development for example.

In assessing the visual aspect of the proposed development on the openness of the Green Belt, the proposed development would be not be unacceptably exposed in this setting. There would not be a greater impact on the visual openness of this Green Belt location by the simple merit of the quantum of development that is proposed compared to that which currently exists.

In assessing the spatial harm caused by the proposed development on the Green Belt openness, it is important to recognise that the absence of any significant visual intrusion does not in itself mean that there is no impact on openness. The site is a working farm and is subject to the storage of a number of agricultural machinery and vehicles. There is no obvious spatial openness of the application in this Green Belt location and the application site sits in an existing ribbon of development of existing dwellings and buildings. The application site is not isolated when viewed with the surrounding landscape.

The items shown in the photograph below would need to be removed from the application site to accommodate the proposed development:



Consequently, in both spatial and visual terms the proposal would not have a greater impact on the openness of the Green Belt than the existing circumstances on site.

Overall, the development would therefore not result in harm to spatial and visual openness, contrary to the requirements of paragraph 142 of the NPPF. 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 development applied for primarily comprises of conversion works with associated landscaping and parking works. The development is not significant enough in size to contribute towards what could be considered to constitute a 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 site is a brownfield site characterised by its semi-rural and agricultural environment comprising elements of traditional farm houses/cottages/dwellings to the north north west and built up residential development to the south. Despite the surrounding agricultural fields and countryside environment to the east and south, by the very nature of the development proposed on this brownfield site, the countryside is safe from encroachment.

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.

Sustainability of the Sites 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.

With regard to Policy JP-C8, the proposed development would not be located within a convenient walking distance of local services and shops which would result in an excess reliance on the private motor vehicle to carry out every day shopping needs for groceries and other amenities. There are no purpose built footways along the proposed access road once you leave Middleton Road and travel eastwards along Oaken Bank Road. However, Oaken Bank Road does benefit from limited street lighting making it a visibly accessible prospect for pedestrians or cyclists particularly after dark.

Whilst it is inevitable that the future occupants would be almost entirely reliant on the private motor vehicle, Planning Officers recognise that the site is not isolated given its proximity to other existing homes and the close proximity to the M62 motorway. The site therefore is semi-rural in nature. That being said, there are bus stops (Oaken Bank Road) approximately 0.16km west of the application site on Middleton Road which provide public transport between Bury, Heywood, Langley, Middleton and Piccadilly Gardens. These buses are very frequent running 7 days a week. For that reason there is clearly a convenient public transport system available for future residents of the proposed dwellings.

Overall therefore, whilst there will likely be reliance on the private motor vehicle to deal with daily needs for future occupiers, Officers do consider that the availability of the existing excellent public transport links within close proximity to the proposed development site would represent a location which is sustainable and one that accords with the National Planning Policy Framework in that the development would be located where the need to travel by vehicle would be limited.

Housing Need

In addition to the above assessment on sustainability and Green Belt exemptions, Places for Everyone establishes the need for at least 616 net additional dwellings per year in Rochdale to meet the housing needs of the borough. Policy C1 of The Core Strategy seeks to focus housing development on previously developed sites within the urban area, setting a target of 80% of new housing on previously developed land.

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”*. Paragraph 125 of the NPPF advises that *“Planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land”*. Under sub paragraph (d) of Paragraph 125 of the NPPF, *“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.

In this instance, it is considered that the proposal would lead to the provision of three residential dwellings in a sustainable location. The proposed dwellings created would assist the Borough in meeting its housing requirements albeit marginally.

Principle Conclusion

Whilst National Planning Policy has been updated since the approval of planning application 16/00347/FUL, it has not been updated to an extent that would principally impact the proposed development here. The proposed development will be assessed in further detail below, but in the main the proposed development comprises the re-development and conversion of an existing barn on a brownfield site that would not cause substantial harm to the openness of the Green Belt.

Accordingly, it is concluded by Planning Officers that the principle of development has already been established through the previous approval of application 16/00347/FUL. The planning policy position has not changed since the approval of application 16/00347/FUL and given that the development now subject to this application is of an identical proposal, the development remains acceptable in principle as alluded to in the above assessment.

