

Application Number:	23/00273/HOUS
Location:	1 Ramsden Farm, Roundthorn Road, Middleton, M24 1ZB
Proposal:	Erection of a detached single-storey outbuilding to form additional living accommodation and other recreational spaces
Applicant:	Mr Marcel Duffy
Case Officer:	Bob Melling
Recommendation:	Refuse

DELEGATION	Applicant a Council Member or officer?	N
	Contrary to previous decision?	N
	Called in or Planning Panel objection?	N

COMMENTS	Planning Panel comments received?	N
	Neighbour comments received?	Y

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

Location

The application relates to no. 1 Ramsden Farm, located on a private road between Roundthorn Road and St. Dominics Way/Brookbank Close, Alkrington. The site falls within an area designated as a Greenspace Corridor on the Rochdale Unitary Development Plan Proposals Map, and forms a peripheral part of the wider corridor which runs between the southern bank of Wince Brook up to the built-up edge of Alkrington Garden Village. The subject property is one of four detached dwellings approved under application ref: 16/01302/FUL and is located on the site's western boundary. The site is adjacent to nos. 36 – 52 St Dominics Way to the west and no. 2 Ramsden Farm to the northeast. The rear boundary of curtilage is open to the Greenspace Corridor beyond, where the ground level falls away in a north-easterly direction towards Wince Brook and Grimshaw Lane.

Nos. 1 and 4 (at either end of the road) benefit from detached garages which are set forward of the houses and face inwards, perpendicular to the primary building line. The subject property is finished externally with facing brickwork (including a low plinth at the base), K-render in soft white, reconstituted stone heads and cills to window openings, anthracite colour interlocking roof tiles and black ash-effect UPVC windows.

Description of Proposal

Permission is sought for single storey outbuilding to form additional living accommodation and other recreational spaces.

The proposed outbuilding would cover a footprint of approximately 402ml and be set against the western and northern boundary fencing. It is formed of three pavilions, for the one bedroom apartment, pool and pub respectively, which are connected by a spine of other recreational spaces.

The building would have a dual pitched roof with an eaves height of approximately 2.4m and a ridge height of 3.8m. The ridge height of the third pavilion would increase by approximately 1m to 4.8m.

Internally the outbuilding would provide ancillary living accommodation to include an entrance, bedroom, kitchen, living room, ensuite, storage and utility. It would also include a gym, pump room, storage, sauna, swimming pool, changing room, poker room, karaoke booth/snug, games lounge, pub, kitchen and powder room.

Externally, there will be an amenity area encompassing a barbeque and fire pit with seating. The existing car parking spaces will not be affected by the proposed works.

Relevant History

16/01302/FUL Proposed residential development of 4 detached houses with private access road
Decision: Grant Subject to Conditions

Township/Member comments

N/A

Consultee responses

Env Health - Noise/Odours

I would recommend we ask for a noise impact assessment to be undertaken to demonstrate that the extension and all plant serving it will not have an adverse impact on existing residential properties.

Representations

Letters of notification were sent to all surrounding properties and a site notices was displayed for wider publicity. 7 objections were received in response to the proposed development. The objections raised the following concerns:

- ☐ The scale of development is not suitable for a residential area.
Officer's response: This is assessed in the 'design' section of the report.
- ☐ The development will result in noise disturbance.
Officer's response: This is assessed in the 'amenity' section of the report.
- ☐ The development is too close to the rear of neighbouring properties.
Officer's response: This is assessed in the 'amenity' section of the report.
- ☐ The development will result in loss of light into gardens.
Officer's response: This is assessed in the 'amenity' section of the report.
- ☐ It is an overdevelopment of the plot.
Officer's response: This is assessed in the 'design' section of the report.
- ☐ Impact on air quality due to open fires.
Officer's response: This is not a material planning consideration.
- ☐ The planning application form has redacted information that could lead to further objections.

Officer's response: Personal data is redacted in line with the data protection legislation.

☐ The design is out of character with the residential area.

Officer's response: This is assessed in the 'design' section of the report.

☐ Concerns of disturbance from extra traffic.

Officer's response: This is assessed in the 'highways' section of the report.

☐ There would be a detrimental Impact on nature.

Officer's response: This is assessed in the 'Greenspace Corridor' section of the report.

☐ Appears to cover more than 50% of curtilage.

Officer's response: This is assessed in the 'design' section of the report.

☐ Loss of property value.

Officer's response: This is not a material planning consideration.

Policy

National

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Local

Saved Rochdale Unitary Development Plan (UDP) 2006:

G/D/1 Defined Urban Area

G/8 Greenspace Corridors (*To be read in conjunction with CS Policy G6 until replaced by Site Allocations or other DPD*)

Adopted Rochdale Core Strategy (CS) 2016:

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

P3 Improving Design of New Development

DM1 General Development Requirements

G6 Enhancing green infrastructure

G9 Reducing the impact of pollution, contamination and land instability

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

Principle of Development

The application proposes a detached outbuilding to provide ancillary living accommodation and recreational spaces. Longstanding case law establishes that ancillary accommodation can be viewed as appropriate development, providing the accommodation is incidental to the main dwelling house.

