

Officer Report

Case Reference: PL/2026/0352
Location: Land adj 8, Top Schwabe Street, Rhodes, Middleton, M24 4TQ
Proposal: Outline application (including access) for 1no' detached 4-bedroom dwelling
Recommendation: Approve with Conditions
Officer: Luke Rigby

SITE

The application site relates to a parcel of land sited between Nos. 6 and 8 Top Schwabe Street in a predominantly residential area of Middleton. It appears that the site forms part of the residential curtilage of No. 6, however is separated by a low rising brick wall.

The application site is characterised by a notable change in levels, being highest at the northern (rear) end and gradually falling towards the south. It appears that the trees which once lined the rear of the application site have been felled.

Access to the site is taken from Top Schwabe Street, which is an unadopted road between Schwabe Street and the adjacent Brayston Fold which are both adopted and maintained at public expense.

PROPOSAL

The application seeks Outline Permission (all matters reserved except for access) for the construction of 1No. detached residential dwelling.

RELEVANT PLANNING HISTORY

23/00618/OUT – Outline application (including details of access, appearance, layout and scale) for the erection of one dwelling. Withdrawn

RELEVANT PLANNING POLICIES

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Sub-Regional Guidance

Places for Everyone Joint Development Plan (PfE)

JP-S1	Sustainable Development
JP-S4	Flood Risk and the Water Environment
JP-H1	Scale, Distribution and Phasing of New Housing Development
JP-H3	Type, Size and Design and New Housing
JP-H4	Density of New Housing
JP-P1	Sustainable Places
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development

Local Guidance

Saved Rochdale Unitary Development Plan (UDP) 2006:

G/D/1	Defined Urban Area
-------	--------------------

Adopted Rochdale Core Strategy (CS) 2016:

C1	Delivering the right amount of housing in the right places
C3	Delivering the right type of housing
P3	Improving Design of New Development
DM1	General Development Requirements
T2	Improving Accessibility
G1	Tackling and adapting to climate change
G2	Energy and new development
G7	Increasing the value of biodiversity and geodiversity
G8	Managing water resources and flood risk
G9	Reducing the impact of pollution, contamination and land instability

Appendix 5 Schedule of Parking Standard

Supplementary Planning Documents (SPD):

PUBLICITY

Site Notice: Posted 16.07.2026

Press Notice: N/A

Neighbour notification letters: In accordance with the Council's adopted Statement of Community Involvement, notification letters were sent to immediate neighbours.

SUMMARY OF THIRD-PARTY REPRESENTATIONS

None received.

SUMMARY OF CONSULTATION RESPONSES

Highways Department

"This is a single unit adjacent to existing residential units a little under 400m from Manchester Old Road which has excellent bus links into Manchester, Middleton, Oldham and Rochdale. This single unit is unlikely to generate any significant volume of traffic. The site is accessed along an unadopted area of road along with 5 other units. Typically we will not consider this number of units from an unadopted highway however given the close proximity of the adopted extent we will accept this proposal on this occasion. Ample parking is provided on site for a dwelling of this size at this location. No changes to any highway are proposed. We do have some concerns regarding the lack of suitable footways on the unadopted highway but do to the geometry of the junction we would expect very low speeds at this location. As the road is unadopted we would not refuse vehicles are not obliged to enter this area, we do however accept the existing situation and expect operation to continue as existing. We have no concerns regarding emergency access as this location. We have no sustainable objection to this proposal."

LLFA

"1. No detailed drainage information has been provided. The site layout indicates a single pipe connection to an existing main but it is unclear if this is foul, surface water or combined. Outline planning proposals should include an outline drainage strategy and plans.

2. The aim should be to discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable: The ordered drainage techniques to be assessed with the aim to reduce or omit lower techniques:

- *Control at Source (Infiltration / Recycling)*
- *On Site Treatment (Basins, Swales, Rain gardens, Tree pits)*
- *Local Treatment (Adoptable Ponds, Basins, Swales etc)*
- *Regional Treatment (ditto usually to a larger scale)*

- Discharge to Watercourses / Bodies

- Discharge to SW Sewers

- Discharge to Combined Sewers

3. Infiltration potential should always be considered, with support from site-specific ground investigations and infiltration testing in accordance with BRE365. Garden soakaways and permeable paving could be accommodated. For a plot of this scale, SuDS source controls can also be incorporated including hydroplanters at rwp downpipes. The garden area also allows the possibility for landscaped ponds and basins.

