

Application Number:	23/01190/HOUS
Location:	Lockhouse, Canal Street, Littleborough, Rochdale, OL15 0HJ
Proposal:	Single storey front extension following demolition of existing conservatory, with first floor balcony and balustrade together with alterations to fenestration.
Applicant:	Andrew & Hayley Barbour
Case Officer:	Sam Yuen
DETERMINATION DATE 12.02.2024	EXT OF TIME 23.02.2024
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?	N

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

Location

The application relates to a former lockhouse circa 18th century converted to three-storey detached dwelling located by Low Lock 48 of the Rochdale Canal, 135m east of Littleborough town centre. The dwelling features stone construction on the ground floor and mock-Tudor timber framing on the first floor. It is situated in an isolated location and is not adjacent to any properties or highways within the immediate vicinity. The front curtilage boundary directly adjoins Green Belt land and a public right of way connecting Halifax Road with Canal Street.

The host dwelling and its associated lock have been identified by the Conservation Officer as non-designated heritage assets (NDHAs) alongside the Rochdale Canal due to their historic and architectural interest. The property also lies within the setting of Ealees Road Canal Bridge, a Grade-II listed building 72m north-east of the dwelling.

Description of Proposal

Planning permission is sought for a single-storey front extension which projects a maximum 3.55m from the front elevation and 3m from the side elevation of the dwelling, following the demolition of the existing front conservatory. The proposal would effectively infill the recessed walls of the existing front elevation, resulting in a projection 1.22m forward of the front gable wall. It is characterised by a flat roof form with a central gable-fronted front porch and has a ridge height of 2.73m.

A first-floor balcony is also proposed to sit above the roof of the front extension surrounded by 1.1m-high glass balustrades. Additional works proposed includes alterations to fenestration on the first-floor front elevation and ground-floor south-west facing side elevation.

The proposals would be constructed from materials matching the host dwelling.

Relevant History

95/D32389 - Conservatory Extension To Front Of Dwelling - Grant Permission subject to condition

Township/Member comments

N/A

Consultee responses

Conservation and Design

The application property known as Lockhouse is located along Rochdale Canal in Littleborough. The house was originally constructed as the lock keepers cottage for the adjacent lock on the Canal. The application is supported by a heritage statement. This states that the house and adjacent lock were likely constructed as part of the initial phase of the canal's construction, between 1794 and 1798. The lockhouse and lock form part of a wider group of structures, which reflect the area's once industrial landscape. These include surviving 19th century workers housing to the north-west.

To the northeast of the site lies Ealees Road Canal Bridge. This bridge, which also dates from the 1790s, was designed by William Jessop. It is listed at grade II for its architectural and historic interest.

The lock, house and canal are all considered to be non-designated heritage assets, due to their historical and architectural interest. As such, the provisions of NPPF paragraph 209 apply when considering the proposal. This requires a balanced judgement to be had, having regard to the significance of the asset and the scale of any harm or loss.

When considering planning applications affecting a listed building or its setting, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990

requires the local planning authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. NPPF Paragraphs 205 to 208 set out how to assess the impact of a development proposal on a designated heritage asset or its setting.

At a local level, Rochdale CS policy P2 applies. This seeks to conserve, enhance and promote key heritage assets. This includes the borough's engineering heritage, such as mills, canals and railways.

The proposal is for the removal of the existing conservatory and its replacement with a single storey extension which would project along the full canal side elevation of the property. New balconies would also be created at first floor level facing onto the canal.

Owing to the position of the house and extension along the canal, the proposal would be highly visible from public viewpoints. There is no objection to the removal of the conservatory, which is not of any historic and architectural interest. The position of the conservatory fronting onto the canal makes it an intrusive and prominent feature, which detracts from the appearance of the building.

