

aDELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO	CASE OFFICER	DATE
PL/2026/0031	Nick Brookman	13 th April 2026

DETERMINATION DATE

20th April 2026

Address: Summit Cabin, Land to the north of 19 Salley Street, Littleborough, OL15 9NG

Proposal: Erection of a one bedroom detached dwelling together with associated parking and landscaping (Retrospective)

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?	Y
	Applicant a Council Member or officer?	N	Contrary to previous decision?	N
	Major with 10 or more objections and recommending approval?	N	Called in or Planning Panel objection?	N

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

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

RECOMMENDATION	REFUSE
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CHECKED AND SIGNED OFF BY: RG DATE: 20 April 2026

SITE

The application relates to the retrospective construction of a wooden clad cabin built to be used as a single detached dwelling and it is believed that it is known as 'Summit View Cabin'.

The application site is located within the Green Belt in the village of Summit which is approximately 2.25km north of Littleborough and 7.7km north of Rochdale town centre.

Located specifically on land behind the rear gardens of numbers 9-19 Salley Street, the site is raised above this terraced row of properties. Access to the site is via a single track on the north west side of Salley Street rising up toward the existing building which is to the north corner of the site. The site includes a large 'field' or grassed ground providing ancillary amenity space associated with the building. A large parking area sits in front of the building.

The site is bound by typical agricultural post and wire fencing and undeveloped hedging bounds the southern and eastern boundary of the site which is shared with the existing aforementioned residential properties on Salley Street. The north and west boundaries are largely open and free from vegetation and there are agricultural fields beyond these boundaries.

The Pennine Bridleway and Mary Town Loop lies immediately to the north.

PROPOSAL

The proposal seeks permission retrospectively for use of the existing building as a single detached dwelling.

The cabin has a floor area of approximately 60sqm which includes the store area on the north elevation. The building measures approximately 2.4m to the roof ridge which is pitched, and the highest point of the building is the flue associated with the log burner/stove which is 2.8m high.

All external walls are faced with timber weatherboarding with a brown preservative stain finish and the roof is made up of mineralised felt. A small outdoor deck area fronts the building and the main entrance door into the cabin is on the south elevation leading into the 'canopy' and hot tub area. The cabin comprises of a lounge/kitchen area, one bedroom and a shower/toilet room and external store.

A large parking area lies adjacent to the cabin which is accessed via the stone track.

RELEVANT PLANNING POLICY

National Guidance

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

Sub-Regional

Places for Everyone Joint Development Plan (PfE).

The following policies are relevant:

Sustainable and Resilient Places

JP-S1 Sustainable Development
JP-S2 Carbon and Energy
JP-S4 Flood Risk and the Water Environment
JP-S6 Resource Efficiency

Places for Homes

JP-H1 Scale, Distribution and Phasing of New Housing Development
JP-H2 Affordability of New Housing
JP-H3 Type, Size and Design of New Housing
JP-H4 Density of New Housing

Greener Places

JP-G1 Landscape Character
JP-G5 Uplands
JP-G7 Trees and Woodland
JP-G8 A Net Enhancement of Biodiversity and Geodiversity
JP-G9 The Green Belt

Places for People

JP-P1 Sustainable Places
JP-P2 Heritage

Connected Places

JP-C1 An Integrated Network
JP-C2 Digital Connectivity
JP-C6 Walking and Cycling
JP-C8 Transport Requirements of New Development

Adopted Rochdale Core Strategy (CS):

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
DM1 General Development Requirements

Unitary Development Plan (UDP):

G/D/2 – Green Belt

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

Supplementary Planning Documents (SPD):

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

RELEVANT SITE HISTORY

24/00692/FUL - Erection of a detached building for use as holiday let accommodation, the installation of an underground septic tank and associated landscaping works – Refused 29th November 2024.

Planning Appeal – APP/P4225/W/24/3356528 – Dismissed 4th September 2025.

CONSULTATION RESPONSES

Highways and Engineering

No objection.

