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|-----------------------------------------|--------------------------------------------------------------------|
| <b>Application Number:</b>              | 25/00293/HOUS                                                      |
| <b>Location:</b>                        | 78 Church Street, Middleton, M24 2PY                               |
| <b>Proposal:</b>                        | Hip to gable roof conversion and installation of four roof lights. |
| <b>Applicant:</b>                       | Mr James Taylor                                                    |
| <b>Case Officer:</b>                    | Bob Melling                                                        |
| <b>DETERMINATION DATE</b><br>19.05.2025 | <b>EXT OF TIME</b><br>26.05.2025                                   |
| <b>RECOMMENDATION:</b>                  | <b>Grant subject to conditions</b>                                 |

|                   |                                               |          |
|-------------------|-----------------------------------------------|----------|
| <b>DELEGATION</b> | <b>Applicant a Council Member or officer?</b> | <b>N</b> |
|                   | <b>Contrary to previous decision?</b>         | <b>N</b> |
|                   | <b>Called in or Planning Panel objection?</b> | <b>N</b> |

|                 |                                          |          |
|-----------------|------------------------------------------|----------|
| <b>COMMENTS</b> | <b>Planning Panel comments received?</b> | <b>N</b> |
|                 | <b>Neighbour comments received?</b>      | <b>N</b> |

|                   |                                                                             |            |
|-------------------|-----------------------------------------------------------------------------|------------|
| <b>CONDITIONS</b> | <b>Pre-commencement conditions proposed?</b>                                | <b>N</b>   |
|                   | <b>Pre-commencement conditions agreed (or notification period expired)?</b> | <b>N/A</b> |

### **Location**

This application relates to no. 78 Church Street, a two storey, end-terrace dwelling located in close proximity to the Middleton Town Centre Conservation Area. The dwelling is located at the junction of Church Street and Brewster Street with no. 76 Church Street adjoined to the south and no. 80 Church Street located across Brewster Street to the north. The application property is an attractive red brick, early twentieth century property with a canted bay window, arched doorway and slate roof. The street scene is characterised by groups of similarly designed terraced properties with predominantly hipped roof forms.

### **Description of Proposal**

Permission is sought for a hip to gable roof conversion and the installation of four roof lights.

### **Relevant History**

N/A

### **Township/Member comments**

N/A

## **Consultee responses**

N/A

## **Representations**

Letters of notification were sent to surrounding properties and a site notice posted in the vicinity. No comments were received.

## **Policy**

### **National**

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

### **Sub-Regional**

Places for Everyone Joint Development Plan (PfE)

The Places for Everyone Joint Development Plan was adopted and became part of the statutory development plan for each of the 9 authorities covered by the plan on 21st March 2024. The following policies are relevant:

|       |                    |
|-------|--------------------|
| JP-P1 | Sustainable Places |
| JP-P2 | Heritage           |

### **Local**

#### **Saved Rochdale Unitary Development Plan (UDP) 2006:**

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

#### **Adopted Rochdale Core Strategy (CS) 2016:**

The Rochdale Core Strategy was adopted on 19<sup>th</sup> October 2016. The following policies are relevant:

|            |                                                            |
|------------|------------------------------------------------------------|
| P2         | Protecting and Enhancing Character, Landscape and Heritage |
| P3         | Improving Design of New Development                        |
| DM1        | General Development Requirements                           |
| T2         | Improving Accessibility                                    |
| Appendix 5 | Schedule of Parking Standards                              |

Supplementary Planning Documents (SPD): Supplementary Planning Document 'Guidelines and Standards for Residential Development' (2016).

## **Amendments**

N/A

## **Assessment**

**Design and Heritage:** DM1, P2 and P3

Paragraph 135 of the NPPF requires new development to be “visually attractive as a result of good architecture, layout and appropriate and effective landscaping” in addition to ensuring that development is “sympathetic to local character.”

Policies DM1 and P3 of the adopted Rochdale Core Strategy require development proposals to be “of high quality design and take the opportunity to enhance the quality of the area” and to “enhance the borough’s identity and sense of place, by respecting context where it is positive and having regard to the scale, density, massing, height, layout, landscape, materials and access of surrounding buildings and areas in general.”

The host dwelling is located at the end of an attractive row of terraced dwellings dating to the early twentieth century. It is also located in close proximity to the Middleton Town Centre Conservation Area.

Paragraph 213 of the NPPF requires “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.”

The end terraces along Church Street are characterised by hipped roofs which creates a pleasing sense of balance and rhythm to the street scene. The proposals would upset this balance through the change in roof shape while the addition of roof lights would conflict with the character of the original property. Notwithstanding, it is important to be mindful of what can be constructed under permitted development. It has been determined that the proposals would comply with the limits and conditions of Class B and C of the GPDO. The proposed hip to gable roof conversion has a volume of approximately 23.71m<sup>3</sup>, which is comfortably below the 40m<sup>3</sup> allowed for a terraced house under Class B. Furthermore, the application property is not located on article 2(3) land as it is outside the nearby Conservation Area.

Case law establishes that permitted development rights can form a material consideration in the determination of a planning application where it can be shown that there is a reasonable likelihood of the fallback development being built if permission is denied, as demonstrated in [Stoke-on-Trent 21/09/2020 DCS No 400-027-719](#). Given that the proposals could be constructed under the terms of the GPDO, it must be accepted that there is a credible and realistic fallback position.

In the specific circumstances of this case, there is a real prospect of a development under the GPDO taking place that would lead to a similar outcome. It is considered that a strong justification in the context of Paragraph 38(6) of the Planning and Compulsory Purchase Act 2004 exists and provides clear justification for departing from the development plan in this case.

A condition is attached to ensure the use of materials to match the existing dwelling, namely the brickwork and slate roof coverings.

**Amenity:** DM1 and SPD

Protection of residential amenity is considered under Policy DM1 of the adopted Rochdale Core Strategy, which requires that development proposals should not

adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.

It is not considered that the roof conversion would have an overbearing impact on any neighbouring properties. Further, it is not considered that the proposed roof lights would unduly overlook any neighbouring properties.

The submitted plans indicate the provision of natural light to all habitable rooms and that sufficient garden space of a functional layout would be retained. As such, the proposed works would ensure an acceptable standard of living for existing and future occupants.

The proposal is therefore acceptable in terms of residential amenity and accords with policy DM1 of the adopted Rochdale Core Strategy, the SPD, PfE and the NPPF.

**Recommendation: Grant subject to the following conditions**

1. The development must be begun not later than three years beginning with the date of this permission.

Reason. Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. This permission relates to the following plans:

- Location Plan. Dwg no. FF\_026\_100
- Site Plans. Dwg no. FF\_026\_101
- Existing Plans & Elevations. Dwg no. FF\_026\_102
- Proposed Plans & Elevations. Dwg no. FF\_026\_103. Rev A

and the development shall be carried out in accordance with these drawings hereby approved unless otherwise required by the conditions below.

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

3. The materials used in the construction of the exterior of the development hereby permitted shall match those used in the construction of the exterior of the existing building in colour, form, type, size and texture.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policies P3 and DM1 of the adopted Rochdale Core Strategy, the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

**Article 35 Statement**

The proposal did not comply with the development plan and / or the development plan was silent or out of date when considering this application. However, the adverse impacts of the development did not significantly and demonstrably outweigh the benefits of the proposed development and it 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.

|                         | <b>Date</b> | <b>Officer</b> |
|-------------------------|-------------|----------------|
| <b>Report Completed</b> | 24/04/2025  | Signed: BM     |
| <b>Authorisation</b>    | 23/05/2025  | Signed: TH     |

Report Author Bob Melling