That being said, the proposed extension appears to relate poorly to the host property. It is a large boxy, flat-roofed addition, which does not reflect the architecture of the existing building. It would mask some original features, such as the pier with stone base. Some of the stone work would also be obscured. The proposed extensions would dominate and detract from the appearance of the existing property. Given the wraparound nature of the proposal, it would have a greater intrusive impact. It is considered that the extension as proposed would result in less than substantial harm to the significance of the lockhouse, as a non-designated heritage asset.

While it is acknowledged that the lockhouse has previously been altered, this does not justify the additional harm currently proposed. As a non-designated heritage asset, the impact of the proposal is a material planning consideration. It should be taken into account in the planning balance.

Given the distance of separation, the proposed works would not materially affect the setting of the listed bridge.

While there may be scope for an extension, this would need to be substantially reduced to ensure it reads as subservient.

Canal and River Trust

The Trust is unable to make a substantive response under the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended) due to the absence of supporting details to demonstrate that the extension would not result in adverse loading that could increase the risk of a collapse of the canal embankment retaining wall.

The existing house is built into the side of the canal embankment structure. Both the existing canalside wall of the house and the wider embankment support the canal above land to the north.

The proposed extension would be located on the crest of the embankment, which would likely result in loading onto the embankment structure. No information has been provided to confirm whether the structure of the house and embankment retaining wall can accommodate additional loading from the extension.

In order to demonstrate that the works will not result in land instability associated with any risk of collapse of the canal embankment, supporting details should be provided to demonstrate that the works can be appropriately supported by the existing structures on site.

Supporting details should be provided in the form of foundation details and the provision of supporting evidence and calculations by an appropriately qualified person to demonstrate that the development shown would not negatively affect the stability of our retaining wall.

The above request is consistent with paragraphs 180 (part e) and 189 (parts a and c) of the National Planning Policy Framework (NPPF), which states that planning decisions should ensure that a site is suitable for its proposed use, taking account of ground conditions, any risks from land instability, and Planning Practice Guidance (PPG) which confirms the important role of the planning system in considering land stability by minimising the risk and effects of land stability on property, infrastructure and the public (Paragraph 001; reference ID: 45-001-20190722). Policy G9 from the adopted Rochdale Core Strategy also states that any risks from land instability should be identified and assessed prior to any development taking place, consistent with the approach from the NPPF.

The Trust believe this information is required prior to the determination of this application, as the findings of any assessment could have implications for the in-principle acceptability of the works shown.

In addition to the above, the Trust also wish to provide the following general advice on the scheme.

We request that the Local Planning Authority, taking account of expert advice as necessary, should ensure that they are fully satisfied that the design of the extension submitted accords with relevant local policy, and does not result in significant harm to the character and appearance of the local area.

We believe there is a risk that the principle of the front extension shown could result in significant harm to the character and appearance of the original lock house building, which is a non-designated heritage asset, and the setting of wider canal corridor, adjacent lock and the approach to grade II Ealees Road Canal Bridge.

The Local Planning Authority may wish to give consideration to the potential for amendments to the submitted design approach to reduce the scale of the addition and loss of historic detail associated with the main lock house.

The subject property is sited on the approach to grade II listed Ealees Road Bridge (list entry number 1309668), and contributes to the wider setting of this asset. In addition, due to its age and functional relationship to the canal, the lock house itself forms a heritage asset, contributing to the setting of the adjacent locks and canal frontage.

Adopted policy seeks to ensure that development in the borough preserves and/or enhances the visual amenity of the canal corridor and preserves heritage assets. Policy P2 from the adopted Rochdale Core Strategy seeks to ensure that development conserves, enhances or promotes the setting of key heritage assets, including both statutory and non statutory assets, including consideration of their wider setting. Part 2 a(vi) identifies canals as a key heritage asset for consideration. Policy E5 from the Core Strategy requires development adjoining the canal to improve the canal corridor's setting and visual amenity.