As such, subject to being acceptable in all other considerations, the proposal is acceptable in principle and in accordance with adopted Rochdale Core Strategy Policies, C1, C3 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 it is: 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 proposed development and associated conversion works and window openings are of a sympathetic design that comfortably fits in with the immediately surrounding site context.

Section 4 of the adopted Supplementary Planning Document '*Guidelines and Standards for Residential Development*' contains guidance on barn conversions and notes that it is essential to establish the architectural, historic, townscape, or scenic qualities that the building possesses. It is acknowledged that traditional rural buildings vary greatly: some rural buildings are of little or no value either architecturally or historically and generally these buildings will not be considered worthy of conversion. The acceptability of proposed conversion schemes will be influenced by their sensitivity and respect for the qualities of the specific building concerned; generally the less alteration that is required, particularly externally, the more appropriate the new use. Further detailed guidance on the conversion of redundant agricultural buildings to new uses is outlined within the Historic England documents '*The Conversion of Traditional Farm Buildings: A guide to good practice*'.

It is noted that the barns have been subject to a number of extensions and alterations over the last century, and a large part of the aesthetic value of the buildings has regrettably been lost. However, the northern and southernmost barns are considered to be the most attractive of the set and are host to the majority of original features which have been retained. It is considered that, overall, the proposed conversion works would serve to preserve the majority of the remaining features of interest, whilst serving to improve the appearance of the immediate area and bringing back into viable use a number of buildings which otherwise have fallen behind modern agricultural practices.

Whilst the conversion would require the installation of a number of new openings (approximately 17 new windows and doors), a process which has previously formed an aspect of reasons for refusal of permission for conversion of the southern barn, it is noted that the design put forward in the current application differs significantly to that as put forward previously (which included windows which were basic in design and domestic in appearance) and responds well to the architectural styling and appearance of the existing buildings and window openings, being of similar size and scale. The number of additional openings is considered to represent the minimum necessary to facilitate the viable conversion of the buildings. Full and final details of the proposed design and materials of the window and door frames would be required by condition and would be re-imposed from application 16/00347/FUL as previous details were not satisfactorily discharged.

The areas of the barns which have suffered neglect and damage over the years would be repaired sympathetically with reclaimed brick to match. New window openings would be formed using reclaimed brick heads and cills to match the existing in colour and texture, whilst all pointing would be removed and replaced with mortar of a colour and texture, again, to match existing.

It is noted that the existing central section of barn features a corrugated fibre cement sheet roof, which is intended to be replaced with a tiled roof using Greys Artstone Concrete or similar – with final details to be agreed by condition again. The existing natural grey slate roofs of the northern and southern barn sections would be retained.

Internally, the proposed conversion arrangement has sought to preserve a number of elements of character which contribute to the historic significance of the barns, including a number of original roof timbers and trusses.

The proposed amenity areas and vehicle hardstanding to the east of the site would be attractively laid out, and would represent a distinct improvement on the existing situation where the area is used for the storage of vehicles and scrap. Proposed boundary treatments and all hard landscaping ground surfaces will be secured by condition.

Overall, the development is appropriate in terms of its scale and massing, with appropriate external materials to be subject to condition and detailing which would ensure the development would assimilate well with the existing character of the area. Therefore, the proposal is acceptable in terms of design and appearance and consistent with adopted Rochdale Core Strategy policies P1, C3 and DM1 and the National Planning Policy Framework.

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 demonstrated to be impracticable.

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

United Utilities were also consulted on this application but they have not provided any comment.

The scheme has not changed since the approval of planning application 16/00347/FUL which was approved with the submitted Drainage Strategy and it is considered relevant to impose the same conditions.

Accordingly, subject to the inclusion of appropriately worded conditions, Officers consider that the development accords with Policy G8 of the adopted Rochdale Core Strategy, Policy JP-S4 of PfE and the NPPF.

Occupier and Neighbour Amenity

Paragraph 135 of the NPPF states planning decisions should create places which are 'safe, inclusive, and accessible, promote health and well-being, with a high standard of amenity for existing and future occupiers'. Policy G9 of the Rochdale CS states all development is required to 'not have impacts that lead to an unacceptable increase in air, water, noise, light or other pollution.'

Neighbour 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.

Given the design of the building, its orientation, the topography of the wider area and distance from existing dwellings, the space standards here are acceptable.