Environmental Health

No comments received.

Greater Manchester Ecology Unit

No objection.

United Utilities

No comments to make.

Lead Local Flood Authority

No comments received.

Conservation Officer

No objection.

REPRESENTATIONS

In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the application has been advertised by neighbour notification letters (issued on 24th February 2026) and site notice (posted adjacent to the application site on 2nd March 2026).

1 objection was received which raised the following comments:

- The application is not materially different from its predecessors.
- Concerns regarding urban sprawl.
- Concerns regarding lack of utilities.

- Concerns regarding amenity.

Another objection was received which was a collective objection from a number of neighbouring properties which raised the following comments:

- The development is inappropriate in the Green Belt
- The development is having an ongoing impact and causing disruption to neighbouring residents.
- The applicant has continued to use the cabin since application 24/00692/FUL was refused.
- The development is disruptive and invasive particularly to the occupants of No's 15-19 whose bedrooms are closest to the site.
- The applicant continues to disturb neighbours by way of noise, smoke and light pollution.

ANALYSIS

Principle of Development

Policy Position

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.

The entire application site is located within the Green Belt as allocated by the Places for Everyone Joint Development Plan (2024). PfE Policy JP-G9 which has superseded Core Strategy 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'*.

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 requires that *'When considering any planning application, local planning authorities 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 application is for the retrospective construction of a 1 bedroom detached dwelling. Paragraph 154 states that development in the Green Belt is inappropriate unless it meets one of the listed exceptions.

Paragraph 155 of the NPPF also confirms that *'The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:*

- a. *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;*

- b. There is a demonstrable unmet need for the type of development proposed;*
- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and*
- d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157*

It is noted however that paragraph 156 of the NPPF refers to major development and this is not relevant to this application.

In this instance the applicant and their agent are proposing that the development subject to this application is not inappropriate development as the application site is grey belt land. The agent has therefore not put forward any very special circumstances as they do not consider the proposal is inappropriate development.

Nevertheless, a full assessment is carried out below and irrespective of the applicants and agents view, the LPA are aware that the NPPF is explicit in that development should not be approved except in very special circumstances.

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 harms, or a number of seemingly ordinary benefits which, when considered in isolation might not be individually particularly noteworthy, but collectively, clearly outweigh the harms, to 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.

Whether the proposal would be inappropriate development

This application is for the erection of a new dwelling and Paragraph 153 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt. Paragraph 154 of the Framework explains that other than in connection with a closed list of exceptions, the construction of new buildings should be regarded as inappropriate in the Green Belt. The proposed development would not fulfil any of the exception criteria contained with Framework Paragraph 154.

The criteria subject to Paragraph 155 of the NPPF as referred to above are assessed in part below. Firstly;

155a. 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:

Annex 2 to the Framework defines grey belt as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143 of the Framework.

Impact on the five purposes

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

The site comprises an open area of land which sits in an existing ribbon of development through existing residential dwellings and associated paraphernalia. Although contained by urbanising development to the east and south, the application site remains open to the north and west. The site has a sense of openness about it and the siting of the building has altered the visual and spatial aspects of openness in this location.

The development applied for however 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. It is however evident that the development has expanded a built-up area toward the north west of the existing terraced dwellings and the application is for development outside of the existing defined urban area.

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 characterised by its rural environment comprising elements of traditional terraced cottages/dwellings to the south and east with rural farmsteads to the north. Despite the urbanising features adjacent to the site, the site undoubtedly has a strong distinction with the surrounding countryside. The development would therefore result in encroachment into the countryside and would have a moderate impact on 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 proposal does not assist in urban regeneration by encouraging the recycling of derelict and other urban land.

Summary

The development does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143, and so would not conflict with this criterion.