The lock house itself benefits from intriguing heritage features that would be lost by the extension, including the jettied first floor, ground floor stonework and stone corbels, which are likely to be original features. The proposed extensions will change the look and mass of the structure, directly affecting the setting of the approach to the listed bridge, and the setting of the adjacent lock and the canal in general. The size of the extension would also create a new built form out of scale with typical lock houses, and take away its interpretable use and interest as a lock cottage and an undesignated heritage asset.

We note that, whilst the supporting details suggest that the half timber design of the building could be a modern intervention and are used as partial justification for the works, the jettied first floor, on a substantial pad stone and using a stone corbel suggest it may have been a mock Tudor style from its original construction (even if the existing timber work is more modern). Lock houses were often rebuilt, and mapping suggests it was present in its existing form from at least 1840, a time where mock Tudor designs in general construction were not uncommon. Without a full building survey, it is not possible to fully conclude that the original building was not mock Tudor in design and form.

Rights Of Way Officer

The proposal should not affect the right of way running over the tow path labelled as LitFp237.

This route should not be obstructed at any time prior, during or following the development, no vehicles, materials or fencing to be erected on the right of way unless a temporary closure order has been implemented.

Representations

Neighbour notifications via letters were sent to surrounding properties and a site notice was posted within the immediate vicinity of the host property. No comments were received.

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

Adopted Rochdale Core Strategy (CS) 2016:

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

P2	Protecting and Enhancing Character, Landscape and Heritage
P3	Improving Design of New Development
G9	Reducing the Impact of Pollution, Contamination and Land Instability
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: DM1 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 they are “*sympathetic to local character.*”
- Paragraph 139 states “*development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.*”

- ❑ Policy 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.”* In addition, Section 5.1 of the SPD states development proposals should be *“in keeping with the host property and generally should be subservient to it.”*
- ❑ The proposal seeks to construct a number of enlargements and alterations which would materially alter the form and appearance of the building. Amongst which, a front extension is proposed with a maximum projection of 3.55m, as well as a further 3m side projection from the south-west facing side elevation. Notwithstanding its single-storey form, the proposed extension would comprise a 62% increase in floor space over the original dwelling, resulting in a dominant and non-subservient addition to the host dwelling. The boxy form of the projection, the horizontal emphasis of the extension and the use of flat roofs and first-floor balcony would also relate poorly with the built forms and proportions of the host dwelling, to such an extent that the dwelling appears substantially larger than its actual size, particularly when viewed from the adjoining towpath. Given its prominent siting by an already narrow public right of way, a forward projection of this scale would have an imposing presence on users accessing the towpath and would constitute harm to the visual amenity of the immediate surrounding.
- ❑ The proposal would also result in substantial works to the front elevation fenestration, where all but one window would be masked or altered. Whilst it is noted the proposed windows appear somewhat aligned, the distorted proportions of the fenestration arrangements, in particular the first-floor balcony double doors, would detract from the established appearance of the lockhouse.
- ❑ Additional concerns are had with proposed front porch, the gable-fronted form of which appears to visually distract from the existing front projecting gable and constitutes a conspicuous and out of keeping feature.
- ❑ The loss of existing features that contribute positively to the character and appearance of the building and their replacement with incompatible modern alterations would result in a significantly depreciated appearance.
- ❑ Taken as a whole, the proposed development fails to comprise a satisfactory standard of design and would inflict undue harm to the character and appearance of the host dwelling and immediate vicinity.
- ❑ The design of the proposal is therefore unacceptable and fails to accord with Policies DM1 and P3 of the adopted Rochdale Core Strategy, the SPD and the NPPF.

