

APPLICATION NUMBER: 24/01213/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.
24/01213/FUL

CASE OFFICER
Nick Brookman

DATE
20th August 2025

DETERMINATION DATE

26th August 2025

Address: Land to the rear of 159-171 Windermere Road, Middleton, M24 5NQ

Proposal: Erection of industrial unit for use class B2 including office space with associated access road, parking spaces and cycle/bin store

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

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

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

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

RECOMMENDATION	REFUSE
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CHECKED AND SIGNED OFF BY:

DATE:

SITE

The application is in the defined Urban Area as designed under the Proposals Map of the Unitary Development Plan and it is a vacant brownfield site that has been empty for many years and is now becoming overgrown.

The surrounding area is predominantly residential with residential dwellings to the north, north west and east on Windermere Road, to the south on Dunmail Drive and Crummock Drive. A terraced row of shops lie immediately to the north with two residential flats above. Middleton Select Boxing Club also lies to the east.

Access to the site is from either end of the terraced row of shops facilitated by an existing access road.

PROPOSAL

The proposed development comprises the erection of a single industrial unit for Use Class B2 including office space with associated access road, parking spaces and cycle/bin store.

The development would be accessed via a one way in, one way out access proposal via Windermere Road. The access point into the site would be via the eastern end of the terraced row of properties fronting the application site with the egress being via the western end.

The unit itself would measure 10.4m wide and 15m long with an eaves height of 5.8m and an dual pitched roof height of approximately 6.5m.

The elevations would be constructed of block with profile sheeting above.

The unit would be fitted out with a waiting area, reception area and toilet / kitchen facilities with a larger warehouse for the end user. The front elevation would incorporate a larger roller shutter door with a pedestrian access door and window. A pedestrian access door would also be inserted onto the rear elevation.

6 parking spaces would serve staff and visitors and a bin store and cycle store would be located immediately adjacent to the east facing elevation.

RELEVANT PLANNING POLICY

National Guidance

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

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-P1	Sustainable Places
JP-J1	Supporting Long-Term Economic Growth
JP-J4	Industry and Warehousing Development
JP-S4	Flood Risk and the Water Environment
JP-C8	Transport Requirements of New Development
JP-C7	Freight and Logistics
JP-S1	Sustainable Development

JP-G6	Urban Green Space
JP-G7	Trees and Woodland
JP-G8	A Net Enhancement of Biodiversity and Geodiversity

Adopted Rochdale Core Strategy (CS):

SD1	Delivering sustainable development
DM1	General development requirements
SO1	To deliver a more prosperous economy
E2	Increasing jobs and prosperity
E3	Focusing on economic growth corridors and areas
SO3	Improving design, image and quality of place
P3	Improving design of new development
SO4	Promoting a greener environment
G1	Tackling and adapting to climate change
G2	Energy and new development
G3	Renewable and low carbon energy developments
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
SO5	Improving accessibility and delivering sustainable transport
T2	Improving accessibility

Unitary Development Plan (UDP):

G/D/1	Defined Urban Area
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RELEVANT SITE HISTORY

Non relevant.

CONSULTATION RESPONSES

United Utilities

No objection subject to condition.

Environmental Health (Noise)

No comments received.

The Greater Manchester Ecology Unit (Trees)

No comments received.

The Greater Manchester Ecology Unit (Ecology and BNG)

No objection subject to further clarification on BNG.

Highways

Objection. Highways are unconvinced that the site can be safely used and requested the submission of a swept path analysis to demonstrate that a large rigid vehicle can access the site without the need for it to reverse either on or off the highway.

Highways have also commented that there is insufficient space for the proposed parking bays to be accessed and the parking proposals are not acceptable.

Refuse collection from this location will require refuse vehicles to reverse onto the highway.

Swept path analysis of all vehicles likely to access this site along with a parking layout showing easily accessed bays is essential before we can offer this application our support.

REPRESENTATIONS

Letters of notification were sent to neighbouring properties on the 7th July 2025 and a site notice was placed in the vicinity of the application site on the 8th July 2025.

Several comments were received which raised the following concerns:

- ❑ Development would be an eyesore for residents.
- ❑ Development would cause a significant noise disruption.
- ❑ Accessibility to the site would impact on those living and working in the area.
- ❑ The development would devalue property.
- ❑ The site would be better developed as a children's play area or recreational play area.

ANALYSIS

Principle of Development

The application site is located within the Defined Urban Area as designated under the Proposals Map of the Unitary Development Plan (UDP). New development, wherever possible and appropriate, should be concentrated within the urban area in order to support urban regeneration and to protect the countryside.