155.b. There is a demonstrable unmet need for the type of development proposed

Having regard to footnote 56 of the NPPF which sets out the circumstances where it can be considered that there is a demonstrable unmet need for the type of development proposed in respect of housing, the Council is able to demonstrate a 5-year supply of deliverable housing sites (as set out within the recent adopted Places for Everyone Joint Development Plan) and within the Housing Delivery Tests which are above 75% of the housing requirement over the previous three years, with Rochdale measuring 169% delivery versus the requirement in 2021, 142% in 2022 and 138% in 2023. As such and on available evidence, it is clear that the proposals would not be serving a demonstrable unmet need, and the proposal is therefore inappropriate development within the Green Belt.

155.c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework

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.

The site is in a weak location in terms of accessing sustainable modes of transport and residents of Salley Street, which is an adopted highway, are likely to be heavily reliant upon the private car. A public right of way, opposite Salley Street, does lead down the hill directly to Todmorden Road where users can catch the hourly 590 bus to Halifax/Todmorden North bound and Rochdale Interchange south bound, however this route is on a steep gradient with inconsistent surfacing and connecting to Temple Lane in an area without footpaths. The regular use of this path for sustainable travel by residents is therefore unlikely.

The 455 bus can be accessed via Calderbrook Road which is approximately a 10 minute walk from the application site and this provides access to Rochdale and Littleborough. However, along part of the route there are no footways along the proposed journey and street lighting is also limited in parts making it an unattractive prospect for pedestrians, particularly after dark. As a consequence, it is inevitable that the future occupants would be almost entirely reliant on the private motor vehicle to overcome the unattractive routes to public transport.

Whilst the application site is not isolated, there are no local or smaller convenience shops or services within a sustainable distance away from the application site.

Taking these factors together, Officers consider that it is more likely than not that future occupiers of the development would be heavily reliant on the private car. The proposed development would therefore not represent a location which is sustainable which is contrary to the National Planning Policy Framework and the development would not be located where the need to travel by car would be limited.

155.d Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below

The proposal for a single dwelling on this site would not amount to major development in terms of the definition in Annex 2 to the Framework. Accordingly, the proposed development does not have to meet the "Golden Rules" of Paragraph 155(d).

For the reasons set out above, it is concluded that the proposal would be inappropriate development in the Green Belt, failing to meet the exception criteria under both paragraphs 154 and 155 of the Framework. Accordingly, any harm to the Green Belt, including harm to its openness, must be considered further and whether the necessary very special circumstances exist. In accordance with paragraph 153 very special circumstances will only exist where the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other planning considerations.

Harm to the Green Belt

Harm by Definition

As stated above, the proposal is inappropriate development in the Green Belt. Paragraph 153 states that when considering any planning application, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. Having established that there is definitional harm, it is necessary to consider other

forms of harm to the Green Belt. The next sub sections will therefore consider the impact of the proposal on the openness of the Green Belt and the impact on the purposes of including land in the Green Belt.

Applicant's claim that the building is Lawful through passage of time

The applicant provided a revised Planning Statement on Friday 27th March 2026 with an added section setting out that the building was substantially completed before 25th April 2024 and it was completed over 4 years ago.

Therefore, the applicant is stating that the existing building is lawful through passage of time and is therefore immune from enforcement action by virtue of Section 171b of the Town and Country Planning Act 1990.

However, no substantive evidence has been put forward to substantiate the lawfulness of the building.

The Council has utilised the tools publicly available and in this instance Google Earth Satellite Imagery dated 9th June 2023 quite clear demonstrates the existing building, as shown in the photographs below, has not been in situ for more than 4 years.

Planning Appeal APP/P4225/W/24/3356528

Under appeal 3356528 relating to the previous application concerning the erection of a detached building for use as holiday let accommodation, the installation of an underground septic tank and associated landscaping works, the Inspector commented that:

13. The proposal introduces a building in an area which according to the appellant was previously occupied by agricultural buildings. However, there is no substantive evidence of the size or extent of the previous buildings. In any event, the holiday let is larger, which along with the access track has reduced the openness of the area due to the increase in build development and the reduction in the sense of spaciousness. Consequently, albeit to a limited degree, the proposal would harm the openness of the Green Belt in both visual and spatial terms.

