

Planning Statement

Application Site:

No. 1 Gainsborough Drive, Rochdale, OL11 2Q

Description of Proposal:

Resubmission of application ref: 23/00131/FUL. Relating to the change of use of land to form extension to existing curtilage including a single storey attached garage, together with alterations to boundary treatments and creation of hardstanding.



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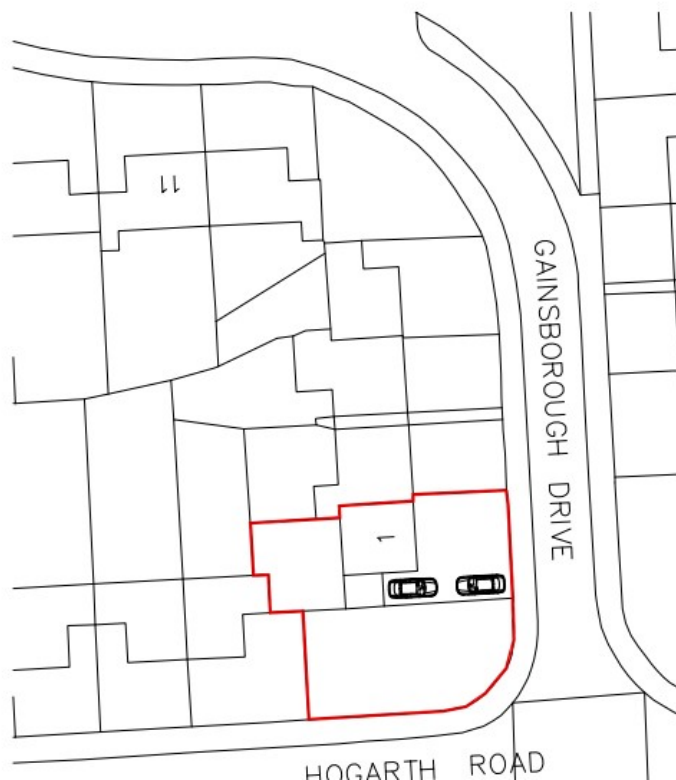
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1. Site Description:

- 1.1 The application site (as edged red in image 1 below) includes both the original residential curtilage of No. 1 Gainsborough Drive and an area of vacant land that adjoins to the south, which are located on the corner plot at the junction of Gainsborough Drive and Hogarth Road. The land was purchased by the applicant from Rochdale Borough Council in 2012, and is in the same ownership as the house.
- 1.2 Following purchase of the adjacent land the applicant erected a perimeter fence along the boundary of the land, which is one of the subjects of this application.
- 1.3 The original property forms part of the Kirkholt estate, which was first built in 1945 and is one of Britain's Largest estates of its kind. The applicant's property is a two storey end terrace, benefitting from off-street parking facilitated by a driveway to the front of the dwelling, a small attached garage to side elevation and a rear private amenity space to the rear.
- 1.4 As is the usually the case with dwellings within estates built in the era of Councils providing social housing, the applicants property is of a style that is characteristic of the wider area. With the general design, being short rows of terrace dwellings, constructed in red brick to the ground floor and white render to the first floor.

Image 1: Site location plan edged red.



2. Proposal:

2.1 This resubmission application seeks the approval from Rochdale Borough Council for the following:

- Change of use from a vacant patch of land, situated on the junction between Gainsborough Drive and Hogarth Road to residential use;
- The erection of a single storey side attached garage projecting 6.1m from the south-side elevation of the application property and spanning 9.8m in length surpassing the existing rear elevation by 2.8m. Constructed in red brick to match the ground floor external facing materials of the applicants original dwelling;
- Alterations to the existing boundary treatment;
- Erection for a 1m in height fence along the vacant land comprised of concrete posts and solid wooden panels; and
- The creation of permeable paving hardstanding and an additional light duty vehicle crossing on Hogarth Road on the vacant land.

2.2 Having regard to the original submission, for clarity the following amendments have been made to the overall design:

- The proposed garages are now flat roofed to match the original garage court corner plots of the estate;
- The boundary fence has been reduced to 1m in height which would include the lowering of the unauthorised fence by 0.5m;
- The area of hard standing has been significantly reduced, with more of the original grassed area being retained; and
- The addition of a light duty vehicle crossing on Hogarth Road to the land.