Policy E2 of the adopted Core Strategy also ensures that there will be a sufficient supply of suitable land, buildings and infrastructure to support the creation and retention of successful businesses. Policy JP-J2 of PfE states 'a diverse range of employment sites and accessible premises, both new and second-hand, will be made available across the Plan area in terms of location, scale, type and cost' whilst Policy JP-J4 states 'industrial and warehousing accommodation is essential to a wide range of businesses across many economic sector citing that at least 3,513,000sqm of new, accessible, industrial and warehousing floor space will be provided in the Plan area over the period 2022-2039'.

Paragraph 85 of the NPPF sets out that '*Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development*'.

Whilst taking the above policy support into account and understanding that the proposal comprises a new employment generating land use on a sustainable

brownfield site, in accordance with CS Policy E2, section 1 paragraph h, the Council will support new employment development outside of designated employment areas where it supports the strategy contained within Policy E2 and is not detrimental to amenity.

In this instance, the application site is poorly located and is not suitable for a modern industrial use in this location which is almost entirely residential. Residential flats already overlook the application site and residential dwellings bound the site to the south. The development is therefore sited directly in the centre of a highly residential area where noise levels would be experienced throughout the course of the day which would affect the quality of life and health of neighbouring residents in perpetuity. Core Strategy Policy G9 seeks to protect the amenity of residents but ensuring development does not have impacts that lead to unacceptable levels of noise and this development would impact on the amenity of residents. This development would create those unacceptable impacts and in principle, this location is not suitable for an industrial development that would create a new noise generating use that would be inappropriate in this residential location.

Accordingly, the proposed industrial use is not acceptable in principle and nor is it in accordance with the requirements of saved UDP Policy EC/2, Policies E2 or G9 of the Core Strategy.

Design

Policies DM1 and P3 of the Council's adopted Core Strategy require development proposals to adhere to high quality design and enhance the borough's identity and sense of place, by respecting context where it is positive and having regard to the scale, density, massing, height, layout, landscape, materials and access of surrounding buildings and areas in general.

The proposal involves the development of a single industrial unit on a brownfield site. However, having regard to the location of the proposed development in this setting, it is not considered that the development respects the context of the general area or landscape. The proposed materials are acceptable for a building of its intended use but the overall design is entirely not in keeping with the prevailing character of this residential area which is brick built.

The NPPF requires decisions to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. It also requires development to be visually attractive as a result of good architecture and layout, are sympathetic to local character and history, including the surrounding built environment, and create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

In addition, the development would also require the removal of 4 trees in the south east corner of the site which have been identified as being category C and 1 category U. Whilst these trees don't carry much amenity value, they do provide a sense of screening to the application site and the removal of them would open the application site up increasing sightlines of the proposed development from properties on Dunmail Drive and Crummock Drive in the south.



Paragraph 136 of the NPPF states that trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments, that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible. In this instance, the development is not supported by a landscaping scheme that mitigates for the trees lost.

As a whole, the proposed development is inappropriately sited, it does not respect the surrounding built environment and it would not promote the health and well-being of existing neighbouring residents through its inappropriate location. Accordingly, the proposed development fails to comply with CS Policies DM1 and P3 and the National Planning Policy Framework.

Impact on Surrounding Land Uses, Noise and Pollution

Paragraph 135 of the NPPF 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.

Paragraph 187 of the NPPF seeks to ensure that planning decisions contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability

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.

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. Additionally, Policy DM1 of the Core Strategy requires that proposals should not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.

The application is accompanied by an Acoustic Assessment which concludes that whilst the end user of the unit is unknown, the report establishes noise limits in accordance with BS 4142 to ensure the noise from any new use / noise source does not adversely affect the amenity of nearby sensitive receptors. The end user of the development is not confirmed, and the report does not take account of the possibilities of impulsive noises associated with general industrial noises such as hammering, sawing larger vehicle engine revving etc. which due to their sound profile, typically appear audible above the acoustic background which would be of particular nuisance when the gardens of adjacent dwellings are in use, or habitable room fenestration open. As such, restricting noise levels to those suggested by the Report by condition would not be appropriate as it would be highly impractical for any end occupier to comply with them.

Environmental Health were consulted on this application, but their comments remain outstanding.

Nevertheless, the site is located within a predominantly residential area with a large number of residential properties to the north and south of the site which would be adversely affected by the proposed development. Properties to the north on top of the retail precinct would immediately overlook the proposed development which would be less than 20m away. These properties would face the front elevation of the industrial unit which is likely to operate on a daily basis with the roller shutter door open therefore exacerbating noise levels. Properties to the south would also be approximately 20m away from the rear elevation.

