

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00226/FUL	Claire Ringwood	22 nd November 2023

Address: Dearnley Old Hall, New Road, Littleborough, OL15 8NL

Proposal: Erection of detached garage

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?	Y

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

RECOMMENDATION	REFUSE
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CHECKED AND SIGNED OFF BY: RG

DATE: 01 December 2023

SITE

Dearnley Old Hall is a Grade II* Listed Building. The site is located behind properties on New Road and accessed from Union Road to the west where there is a relatively recent residential development. The property is located to the north-west corner of the site with garden land to the east and south of the property. The red line on the Location Plan includes access from Union Road, two parking spaces to the side of the property and an area of parking to the south of the property which is in line with the front garden.

The property is currently under offer and the sales particulars refer to 'a double garage is soon to be built to the front of the property which will be included within the sale.'

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 erection of a detached garage on garden land to the front of the property. The garage measures 6m x 6m with a pitched roof measuring approximately 2.4m in height to eaves level and approximately 4.10m in height at its highest point. An up and over electric garage door is proposed to the front which faces onto the new housing development and a side window would face the front elevation of the dwellinghouse.

The submitted Block Plan shows the proposed garage up to the boundary with 154 New Road.

The submitted plans state the driveway would consist of natural (Indian) stone, setts to be Marshall's Fairstone sawn and tumbled laid to falls. Re-constituted stone to the front of the garage and render to rear and side walls, timber garage door, soft wood window, aluminium gutter and downpipes (unsure if these are also to be aluminium) and Marley Modern slate grey tiles to match the new housing development.

The application has been submitted in tandem with an application for listed building consent 23/00504/LBC.

PLANS AND INFORMATION SUBMITTED

Heritage Statement
Received 6th March 2023

Drawing No: PL-12 – Garage to Dearnley Old Hall
Received 26th April 2023

Drawing No: PL-01 – Existing Site Plan
Drawing No: PL-02 – Proposed Site Plan
Received 27th April 2023

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – September 2023

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

SO3 Improving design, image and quality of place

P2 Protecting and enhancing character, landscape and heritage

P3 Improving design of new development

SO4 Promoting a greener environment

G6 Enhancing green infrastructure

G8 Managing water resources and flood risk

G9 Reducing the impact of pollution and land stability

SO5 Improving accessibility and delivering sustainable transport

T2 Improving accessibility

SD1 Delivering sustainable development

DM1 General Development requirements

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).

RELEVANT SITE HISTORY

80/D11142 – Front Entrance Porch. Permitted.

11/D54094 - Outline Application - 9 Dwellings, Part Demolition Of Chapel And Conversion Of Outbuilding To Garage For Dearnley Old Hall. Withdrawn 05/01/2015.

11/D54104 - Alterations To Existing Chapel And Outbuilding To From A Double Garage For Dearnley Old Hall And The Demolition Of Disused Industrial Building And Garages. Withdrawn 05/01/2015.

14/01530/OUT - Outline planning permission (by means of access, layout and scale) for the erection of 14no. 3 and 4 bedroom dwellings. Withdrawn 12/05/2015.

15/00200/LBC - Application for listed building consent to demolish the chapel of rest outbuilding to allow for the development of 14 dwellings. Withdrawn 12/05/2015.

15/00916/OUT - Outline planning permission (including means of access, layout and scale) for the erection of 14no. 3 and 4 bedroom dwellings (Resubmission of 14/01530/OUT). Permitted 14/06/2017.

15/01132/LBC - Demolition of Chapel of Rest and retrospective consent for the demolition of the principal outbuilding. Permitted 11/02/2016.

16/00267/DOC - Submission of details to comply with conditions 3 and 4 on planning permission 15/01132/LBC. Discharged 02/05/2018.

20/00520/FUL - Residential development - 13 terraced and 1 detached dwelling with associated access, parking and landscaping. Permitted 14/10/2020.

22/00451/DOC - Submission of detail to comply with condition 4 (remediation scheme) on planning permission 20/00520/FUL. Discharged 25/05/2022.

23/00504/LBC - Erection of detached garage. Pending consideration.