For this reason it is not considered that the proposed development would impact on or create detrimental issues concerning overlooking or privacy. Given the existing circumstances on site including the distances between the developments identified above, it is not considered that the proposed development would result in any undue loss of light for existing neighbouring dwellings.

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)

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

With regards to outdoor amenity space for future occupiers, as defined within the Council's Residential Development SPD residential amenity is; *'The benefit enjoyed from physical external space which is part of the private home. The level of enjoyment is dependent on a number of factors, including location, size, orientation, sounds, noise, accessibility and enclosure, and general quality of space.'*

Under paragraph 7.33 of PfE, the provision of appropriate outdoor amenity space is defined as being *'vital in delivering high quality homes that support good health'*.

In addition, the reasonable needs of occupiers would need to be met and these needs are considered to cover both functional and recreational requirements proportionate to the size of the household, taking into account the surrounding context. On reflection of the proposed layout, the proposed residential garden areas surrounding the proposed dwellings appears to be appropriate for the size of the associated dwellings and they would clearly provide a significant level of outdoor amenity space.

Accordingly, the development is not considered to impact on neighbouring or occupier amenity and the scheme is considered acceptable in accordance with CS Policies G9 and DM1 and the NPPF.

Noise

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.

Whilst the resulting scheme by its very nature would not cause any significant impacts in terms of noise and disturbance, the application site is adjacent to a working farm. Under application 16/00347/FUL a condition was imposed which set out that:

No above ground works shall take place until a scheme to protect the proposed dwellings from noise generated by the surrounding agricultural uses has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure noise levels of no more than:

- *35 dB(A) Leq (1 hour) in all habitable rooms with windows shut and other means of ventilation provided between 7am and 11pm*
- *30 dB(A) Leq 5 mins in the bedrooms with windows shut and other means of ventilation provided between 11pm and 7am*

The scheme shall thereafter be implemented in accordance with the duly approved details and a verification report submitted to and approved in writing by the Local Planning Authority to demonstrate that the required noise levels have been achieved for each plot before the dwelling on that plot is first occupied.

Reason: In order to ensure a satisfactory standard of amenity for future residents in accordance with policy EM/2 of the Council's Unitary Development Plan and the National Planning Policy Framework.

An Acoustic survey and Assessment was submitted to discharge this condition under application 18/01100/DOC and the condition was discharged on the proviso that the proposed mitigation as detailed in the submitted report was carried out in accordance with the approved details. It was stipulated that a verification report must then be

subsequently submitted in accordance with the requirement of the condition to demonstrate that the required noise levels had been achieved.

Environmental Health were consulted on this application and they have no objection subject to the submission of a verification report confirming that the mitigation measures and required noise levels were implemented and have been achieved prior to first occupation of the dwellings hereby approved.

Accordingly, subject to condition, the scheme would be considered acceptable in terms of amenity in accordance with Policy G9 and DM1 and the Council's Guidelines and Standards for Residential Development SPD.

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 net gains.

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 compliant with the de-minimis exemption under The Biodiversity Gain Requirements (Exemptions) Regulations 2024. The Local Planning Authority and the GMEU agree with this view, but given the local planning policy position, a Biodiversity Net Gain would still be expected from this development. In that regard, it is recognised that the scheme will provide areas of soft landscaping and biodiversity enhancements which will be secured through condition and this will provide an overall enhancement of the site.

There are no statutory or non-statutory protected sites within the vicinity of the application site that are likely to be influenced by the proposed development.

The GMEU were consulted on this application and they have raised the following comments:

Bats

A valid bat report has been provided. A bat assessment, use of static detectors and one evening survey found no evidence of bats roosting in the building with the findings in-line with the previous surveys in 2016. The GMEU have no reason to doubt the findings of the report but as individual bats can turn up in unexpected locations, an informative is recommended.

Great Crested Newts (GCNs)

Great crested newts have been recorded in ponds just to the north of the development proposal, just over 100m at its nearest point, with only partial barriers to movement located between the ponds and the development site. The development site is however generally hostile to GCNs, with any risk associated with clearance of debris that could potentially provide cover. When the scale of the development and distance to the pond are taken in to account the overall risk is low. However, given the potential for individual newts and other amphibians to take refuge in debris around the site, the GMEU have recommend a precautionary working measures method statement is conditioned.

