APPLICATION NUMBER: 19/00156/HOUS

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Location:	1 Towncroft Avenue Middleton M24 5DA
Proposal:	Erection of 2.4m high boundary fencing around rear garden; 1.875m high wall and gates to driveway; dwarf wall with iron railings; installation of astro-turf landscaping to front garden; creation of new driveway and footpath and repointing of building.
Applicant:	Mr & Mrs Mark And Diane Crompton
Case Officer:	Osian Perks
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?**	**Y**
	Pre-commencement conditions agreed (or notification period expired)?	**Y**

Location

This application relates to a Grade II listed building sited within Middleton Town Centre Conservation Area. The property is a former photographic studio, designed by renowned local architect, Edgar Wood. The property is built in a red brick with both flat and pitched roofs. A single storey garage adjoins the main property's West side elevation.

Description of Proposal

Planning permission and listed building consent have been sought for the following additions and alterations:

- The replacement of the timber fence along the front and West side boundary with brick walling.
- The erection of a new dwarf wall and railings to the front of the application property.
- The creation of artificial lawn landscaping to the front of the property.
- New timber fencing bounding the rear garden
- Repointing of the host building.
- The creation of a paved footpath and driveway to the front of the property.

Relevant History

07/D49515- Erection Of 1.8M High Replacement Front And Side Boundary Wall And Gates. Withdrawn.

07/D9516- Internal Alterations And Erection Of 1.8M High Wall And Gates To Front And Side Of Listed Building And Replace External Door To Store With Window. Withdrawn.

Township/Member comments

n/a

Consultee responses

Conservation And Design

1 Towncroft Avenue, also referred to as “Arkholme”, is by Edgar Wood and was constructed in 1901 to provide a photographic studio for brothers Charles & Fred Jackson. The building is described as being “transitional” in architectural design due to its more angular forms which saw the inclusion of modern concrete flat roofs meeting the pitched roof.

The proposal seeks to erect a boundary wall on the road frontage to Towncroft Avenue. A boundary wall has previously been removed from this location and the reinstatement of a formal boundary treatment on this elevation is considered to have a neutral impact upon the designated heritage assets (NPPF, paragraph 192). The use of red brick and traditional mortar are appropriate materials for the construction of this feature. The current mortar specification provided is inadequate and should the applicant wish to receive further information on an appropriate mix this can be requested. The inclusion of railings on the boundary wall is considered to be appropriate as this will enable the property to remain austere within the streetscape.

The replacement of the existing timber close boarded fencing and gates on street frontage with a brick wall and timber gates is considered to have the potential to create an enhancement to the designated heritage assets (NPPF, paragraph 192). The retention of the timber gates will have a neutral impact upon the designated heritage assets (NPPF, paragraph 192).

The plans detail a new footpath to be installed leading across the front garden to the entrance door. Clarification regarding the proposed materials and finish of this are requested.

The inclusion of a tarmac driveway would cause less than substantial harm to the designated heritage assets (NPPF, paragraph 196). This harm is not justified or mitigated within the current application and it is recommended that a more sympathetic surface material is explored. Options for this could include resin bonded gravel or paving slabs.

The proposed composite panel fencing will replace a modern timber close boarded fence. This will again cause less than substantial harm to the designated heritage assets (NPPF, paragraph 196). The inclusion of a timber fence would be an appropriate alternative to the proposed synthetic product.

Following further development in alignment with the above comments, the scheme will likely be supported for approval. At this point the following pre-commencement conditions must be included on any permission granted:

- Brick – product specification with sample provided on site.
- Mortar – specification with sample provided on site.
- Railings – specification of the product including shape, dimension and finish to be agreed.
- Timber gate – product specification and finish to be agreed.
- Driveway surfacing – product specification with sample provided on site.
- Footpath – product specification and finish to be agreed with samples provided on site.
- Composite fencing – product specification and finish to be agreed.

Whilst the scheme will create some enhancements (NPPF, paragraph 192), at present the overall impact of the proposal is deemed to be less than substantial harm to the designated heritage assets (NPPF, paragraph 196). This harm is not justified or mitigated within the proposal.

Where a proposal will lead to less than substantial harm to a designated heritage asset this must be outweighed by public benefit (NPPF, paragraph 196). There are currently no public benefits presented within this scheme.

Representations

n/a

Policy

Planning (Listed Building and Conservation Areas Act) 1990 (as amended)

Section 66 of the above Act states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority, or as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural of historic interest which it possesses.

National

National Planning Policy Framework (NPPF) February 2019
National Planning Practice Guidance (NPPG)

Local

Rochdale Core Strategy (RCS):

The Core Strategy was formally adopted by the Council on 19th October 2016 and partially replaces the 2006 Unitary Development Plan. The following policies are relevant:

SO3	**Improving design, image and quality of place**
P2	Protecting and enhancing character, landscape and heritage
P3	Improving design of new development
DM1	General development requirements

Relevant saved Rochdale Unitary Development Plan (UDP):

BE/17 New Development Affecting Conservation Areas

Supplementary Planning Documents (SPD): Supplementary Planning Document 'Guidelines and Standards for Residential Development' (2016).