CONSULTATION RESPONSES

Conservation Officer

Proposal is acceptable in principle – however clarification and amendments are required.

The submitted heritage statement does not adequately analysis the historical development of the site, nor does it analyse the impacts of the proposed on the significance of the designated heritage asset. This is not in line with both paragraph 194 of the NPPF. Further information is required in relation to the setting of the asset in respect of trees and boundary treatments in order to assess the proposals. Other elements in relation to material finishes may be controlled via planning condition.

RBC Highways

The garage site is remote from the adopted highway network therefore it is unlikely to have any direct impact.

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

Greater Manchester Ecology Unit (Trees)

No comments received at the time of writing.

REPRESENTATIONS

Written notification letters were sent to occupiers of properties surrounding the development site and the application was publicised in the local newspaper and site notices displayed. One letter of representation has been received:

1. A double garage in the grounds of a Grade II Listed Building would seriously affect the character and would not be 'in keeping' with this amazing property;
2. The recently built development already has many cars accessing from Union Road, additional cars travelling through this development would add further to the highways traffic.

ANALYSIS

Principle of Development

The application proposes the erection of a detached garage in the grounds of the residential house known as Dearnley Old Hall which is a Grade II* Listed Building. The site is identified as being within the Defined Urban Area as allocated under saved UDP policy G/D/1. This establishes that development should be concentrated in the urban area so as to protect the countryside. The principle of development is therefore considered acceptable subject to other material planning considerations in accordance with saved Policy G/D/1 of the Rochdale Unitary Development Plan, Core Strategy Policies SO3, P2, P3 and DM1 and the requirements of the National Planning Policy Framework.

Heritage, Layout, Design and Appearance

Policy DM1 of the Council's Core Strategy requires all development proposals, including changes of use of land and buildings, extensions and alterations, to demonstrate that they are of a high quality design and take the opportunity to enhance the quality of the area. Policy P3 of the Core Strategy acknowledges that good design will improve the image and attractiveness of the borough as a place to live, work and visit. This policy requires all new developments to adhere to high quality design and 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.

In addition, Core Strategy Policy C3 requires a high standard of development and layout that produces attractive places. Furthermore, paragraph 130 of the National Planning Policy Framework states that planning decisions should ensure that developments are sympathetic to local character and visually attractive as a result of good architecture, layout and effective landscaping.

The proposed development would create a detached garage to the front of the property which is accessed from Union Road via a new residential development. As mentioned above, there is no objection in principle to the proposed garage and subject to suitable conditions, such as materials, its design and appearance could potentially be sympathetic to the setting of the listed building. However, an email was sent to the applicant's agent on the 2nd August 2023 advising there were a number of matters that needed to be addressed:

1. A plan showing the existing parking provision was required as it was not clear how many spaces are existing for Dearnley Old Hall and where these are. Officers acknowledged there is a right of access from Union Road but requested clarification on whether the parking spaces in front of where the proposed garage would be located is solely for Dearnley Old Hall as well as those that were shown within the red line in the middle of the Location Plan. Officers also asked for clarification as to whether any spaces were being removed that were approved under application 20/00520/FUL which was for the new residential development.
2. There are mature trees within close proximity to the proposed garage. It was not clear to officers how the garage would be constructed i.e. if foundations needed to be dug or whether any trees would need pruning and/or removing to enable the construction of the garage. A tree survey including a root protection plan and a tree protection plan was required to be submitted. The heritage Statement would also need updating if any trees were to be removed as requested by the Council's Conservation Officer.
3. The Council's Conservation Officer also required additional information in respect of the proposal, including for the parallel listed building application 23/00504/LBC. The officer confirmed that the submitted heritage statement does not adequately analyse the historical development of the site, nor does it analyse the impacts of the proposed on the significance of the designated heritage asset. This is not in line with paragraph 194 of the NPPF.

Following the initial request for additional information, officers have reiterated the request on 14th August 2023, 21st September 2023 and 29th September 2023. On the 8th November 2023 officers advised that as the information had not been forthcoming, that the authority would need to determine the application on the merits of the submitted information if no further details were by 22nd November 2023.