14. I therefore conclude that the development would lead to a loss of Green Belt openness and would impact on the Green Belt purpose of safeguarding the countryside from encroachment, contrary to the Framework.

The Planning Inspectorate have therefore already concluded that the existing building harms the openness of the Green Belt.

Impact on Openness (View of the LPA)

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. This approach is supported by PfE and by virtue of encroaching into the undeveloped countryside in this location, the built form of Summit View cabin and its use as a dwelling conflicts with the purposes of including land within it.

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 was concluded by Planning Officers under the determination of planning application 24/00692/FUL, the design of the building is such that it is 'built in' to the landscape as shown by the photographs below and the development blends in with the rising topography to the rear. The mono-pitch roof profile and timber weatherboarding also assist in assimilating the building into the rural landscape.

As shown by the photograph below, the existing building is clearly visible from the adjacent public footpath (The Pennine Bridleway) where the views into the application site are entirely uninterrupted. The site is also visible from the west and north and from the rear of the adjacent terraced dwellings on Salley Street in the east and when stood on Salley Street by the entrance gates to Summit View Cabin.



The visual aspect of the existing building demonstrated by the photograph above and it is considered that the development would negatively impact visual openness both within the site and from its surroundings.

In assessing the spatial aspect of the development, as shown on the above and below imagery provided from Google Earth (site edged in red (approximately)), the application site is not isolated from the surrounding built environment to the north east and to the south.

The application site effectively sits in a ribbon of existing development which is physically separated from the wider open countryside to the north west from Higher Calderbrook Road and the Pennine Bridleway as shown from an aerial view below. The impact on spatial openness would be more severe if the development was positioned on the northern side of the Pennine Bridleway in what appears to be currently undisturbed countryside and that would be considered an even more harmful encroachment into the countryside.



However, in assessing the spatial harm caused by the 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 spatial openness of the Green Belt is clear around the building and the development now introduces a new building into an open area of land which previously was only home to a smaller chicken shed and a building use for storage by the previous landowner as confirmed by the applicant. There is now, a greater impact on the openness by the simple merit of the quantum of development that exists compared to that which previously existed.

Therefore, there is a reduction in the spatial openness of the application site, and this is harmful to the Green Belt.

Overall, the development would 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.

Openness Conclusion

The development is inappropriate development within the Green Belt and therefore, is harmful by definition. The proposal would conflict with one of the five purposes that Green Belts serve through representing encroachment into the countryside.

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. Officers have therefore considered the proposal having regard to its individual merits, including its location, scale and form and the site context and the development would not preserve the openness of the Green Belt as discussed above.

Consequently, the development negatively impacts upon both spatial and visual openness. In conclusion, the conflict with purposes, taken together with the impact upon openness and definitional harm by reason of inappropriateness, culminate that very substantial weight should be attached to the harm to the Green Belt as a result of the proposal.

Applicant's claim that the building is Lawful through passage of time

The applicant provided a revised Planning Statement on Friday 27th March 2026 with an added section setting out that the building was substantially completed before 25th April 2024 and it was completed over 4 years ago.

Therefore, the applicant is stating that the existing building is lawful through passage of time and is therefore immune from enforcement action by virtue of Section 171b of the Town and Country Planning Act 1990.

However, no substantive evidence has been put forward by the applicant to validate the lawfulness of the building.

The Council has utilised the tools publicly available to it and in this instance Google Earth Satellite Imagery dated 9th June 2023 quite clearly demonstrates that the existing building as shown in the photographs above is different to the size, shape and appearance of the building shown on Google Earth in June 2023 (the green building in the extract below located in the centre of the photograph to the left of the large mature tree). The green building resembles the appearances of a mobile home / static caravan and the existing building has therefore not been in situ for more than 4 years.



The development is unacceptable in principle.

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.

