

APPLICATION NUMBER: 24/00603/HOUS

Application Number:	24/00603/HOUS
Location:	2 The Bungalow, Ogden Lane, Newhey, Milnrow, Rochdale
Proposal:	Erection of detached garage and raising of boundary wall.
Applicant:	Peter Topham
Case Officer:	Sam Yuen
DETERMINATION DATE 02.01.2025	EXT OF TIME
RECOMMENDATION:	Grant subject to conditions

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 no. 2 The Bungalow, a two-storey semi-detached property located in a rural context in Newhey. The property is located within the Green Belt and within the Ogden Conservation Area, and is accessible via an unadopted road connected to Ogden Lane to the south.

The property has previously been subdivided into two properties and is adjoined by no. 1 The Bungalow to the east, adjacent to nos. 1 and 2 Manor House Farm to the south, no. 1 Charity Farm to the north and faces the highway and open farm land to the west.

Description of Proposal

Planning permission is sought for the construction of a detached garage to the rear curtilage of the dwelling. The outbuilding measures 6m in width, 7.2m in depth, and

has a ridge and eaves height of 5.97m and 3.46m respectively. It would be constructed in stonework with timber garage doors.

The proposal also seeks to raise the existing northern boundary stone wall by 1m.

The application is identical to the previously approved and expired application (ref: 20/01549/HOUS).

Relevant History

20/01549/HOUS - Erection of garage to rear of dwelling and increase in boundary wall height – Grant subject to conditions

11/D54396 - Erection Of Double Detached Garage And New Stone Boundary Wall - Grant subject to conditions

98/D35837 - Change Of Use From One Dwelling To Two Dwellings – Grant subject to conditions

86/D19221 - Conversion Of Dwelling To Three Self-Contained Flats - Grant subject to conditions

Township/Member comments

N/A

Consultee responses

Highways and Engineering

Highways have no comment regarding this application which is unlikely to impact upon the highway.

Conservation and Design

The principle of a garage within this location within the Conservation Area has already been accepted. Subject to the same conditions as imposed on 20/01549/HOUS, including samples of materials, large scale details of windows, doors (both of which should be timber), rainwater goods, soffits, eaves and fascias, there are no objections to the proposal. It is considered that a neutral impact on the significance of the Conservation Area could be achieved. The proposal would preserve the character and appearance of the Conservation Area.

Representations

Neighbour notifications via letters were sent to surrounding properties and a notice was posted within the vicinity of the host property. 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:

Policy JP-G9 The Green Belt

Policy JP-P1 Sustainable Places

Policy JP-P2 Heritage

Local

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

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

- ☐ Achieving good design to achieve sustainable development is a key component of the NPPF, whereby decisions should ensure developments are visually attractive and sympathetic to local character. This is also reflected in Policy JP-P1 of the PfE and Policies DM1 and P3 of the adopted Rochdale Core Strategy, which require development to respect local context with regard to siting, size, scale, massing, height and materials. 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.

- ☐ No. 2 The Bungalow is located within the Ogden Conservation Area. As such, the provisions of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 apply which requires a local planning authority to pay special regard to the desirability of preserving or enhancing the character and appearance of the area. The provisions of Chapter 16 of the NPPF, Policy JP-P2 of the PfE and Policy P2 of the CS also apply.
- ☐ To assess the impact on the significance of the Conservation Area comments have been sought from the Council's Conservation Officer. The Conservation Officer supports the proposal for approval subject to the inclusion of the recommended conditions. The amended proposal would not harm the significance of the conservation area subject to the inclusion of conditions relating to design detail and materials.
- ☐ The proposed detached garage and boundary treatment is appropriately designed and would adhere to the design principles of the host property. The ridge and eaves height of the proposed detached garage would be set lower than that of the host property and when compared to the host property, the proposed detached garage would appear to be a subservient addition. Additionally, the boundary treatment would be low level and would appear conspicuous within its context and would not adversely impact the character and appearance of the host property.
- ☐ Bin storage would not be impacted by the proposed detached garage and boundary treatment, and as such it is not considered to result in undue harm to the character and appearance of the street scene.
- ☐ In light of the above assessment, the design of the proposal is acceptable and the development would suitably protect the existing character of the building and the wider visual amenity of the area subject to conditions in accordance with Policies DM1, P2 and P3 of the adopted Core Strategy, the SPD, Policies JP-P1 and JP-P2 of the adopted PfE 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."*
- ☐ The proposed detached garage would be set approximately 9.87m from the rear elevation of the host property. The SPD states that there should be 10m between a principal window and any directly facing single storey elevation which does not contain a principal window to a habitable room. The distance between the rear elevation of the host property and the side elevation of the proposed detached is only 0.13m short of the SPD guidance and is considered to be sufficient to not unduly impact on the amenity of the habitable rooms to rear of the host property.
- ☐ By virtue of its siting at an angle with a minimum separation distance of 8m, the proposed garage would not be sited in a direct line of site from the south-west facing windows of adjacent no. 1 Charity Farm. As such, it is considered that the proposal would not unduly impact on the amenity of the neighbouring occupiers of no. 1.