3. Site Planning History:

23/00131/FUL - Change of use of land to form extension to existing curtilage including a single storey attached garage, together with alterations to boundary treatments and creation of hardstanding – Refused 27th April 2023, for the following reasons:

- 1. By virtue of its design and siting, the proposed works are considered to be inappropriate and discordant to the character of the surrounding estate with the erosion of prominent green space on a corner junction resulting in significant visual harm to the street scene and the character of the local area. The extension is not considered to respect the character of the site and would appear disproportionate for a dwelling of this size. The addition of permeable paving and a 1.5m boundary fence fails to respect the visual amenity and would be detrimental to the verdant character of the estate. As such, the proposal would not accord with Policies DM1 and P3 of the adopted Rochdale Core Strategy, the Council's adopted Supplementary Planning Document 'Guidelines and Standards for Residential Development' and the National Planning Policy Framework.*
- 2. By virtue of its siting, the proposed 1.5m boundary fence would pose significant road safety issues regarding the reduced visibility for drivers emerging from the adjacent driveway at 10 Hogarth Road. The proposal would therefore fail to accord with Policy DM1 of the adopted Rochdale Core Strategy and paragraph 111 of the NPPF.*

4. Relevant Planning Policies:

In September 2004 the Planning and Compulsory Purchase Act 2004 ('the Act') came into effect which reformed the development planning system in England. Section 38(6) of the Act requires that all planning applications should be determined in accordance with the development plan, provided the policies or proposals it contains are relevant and unless 'material considerations' indicate otherwise.

National Guidance

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

Adopted Rochdale Core Strategy (CS):

P1 Improving Image
P3 Improving Design of New Development
DM1 General Development Requirements
T2 Improving Accessibility
Appendix 5 Schedule of Parking Standards

Unitary Development Plan (UDP):

G/D/1 Defined Urban Area

Supplementary Planning Documents (SPD):

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

5. Planning Assessment:

Principle:

- 5.1 The application site is located within a residential area of Rochdale, within the Defined Urban Area as allocated under saved UDP policy G/D/1.
- 5.2 It is clear from the original application's officer report (ref: 23/00131/FUL) that the Council consider the land is not under any present use, and went on to outline that they consider the site previously contributed to the aesthetic of the area. Given the vacant parcels of land are commonly cited on many corners within the estate.
- 5.3 However, given the site was disposed of by the Rochdale Borough Council it is evident that the open aspect of the land was not considered of sufficient value to warrant the Council to retain the land. Moreover, as the Council Planning Department will be well aware, by the selling of the site the Council lost control over the open nature of the site, given land owners have the right under Schedule 2, Part 2, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) to erect a fence wall or other means of enclosure around a site adjacent a highway up to 1m in height without planning consent.
- 5.4 Therefore, given the site's open nature can be removed by this reasonable action, it is our opinion that the weight afforded to this fall back position should outweigh the perceived loss of its open nature.
- 5.5 To this end, as the site is located in an area characterised by predominantly residential uses, it is clear the proposal would not significantly undermine the surrounding area as it would be cohesive with the land uses and accordance with saved policy G/D/1.
- 5.6 In regards to the concerns raised with the intended use for additional parking for the occupiers of No. 1 Gainsborough Drive, from a thorough site visit it is clear the Kirk Holt estate is characterised by small garage courts, on corner plots no less. Please find below images of the existing arrangements within the estate to serve as a reference:

Image 2: Garage court on the corner of Hill Top Drive and Romney Avenue.



Image 3: Located on the corner of Hill top Drive and Cavendish Road



Image 4: Located on the other corner of Gainsborough Drive and Hogarth Road.

Image 5: Google earth image making the site with a red pin and the above location of the garage courts on corner plots with yellow stars.



5.7 Therefore, having regard to these examples it is the consideration of the applicant that the Council was remiss in its consideration of the impact the original applications use would have on the area. As it is clearly shown above, one of the original design/ layout characteristics of the Kirk holt estate was the utilisation of corner plots for additional vehicle storage and parking provision. Furthermore, it is noted the nearby neighbour, located four doors away on the opposite corner of Gainsborough Drive and Hogarth Road, has taken one of the existing detached flat roof garage courts into private use. Moreover, that this private parking is also enclosed by a 1.4/1.5m height boundary fence. All of which was not considered or mentioned in the original refusals assessment and justification within the officer report.

5.8 As such it is our consideration that the applicants amended proposal would be acceptable in respect of principle and land use, given it would be in accordance with saved policy G/D/1.