Heritage

The application site is adjacent to a row of terraced weavers cottages on Salley Street. The cottages are depicted on the first edition OS map dating from 1851 and are identified as non-designated heritage assets.

Paragraph 200 of the NPPF states that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment, and where necessary a field evaluation.

NPPF paragraph 201 states that 'local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and the necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage assets conservation and any aspect of the proposal.'

Paragraph 203a) of the NPPF states that in 'determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets', whilst paragraph 206 maintains that 'any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 209 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the

application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

A Heritage Assessment was submitted to accompany this application, and this considers that by *'the buildings distance from the terrace and the retention of intervening open areas, the building would have a neutral impact upon its setting. Equally the access to the Cabin, which uses a long established access point, is sufficiently removed from the terrace so as not to impact adversely upon its setting. The key views of the terrace are from Calderbrook Road. The retention of the Cabin would not adversely affect these'*.

In considering the harm to the non-designated heritage assets, consideration needs to be given to the impact of the built form and development on the key views of the existing cottages as shown below from the Pennine Bridleway.



It is the Council's view that the building is sited away from the cottages to the rear of the application site which reduces its prominence in the setting of the cottages. However, when the application site is viewed from the Pennine Bridleway which is set on higher ground to the west providing a key view across the application site, the existing building is viewed in the setting of these cottages. National policy is clear that achieving good design is a fundamental aspect of the planning system, this is embedded within the NPPF and National Design Code but the design of the application building does not use materials which are reflective of the local vernacular. Pertinent to this is PfE policy JP-P2 Heritage which requires that *'we proactively manage and work with partners to positively conserve, sustain and enhance our historic environment and heritage assets and their settings'* and that *'development proposals affecting designated and non-designated heritage assets and/or their settings will be considered having regard to national planning policy.'* In addition, proposals should be informed, as necessary, by

the findings and recommendations of the appropriate heritage assessment(s) in the development plan evidence base and/or any updated heritage assessment submitted as part of the planning application process.

It is acknowledged that there is existing landscaping, and soft landscaping is proposed. In time, subject to the successful maintenance and management of onsite landscaping, this could assist in softening the appearance of the building in this setting when assessed against the non-designated heritage assets. The impact could therefore be mitigated through conditions taking the existing and proposed landscaping into account in this assessment. Nevertheless, limited weight is attributed against the impact of the development on the adjacent non-designated heritage assets in this regard owing to its design and appearance which is not reflective of the local vernacular.

The LPA do note however that in the determination of Planning Appeal 3356528, the Inspector Considered that *“the terraced buildings at Salley Street have been identified as non-designated heritage assets and their significance derives from the historic use as weaver cottages. The cabin lies some distance from the terrace and is set back from the road. If viewed from the Pennine Bridleway, which is higher than and to the rear of the cabin, the rear of the terraces are visible. However, the landscaping around the site will mature and allow the cabin to be less prominent in the views. I therefore consider that the cabin has a neutral impact of the setting of the non-designated heritage assets”*.

CONCLUSION ON OTHER HARM

In summary, the development would have an identified neutral impact on the adjacent non-designated heritage assets. Whilst careful consideration has been given to the impacts of the proposal, including the proposed landscaping mitigation which will assist in blending the development into the landscape over time, the landscape in this location when viewed from the Pennine Bridleway is open and there will remain a longstanding neutral impact against the non-designated heritage assets as a result of the proposal and harm which should attract limited 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.

Design / Visual Amenity / Character of the countryside

PfE Policy JP-G1 (Landscape Character) requires development to reflect and respond to special qualities and sensitivities of the key landscape characteristics of its location having regard to various features. This application is located with open moorlands and enclosed upland fringes as defined by Figure 8.1 of PfE.

Paragraph 131 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places 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. Policy P2 states that the Council will protect and enhance the Borough's character, including the quality of its countryside. New development is required to integrate successfully.

