

PLANNING STATEMENT

Section 73 Application to Vary Approved Plans

Planning Permission: 12/D55193

Proposed Revised Replacement Dwelling

Castle Bungalow, Swaindrod Lane, Littleborough, OL15

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1. Introduction

This application is submitted under Section 73 of the Town and Country Planning Act 1990 to seek a variation of the approved plans condition attached to planning permission 12/D55193 for the erection of a replacement dwelling at Castle Bungalow, Swaindrod Lane, Littleborough.

The site benefits from an extant and lawfully commenced planning permission for a replacement bungalow, the lawful implementation of which has been formally confirmed by the Local Planning Authority through the issue of a Certificate of Lawfulness of Existing Use or Development. The fallback scheme is therefore fully implementable at any time.

This Section 73 application seeks to allow the substitution of a revised set of drawings which represent a carefully considered and proportionate evolution of the approved scheme in order to deliver a more functional, more sustainable and more future-proof dwelling, while remaining appropriate in scale, form and landscape impact.

The principle of development remains entirely unchanged. The proposal remains a replacement dwelling on an established residential site.

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2. Site and Planning History

The site is an established residential plot formerly occupied by Castle Bungalow. Planning permission was previously granted for a replacement bungalow under reference 12/D55193, and works have lawfully commenced pursuant to that permission.

The lawful status of the development has been formally confirmed by the Local Planning Authority.

The approved replacement scheme dates from approximately 15 years ago and was designed to standards, expectations and regulatory requirements which have since evolved significantly, particularly in terms of:

- Internal layout and space standards
- Energy efficiency and thermal performance
- Sustainability and carbon reduction expectations
- Modern living requirements and lifetime adaptability

The fallback position remains fully capable of implementation at any time.

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3. The Section 73 Context

A Section 73 application is the correct and lawful mechanism where:

- The principle of development is unchanged
- The application seeks to vary an approved plans condition
- The development remains fundamentally the same in nature and purpose

In this case:

- The approved development is a replacement dwelling
- The proposed development remains a replacement dwelling
- The siting, use and general form of development are unchanged
- Only the approved drawings are being varied

The fallback permission under 12/D55193 remains extant and lawfully commenced, and this application does not seek to undermine or replace that permission, only to allow a revised and improved set of drawings to be approved.

The use of Section 73 is therefore entirely appropriate and procedurally correct.

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4. The Fallback Position

The approved replacement bungalow represents a strong and realistic fallback position and could be completed at any time.

The correct planning comparison is therefore not between the proposal and an undeveloped site, but between the proposal and the already approved and lawful replacement dwelling.

This fallback position is a highly material consideration in the determination of this application, consistent with established planning practice and decision-making.

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5. The Proposed Development

The revised proposal retains the same residential use and broadly the same siting and footprint as the approved scheme, but introduces a 1.5-storey / dormer form to make more efficient and sensible use of the roof space.

The objectives of the revised design are:

- To reflect modern living standards
- To improve internal functionality and flexibility
- To future-proof the dwelling for long-term occupation
- To significantly improve energy efficiency and thermal performance
- To achieve a better balanced and more proportionate building

The proposal significantly improves fabric performance, insulation standards and overall energy efficiency when compared to the fallback scheme, representing a clear sustainability benefit, in accordance with:

- Rochdale Local Plan Core Strategy Policy DM1 (General Development Requirements)
- Rochdale Local Plan Policy DM2 (Design Quality)
- National Planning Policy Framework (NPPF) objectives for sustainable development and good design

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6. Scale, Design and Landscape Impact

The revised scheme has been deliberately designed as a controlled and proportionate evolution of the fallback scheme.

In quantitative terms:

- The ridge height is increased by approximately 1.1 metres
- The eaves height is increased by approximately 0.75 metres
- The overall volume is increased by approximately 84 cubic metres

These changes are modest and carefully managed and are required to achieve a functional first floor within the roof form and a more efficient internal layout, without increasing the footprint of the building.

The dormer elements are well proportioned and integrated into the roof form, ensuring the dwelling continues to read as a low, countryside-appropriate building.

Crucially, when assessed against the lawful fallback position, the proposal does not result in a materially greater impact on the openness of the site, the wider landscape or the rural character of the area, and is consistent with:

- Rochdale Local Plan Policy G1 (Green Infrastructure and Landscape Character)
- Rochdale Local Plan Policy DM2 (Design Quality)
- The design and landscape objectives of the NPPF

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7. Planning Policy Considerations

Local and national planning policy supports:

- The replacement of existing dwellings in the countryside where appropriately scaled
- High quality and contextually appropriate design
- Improvements in sustainability and energy efficiency
- Efficient and responsible use of land

In particular, the proposal accords with:

- Rochdale Core Strategy Policy DM1 (General Development Requirements)
- Rochdale Core Strategy Policy DM2 (Design Quality)
- Rochdale Core Strategy Policy G1 (Landscape and Green Infrastructure)
- Rochdale Policy H2 (Housing Development in Appropriate Locations)
- The overarching principles of the National Planning Policy Framework

This proposal aligns with these objectives by replacing an outdated approved scheme with a better designed, more sustainable and more efficient dwelling, without creating any unacceptable planning impacts.

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8. Planning Balance

When assessed against the lawful fallback position, the proposal:

- Delivers a significantly improved dwelling in design and sustainability terms
- Brings the scheme in line with modern living and environmental standards
- Does not introduce any new or intensified use
- Does not result in any unacceptable visual or landscape harm
- Does not cause any material planning harm

The proposal therefore represents a clear qualitative improvement over what could already be built and complies with the development plan when read as a whole.

9. Conclusion

This application represents a lawful, appropriate and sensible use of Section 73 to allow a revised and improved set of drawings to be approved under an existing permission.

The fallback scheme is outdated in both design and environmental performance. The revised proposal modernises the scheme in a way that:

- Improves sustainability and thermal performance
- Improves design quality and internal functionality
- Remains fully respectful of the rural setting
- Does not result in any materially greater planning impact

Given:

- The strong fallback position
- The modest and proportionate nature of the changes
- Compliance with the Rochdale Development Plan and the NPPF
- And the absence of any material planning harm

It is respectfully submitted that this Section 73 application should be approved.