Heritage: P2

- ❑ Section 66 of the Planning (Listed Buildings & Conservation Areas) Act 1990 states, *“in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority [...] shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”*

- ❑ Policy P2 of the adopted Rochdale Core Strategy strives to *“protect the borough’s heritage by... conserving, enhancing and promoting key heritage assets, both statutory and non-statutory, including consideration of their wider settings.”*
- ❑ Designated assets such as listed buildings and the engineering heritage, including mills and canals are identified as key heritage assets of the borough.
- ❑ Paragraph 203 of the NPPF states, *“in determining applications, local planning authorities should take account of:*
 - a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
 - c) the desirability of new development making a positive contribution to local character and distinctiveness.”*
- ❑ Paragraph 205 of the NPPF states, *“when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”*
- ❑ Paragraph 206 of the NPPF states *“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.”*
- ❑ Paragraph 208 of the NPPF states, *“where a development proposal 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 including, where appropriate, securing its optimum viable use.”*
- ❑ Paragraph 209 of the NPPF states *“the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”*
- ❑ Significance, as defined in the NPPF, is:

“The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.”
- ❑ The setting of a heritage asset, as defined in the NPPF, is:

“The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.”

- ☐ The application relates to a lockhouse, which together with the associated Lock 48 and the adjacent Rochdale Canal are all considered as non-designated heritage assets due to their historic and architectural interest.
- ☐ The dwelling was originally constructed as the lock keeper's cottage for the adjacent lock on the Rochdale Canal. The submitted Heritage Statement states the house and lock were likely constructed in the initial phases of the construction of the canal, circa 1794-1798. The lockhouse therefore forms part of a wider group of structures which reflect the industrial landscape of the area. On this basis, the significance of the lockhouse is derived from its historic associations and group value with Lock 48 and the Rochdale Canal. Numerous architectural features are also visible on the lockhouse, including but not limited to: the ground floor stonework, stone corbels, jettied first floor and supporting piers and stone base.
- ☐ The lockhouse is also within the wider setting of Ealees Road Canal Bridge, a Grade-II listed building circa 1790 due to its historic and architectural interest.
- ☐ The proposal seeks to construct a single-storey front extension with first-floor balconies, balustrades and alterations to fenestration following the demolition of the existing front conservatory.
- ☐ No concerns are had with the removal of the modern conservatory, given it is not of any historic and architectural interest and that it currently constitutes an intrusive, unsympathetic and harmful addition to the dwelling.
- ☐ Notwithstanding, the proposed extension is of a disproportionately large scale which would dominate the otherwise modestly-sized dwelling and would constitute a more obtrusive addition than the existing conservatory. The boxy form and flat roofs also fail to reflect the form and style of the existing building and would materially alter and detract from the appearance of the lockhouse.
- ☐ The submitted Heritage Statement contends the historical associations and group value of the lockhouse with the lock and Canal would not be altered by the proposed development. However, it is evident much of the characteristic architectural features on the front elevation of the dwelling, which contributes towards the established relationship between the lockhouse, lock and Canal, would be obscured by the proposed front extension, to the detriment of the group significance of the heritage assets.
- ☐ For the avoidance of doubt, owing to its considerable separation distance, the proposed works are not considered to materially affect the significance of Ealees Road Canal Bridge through its setting.
- ☐ Taken as a whole, by virtue of its siting, scale, built form and design, the proposed development would result in less than substantial harm to the significance of the Lockhouse as a non-designated heritage asset by way of detracting from its appearance. The design of the proposal is therefore unacceptable and fails to accord with Policies DM1, P2 and P3 of the adopted Rochdale Core Strategy, the SPD and the NPPF.