Additionally, case *Uttlesford DC v Secretary of State for the Environment and White* 1992 JPL 17, established that it is not necessary for a relative of the occupier of the main dwelling to rely upon the facilities in the main dwelling house, in order to maintain additional living accommodation.

The proposed living accommodation would comprise an entrance, bedroom, kitchen, living room, ensuite, storage room and utility. The level of accommodation is sufficient for the property to be occupied without a reliance upon the main dwelling house, however, given its relationship spatially with the host dwelling and its reliance on a shared site access and external amenity space it is considered that, in line with the *Uttlesford DC* case, the development can be viewed as incidental to the main dwelling house and as such is acceptable in principle.

Design: DM1 and P3

Policies DM1 and P3 of the Council's adopted Core Strategy requires development proposals to demonstrate high quality design. In addition, paragraphs 126 and 130 of the National Planning Policy Framework (NPPF) state that good design is a key aspect of sustainable development and that planning policies and decisions should ensure that developments function well and add to the overall quality of the area and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

Paragraph 5.1 of the Guidelines and Standards for Residential Development SPD states that house extensions be in keeping with the host dwelling and should generally be subservient to it.

The proposed outbuilding features elements of design that would be acceptable such as the hipped roofs as well as finishing materials that would be in keeping with the host dwelling. However, the scale of the proposed outbuilding would be incongruous in the context of the existing dwelling, the plot itself, and the pattern of density within the locality. The scale of the building is such that it would not be considered to be "incidental" to the enjoyment of the dwellinghouse as defined in the General Permitted Development Order.

Whilst the height of the proposal is appropriate for an outbuilding, the footprint (which would be over twice the footprint of the host dwelling) and width (which exceeds the width of the dwelling itself) of the structure would result in a development that cannot be recognised as subservient to the host dwelling and therefore would be contrary to paragraph 5.1 of the SPD and represent overdevelopment of the plot. Additionally, the significant scale of the building would appear visually excessive within the plot and fail to respect the form and layout of the host dwelling and its associated curtilage.

With regard to the site itself and the pattern of development of the locality, the proposed works would not respect the context of the borough's sense of place. Whilst the impact on the pattern of density of the area would be reduced to a degree due to the size of the curtilage of the site, the footprint of the works would remain vastly disproportionate in comparison to other developments in the locality. As a result the proposal would be in direct contradiction of Policy P3 of the adopted Core Strategy.

The design of the proposal is therefore in contrast to policies DM1 and P3 of the adopted Rochdale Core Strategy, the SPD and the NPPF.

Amenity: DM1 and SPD

Policy DM1 of the Core Strategy states that all development proposals must not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.

Privacy

The outbuilding would be positioned towards the western boundary and the adjacent property (no. 2) is located to the east of the host property. To the west of the property lies the rear gardens of nos. 38 - 52 St Dominics Way.

The outbuilding has a large opening on the elevation facing directly towards the rear elevation of the host property. Considering the distance away from the neighbouring property of no. 2 (at least 14m) it is considered that the outbuilding would not lead to a loss of privacy for the occupiers of no. 2. The rear/side elevation of the outbuilding is set against the boundary with the rear gardens of nos. 38 - 52 St Dominics Way. This facing side/rear elevation contains no openings and as such it is considered that the outbuilding would have an undue impact on the privacy of the occupiers of nos. 38 - 52 St Dominics Way.

Overshadowing and Overbearing Impact

Paragraph 4.1 of the SPD provides guidance on minimum distances that apply to all new residential developments and developments which affect existing residential properties. The purpose of the guidance is to avoid causing a significant loss of privacy and/or light for occupiers of neighbouring properties as well the applicant property. The SPD states that a minimum of 10m should be retained between a principal window and any directly facing single storey elevation which does not contain a principal window to a habitable room.

The proposed outbuilding would be set over 10m from any of the true rear elevations of the neighbouring dwellings at nos. 38 - 52 St Dominics Way. Additionally, the majority of the facing elevation of the outbuilding is screened by the existing boundary treatment and the outbuilding would be stepped below the adjacent rear gardens which limits any visual impact. The LPA recognise that the distance to the conservatories of no. 38 and 50 is slightly less, at 7m. However, given the afore mentioned screening and the scale of the outbuilding it is considered that the proposed outbuilding would not overshadow or have an overbearing impact on any of the neighbouring properties.

Noise Disturbance

Paragraph 185 of the NPPF seeks to mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.

For protection against sleep disturbance inside dwellings, night time noise levels should not exceed 30dB L_{Aeq} for continuous noise and 45dB L_{Amax} for single sound events.

The proposed development would increase the living accommodation at the property and create a number of recreational facilities comprising; a gym, pump room, storage, sauna, swimming pool, changing room (including shower and toilet facilities), poker room (including further toilet facilities), karaoke booth/snug, games lounge, pub, kitchen and powder room. These would then lead out onto the existing garden which is annotated as providing a BBQ area and fire pit.