- ② No further amenity impacts have been identified in relation to the remaining neighbouring properties. The property would retain a functional outdoor amenity space.
- ② On balance, the proposal would not unduly impact on the amenity of the occupants of neighbouring properties in accordance with Policy DM1, the SPD and the NPPF.

Highways and Parking: DM1 and T2, Appendix 5

- ② 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.”*
- ② The SPD states that for a garage to be counted towards off-street parking space it would need to have internal dimensions of at least 5.5 metres in length and 3.5 metres in width. The proposed detached garage would meet the minimum internal dimension requirements and therefore the proposed detached would lead to the property increasing its supply of off-street parking. The proposed parking arrangements are therefore acceptable in accordance with Policies T2 and DM1.

Principle of Development – Green Belt

- ② The application site is allocated as Green Belt under Policy JP-G9 of the recently adopted Places for Everyone Joint Development Plan, which establishes a revised Green Belt in the Borough and supersedes Policy G/D/2 of the Rochdale Unitary Development Plan and Policy G4 of the Rochdale Core Strategy. Policy JP-G9 does not set out specific requirements for development proposals within the Green Belt and as such the provisions of the NPPF apply.
- ② Paragraph 153 of the NPPF establishes that, as with previous Green Belt policy, *“local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”*
- ② Paragraph 154 of the NPPF establishes that *“development in the Green Belt is inappropriate unless one of the following exceptions applies:*
 - a) *buildings for agriculture and forestry;*
 - b) *the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*

- c) ***the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;***
- d) *the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) *limited infilling in villages;*
- f) *limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- g) *limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt"*

☐ Therefore, the main consideration in assessing the principle of development is whether the proposed scheme constitutes inappropriate development within the Green Belt and, if so, whether very special circumstances have been demonstrated which may outweigh the presumption against development.

☐ In respect of the above policy guidance, Section 5.20 of the Council's adopted 'Guidelines and Standards for Residential Development' (2016) Supplementary Planning Document states that *"normally, in principle, extensions that result in up to a 35% increase in floor space or volume over and above the original dwelling would normally be considered appropriate and not disproportionate (this calculation would include previous extensions to the original dwelling, which is defined as the dwelling as it was first built or as it stood on 1 July 1948). However, the characteristics of properties and proposals will vary significantly and there may be instances when a 35% increase would be considered disproportionate and other occasions when a greater than 35% increase may be considered proportionate."*

☐ The principle of development has already been established in 20/01549/HOUS. Notwithstanding, the assessment in relation to the Green Belt is set out as follows. To ascertain if the proposed detached garage should be considered an extension to the host property or a new building, consideration should be given whether the proposed detached garage is an adjunct or addition to the main house and whether in spatial and visual terms the proposed detached garage would be closely aligned to the host property. It is noted that proposed detached property would be located approximately 9.87m from the rear elevation of the host property and would be constructed within the curtilage of the host property. The property has a small rear garden and the proposed detached garage would be located towards the rear of the garden and would adjoin an unadopted highway. The proposed detached garage would be used as garage for the property and would be ancillary to the host property. It is therefore considered that the proposed detached garage should be considered an extension to the host property.

- ☐ The 'original' extent of the application property has been maintained to date. The application provided calculations in relation the volume but not the floor space. The report states that the property has an original volume of 994 cubic metres. The proposed extension to the application property will increase the volume by an additional 183 cubic metres. This represents an increase of approximately 18.4% over the original application property's volume. When calculating the size of the floor space, the proposed detached garage would represent an increase of approximately 29.5% over the original application property's floor space size. Both the increase in volume and floor space would meet the 35% allowance of the SPD and would be acceptable in this regard.