On this basis, the application does not provide sufficient information to determine whether the proposed garage would have an unacceptable impact on the heritage asset, existing parking provision and the mature trees on site. The application has therefore failed to demonstrate that it would be in accordance with Core Strategy policies P2 and P3 and the NPPF.

Impact on the living conditions of neighbouring properties and future occupiers

Paragraph 130 of the National Planning Policy Framework advises that planning decisions should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. Policy DM1 of the Core Strategy requires that proposals do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy. Also, impacts including noise, air, dust, light and odour pollution are required to be mitigated where necessary.

Further to the above are the considerations of the Councils Supplementary Planning Document (SPD) 'Guidelines and Standards for Residential Development' which states that new developments *'should be carefully designed to protect the amenity of the occupants of adjoining properties.'*

The proposed garage would be located to the rear boundaries with 154 New Road and 7 Old Hall Mews, Union Road. The Site Plan (Drawing No: PL-02) submitted with the application does not show 7 Old Hall Mews which was constructed as part of the new residential development but its frontage faces onto New Road. Although the residents of these neighbouring properties will notice the additional height and depth of the proposed garage there is sufficient distance between the neighbouring properties and the orientation means there would be no loss of light or overshadowing. No windows are proposed to the elevation facing these neighbouring properties and had the application been acceptable, a condition would have been included to restrict any side windows to this elevation.

Subject to a condition restricting additional windows, the proposal is considered in accordance with Policy DM1 of the adopted Rochdale Core Strategy, as well as the National Planning Policy Framework.

Highways

Policy T2 of the Core Strategy sets out that development and infrastructure proposals are required to satisfy the Council's accessibility hierarchy and in all circumstances, the safety, accessibility and amenity of those who live or have business in the area will have priority, while providing reliable journey times for those travelling through. Developments are required to provide parking in compliance with the Council's Maximum Car Parking Standards as set out in Appendix 5 of the Core Strategy.

As highlighted above, clarification was requested on the existing parking provision and whether the proposal would remove any parking spaces that were approved under application 20/00520/FUL for the new residential development.

This information has not been provided and the applicant has therefore failed to demonstrate that the proposed development would not have an unacceptable impact on the existing parking provision which is contrary to Policy T2 of the adopted Rochdale Core Strategy.

Drainage and Flooding

Policy G8 of the adopted Rochdale Core Strategy, seeks to promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. The policy aims to prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface water from development sites.

The submitted plans advise gutters and downpipes will connect into the surface water mains. Adequate outdoor green space will be retained and as there is already an existing residential use on the site, officers do not consider that a drainage strategy for the site is required and the proposed development accords with policy G8 of the adopted Rochdale Core Strategy.

Trees and Ecology

Policy G6 establishes that development should protect and improve green spaces and where trees are to be removed they should be replaced at a ratio of 2:1. The NPPF also requires the planning system to contribute to and enhance the natural and local environment.

As highlighted above insufficient information has been provided to determine whether the proposed garage would be harmful to the existing mature trees which are in close proximity to the proposal. The applicant has therefore failed to demonstrate that the proposed development would not have an unacceptable impact on these trees which is contrary to Policy G6 of the adopted Rochdale Core Strategy.

RECOMMENDATION

REFUSE:

1. The applicant has failed to demonstrate that the proposed development could successfully retain the trees on the site which are considered of high amenity value in the setting of the Grade II* listed building. The applicant has failed to demonstrate that the proposed garage would not harm the significance of the listed building or affect the setting of the listed building as insufficient information has been provided. The proposal is therefore contrary to Core Strategy Policies P2 and G6, and the NPPF.
2. The applicant has failed to demonstrate that the proposed development would not have an unacceptable impact on the existing parking provision within the new residential development which is contrary to Policy T2 of the adopted Rochdale Core Strategy.

Procedure 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. Officer's requested further information to be able to fully assess the impacts of the proposal and work proactively with the applicant however no further information has been received in order to make the proposals acceptable.

Notes for Applicant:

INFORMATIVE:

1. The decision relates to the following plans and drawings:

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