

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00319/LBC	Claire Ringwood	19 th October 2023

Address: Tithe Barn, 212 Lower Lane, Rochdale, OL16 4PT

Proposal: Change of use and residential conversion works to existing workshop/garage to comprise a dwelling with associated car parking, creation of access opening/driveway to parking south of Tithe Barn and alterations to fenestrations at all elevations

PUBLICITY	Weekly list expired?	Y	Site notice expired?	Y
	Neighbour letters expired?	Y	Press Notice expired?	Y

DELEGATION	Significant departure from local plan?	N	Contrary to national policy?	N
	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?	N

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

RECOMMENDATION	GRANT SUBJECT TO CONDITIONS
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CHECKED AND SIGNED OFF BY: RG

DATE: 20 October 2023

SITE

The application site is a Grade II listed Tithe Barn which comprises the listed house and adjoining barn, as well as the adjoining workshop, this workshop is said to have been added in the 19th century, according to the Heritage Statement. The site is first mentioned on the 1893 OS survey for Lancashire, in largely the form which it takes today.

The site is located off Lower Lane, approximately 420m to the north of the M62 Motorway between a residential suburb of Rochdale and the Kingsway Business Park which is located directly to the east.

The site lies within the Defined Urban Area as designated in the saved Rochdale Unitary Development Plan Proposals Map (Policy G/D/1) and within an SSSI Impact Risk Zone.

PROPOSAL

The application is for the conversion of the existing two storey workshop/garage building attached to Tithe Barn into a separate dwelling. The proposed dwelling would have a living room, family room, dining room, kitchen and utility on the ground floor with 4 bedrooms, one with an en-suite and a separate bathroom on the first floor.

The proposal involves the removal of the garage door and alterations to existing windows along with the addition of new windows to the first and ground floor elevations. A porch was originally proposed however, following concerns raised by the Council's Conservation Officer, the porch was removed along with a reduction in the number of proposed openings. The existing opening between the garage and workshop will be closed up and an existing entrance re-opened to allow access between the proposed living room and family room with a new staircase installed.

The existing garage and area of gravel yard located in the rear garden will be removed and the existing stone wall which runs through the site will be infilled and extended so that it divides the site into two. The dry stone wall infills, and extensions, will match the existing dry stone walls on the site including stone capping to match the existing.

Access to two car parking spaces for the converted workshop/garage is to be over the existing private drive located at the north of the site. The submitted Design and Access Statement advises there is a covenant in place for this access and this covenant was put in place when the owner of Tithe Barn sold the land for the two houses to the north of the workshop/garage.

Tithe Barn will retain the section of the building to the north of the main dwelling where reception 3 is located (as shown on the existing ground floor plan). This is currently a double height room with a spiral staircase located next to the existing garage which leads to a mezzanine level leading into the workshop. An existing ground floor door into the garage will be infilled and the spiral staircase relocated to the opposite side of the reception room to create a mezzanine study area. The mezzanine level access to the first floor of the workshop/garage will be infilled and incorporated into the proposed dwelling.

A new gravel driveway for Tithe Barn is proposed adjacent to the side boundary with 214 Lower Lane where two car parking spaces are provided at the rear.

As background, planning permission has previously been granted under applications 02/D40677 and 02/D40676 for the change of use and conversion of the existing workshop and garage to form a dwelling. Two other planning permissions were granted in 2002 for two detached garages in the grounds of Tithe Barn and the workshop/garage applications 02/D40678 and 02/D40100. The current application is seeking to provide car parking spaces for the two properties in place of the detached garages.

Rear amenity space and bin storage will be provided for both dwellings. There is mature hedging, trees and planting within the site.

The existing modern render will be replaced with a traditional lime render.

The application has been submitted in tandem with a full planning application 23/00319/FUL.

PLANS AND INFORMATION SUBMITTED

The following plans and documents was submitted 29th March 2023:

Drawing No: LP/01 – Location Plan
Drawing No: EXSP/01 – Existing Site Plan
Drawing No: DET/01 – Porch Details
Drawing No: DET/02 – Chimney & Window Details
Drawing No: DET/03 – Detail of New Breach
Design and Access Statement

The following plans and documents were submitted 30th May 2023:

Drawing No: EX/GA/02A – Existing First Floor Plan
EX/ELE/01A – Existing East and South Elevation
EX/ELE/02A – Existing West and North Elevations
Drawing No: GA/01A – Proposed Ground Floor Plan
Drawing No: GA/02A – Proposed First Floor Plan
Drawing No: ELE/01A – Proposed East and South Elevations
Drawing No: ELE/02A – Proposed West and North Elevations
Drawing No: SP/01A – Site Plan
Drawing No: EXT/BIN/01 – Refuse Bin Store Detail
Drawing No: EXT/FE/01 – External Works Fence Detail 1
Heritage Statement by Burr Design Associates, Date 04-05-2023
Bat Survey Report (preliminary day-time survey) by Angela Graham Bat Consultancy Service, Survey Date: 9/5/23, Report Date: 16/5/23

