



Appeal Decision

Site visit made on 14 January 2025

by N Duff BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 May 2025

Appeal Ref: APP/P4225/W/24/3351573

7 Raleigh Gardens, Littleborough, Rochdale OL15 9PX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Jordan Howe of Howe Rigout and Construction against the decision of Rochdale Metropolitan Borough Council.
 - The application Ref is 23/01184/FUL.
 - The development proposed is the construction of single storey dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a single storey dwelling at 7 Raleigh Gardens, Littleborough, Rochdale OL15 9PX in accordance with the terms of the application, Ref 23/01184/FUL, and the plans submitted with it, subject to the conditions in the attached schedule.

Main Issue

2. The main issue of the appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site is an end of terrace property located at the end of a cul-de-sac Raleigh Gardens. The area is residential in character, and Raleigh Gardens in this area has two short terraces facing each other. The wider housing estate has a mixture of house types. At the end of the cul-de-sac are two bungalows which although not part of Raleigh Gardens, do form part of the street scene close to the site to the north, at the termination of the cul-de-sac.
4. The proposal would utilise the side garden area of no. 7 Raleigh Gardens to provide a one-bedroom dwelling, which would be attached to the host property and would extend beyond the rear wall of the host dwelling to provide a living area, bedroom and bathroom.
5. The proposed dwelling, although independent, would have the appearance of a large single storey side extension to no.7, therefore the form of the dwelling would not appear incongruous in a residential setting such as this, even with a separate front door. It would be marginally set back from the host property and would be at the end of the cul-de-sac. Therefore, when viewed from the approach into Raleigh Gardens the dwelling would be subservient to the host dwelling and would not appear dominant in the street scene, in accordance with guidance set out in the Guidelines & Standards for Residential Development SPD (2016). Given its

position at the end of the terrace at the termination of the cul-de-sac it would not interrupt the rhythm of the terrace.

6. The proposal would be located between the two storey dwellings and bungalows to the north located very close to the appeal site. The single storey dwelling would be in keeping with the nearby bungalows and would be a transition between the two storey and single storey dwellings. It would therefore not be at odds with the immediate or wider character of the area which sees a variety of house types, even given its position at the end of a terrace of two storey properties.
7. The proposed materials and proposed close boarded fencing around the garden of the site would be acceptable, however these details are required to be submitted to the Council for approval to safeguard the character of the area.
8. For the reasons mentioned, the proposed dwelling would have an acceptable effect on the character and appearance of the area, therefore would accord with policies P1, P2, P3 and DM1 of the Rochdale Core Strategy (2016) (CS) insofar as they relate to character and appearance, which between them seek to require design which is of a high standard, protect and enhance the borough's character including housing areas, follow design principles by respecting context and having regard to scale, density, massing, height, layout, landscaping, materials and access.
9. The proposal would also accord with policies JP-H1, JP-H3 and JP-P1 of the Places for Everyone Joint Development Plan Document for Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan (2024) for the above reasons, insofar as they relate to character and appearance, which between them seek to ensure that new homes will be of a good quality design and that development respects and acknowledges character and identity of the locality.

Other Matters

10. A fallback position has been put forward by the appellant, however, as I am satisfied that the appeal proposal is acceptable, I am not required to consider this further.
11. An interested party has indicated concern regarding the loss of light and of a view due to the proximity of the roof of the appeal scheme together with the space around the proposed dwelling. The Council have not highlighted any concerns regarding the proximity of the appeal scheme to neighbouring properties nor regarding the space standards. I find no reason to disagree. Consequently, this matter is not determinative for the appeal before me.

Conditions

12. The Council has suggested conditions which I have considered against advice in the National Planning Policy Framework and Planning Practice Guidance. As a result, I have made some amendments for consistency and clarity purposes.
13. In addition to the standard time condition, in my judgement, conditions are also necessary in respect of ensuring the development is carried out in accordance with the approved plans, and details of materials, windows, rooflights, doors, reveals and boundary treatments to be provided to the Council, to provide certainty and to safeguard the character and appearance of the area.

14. A condition has been suggested by the Council relating to contaminated land, this condition is necessary to ensure that contamination risks are appropriately managed. This has been suggested as a pre-commencement condition, however, I am satisfied for this to be provided prior to commencement of above ground works.
15. I have included a condition relating to sustainable surface water and foul water drainage, this condition is necessary to ensure that adequate drainage is provided for the proposed dwellinghouse to prevent pollution of the water environment, the details shall be submitted to the Council prior to commencement of above ground works and the drainage shall be installed prior to first occupation.
16. A condition suggested by the Council's Environmental Health Officer relating to hours of construction was included in representations to the original application. This was not indicated as necessary in the appeal documents by the Council and, given the modest scale of the proposed development along with existing safeguards available through other legislation to protect occupiers from nuisance, I do not consider that this suggested condition is necessary in this instance.

Conclusion

17. For the reasons set out having regard to the development plan as a whole and all other matters raised, the appeal is allowed.

N Duff

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development permitted shall be carried out in accordance with the following approved plans:
Dwg no. 2315.01 Rev A
Dwg no. 2315.02
Dwg no. 2315.04
- 3) No development above ground level shall take place until samples and/or full specification of materials to be used externally on the building has been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall be carried out in accordance with the approved details.
- 4) No development above ground level shall take place until full product specifications for the windows, external doors, roof lights, and detailed designs of the window and door reveals, at a scale of not less than 1:50, to be used on the development hereby approved, have been submitted to and approved in writing by the Local Planning Authority. The windows and doors shall be installed in accordance with the approved details.
- 5) The development shall not be occupied until details of the type, siting, design and materials to be used in the construction of boundaries, screens or retaining walls have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details.
- 6) No development above ground level shall take place until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced and shall have been first submitted to and approved in writing by the Local Planning Authority before above ground level development commences. The report of the findings must include:
 - (i) a survey of the extent, scale and nature of contamination
 - (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,

- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

(iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s).

The development shall thereafter be completed in full accordance with the approved recommendations.

- 7) No development above ground level shall take place until details of a sustainable surface water drainage scheme and a foul water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall include:

(i) 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, or similar method and provide evidence of the investigations.

(ii) Details of the construction of any soakaways.

(iii) Construction details for permeable paving for the driveway including kerb edging and sub-base details i.e. cross-sections.

The approved scheme 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 scheme shall be completed in accordance with the approved details and retained thereafter.