PfE Policy JP-G1 (Landscape Character) requires development to reflect and respond to special qualities and sensitivities of the key landscape characteristics of its location having regard to various features. Policy JP-H3 of PfE also requires development 'to incorporate a range of dwelling types and sizes' and a key aim of the Plan is to boost the supply of well designed, adaptable new homes with appropriate access to private space'.

The NPPF is clear that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. However, paragraph 139 does also make clear that significant weight should be given to:

- a. development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b. outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

As previously discussed, the prevailing character and material in this location is stone. The site when assessed as a whole is minimalistic and has a simple materials palette and the building has the appearance of a typical stable building through the use of timber weatherboarding.

Having due regard to Policy JP-P1 of the PfE Joint Development Plan, policies DM1 and P1, P2 and P3 of the Rochdale Core Strategy and policies contained within the NPPF, it is considered that the design of the development has a limited harmful impact on the site and its surroundings.

Drainage

Policy G8 of the Core Strategy sets out the Council's strategy for managing water resources and flood risk more effectively in the interests of public safety, protecting property and infrastructure and the conservation of the natural environment. Policy EM/7 of the saved UDP states that development will not be permitted in areas identified as flood plains, or other areas where development could contribute to increased flood risk. The NPPF also establishes that inappropriate development in areas at risk at flooding should be avoided and that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere.

The application 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 however within a Critical Drainage Area, but the proposed development would not increase or re-direct surface water elsewhere.

In this instance, a self-contained septic tank has been installed into the ground and this application seeks the retrospective planning consent for this installation. The septic tank is underground and therefore not publicly visible. The foul water from the development would be disposed of by way of connection to this septic tank.

In the event of an approval and having regard to the nature and scale of the development, Planning Officers can see no reason why the submission, approval and

implementation of an appropriate means of disposing of sewage could not be secured by means of a suitably worded planning condition.

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 180 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. 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.

During the assessment of application 24/00692/FUL, Environmental Health requested the submission of a Noise Management Plan. A Noise Management Plan was submitted which considered how the development would reduce noise impact on neighbouring residential properties. This Noise Management Plan has not been submitted with this application but in the event of an approval, matters proposed within the previously submitted Noise Management Plan could be conditioned to be carried out in perpetuity for the lifetime of the development.

Residential and Neighbouring Amenity

With regard to separation distances from neighbours, the building is in close proximity to neighbouring terraced dwellings on Salley Street to the rear but in relation to the positioning of windows and the proposed outlook the occupiers of the building and would have on existing neighbouring dwellings, it is not considered that there would be any sense of a permanent impact on residential amenity by way of overlooking.

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.



Whilst there would not be a recognised impact on residential amenity from the existing building facilitating overlooking for example, it is considered that if you were stood on the shared boundary on the south east of the application site, this would impact upon privacy and would enable direct views from the application site into the rear properties and their gardens on Salley Street.

Officers are therefore concerned that there is the potential for a recognised impact on overlooking. This concern is demonstrated by the above photograph where it is evident on site that the applicant has already implemented a landscape buffer around the south east boundary of the site. However, whilst given the time of year and being out of season, this landscaping scheme looks to have potentially failed. Users of the building and wider application site would have to be physically stood on or near to the boundary for there to be a significant impact on privacy.

In addition to the existing landscaping on site, the application is supported by a landscaping plan that proposes the planting of 14 Silver Birch trees which would assist in providing natural screening and a management and retention condition could be

applied below to secure this for a number of years to ensure the soft landscaping bounding the site in this location is maintained and afforded the opportunity to develop maturely.

It is also recognised that some of the existing properties on Salley Street to the south already benefit from sheds and outdoor paraphernalia which already provide screening from the application site which is evidenced above.

In the event of an approval, the implementation of the proposed landscaping scheme along with appropriate management and maintenance would help soften any impact on residential amenity. The development would therefore subject to condition meet Core Strategy Policy G9 and as a whole, neutral weight would be attributed against the development in this regard.