Amenity: DM1 and SPD

- ☐ Protection of residential amenity is considered under Policy DM1 of the adopted Rochdale Core Strategy, which states development proposals should ensure they “*do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.*”
- ☐ By virtue of its isolated location by the Canal, the property is not directly adjacent to any properties and thus the proposed extension is not considered to result in significant amenity harm in this regard.
- ☐ With regard to balconies, Section 4.4 of the SPD states that they “*should be carefully designed to prevent unreasonable overlooking of neighbouring properties.*” The proposed first-floor balcony would directly overlook onto the adjoining public right of way, however, considering its primary use as a public access path, where users are not likely to remain in the space to the front of the host dwelling for prolonged periods of time, no amenity harm has been identified in this regard.
- ☐ The submitted plans indicate the provision of natural light to all habitable rooms and would ensure sufficient levels of residential amenity for its occupants.
- ☐ Owing to its historic use as a lockhouse, the host property does not contain a standard residential garden. Instead, its amenity space is restricted to a narrow parcel of land to the front curtilage of the dwelling, currently demarcated by low wooden fencing. Whilst this space allows for daily functions such as sitting out and drying clothes, it is nevertheless an open aspect area readily visible from the adjoining public right of way and thus cannot be considered to constitute a sufficient private amenity space for the dwelling. The proposed front extension would occupy much of the existing front curtilage, however, given the limited existing amenity space, it is considered the activities afforded by the current space could still be reasonably carried out in the remaining space under the proposed plans. It is for this reason that a refusal on amenity grounds cannot be reasonably substantiated.
- ☐ The proposal would not unduly impact on the amenity of the occupants of neighbouring properties in accordance with Policies DM1, the SPD and the NPPF.

Highways and Parking: DM1 and T2, Appendix 5

- ☐ Policy DM1 of the adopted Rochdale Core Strategy requires development proposals to “*provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements taking into account of the proposed use and location.*”
- ☐ The application property is situated in an isolated location away from the adopted highway network and does not appear to comprise of parking provisions within the immediate vicinity of the property. Notwithstanding, the proposed development is not considered to impact on the existing parking arrangements or highway safety and would be acceptable in accordance with Policies T2 and DM1.

Other Considerations – Land Stability

- ☐ Paragraph 189 of the NPPF states that planning decisions should ensure that a site is suitable for its proposed use taking into account of ground conditions and any risks arising from land instability. Policy G9 of the adopted Rochdale Core Strategy states that the Council will ensure that any risks arising from land instability are identified, and that any appropriate actions to address these risks are taken, prior to development taking place.
- ☐ The Canal and River Trust was consulted on the proposal and noted the proposed extension would be constructed above the canal embankment retaining wall, resulting in additional loading onto the structure. In the absence of sufficient evidence, it has not been possible to ascertain whether the embankment structure can sufficiently accommodate the proposed development. In the event the application was approved, additional details by means of foundation details and supporting evidence and calculations would be requested from the applicant and assessed by the Trust prior to determination.
- ☐ On this basis, the proposed development as submitted would not be acceptable and would fail to accord with Policy G9 and the NPPF.

Recommendation: Refuse

1. By virtue of its siting, excessive scale, built form and design, the proposed front extension constitutes an intrusive and non-subservient addition which appears dominant and unsympathetic to the host dwelling. The proposal would result in less than substantial harm to the significance of the Lockhouse as a non-designated heritage asset through detracting from its appearance. The proposed development would therefore fail to accord with Policies DM1, P2 and P3 of the adopted Rochdale Core Strategy, the Council's 'Guidelines and Standards for Residential Development' SPD and the National Planning Policy Framework.
2. Insufficient evidence has been submitted to demonstrate the canal embankment structure would not inflict land instability risks as a result of the loading from the proposed front extension. The proposal therefore fails to accord with Policy G9 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, this Decision Notice relates to the following submitted plans:

- ☐ Location Plan – received 21/11/2023

- ☐ Existing and Proposed Site Plan – Drawing No. 23.3141.3A received 21/11/2023
- ☐ Existing Floor Plans – Drawing No. 23.3141.1 received 30/10/2023
- ☐ Existing Elevations – Drawing No. 23.3141.2 received 30/10/2023
- ☐ Proposed Floor Plans – Drawing No. 23.3141.SC1.1 received 30/10/2023
- ☐ Proposed Elevations – Drawing No. 23.3141.SC1.2 received 30/10/2023
- ☐ Proposed Rendering Images – submitted 30/10/2023

	Date	Officer
Report Completed	21/02/2024	Signed: SY
Authorisation	23/02/2024	Signed: RG