Nesting Birds

As previously evidenced from the former planning application, house sparrow and swallow nesting in the buildings was identified. There was no evidence of barn owl. All British bird nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. The GMEU have therefore recommend a condition prohibiting works between 1st March and 31st August unless a precautionary working method statement for nesting birds has first been carried out by a suitably experienced Ecologist and been supplied to and agreed in writing by the LPA.

Biodiversity Enhancements

The GMEU were consulted on this application and they have not raised any objections subject to condition requiring the insertion of six house sparrow terraced onto the proposed converted buildings on suitable elevations.

Invasive Species

A site such as this is at moderate risk for species such as Japanese knotweed. The GMEU have therefore recommend an informative in this regard.

Summary

Accordingly, subject to condition, the scheme is considered to 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.

Overall, 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 the development is considered acceptable in accordance with CS Policies 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.

A Stage 1 Risk Assessment has been submitted with the application and this has been reviewed by the council's Public Protection Officer.

The assessment identifies that an intrusive ground investigation is required.

The Council's Land Contamination Officer has reviewed the submitted investigation report and agrees with its findings. Accordingly, it has been confirmed through consultation with the Council's Environmental Protection team that this matter can be dealt with by a suitably worded condition.

Therefore, subject to condition, 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 is considered to make a positive albeit minor contribution to the housing supply and local economy within the borough. It is therefore considered that subject to the conditions included below, the development as a whole is acceptable and in accordance with the adopted Rochdale Core Strategy, PfE and the NPPF.

RECOMMENDATION

Grant subject to the following conditions:

1. The development must be begun not later than three years beginning with the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. This permission relates to the following plans and documents:

- Location Plan Drawing No 246
- Proposed Elevations Drawing No 246/3
- Proposed Site Layout
- Proposed Floor Plans Drawing No 246/2
- Bin Store Details Plan
- Planning Statement / Design and Access Statement dated February 2025
- Preliminary Risk Assessment Reference Stott Lane/M24 6XJ/2018
- Method Statement (referring to condition 15 of 16/00347/FUL)
- Bat Survey Report and Method Statement European Protected Species Dated 23.09.2024
- Acoustic Survey and Assessment Report No 1592-1 Dated June 2018
- Surface Water Drainage Strategy Referenced 16136 Dated June 2016

and the development shall be carried out in accordance with these details hereby approved unless otherwise required by the conditions below.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Core Strategy, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

3. No development shall take place until an investigation and risk assessment (in addition to any assessment provided with the planning application) has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons.

The submitted report shall include:

- i. a survey of the extent, scale and nature of contamination
- ii. an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- iii. where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.

The development shall be carried out in accordance with the approved remediation strategy thereafter.

No part of the development shall be occupied until a verification report demonstrating that the approved remediation has been implemented has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy G9 of the adopted Rochdale Core Strategy, Policy JP-S1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Reason for pre-commencement condition: Further investigation will be necessary prior to commencement of any building or engineering works on site.

4. No above ground works (other than internal works or site clearance) shall commence until samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plans) have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved and retained as approved thereafter. For the avoidance of doubt, these details should relate to windows, doors, roof slates and all elevation materials.

Reason: In order to ensure use of appropriate materials which are sympathetic to the character of the building and the surrounding area in the interests of visual amenity and to comply with the requirements of Core Strategy Policies P1, P2 and P3 and the National Planning Policy Framework.

5. No above ground works (other than internal works or site clearance) shall take place until full product specifications for the windows, external doors, roof lights, and detailed designs of the window and door reveals, at a scale of not less than 1:50, to be used on the development hereby approved, have been submitted to and approved in writing by the Local Planning Authority. The windows and doors shall be installed in accordance with the approved details thereafter.

Reason: In the interests of ensuring a satisfactory visual appearance to the development and in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

6. Notwithstanding the details shown on the approved plans, no above ground works (other than internal works or site clearance) shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities) and a scheme for the timing / phasing of implementation works.

The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with

Core Strategy Policies G6 and G7, Policies JP-G6 and JP-G7 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

7. Notwithstanding any details submitted as part of the application, no part of the development shall be occupied until details of the type, siting, design and materials to be used in the construction of boundaries, screens or retaining walls have been submitted to and approved in writing by the Local Planning Authority. Any structures shall be installed in accordance with the approved details prior to the first occupation of the approved development and retained thereafter.