4. UU records indicate there is a watercourse along the northern site boundary and a public surface water sewer in the highway.

5. The applicant's design feasibility should be based on a 1-in-100-year storm event with a 45% allowance for climate change. This climate allowance is appropriate for the 'Irwell Management' Catchment area for 'Highly' vulnerability class.

Drainage & Flood Officer Summary:

I. Insufficient drainage information has been provided.

II. An outline application should incorporate an outline drainage strategy which sufficiently considers each drainage technique of the hierarchy.

III. The above points should be addressed before the application can be approved. "

Greater Manchester Ecology Unit (GMEU)

"I would have asked for a ground level tree assessment, for the trees to be felled, but it looks like they've already been felled. The applicant may have committed a crime in doing this, but we have no way of knowing if the trees were being used for roosting bats or nesting birds.

The only outstanding issue will be the statutory biodiversity net requirements.

I have looked at the historic aerial photography for the site. The rear of the site had a number of large mature trees until sometime after May 2022 when they were all felled.

Within Schedule 14 of the Environment Act, which sets out the biodiversity gain condition for development, measures are included that allow planning authorities to recognise any habitat degradation since 30th January 2020 and to take the earlier habitat state as the baseline for the purposes of biodiversity net gain. In order to ascertain the habitats present and their condition on 30th January 2020, aerial imagery or data sets from that time could be used.

The development will result in the loss of biodiversity, no information on quantified biodiversity losses on the site has been provided.

Mitigation and compensation will be required and a minimum of 10% net biodiversity gain should be provided. It is recommend that before determination a statutory Biodiversity Net Gain

(BNG) metric spreadsheet should be provided that outlines any potential loss of habitat (based on a baseline at the 30th Jan 2020), along with details of how this loss will be mitigated for."

United Utilities

General guidance regarding assets owned by United Utilities and sustainable drainage solutions.

ASSESSMENT

Principle

The application site is located within a predominantly residential area of Middleton and wholly within the Defined Urban Area as identified by Saved UDP Policy G/D/1.

Whilst the site currently appears as an open parcel of land adjacent to No. 6 Top Schwabe Street, historical aerial imagery indicates that it formerly formed part of the residential curtilage of that property and was occupied by domestic garages. Officers are therefore satisfied that the site does not constitute previously developed land for the purposes of Core Strategy Policy C1.

Notwithstanding the above, Policy C1 does not preclude the development of greenfield land within the urban area where impacts on amenity and green infrastructure are acceptable. The policy seeks to direct housing growth towards sustainable locations with good access to services, facilities, employment opportunities and public transport.

The site is located within an established residential area with convenient access to local services, public transport and the wider highway network. Furthermore, the proposal would contribute, albeit modestly, to the supply of new housing within the Borough, consistent with the objectives of Places for Everyone Policies JP-H2 and JP-H4 which seek to deliver a net addition of 616 dwellings in Rochdale.

Having regard to the above, the principle of residential development on the site is considered acceptable. The key considerations are therefore whether the detailed design of the proposal, and its impact on the character of the area, neighbouring amenity, highway safety and other material planning considerations, are acceptable. These matters are assessed below.

Design and Impact on Character

Paragraph 131 of the Framework states that a fundamental aim of the planning system is the creation of sustainable, high quality and beautiful places. 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 and are visually attractive as a result of good architecture, layout, and appropriate and effective landscape.

These principles are echoed in Policies DM1 and P3 of the CS which seek to ensure that development is well designed and relates well to the surrounding area. At Paragraph 139, the Framework makes clear that development which is not well designed, particularly where it fails to raise the standard of design more generally in the area, should be refused.