The proposed development is introducing an unfamiliar and noise generating use into a well-established residential area which would put existing nearby residential occupiers at significant risk of unacceptable noise levels.

This is a noise sensitive site that the proposed development is not appropriate for this location and does not taking into account the likely effects of the development on the living conditions and amenity of existing residents. Accordingly, for the above reasons it is considered that the proposal would be contrary to the amenity requirements of CS policies DM1 and G9 and the NPPF.

Highways

Policy DM1 of the adopted Core Strategy sets out the general development requirements and establishes that proposals should not adversely impact on highway safety. Additionally, it requires all development to provide satisfactory vehicular access with adequate parking and manoeuvring arrangements provided.

Policy JP-C7 of the PfE, states that we will support development that makes appropriate provision for deliveries and servicing in terms of road safety, traffic congestion and environmental impacts, in accordance with Policy JP-C8.

Policy T2 of the Core Strategy requires developments to comply with the parking standards set out in Appendix 5 of the adopted Core strategy.

Highways were consulted on this application, and they have raised several objections.

1. Highways Officers are unconvinced that the site access can safely be used and they required the submission of a swept path analysis for a large rigid vehicle to prove the site can be accessed without the need for a vehicle to reverse either on or off the highway.
2. The application is proposed 6 parking bays onsite, but it would appear that there is insufficient space for the bays to be accessed and as such the parking proposals are not acceptable.
3. Refuse collection from this site would require refuse vehicles to reverse onto the highway.
4. Service vehicles for this and neighbouring properties would not be able to access the rear of the property.

The above concerns were presented to the applicant but they were not addressed.

Accordingly, the proposed development is unacceptable with regards to highway safety, parking and site manoeuvring, and it would therefore fail to comply with Policies DM1 and T2 of the Core Strategy, Policy JP-C7 of PfE and the NPPF.

Ecology

Core Strategy Policy G7 requires that sites and features of biodiversity and geodiversity importance are given full and appropriate recognition and protection and that opportunities for enhancing biodiversity and geodiversity will be supported. It is expected that development proposals will protect and include existing biodiversity and take opportunities to promote biodiversity and create new habitats using landscaping and building and construction features wherever possible. CS Policy G7 requires that no development should result in a net loss of biodiversity and geodiversity.

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

When determining planning applications paragraph 193 of the NPPF sets out that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Opportunities to improve biodiversity in and around developments should also be integrated as part of their design, especially where this can secure measureable.

As of 2nd April 2024, BNG of 10% for minor planning applications is mandatory for development in England under Schedule 7A of the Town and Country Planning Act 1990.

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 recognise that the site generally holds limited ecological value and they have no reason to doubt the findings of the submitted Preliminary Ecological Appraisal. They have recommended a condition concerning the provision of ecological enhancements such as providing for bee bricks/boxes, insect hotels and hedgehog next boxes.

The GMEU did however request for a couple of matters to be addressed with regards to the BNG metric and they set out that offsite compensation will be required as the site is currently achieving a net loss of 100%. In the event of an approval, it is considered that these matters could be addressed in advance of any such determination.

Trees

The NPPF recognises the important contribution of trees to the character and quality of urban environments, and their role in mitigating and adapting to climate change. Policy JP-G2 of the adopted PfE identifies trees and woodland as vital elements of the green infrastructure network and key features of urban green spaces, which Policy JP-G8 seek to protect and enhance through conserving and managing existing trees of heritage and/or aesthetic value. Policy G6 of the adopted Rochdale Core Strategy sets out provision for enhancing green infrastructure and requires regard to local landscape character and contribute to its conservation or enhancement. Developments should avoid the loss of existing urban greenspace or features e.g. trees unless suitable alternative provision is made, it has limited value and its development or change of use will help meet other sustainability or local regeneration objectives.

CS Policy G6 requires a replacement planting ratio of at least 2:1 and Policy G7 requires developments to protect existing biodiversity including trees and vegetation.

The application is accompanied by an Arboricultural Impact Assessment and Tree Survey, and the survey has identified a total of 4 individual trees on the site are required to be removed. The trees comprise of 3 category C trees and one category U tree.

With regards to new tree planting, the applicant has not proposed a mitigating planting scheme, but it is considered that in line with the comment above, in the event of an approval it is considered that these matters could be addressed in advance of any such determination.

Drainage and Flood Risk

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

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

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

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

United Utilities were also consulted on this application, and they raised no objection subject to condition.

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

Energy and Sustainability

Core Strategy Policy G1 sets out measures to address climate change and emissions, whilst Policy G2 requires that new development adhere to the energy hierarchy.