Openness

- ☐ Paragraph 142 of the NPPF states that *"the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence."*
- ☐ "Openness", for the purpose of Green Belt policy is not formally defined within Planning Policy or legislation but is taken to mean the absence of built development. The term "openness", comprises a spatial and visual component which should be assessed in considering whether a proposal preserves the openness of the Green Belt.
- ☐ No harm has been identified in terms of the spatial component of openness where the proposed extension is considered to constitute a proportionate addition and an appropriate development.
- ☐ Though the proposed detached garage would introduce additional built form to the rear of the host property, due to site being set lower than land to the rear and to the side, the proposed detached garage would not appear as a prominent addition and would be read in the context of the existing group of buildings and dwellings in the vicinity. As such, the proposal would not unduly harm the visual openness of the Green Belt.
- ☐ The proposed increase in height of the existing stone wall would retain a low level boundary treatment of a modest height which would not appear prominent against the immediate vicinity. Subsequently, no concerns are had with its impact on the openness of the Green Belt.

Planning Balance

- ☐ The scale of the development in respect of the increase in size of the property in the Green Belt complies with the SPD guidance. Therefore it is considered that the proposed development would meet the inappropriate development exemption (c) of Paragraph 154 which would allow for the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. No harm through inappropriateness has been identified and no additional harm with regard to the openness of the Green Belt has been identified. The proposal therefore accords with the Policy JP-G9 of the PfE and the National Planning Policy Framework.

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 – received 05/11/2024
 - Existing and Proposed Site Plan – Drawing No. 20.2418.4A received 05/11/2024
 - Existing Site Plan and Elevations – Drawing No. 20.2418.1A received 05/11/2024
 - Proposed Site Plan and Elevations – Drawing No. 20.2418.3C received 05/11/2024
 - Proposed Floor Plans, Elevations and Section Plan – Drawing No. 20.2418.2D received 05/11/2024

and the development shall be carried out in accordance with these drawings hereby approved.

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

3. The external walls of the proposed development shall be constructed in natural stone, a sample of which shall be first submitted to, and approved by, the Local Planning Authority. The method of coursing and pointing shall match that of the existing building/wall unless an alternative method has first been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details thereafter.

Reason: To ensure a satisfactory appearance in the interests of visual amenity in accordance with Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy, Policies JP-P1 and JP-P2 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

4. The roof to the building shall be constructed using natural slate, a sample of which shall be first submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved thereafter.

Reason: To ensure a satisfactory appearance in the interests of visual amenity in accordance with Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy, Policies JP-P1 and JP-P2 of the adopted Places for

Everyone Joint Development Plan, and the National Planning Policy Framework.

5. Details of the windows and doors to be utilised in the development hereby permitted, including samples if so required, shall be submitted to and approved in writing by the Local Planning Authority before any such windows and doors are installed in the development. Such details shall indicate, at a scale of not less than 1:20, the longitudinal and cross-sectional detailing, cill and lintel detailing, and means of opening together with any finished treatment. The windows and doors shall be installed in accordance with the approved details and thereafter so maintained.

Reason: To ensure a satisfactory appearance in the interests of visual amenity in accordance with Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy, Policies JP-P1 and JP-P2 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

6. Full product specifications of the materials to be used for the rain water goods, soffits, eaves and any fascias of the development hereby permitted shall be submitted to and approved in writing by the local planning authority prior to their use in the construction. The development shall thereafter be constructed in accordance with the approved material specification and be retained as such thereafter.

Reason: In the interests of visual amenity and to accord with Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy, Policies JP-P1 and JP-P2 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

7. Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any equivalent Order following the revocation and re-enactment thereof, no external alterations shall be undertaken to the garage except with the prior written approval of the Local Planning Authority.

Reason: To ensure a satisfactory appearance in the interests of visual amenity in accordance with Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy, Policies JP-P1 and JP-P2 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

Article 35 Statement

The proposal complies with the development plan and 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.

	Date	Officer
Report Completed	13/12/2024	Signed: SY
Authorisation	18/12/2024	Signed: RK

Report Author Sam Yuen