The following amended plans were submitted on 25th September 2023:

Drawing No: GA/01B – Proposed Ground Floor Plan
Drawing No: GA/02B – Proposed First Floor Plan
Drawing No: ELE/01B – Proposed East and South Elevations
Drawing No: ELE/02B – Proposed West and North Elevations
Drawing No: SEC/01 – Proposed Section A-A
Drawing No: SP/01B – Site Plan

RELEVANT PLANNING POLICY AND LEGISLATION

Planning (Listed Buildings and Conservation Areas) Act 1990

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS)

P2 Protecting and enhancing character, landscape and heritage

Unitary Development Plan (UDP)

G/BE/9 Conservation of the Built Heritage

Greater Manchester Combined Authority – Draft Places for Everyone

The Places for Everyone Joint Development Plan is a strategic regional plan for all of the Greater Manchester Local Authorities with the exception of Stockport. It seeks to guide the largest and most strategic developments of housing and employment land across the region. This Plan will also set the housing requirements for each of the involved Local Authorities. At the time of this report, the Examination in Public hearing sessions have concluded. Following the hearings the Inspectors issued a further actions note which the Combined Authority has since responded to through the preparation of the Main Modifications. Most recently the Inspectors have published a note on next steps for the examination responding to the Main Modifications as below:

'We are satisfied at this stage of the examination that all of the proposed main modifications in PMM6/GMCA12.3.3 are necessary to make the Plan sound and/or legally compliant, and would be effective in that regard (subject to any grammatical or other minor changes that we may decide are necessary). That is, however, without prejudice to our final conclusions that we will reach following consideration of responses to the public consultation to be carried out on the main modifications (see below). Reasons for the main modifications that we do ultimately decide are necessary will be set out in our final report.'

The Inspectors go on to confirm the document updates required for publication by the Combined Authority. They confirm that unless they consider it essential to deal with substantial issues raised in representations about the proposed main modifications, or to ensure fairness, no further hearing sessions will be held after the consultation period.

Given the advanced stage of examination and the nature of the Inspectors responses received to date, the emerging policy is afforded moderate-substantial weight in the assessment set out within this report. However this is limited with consideration to the fact that inspectors have not yet issued their full report in response to the Public Examination.

RELEVANT SITE HISTORY

92/D28138/OUT – One dwellinghouse with garage. Approved 17/09/1992.

92/D28139/FUL - Change Of Use From Redundant Barn To Two Dwellings. Approved 17/09/1992.

92/D28221/LBC - Conversion Of Existing Listed Dwellinghouse And Redundant Barn To Form Three Dwellings. Approved 17/09/1992.

97/D33931/OUT - Erection Of Detached Dwelling And Single Detached Garage. Approved 15/04/1997.

97/D33968/FUL - Renewal Of Planning Permission D28139 For Change Of Use Of Redundant Barn To Two Dwellings. Approved 15/04/1997.

97/D34039/LBC – Renewal Of Listed Building Consent D28221 For The Conversion Of Existing Listed Dwellinghouse And Redundant Barn To Form Three Dwellings. Approved 15/04/1997.

97/D34292/OUT - Residential Development (Two Detached Dwellings). Approved 26/03/1998.

97/D34822/FUL - Change Of Use And Conversion Of Existing Barn/Garage To Form 1 Dwelling. Approved 26/03/1998.

97/D34823/LBC - Conversion Of Listed Barn/Garage To Form One Dwelling. Approved 16/12/1997.

99/D36887/OUT - Erection Of 2 Detached Dwellings. Approved 01/12/1999.

01/D39220/REM - Erection Of 2 Detached Dwellings. Approved 27/11/2001.

01/D39221/FUL - Erection Of 3 Dwellings. Approved 27/11/2001.

02/D40100/HOUS - Erection Of Private Double Garage With Roofspace Storage Area. Approved 03/07/2022.

02/D40676/FUL - Change Of Use And Conversion Of Existing Workshop And Garage To Form Dwelling. Approved 17/12/2002.

02/D40677/LBC - Alterations To Listed Barn And Garage To Form Dwelling. Approved 17/12/2022.

02/D40678/FUL - Erection Of Garage And Store And Construction Of New Vehicular Access To Lower Lane. Approved 08/01/2003.

02/D40990/HOUS - Two Storey Front Extension And Erection Of Detached Garage. Approved 10/01/2003.

05/D45525/HOUS – Private detached double garage. Refused 19/07/2005 and dismissed at appeal 08/05/2006.