Policy JP-S1 of PfE requires development to aim to maximise its economic, social and environmental benefits simultaneously, minimise its adverse impacts, utilise sustainable construction techniques and actively seek opportunities to secure net gains across each of the different objectives.

Places for Everyone policy JP-S2 sets out expectations for developments to minimise carbon emissions, following the energy hierarchy, and incorporating renewable energy and EV charging. JP-S2 has replaced existing policies within the Rochdale Core Strategy which related to these considerations.

Greater Manchester's vision is to be at the forefront of action on climate change and to make its fair contributions to international commitments by becoming a carbon neutral city region by 2038. To meet this target, PfE endorses the following commitments:

- ❑ Be carbon neutral by 2038
- ❑ Hold cumulative carbon dioxide emissions to without the carbon budget
- ❑ Initiate a programme of mitigation to reduce emissions including by:
 - o Significantly upscaling solar photovoltaic energy;
 - o Reducing heat demand in homes;
 - o Moving away from carbon intensive gas as the primary source of heat;
 - o Reducing heating and cooling demand for public and commercial buildings;
 - o Increasing biofuel use;
 - o Enable sustainable choices for travel and decarbonise transport;
 - o Significantly upscaling building retrofit; and
 - o Increase the delivery of nature-based solutions and biodiversity net gain.

The application is not accompanied by an Energy and Sustainability Statement, but it is recognised that the Planning Statement submitted in support of the application suggests that solar panels would be fitted to the roof however no plans have been provided to that effect. Therefore, in line with current policy objectives and in the interest of encouraging a transition to a low carbon emission and energy network in accordance with CS Policies G1 and G2 and PfE Policy JP-S2, in the event of an

approval, a condition would have been imposed requiring the submission of a renewable scheme (including but not limited to) the provision of solar photo-voltaic panels and / or air source heat pumps including details of their siting and appearance.

Accordingly, in the event of an approval, subject to a condition, the proposal would be satisfactory in terms of the objectives of PfE policy JP-S2 and CS Policies G1 and G2.

Conclusion

The proposed development would bring a vacant site back into use, which at present is unsightly. The effective and efficient use of land, including the development of under-utilised land and buildings is supported by the Framework and while this weighs in favour of the application, in summation, the application site is poorly located and is not suitable for a modern industrial use in this location which is almost entirely residential.

Residential flats would overlook the application site and residential dwellings bound the site to the south. The development is therefore sited directly in the centre of a highly residential area where noise levels would be experienced throughout the course of the day which would affect the quality of life and health of neighbouring residents in perpetuity. Core Strategy Policy G9 seeks to protect the amenity of residents by ensuring development does not have or create impacts that lead to unacceptable levels of noise and this development would impact on the amenity of residents. This development would create unacceptable impacts and in principle, this location is not suitable for an industrial development that would create a new noise generating use that would be inappropriate in this residential location.

Accordingly, the economic benefit of the development neither outweighs the harm Officers have identified nor provides justification for development that conflicts with the development plan as a whole.

Accordingly, the proposed industrial use is not acceptable in principle and nor is it in accordance with the requirements of Policies DM1, P3, E2 or G9 of the Core Strategy or the relevant aforementioned Policies contained within PfE and the NPPF.

RECOMMENDATION

Refuse for the following reasons:

1. The proposed development by reason of its intended use and inappropriate siting would have an unacceptable impact on the living conditions of residents of neighbouring residential properties with regards to noise and disturbance. For the same reasons, the overall design of the proposed development is not in keeping with the prevailing character of this residential area and the development would also require the removal of several trees which have not been adequately mitigated for. Accordingly, the development does not respect the surrounding built environment and the proposal would therefore conflict with the NPPF, PfE Policy JP-P1 and Policies DM1, P3, E2 and G9 of the Rochdale Core Strategy which collectively seek to ensure the provision of high quality design and to protect the amenity of existing residential occupiers including the impacts of noise and to mitigate against any adverse impacts caused by noise on health and quality of life.
2. The proposed development has not demonstrated that it can be adequately accessed by larger rigid vehicles and nor has it been established that refuse vehicles can safely access and egress from the site. The proposed

development also fails to demonstrate how the 6 parking bays provided can be satisfactorily accessed. Accordingly, the proposed development is unacceptable with regards to highway safety, parking and site manoeuvring, and it would therefore fail to comply with Policies DM1 and T2 of the Core Strategy, Policy JP-C7 of PfE and the NPPF.

Procedure Statement

The proposal would not improve the economic, social and environmental conditions of the area, nor does it comply with the development plan and therefore does not comprise sustainable development. In this case it was not possible to approve the application.

Report Author Nick Brookman