The application is outline in nature only with all matters reserved except for access. The application submission includes floor plans, and elevations, however as these are reserved

matters, these plans are indicative and for illustrative purposes only. Whilst the site layout and appearance are reserved for future consideration, the indicative plans submitted the site is of sufficient size to comfortably accommodate a dwelling of this scale. Sufficient space would be retained for vehicular parking and garden space.

Impact on Amenity

Core Strategy policy DM1 requires all development proposals to demonstrate that they will not have a negative impact upon the amenity of future residents and occupiers, with Policy P3 requiring new development to adhere to high standards of design, of which the amenity of occupiers is intrinsically linked. Policy G9 requires that sensitive new developments such as housing are not adversely affected by existing sources of pollution, including noise, from certain types of industry. Paragraph 135 of the National Planning Policy Framework advises that planning decisions should result in places with a high standard of amenity for existing and future users.

The application is submitted in outline with only access for determination. Appearance, landscaping, layout and scale are reserved for a future application. The detailed relationship between the proposed dwelling and neighbouring properties (including separation distances, window positions, precise siting of the dwelling and height) fall to be assessed at the reserved matters stage.

The application site is located between Nos. 6 and 8 Top Schwabe Street and there is a marked fall in levels across the site from the rear to the front. The submitted indicative plans, whilst not for consideration at this stage, demonstrate that a dwelling is capable of being positioned within the application site in a way that respects the building line of No. 8 and provides separation from adjoining dwellings. Officers acknowledge the change in levels and the impact that this has on the neighbours either side will need consideration. Furthermore, the indicative plans do not appear to accord with the SPD guidance which states that a two-storey development should not intrude into a 30-degree visibility zone of a neighbouring dwelling when drawn at a point 2.4m along the common boundary. The proposed dwelling appears to intrude into this visibility zone when measured along the common boundary of No. 6 Top Schwabe Street and therefore Officers are concerned that this would unduly impact on the amenity of No. 6.

Notwithstanding, the plans are indicative only and are not for approval at this stage.

In respect of the amenity of future occupiers, the application site is of sufficient size capable of providing a satisfactory level of private amenity space and outlook as indicated by the size of the rear garden. Detailed matters of internal layout, compliance with NDSS standards and the layout of the rooms/windows are layout and appearance matters which are reserved for future consideration.

Having regard to the above, it is considered that the proposed development is capable of providing acceptable living conditions for both future occupiers and neighbouring dwellings in accordance with Policy DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

Highways and Parking

The application site is located along Top Schwabe Street which is not adopted by the Council and is therefore privately owned and maintained as such; it is unclear why this section of the road is not adopted when the adjoining Schwabe Street and Brayston Fold are both adopted and highways maintainable at public expense.

Access to the site would be taken from the front elevation of the site and from Top Schwabe Street. The LHA previously objected to a similar proposal on the site during an application in 2023, citing that the road is unadopted and would lead to more than 5 units along an unadopted road which they would not accept – however the LHA noted that this objection alone was insufficient to justify refusal.

The application submission includes a Transport Assessment in support of the development. The LHA were consulted on this and on this occasion, note that the site is located within close proximity to Manchester Old Road which has good transport links into Manchester, Middleton, and Oldham. Whilst the LHA again note that the development would lead to more than 5 units on an unadopted road, they do not note this as an objection under this application.

The LHA has raised concerns regarding the lack of a public footpath, however acknowledge that they would expect very low speeds at the junction in any case therefore the lack of a footpath is not in itself, objectionable. It is also noted that the application site is splayed away from the junction and not directly located at the head of the junction.

Having regard to the above, it is considered that the proposed development would have no unacceptable impact on highway safety. In relation to parking, it is noted that this would generally depend on the layout and siting, both of which are reserved matters. Notwithstanding, the indicative elevations and floor plans indicate the presence of a garage, and the LHA note that there is sufficient space within the site for parking in line with Policy T2 and Appendix 5 of the adopted Rochdale Core Strategy.

Ecology

Paragraph 187 of the Framework states that planning policies and decisions should contribute to and enhance the natural and local environment.