23/00318/FUL – Change of use and residential conversion works to existing workshop/garage to comprise a dwelling with associated car parking, creation of access opening/driveway to parking south of Tithe Barn and alterations to fenestrations at all elevations. Pending consideration.

CONSULTATION RESPONSES

Highways

Parking provision for the proposed development is in line with current standards and the access to the spaces has been approved as part of previous planning permissions.

The proposed servicing arrangements for the converted property would appear to be acceptable.

It would appear that there would be no detrimental impact on highway capacity or road safety as a result of the proposed development.

Highways raise no objection to this application, and we request no specific planning conditions.

Conservation Officer

Original comments

Amendments are needed before recommending this application for approval. Further comments are needed following the receipt of further details.

The proposal is for the residential conversion of a workshop/barn. The barn was previously granted permission for said works, according to the submitted plans, back in 2002 (ref. 02/D40677 & 02/D40676), although this decision has lapsed and new legislation (listed above) and best practice guidance has been released relating to developments since this decision was issued.

The main issue with this application is the proposed fenestrations and door openings. Many of the existing window and door openings are proposed to be blocked off in favour of new openings. Especially in the case of the workshop range, this is against the historical usage and plan-form of the structure as it was constructed. These elements of the proposal would result in less than substantial harm to the listed building; neither clear nor convincing justification has been provided and therefore the proposed change is not agreeable.

The proposed plastic drainpipes to be instated are not agreeable, all rainwater drainage should be in cast iron or powder coated aluminium. The instatement of these materials will incur less than substantial harm to the listed building, as these materials are not reflective of historical materials to the rest of the structure.

The heritage statement should also be resubmitted to locate any exposed timbers within the interior of the building, as mentioned both in the listing and in the heritage statement. It should assess how any of the proposed changes will impact the historical timbers and how this will affect the significance of the building on the whole. Further comments will need to be submitted following the receipt of these details.

The submission of all stone, roofing materials, window details, finishes, boundary treatments, surfacing treatments, etc. should be conditioned for approval prior to instatement.

Updated comments

Existing and proposed fenestration:

The scheme has been amended to re-use existing openings, where possible. New openings have been reduced in number and size and the porch has been omitted. It is important that large scale details of all new openings are required by condition.

Plastic rainwater goods:

The submitted section now shows cast iron rainwater goods. Please condition.

Heritage statement:

The submitted section does however show the position of the existing trusses and interventions. This matter can be dealt with by way of conditions.

New garage:

It is understood that this element is not part of the proposal

General:

The proposed conversion to residential would inevitably result in some harm to the listed building, through its domestication. However, the revised scheme does address many of the concerns raised previously. While there would be less than substantial harm, it is likely that this could be partially mitigated through conditions. There would also be public benefits in securing a viable use for this part of the listed building.

Natural England

No comments at the time of writing.

Joint Committee of National Amenity Societies

No comments at the time of writing.

Greater Manchester Ecology Unit

The bat survey submitted with applications 23/00318/FUL & 23/00319/LBC and dated 16/5/23, recommended 2 bat activity surveys (emergence at dusk or to return-to-roost at dawn) of both buildings and the north-facing gable end of the house.

GMEU agrees with the bat reports recommendations and would like to see the finding of the recommended surveys.

REPRESENTATIONS

Written notification letters were sent to occupiers of properties surrounding the development site and the application was publicised in the local notice and site notices displayed. There have been no representations received.

ANALYSIS

The application site is adjacent to a Grade II listed Tithe Barn and impacts its setting, and the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 apply. This requires a local planning authority to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

NPPF paragraph 206 states that local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance.

NPPF paragraph 200 states 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.

In accordance with NPPF paragraph 202, where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

Rochdale Core Strategy Policy P2 states that the borough's heritage will be protected through conserving, enhancing and promoting key heritage assets, which include conservation areas, listed buildings, and non-designated heritage assets.

GMCA's draft Places for Everyone Plan Policy JP-P2 seeks to encourage heritage place-making and states the desire to positively conserve, sustain and enhance the historic environment, heritage assets, and their settings.

Assessment of harm to the significance of the Listed Building

The application site is to a Grade II listed Tithe Barn which comprises the listed house and adjoining barn, as well as the adjoining workshop, this workshop is said to have been added in the 19th century, according to the Heritage Statement. The site is first mentioned on the 1893 OS survey for Lancashire, in largely the form which it takes today.

The proposal is for the residential conversion of the workshop/barn. The barn was previously granted permission for said works in 2002 (application ref: 02/D40677 & 02/D40676), although this decision has lapsed and new legislation (listed above) and best practice guidance has been released relating to developments since these decisions were issued.

