



Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION REFUSED

APPLICATION REFERENCE: 24/00436/HOUS

Name and address for correspondence:	Applicant name:
Mr Andrew Chapman Synergy Design Concepts Ltd 1Kearstwick cottage Kearstwick Kirkby Lonsdale LA62EB United Kingdom	MR A MARSH

Part I - Particulars of Application

Date of Application: 19 July 2024

Proposal:	Demolition of existing garage and erection of new garage/outbuilding with solar panels above
Location:	15 Broadhalgh Avenue, Rochdale, OL11 5LW,

Part II - Particulars of decision

The Rochdale Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 (as amended) that planning permission has been **REFUSED** for the carrying out of the development referred to in Part I hereof for the following reason(s).

Reasons:

- 1 By virtue of its unacceptable design, through which the proposed garage would lack subservience and appear incongruous relative to the host dwelling. As such, the proposed garage would adversely affect the heritage value of the listed host dwelling, through visual competition and conflicting style. This would result in less than substantial harm, which has not been reasonably justified in terms of its public benefit. The proposal does not therefore accord with policies SO3, DM1, P2 and P3 of the Rochdale Adopted Core Strategy, The Places for Everyone Joint Development Plan policy JP-P2, nor the National Planning Policy Framework.
- 2 By virtue of its negative impact on the local landscape, due to the loss of four mature trees which currently contribute significant value to the character and amenity of the street scene. Owing to a lack of detail, the supporting aboricultural impact and method statement does not adequately prove that the loss of these trees can be mitigated. The proposal therefore fails to comply with The Places for Everyone Joint Development Plan policy JP-G7, The Rochdale Adopted Core Strategy policy G7, and the National Planning Policy Framework.

- 3 The applicant has failed to provide an updated comprehensive bat survey of the building to be demolished. Bats are protected species under the Wildlife and Countryside Act. Regulation 9 of the Conservation of Habitats and Species Regulation 2017 requires a LPA to exercise their functions as a competent body, including part 1 of the WCA 1981 which states that it is an offence to intentionally or recklessly destroy a building which contains a protected species as identified under Schedule 5. Without evidence to disregard the presence of bats, prior approval is refused.

Procedure Statement:

Date Decision Issued 14 October 2024

Melanie Hale
Head of Planning Services

IMPORTANT

PLEASE ENSURE THAT YOU HAVE READ AND FULLY UNDERSTOOD THE CONTENTS OF THIS DECISION NOTICE. YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

INFORMATIVE:

The Local Planning Authority's reasons for its decision are set out in the accompanying officer's report.

This decision relates to the following plans:

- Proposed plans: 0.02a
- Existing floor plans, elevations, and site plan: 0.01A
- Preliminary Bat Roost and Breeding Bird Assessment (Miranda Cowan Ecology Ltd., 14/03/2023)
- Supporting Statement and Heritage Statement (MacMarshalls, 18/11/2023)
- Aboricultural Impact Assessment
- Tree constraints plan (MMA Tree Consultancy)