Design

5.9 Policy P3 of the adopted Rochdale Core Strategy requires all new developments, regardless of location in the borough, to adhere to high standards of design.

5.10 Policy DM1 requires “development to be of a high quality design taking the opportunity to enhance the quality of the area.”

5.11 The amended single storey side extension incorporates a flat roof design and would be constructed in materials consistent with the applicants original dwelling and adjoining properties. Whilst the proposed window proportions have been maintained from the original scheme, given they were deemed to be in keeping with those on the original dwelling.

5.12 Whilst the extension would have the same width and a greater depth than the host dwelling, it is considered to be of a similar design and scale as the existing garage courts in the area, and as a result would positively and cohesively contribute to the street scene as a whole.

5.13 Again, the amended scheme would also not extend beyond the front elevation of the dwellings along both Gainsborough Drive and Hogarth Road. Therefore, preserving the building line and would also maintain sufficient space between the boundary and nearest part of the extension to the front and south-side elevation.

5.14 Having regard to the nature in which the site was acquired by the applicant, following land disposal of the Council, and having regard the afore mentioned fallback position in terms of means of enclosure. It is considered the consideration of the site as an open soft landscaped area is clearly inappropriate and should be afforded little weight in the decision making balance. Therefore, the opportunity to bring forward a meaningful cohesive use for the site, in a residential area, should surely be preferable to the Local Planning Authority.

- 5.15 In regards to the amended fence height, it is clearly outlined in the principal section of the report that a fallback position in regards this element of the application exists. To this end, it is respectfully requested this point be given significant weight in the consideration of the appearance of this element of the proposal. As it is clear the applicant is able to construct this element of the amended scheme without the LPA's express consent.

Impact on amenity

- 5.16 In terms of an overshadowing and overbearing impact, given the position and footprint and the amended scheme is the same as originally applied for, it seems appropriate to consider that the Council would again raise no reason for refusal on the ground of impact on residential amenity.
- 5.17 In regards loss of privacy, it is acknowledged that No. 10 Hogarth Road has a ground floor window on the east-side elevation, which serves the under stairs cupboard, as is also the case in the applicant's home. Therefore, given the room it serves is not habitable, it is not considered necessary to provide obscure glazing in the rear of the garage.
- 5.18 The amended proposal would not propose any habitable rooms which would require the provision of adequate light or outlook. The works would also not pose any detrimental impact to the provision of adequate light and outlook to internal rooms of the host property. The proposal would not unduly impact on the amenity of the occupants of the application property or that of neighbouring properties and is therefore in accordance with policies DM1, the SPD and the NPPF.

Highway Safety:

- 5.19 Core Strategy policy DM1 notes that all development proposals will be expected to demonstrate that they mitigate against impacts due to inadequate access as well as provide satisfactory vehicular access. Paragraph 111 of the NPPF notes that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.
- 5.20 The plans indicate the provision for four off-road parking spaces located in the proposed garage extension with sufficient space on the creation of hardstanding permeable paving and a light duty vehicle crossing. Whilst it is noted that this would exceed Appendix 5 Schedule of Parking Standards requirement for the Rochdale Borough, (two spaces per dwelling for dwellings outside the town centre). Given the applicant is a classic car collector, it is clear this stringent application of guidance would determinably impact the occupiers enjoyment of his property, and it is asked that significant weight is attached to the fact the developments would be ancillary to the enjoyment of the occupiers hobby.
- 5.21 In line with comments of the Council's highways officer on the original application, the boundary fence has been reduced to increase visibility for drivers between the

Gainsborough Drive and Hogarth Road junction. Therefore, it is considered the amended proposal would be acceptable in highways safety terms and accords with policy DM1 or the NPPF.

Trees:

- 5.22 In regards the Councils comments on the tree loss raised in the original planning application officer report, if the Council had contacted the applicant to provide comment on the matter, they would have been made aware the tree was removed to the ongoing maintenance issues it caused to the applicant's property. Moreover, it is of concern that the loss is noted in the report as the tree was not protected and the applicant, as the landowner, had the right to remove the tree, which in turn has no bearing on the consideration of the planning application.

6. Conclusion:

- 6.1 Having regards to the points raised above, it is considered the amended scheme as sufficiently addressed the original applications reasons for refusal, and it is respectfully requested that the Council supports the proposal.