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/government/publications/nationally-described-space-standards)

On assessment of the proposed floor plans, the building does meet NDSS with regards to the overall floor space provided. However, the bedroom is shown as being a double bed therefore suggesting the development will serve 2 persons. In this instance, in order to provide 2 bed spaces, a double or twin bedroom must have a floor area of at least 11.5 sqm. By Officers calculations, the bedroom measures approximately 10 sqm and therefore the development fails to comply with the NDSS as a whole.

In addition to NDSS, occupier amenity can also be measured by the availability of natural light and outlook, as well as outdoor amenity space.

Currently, the only external window openings present provide natural light to the bathroom (assumed for ventilation purposes) and the 'canopy area' which currently houses a hot tub. Internal window openings are providing from the 'canopy' room serving the lounge kitchen and bedroom but the level of natural light reaching these rooms is very, very limiting.

In the case of this application, the provision of main habitable accommodation (bedroom and lounge/kitchen) without an outlook is not acceptable to the LPA as it would not provide an acceptable standard of residential amenity for the future occupiers of the dwelling. There is evidently a significant lack of window openings providing adequate daylight entering the building overall.

Whilst there is provision of artificial light provided by interior electricity, the current provision of daylight/sunlight and level of outlook is significantly harmful to future occupiers.



With regards to external amenity space, the application proposal has been amended to exclude the majority of the application site from the residential curtilage of the building in order to avoid potential statutory BNG issues were the full site to become a residential garden curtilage. This would however imply that the dwelling would benefit from no external amenity space beyond the driveway and parking area. This would not be not provide an appropriate level of occupier amenity for nay future residents.

For these reasons the development would be contrary to Policy DM1 of the Rochdale Core Strategy and Paragraph 135 of the NPPF which requires developments to create places with a high standard of amenity for existing and future users.

Highways

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 with regard to CS Policies T1 and T2, Policy JP-C8 of PfE and the NPPF. Therefore, limited weight is attributed against the development in this regard, however it has been noted previously that the site is not in a sustainably location.

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 192b) 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 measurable net gain.

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 however, the building is exempt from statutory BNG given the nature of the application being retrospective.

Nevertheless, in commenting on this application the GMEU have advised that whilst the statutory BNG condition cannot be applied here, the application should still be requiring 10% net gain via a standard condition whilst applying the same rules in the statutory metric.

The application is accompanied by a Biodiversity Net Gain Assessment and Metric which concludes that with the creation of modified grassland and planting of trees on site, there will be an 11.45% gain in habitat units. However, there was concern that whilst the previous proposal at this site was for a holiday cabin and therefore the proposed tree planting in the field that surrounded the cabin were accepted, the new application retrospectively proposes a dwelling with use of the surrounding land as a curtilage garden, which would be classed in the metric as a vegetated garden. Tree planting in gardens cannot be counted as separate from the garden itself in the metric. Consequently, clarification was sought from the agent on the land use of the land around the cabin. If this is domestic garden then the trees cannot be included in the metric resulting in a failure to achieve 10% net gain on site.

In this regard, the agent has provided a new updated drawing identifying the curtilage of the existing building and the field adjacent to the building as now being separate from one another. Any tree planting would be required to be secured by a 30year habitat management and monitoring plan and this would be conditioned in the event of an approval.

In addition to the proposed soft landscaping scheme, the applicant has proposed to attach a sparrow box to the existing building to provide further biodiversity enhancements.

Accordingly, in the event of an approval, the scheme is considered to be acceptable in accordance with Core Strategy Policy G6 and G7, PfE Policy JP-G8 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:
 - Significantly upscaling solar photovoltaic energy;
 - Reducing heat demand in homes;
 - Moving away from carbon intensive gas as the primary source of heat;
 - Reducing heating and cooling demand for public and commercial buildings;
 - Increasing biofuel use;
 - Enable sustainable choices for travel and decarbonise transport;
 - Significantly upscaling building retrofit; and
 - Increase the delivery of nature-based solutions and biodiversity net gain.