In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met. This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

Policy JP-G8 of the Places for Everyone Joint Development Plan also states that through local planning and associated activities a net enhancement of biodiversity resources will be sought where relevant. In particular, development will be expected to achieve a measurable net gain in biodiversity of no less than 10%.

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.

The application form indicates that the applicant believe that the development be exempt from the Statutory Biodiversity Net Gain of 10% as the development would relate to self and custom housebuilding.

No mechanism at this stage has been put forward to secure this exemption. Notwithstanding, Officers acknowledge that recent amendments to statutory BNG which came into force on August 6th 2026 mean that application sites of 0.2ha or below are no longer subject to statutory BNG and no exemption is required.

Officers acknowledge that this application would not be subject to the new guidance given transitional periods. Any future application, however, would fall under this guidance and therefore would be exempt from BNG. This is a material consideration which carries significant weight and justifies the grant of permission without the need to secure self-build status.

It follows therefore that the statutory biodiversity metric, and the associated mechanism at Paragraph 6 of Section 7A permitting an earlier habitat baseline to be taken where a site has been degraded since January 30, 2020 is not applicable to this application; that mechanism operates solely within the Statutory Biodiversity Net Gain process. Where no statutory gain is required, there is no basis for which the earlier pre-felling state of the site can be considered as the baseline.

GMEU has recommended that a statutory Biodiversity Net Gain metric be provided prior to determination, using a baseline taken from the sites condition on January 30, 2020. For the reasons set out above, and given the exemption, it is not considered necessary or proportionate in this instance to require a statutory metric, and there is no mechanism in which the pre-felling condition of the site can be imposed as the assessment baseline outside of the statutory process.

Notwithstanding the statutory exemption, Policy JP-G8 of the Places for Everyone Joint Development Plan requires all development to deliver a net enhancement of biodiversity. Policy JP-G8 was framed to align with the statutory net gain process and its quantified 10% gain requirement closely reflects that of the statutory requirement. Notwithstanding this, given the statutory metric does not apply, Officers consider that the objective of the policy (a net enhancement of biodiversity) can properly be secured through the provision of on-site biodiversity enhancements, rather than through a quantified metric calculation.

Assessed against the site as it currently exists and the retention of significant garden space to the rear it is considered that through a scheme of native planting and integrated habitat features, that the development overall can deliver a net gain, consistent with the aims of Policy G7 of the adopted Rochdale Core Strategy and Policy JP-G8 of Places for Everyone. This should be secured by way of condition.

Whilst the loss of the mature trees to the rear of the application site is disappointing to see, GEMU has noted that given they have already been removed, it is not possible to establish whether they supported roosting bats at the time of felling.

Notwithstanding, the application site is not located within a Conservation Area and the trees felled were not the subject of a Tree Preservation Order. There is therefore no mechanism in which the Council can require compensation calculated in relation to their former presence.

Flooding

The application site has an uneven topography and steeply slopes from the rear of the application site towards the front and then towards Top Schwabe Street. Officers acknowledge that this would give rise to significant more runoff. Such runoff where possible should follow the Drainage Hierarchy as outlined in the NPPG and, where possible, should avoid discharging into the public sewer unless absolutely necessary and in agreement with United Utilities.

The LLFA were consulted on the proposal and raise an objection in relation to insufficient information with no detailed drainage information having been provided. The LLFA, however, note that there is a watercourse along the northern site boundary and a public surface water sewer in the highway.

It is pertinent to note that the LLFA's position is different than it was for broadly the same application in 2023, in which the LLFA raised no objection to the proposal in principle, and considered that any drainage matters and further information could be secured by way of condition – such process would not be uncommon for an outline application where most matters are reserved for future application.

At this stage, however, Officers must be satisfied that the risk of flooding, and drainage, can be acceptably mitigated in principle, even if detailed mechanisms are secured by way of condition for future consideration. The LLFA acknowledges that there is a watercourse along the northern boundary and a public sewer in the highway. The watercourse could be used to discharge surface water run off (although it is not clear if this is practical given the topography of the site), or could, as a last resort, discharge into the public sewer. The applicant is also encouraged to explore infiltration methods as these would be the preferential route for discharging run-off. It is further noted that there are dwellings either side of the application site and therefore there is evidence that surface water can be acceptably discharged at this site. Officers therefore consider that, subject to a detailed drainage and surface water discharge strategy being submitted at reserved matters, that such issues can be reasonably mitigated.