The Council's Conservation Officer has reviewed the submitted plans and initially raised concerns regarding the proposed fenestrations and door openings. Many of the existing window and door openings were proposed to be blocked off in favour of new openings, especially in the case of the workshop. The Conservation Officer advised this was against the historical usage and plan-form of the structure as it was constructed. These elements of the proposal were considered to result in less than substantial harm to the listed building and neither clear nor convincing justification had been provided and the proposed changes were not agreeable.

Plastic drainpipes were also proposed which were not acceptable and additional information on any exposed timbers was required.

The submission of all stone, roofing materials, window details, finishes, boundary treatments, surfacing treatments can be dealt with by way of condition prior to instatement.

Amended plans were submitted on 25th September 2023 which have reduced the interventions to the buildings and includes the removal of the porch, the two chimneys and introduces cast iron drainpipes. The Council's Conservation Officer has reviewed the amended plans and has advised that the revised scheme addresses many of the concerns raised previously and while there would be less than substantial harm, it is likely that this could be mitigated through conditions. There would also be public benefits in securing a viable use for this part of the listed building.

The NPPF directs local planning authorities to give great weight to an asset's conservation. It is considered that the public benefits associated with the refurbishment and the repairs and bringing the vacant building back into use would clearly outweigh the less than substantial harm identified to its significance.

Subject to conditions as detailed in the recommendation below, the proposal would comply with NPPF paragraph 202 and Core Strategy Policy P2.

The proposed works would help to preserve the building and its features of special architectural and historic interest. It would comply with the requirements of the Planning (Conservation Areas and Listed Buildings) Act 1990.

RECOMMENDATION

Grant subject to the following conditions:

1. The works must be begun not later than the expiration of three years beginning with the date of this consent.

Reason: To comply with the requirements of section 18 of the Planning (Listed Building and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans and documents:

Drawing No: LP/01 – Location Plan
Received 29th March 2023

Drawing No: EXT/BIN/01 – Refuse Bin Store Detail
Drawing No: EXT/FE/01 – External Works Fence Detail 1
Received 30th May 2023

Drawing No: GA/01B – Proposed Ground Floor Plan
Drawing No: GA/02B – Proposed First Floor Plan
Drawing No: ELE/01B – Proposed East and South Elevations
Drawing No: ELE/02B – Proposed West and North Elevations
Drawing No: SEC/01 – Proposed Section A-A
Drawing No: SP/01B – Site Plan
Received on 25th September 2023

and the development shall be carried out in complete accordance with these drawings and documents hereby approved.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Core Strategy, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

3. Any downpipes and rainwater goods shall be cast iron and finished to match those as existing in all respects. Product specifications and details of rainwater goods to be instated, and any finishes to be applied, shall be submitted to, and approved in writing by, the Local Planning Authority prior to any instatement/application.

Reason: to ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4. Prior to the instatement of any new windows, doors and openings, full product specifications, elevations and cross sectional details, at a scale of no less than 1:20, shall be submitted to, and approved in writing by, the Local Planning Authority. Any windows and doors to be instated shall match those as existing in respect of material and appearance.

Reason: to ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5. No development shall commence (including any demolition/removal) until a Method Statement detailing any cleaning treatments to be carried out on any internal oak members has been submitted to, and approved in writing by, the Local Planning Authority. The works shall then be carried out in accordance with the approved Method Statement.

Reason: to ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6. No development shall commence (including any demolition/removal) until a Method Statement and product specifications of any new fixings or materials to be attached to any internal oak members has been submitted to, and approved in writing by, the Local Planning Authority. Any fixing methods should ensure that no undue harm is incurred on the significance of any internal oak members. The works shall then be carried out in accordance with the approved method statement.

Reason: to ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

7. Prior to the instatement of any repairs/replacement timbers, details shall be submitted to, and approved in writing by, the Local Planning Authority. Any new timbers shall match those as existing in their present location with respect to species.

Reason: to ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8. No development shall commence (including any demolition/removal) until any new stone to be instated, either to the main fabric of the building or any structures on the property, has been submitted to, and approved in writing by, the Local Planning Authority. The new stone shall be chosen to match the existing in appearance and density. Any replacement stone shall be pieced in sympathetically using mortar to match the existing in appearance and density.

Reason: to ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

9. No development shall commence (including any demolition/removal) until details of the render to be applied to the exterior elevations has been submitted to, and

approved in writing by, the Local Planning Authority. Any render to be instated shall be lime based and specifications of the recipe submitted.

Reason: to ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

10. No development shall commence (including any demolition/removal) until details of the roof coverings to be instated have been submitted to, and approved in writing by, the Local Planning Authority. Any new roof coverings shall be natural slate and chosen to match the existing in geographical origin and appearance.

Reason: to ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.