Amendments

The following amendments have been made following the initial submission:

- The proposed composite boundary fencing has been replaced with timber fencing.
- The tarmac to the proposed driveway and footpath to the front of the property has been replaced with paving.

Assessment

Impact upon Heritage significance: P2

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that 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 Rochdale Core Strategy sets out that the Council will conserve, enhance and promote key heritage assets, including consideration of their wider settings.

'Significance' with regard to heritage assets is defined by the NPPF as:

> *'The value of a heritage asset to this and future generations because of its heritage interest. That 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 National Planning Policy Framework is concerned with conserving and enhancing the historic environment. Paragraph 192 of the NPPF states that 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.

Planning practice guidance identifies that substantial harm is a high test and may not arise in many cases. Whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.

The erection of high brick walling to the front and west side boundary would positively impact upon the appearance of the listed building. It would replace the highly prominent and anachronistic close board fencing with a brick wall which appears more in keeping with the aesthetic of the application property.

Historically there has been a front boundary wall to the front of the application property which has since been removed. Provided the wall and railings are of an appropriate material and colour and the railings of appropriate design, it is considered that building a low wall and railings in this location would not adversely impact upon the character of the application property.

Since the initial application was submitted the applicant has indicated the use of paving slabs rather than tarmac to the driveway and path. It is considered that this would have neutral impact upon the character and significance of this historic building and could constitute a visual improvement upon the existing crazy paving driveway. A specification/samples of these have not been provided and it is considered that these can be secured via condition.

The proposed artificial grass to the front of the property is not entirely in keeping with the character of the property. However, it is noted that this element of the proposal would constitute permitted development, and would not require listed building consent. In the context of the wider scheme which sees some visual improvements to the exterior of the application property, it is considered, that on balance, the introduction of this element, will not result in harm to the heritage asset.

Since the initial submission of the application, the composite fencing has been removed from the scheme and replaced with closed board timber fencing. It is considered that this would be an appropriate addition to the application property with a neutral impact and would not, unlike the initially proposed composite fencing, appear as an anachronistic addition.

Sufficient details of the proposed mortar mix have not been submitted to accurately assess whether it would appear sympathetic to the application property. Whilst the re-pointing is considered acceptable, further details would need to be provided in order to make an accurate assessment.

Visual Amenity: DM1 and P3

As indicated in the above section it is not considered that any of the development proposed would have a significant adverse impact upon the appearance of the application property. The proposed boundary walling, railings and fencing and mortar would, subject to details being submitted, appear as a sympathetic addition to the street scene.

Amenity: DM1 and SPD

The proposed walling to the front and side of the property, replacing the high fencing would be of a similar size to the existing fencing and would be sited similarly. The proposed high walling defining the curtilage boundary of the property to the West would be separated from the dwelling at No.3 Towncroft Avenue by at least 6 metres and there are existing garage buildings to the side. This neighbouring property would also not have any principal windows directly facing this boundary. It is considered, by virtue of the distance of separation and the proposed size of the walling, it would not

result in a significant loss of light to or have a significant oppressive impact upon this neighbouring property.

The proposed 2.4 high timber fencing bounding the rear amenity space would be positioned approximately a minimum of 6 metres from No.3. By virtue of its height and siting it is not considered that this fencing would have such an overbearing impact or would result in such a loss of light that its erection would significantly impact upon the amenities of the occupants of this property. Due to the distance of separation between the fencing and other neighbouring properties, it is not considered that this would have any other significant adverse amenity impacts.

The low boundary walling to the front of the property, would by virtue of its size and siting, not have an overbearing or overshadowing impact upon the occupants of neighbouring properties.

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:

   - Proposed Details (Drawing Number:- 18.1821.2J) (submitted 18/06/2019)
   - Existing Detail (Drawing Number:- 18.1821.1)
   - Site Location Plan

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

   Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the requirements of the adopted Rochdale Core Strategy.

3. Notwithstanding any description of materials in the application no above ground works shall take place until samples and / or full specification of the external materials to be used in the following are submitted and approved in writing by the Local Planning Authority:

   - All walling including dwarf wall and boundary walling to the West curtilage boundary;
   - Mortar to be used in the re-pointing of the application property;
   - Railings to boundary wall including full details and method of any fixing to the front elevation of the dwelling;
   - Driveway and footpath surfacing;
   - Boundary fencing and gates.

   Such details shall include the type, colour and texture of the external materials. Development shall be carried out in accordance with the approved details.

Reason: In order to protect and enhance the character of the application property and the wider conservation area, in accordance with policies DM1, P2 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Article 35 Statement

The Local Planning Authority worked proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition.

	Date	**Officer**
Report Completed	26/06/2019	Signed: OP
Authorisation	28/06/2019	Signed: AT

Report Author Osian Perks