Any submission at reserved matters stage should include a comprehensive drainage and surface water discharge scheme. The scheme shall, in any event, aim to discharge at the highest point of the drainage hierarchy as possible. Such drainage/surface run off scheme should be based on a 1-in-100-year storm event with a 45% allowance for climate change. This climate allowance is appropriate for the 'Irwell Management' Catchment area for 'Highly' vulnerability class.

Planning Balance

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration which carries significant weight and includes a presumption in favour of sustainable development.

The proposed development would deliver a single additional dwelling within the Defined Urban Area, making a small but positive contribution towards the Borough's housing supply in a sustainable location with access to services and public transport. This weighs in favour of the proposal.

It is acknowledged that the development would result in the loss of land which has historically formed the residential curtilage of No. 8 Top Schwabe Street and is therefore greenfield land. This is a matter that weighs against the proposal, particularly in the context of Policy C1 of the adopted Rochdale Core Strategy, which seeks to prioritise the use of previously developed land. However, the site is modest in size, visually poor in quality, and its development would not result in any significant loss of meaningful green infrastructure or wider amenity value.

Officers consider that there are no significant issues or constraints with the site that cannot be overcome at reserved matters stage, particularly in relation to drainage and flooding. There are therefore no material considerations which indicate that permission should be refused.

Accordingly, the proposed development is considered to accord with the relevant policies of the adopted Rochdale Core Strategy, saved policies of the Rochdale Unitary Development Plan, the Places for Everyone Joint Development Plan, and the National Planning Policy Framework. It is therefore recommended that, subject to the conditions set out below, that outline permission be granted.

PROCEDURAL STATEMENT

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. No significant problems have arisen during the consideration of this application, and the application has been determined in a timely manner, in accordance with the policies with the Development Plan.[AC1]

Human Rights and Public Sector Equality Duty

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report. In particular, Article 6 (1), of the European Convention on Human Rights in relation civil rights and a fair hearing; Article 8 of the ECHR in relation to the right to respect for private and family life and Article 1 Protocol 1 of the ECHR in relation to the protection of property have all been taken into account.

In addition, the Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics namely: age, disability, gender reassignment, pregnancy and maternity, race, religion, or beliefs and sex and sexual orientation. It places the Local Planning Authority under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. Officers have taken this into account in the assessment of the application. In particular due regard has been afforded to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and

- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers are satisfied that the application material and Officers' assessment has taken into account these issues.

The application has been considered in accordance with the Rochdale Equity, Diversity and Inclusion policy – Embracing All Voices (2024-2026), which seeks to promote a culture of equity, diversity and inclusion that benefit the community as a whole.

Recommendation: Approve with Conditions

Condition(s) (4)

- 1 Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than:

(i) the expiration of three years from the date of this permission; or

(ii) two years from the date of approval of the last of the reserved matters to be approved.

Reason – To comply with the requirements of section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Before any development is commenced approval shall first be obtained from the Local Planning Authority with respect to the reserved matters, namely the layout, scale, appearance and landscaping of the development.

Reason – This is outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority.

- 3 This permission relates to the following plans:

- DWG No. R1062 PL01 (Location Plan)
- DWG No. R1062 PL03 (Proposed Site Plan, Elevations, and Floor Plans) (insofar as they relate to the access to the site and connectivity with the surrounding network).

The development shall be carried out in complete accordance with the approved drawings.

Reason – For the avoidance of doubt, to define the extent of the development site and the access to it and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Core

Strategy, Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

- 4 As part of any reserved matters application and prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:
- a. An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
 - b. A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
 - c. Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
 - d. Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
 - e. Foul and surface water shall drain on separate systems. The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason – To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with Core Strategy Policy G8 and the National Planning Policy Framework.

Approval Reason(s) (1)

- 1 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.