Given the significant scale of development, level of facilities proposed and proximity to existing residential properties, notably no. 2 Ramsden Farm, the Council's Environmental Health Officer considers that a Noise Impact Assessment would be essential to inform the design to mitigate noise from the significant scale of facilities proposed.

The significant scale of the proposed development would result in an outbuilding capable of facilitating a disproportionate level of activities comprised to what would be expected for a residential unit of this scale. Given the spatial relationship with neighbouring properties, particularly no. 2 Ramsden Farm which would only be screened from the development by the existing boundary treatment, the Council has concerns that the development would result in significant levels of noise disturbance to the neighbouring properties.

As such, in the absence of a comprehensive assessment of the acoustic environment of the site, and an understanding of the attenuation measures required, the application would fail to accord with the requirements of Policies G9 and DM1 of the adopted Core Strategy and the National Planning Policy Framework.

Occupier Amenity

As noted above, paragraph 4.1 of the SPD provides guidance on the minimum distances that must be retained between properties. This guidance does not only apply to neighbouring properties, but also to the applicant property. The proposed outbuilding forms a natural envelope around the applicant property and contains an extensive amount of fenestration.

However, given the layout of the outbuilding, most of the fenestration faces the applicant property at oblique angles. Where fenestration does share a direct relationship, it is noted that the distances would meet the minimum standards set out in paragraph 4.1.

The property has retained a suitably sized rear garden space with a functional layout.

In respect of overlooking, the proposed development would not unduly impact on the residential amenity of the present and future occupiers of the neighbouring properties or the applicant property and therefore accords with policies DM1, the SPD and the NPPF.

Highways and Parking: DM1 and T2, Appendix 5

The proposals do not reduce the existing provision of off-street parking which is considered appropriate for a dwelling of this size. The proposed parking arrangements are therefore acceptable in accordance with policies T2 and DM1.

Greenspace Corridor

The land in question falls within an area of Greenspace Corridor as defined on the Unitary Development Plan Proposals Map. Policy G/8 states that the Greenspace Corridors shown on the proposals map will be protected, with developments only permitted where they will enhance the recreational, ecological or landscape and amenity value of the corridor. Criteria (e) and (f) of saved UDP policy G/8(A) state that development will not be permitted within the Greenspace Corridor where it would result in unacceptable harm to:

(e) "the better landscape qualities and character of the corridor"; and

(f) “the amenity value of the corridor where it provides welcome visual relief from urban development, including attractive views in and out of the corridor”.

Further to this, Policy G6 of the Adopted Core Strategy above all, seeks to sustain and enhance a green network to support growth and regeneration in the borough, with specific reference to enhancing recreational links between urban areas and open countryside for purposes incidental to wildlife and local opportunities for recreation as well as improving visual amenity.

The proposed development would result in a new detached structure covering a large proportion of the existing curtilage. However, when considered in the wider context of the corridor (which spans for several hectares between Kirkway and Greengate), it is not considered that the building would have a harmful impact on the visual, recreational or ecological value of the Greenspace Corridor.

Other Matters

Through a public objection the use of the proposed has been called into question (suggesting the proposed works may be used as a commercial venture). The application can only be considered with the information submitted and as such no further comment can be made at this moment. If an unauthorised change of use were to occur in the event of any planning approval then this would be a matter enforcement would have to investigate.

Recommendation: Refuse for the following reasons

1. The proposed outbuilding would constitute a disproportionate and incongruous addition to the application site by virtue of its scale and size and would be detrimental to the visual amenity of the street scene. The proposal therefore constitutes poor design and is contrary to policies DM1 and P3 of the adopted Rochdale Core Strategy, the Council's 'Guidelines and Standards for Residential Development' Supplementary Planning Document and the National Planning Policy Framework.
2. In the absence of a comprehensive Noise Impact Assessment, the application fails to demonstrate how the outbuilding and associated facilities would not harm the amenity of neighbouring properties as a result of undue noise and disturbance. As such the application fails to accord with the requirements of Policies G9 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Article 35 Statement

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application.

Informatives

For the avoidance of doubt, the decision relates to the following drawings:-

- Location Plan. Drg no. 22.128.201. Rev P1
- Existing Site Plan. Drg no. 22.128.202. Rev P1
- Proposed Site Plan. Drg no. 22.128.203. Rev P1
- Proposed GA Floor Plans. Drg no. 22.128.301. Rev P1

- Proposed Roof Plan. Drg no. 22.128.302. Rev P2
- Existing Elevations. Drg no. 22.128.401. Rev. P1
- Proposed Elevations (Outbuilding With Existing House). Drg no. 22.128.402. Rev P1
- Proposed Elevations (Outbuilding). Drg no. 22.128.403. Rev P1
- Site Sections. Drg no. 22.128.501. Rev P1

	Date	Officer
Report Completed	12/05/2023	Signed: BM
Authorisation	15/05/2023	Signed: RC

Report Author Bob Melling