Reason: In the interests of ensuring a satisfactory visual appearance to the development and in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

8. No building works shall take place during the bird nesting season (1st March – 31st August inclusive) in any year unless an ecological survey to establish whether there are any active bird nests present within the site has been submitted to and approved in writing by the Local Planning Authority immediately prior to works commencing. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority which provides for the protection of nesting birds during the period of works on site.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with Policy G7 of the adopted Rochdale Core Strategy, Policy JP-G8 of PfE and the National Planning Policy Framework.

9. In accordance with the conclusions and recommendations of the Bat Survey Report and Method Statement dated 23.09.2024, the development hereby approved shall not be occupied until such time as a scheme of biodiversity enhancements for the site to provide at least 6 House Sparrow Terrace Boxes and Swallow nest cups is submitted to and approved in writing by the Local Planning Authority. The duly approved scheme shall be implemented in full prior to first occupation of the dwellings and retained thereafter.

Reason: In the interests of enhancing biodiversity and habitat provision within the site in accordance with Policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

10. Prior to the commencement of any site clearance, a precautionary working measures method statement for amphibians shall be submitted to and agreed in writing by the LPA. The development shall be carried out in accordance with the approved statement.

Reason: In order to minimise potential risk to protected species and in accordance with Policy G7 of the adopted Rochdale Core Strategy, Policy JP-G8 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Reason for pre-commencement condition: Site clearance poses a potential threat to Great Crested Newts which are protected under the Wildlife and

Countryside Act 1981 and protective measures must therefore be agreed in advance.

11. The proposed development must be constructed in line with the requirements and recommendations of the approved Acoustic Survey and Assessment referenced 1592-1 and dated June 2018.

Upon completion of the development hereby approved, validation testing must be carried out to ensure the required noise levels have been achieved, the details of which shall be submitted to and approved in writing by the LPA prior to first occupation of the development.

Reason: To protect the amenity of future occupiers in accordance with Policy G9 of the Rochdale Core Strategy.

12. The site shall be drained via separate systems for the disposal of foul and surface water.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

13. The surface water infiltration drainage strategy, as outlined within the submitted strategy report by Topping Engineers (Project Number 16136 dated June 2016), including an infiltration trench along the eastern boundary of the driveway, shall be implemented prior to first occupation of the dwellings hereby approved.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent Order following the revocation and re-enactment thereof, the dwellings hereby approved shall not be altered or extended, and no buildings or structure shall be erected within their curtilage under Schedule 2, Part 1, Classes A, B, C, D, E and F of the above Order except with the prior written approval of the Local Planning Authority.

Reason: To prevent overdevelopment in the Green Belt.

15. All proposed roof lights shown on drawing no. 246/2 shall be of a 'conservation style' to sit flush with the roof surface and shall not protrude from the roof plane.

Reason: In order to ensure use of appropriate materials which are sympathetic to the character of the building and the surrounding area in the interests of visual amenity and to comply with the requirements of Core Strategy Policies P1, P2 and P3 and the National Planning Policy Framework.

BIODIVERSITY NET GAIN

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- a) A Biodiversity Gain Plan has been submitted to the planning authority,
and;
- b) The planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Rochdale Borough Council.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply.

- 4. (1) The biodiversity gain planning condition does not apply in relation to planning permission for development which meets the first and second conditions:
 - (2) The first condition is that the development does not impact an onsite priority habitat.
 - (3) The second condition is that the development impacts –
 - (a) less than 25 square metres of onsite habitat that has a biodiversity value great than zero; and
 - (b) less than 5 metres in length of onsite linear habitat.

Procedure Statement

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively to issue the decision without delay.

Informative

- 1. Whilst the building to be converted has been found to be very low risk for bats, the applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s).
- 2. It is an offence under the Wildlife & Countryside Act 1981, as amended to introduce, plant or cause to grow wild any plant listed in Schedule 9 part 2 of the Act. Species such as Japanese knotweed and Himalayan balsam are included within this schedule. If any such species will be disturbed as a result of this development a suitably experienced consultant should be employed to advise on how to avoid an offence.