In accordance with Point 5 (d) of PfE Policy JP-S2 there is an expectation that new residential development will, unless it can be demonstrated that it is not practicable or financially viable, achieve energy demand reductions in terms of space heat demand, hot water energy demand and the delivery of on-site energy generation in accordance with table 5.1.

In this instance, the application is not accompanied by an Energy and Sustainability Statement and for that reason, 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 be imposed requiring the submission of a renewable energy 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.

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.

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

THE APPLICANT'S CASE

In the case of this application, the applicant has not set out any very special circumstances.

THE COUNCIL'S ASSESMENT

Biodiversity Net Gain

The NPPF sets out in paragraphs 7 and 8 that the purpose of the planning system is to contribute to the achievement of sustainable development, with an environmental objective element being one of three key elements of sustainable development.

The development would deliver environmental benefits by way of improving the biodiversity on site. The submitted Biodiversity Net Gain Assessment at section 4.2 confirms that 14 broadleaved native trees will be planted on site which accumulatively results in an 11.45% gain in Habitat Units which is an increase beyond the statutory requirement of 10%.

Overall the development would suitably enhance biodiversity on site, exceeding beyond mandatory BNG requirements (albeit very marginally). However, in the broader area this would ultimately be a modest provision of biodiversity enhancement which would not make any significant contribution to wider strategic aims and this is therefore afforded very limited weight in the overall planning balance.

Supporting the Council's Housing Targets

It is recognised that the development proposed would bring an additional site forward for residential use. However, the council has an up-to-date housing supply and the provision of only one additional dwelling, in an unsustainable location, and which fails to provide sufficient occupier amenity, is therefore afforded very limited weight 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. Paragraphs 2 and 231 of the National Planning Policy Framework (NPPF) state that the policies contained therein are material considerations which should be taken into account in dealing with applications. 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.

NPPF Paragraph 153 states 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

Furthermore, the development would conflict with one of the five purposes that Green Belts serve through representing encroachment into the countryside. The development would negatively impact both spatially and visually upon openness. In conclusion, the conflict with purposes, taken together with the impact upon openness and definitional harm by reason of inappropriateness, culminate that very substantial weight should be attached to the harm to the Green Belt as a result of the proposal.

In summary, alongside the very substantial weight that should be attached to the harm to the Green Belt resulting from the development, other matters of harm comprising the character and appearance of the development and the poor residential environment created attract significant weight as a whole.

Whilst substantial weight is to be given to any harm to the Green Belt, this matter is set against the overall marginal beneficial contribution of the developments support to the Council's housing targets with some environmental and biodiversity improvements.

However, these benefits, taken collectively, do not 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 reasons.

1. 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 and the purposes of including land within it through encroachment. 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 policies PfE Policy JP-G9 (The Green Belt) and the National Planning Policy Framework.
2. The proposed development fails to meet the Nationally Described Space Standards with regard to the proposed bedroom size and the development therefore does not succeed in providing an acceptable level of occupier amenity contrary to PfE Policy JP-H3.
3. The proposed development would contribute to poor quality residential accommodation due to a lack of natural light and quality of outlook from habitable rooms, and an absence of any external amenity space. The proposal would therefore be in conflict with Policies DM1, and P3 of the Rochdale Core Strategy and Policies JP-S1 of the Places for Everyone Joint Development Plan and Chapter 12 of the Framework in this respect, in particular paragraphs 135 and 139.

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 relates to the following plans:

- Amended location Plan Drawing DC.020426.A
- Proposed Site Plan and Elevations Drawing No SSL-19-12-25
- Amended Planning Statement DC.140326.A April 2026
- Heritage Assessment December 2025
- BNG Assessment August 2024 Rev A
- BNG Metric 30 August 2024
- Location of Biodisc DC/21124/A.
- Landscaping, boundary treatment, and biodiversity enhancement plan DC-151225-B