

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

25/00122/VRCON

CASE OFFICER

Rosalind Gralton

DETERMINATION DATE 04.04.2025

Address: 26 Falcon Close Rochdale OL12 7RY

Proposal: Section 73 application to vary condition 2 (Plans) and condition 6 (Materials) of planning permission 24/00759/FUL (Erection of 2 detached dwellings following demolition of existing garage, including alterations to site access and associated boundary treatments)

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?	NA
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CONDITIONS	Pre-commencement conditions proposed?	Y
	Pre-commencement conditions agreed (or notification period expired)?	Y

RECOMMENDATION

APPROVE SUBJECT TO CONDITIONS

CHECKED AND SIGNED OFF BY: RG

DATE: 04 April 2025

SITE

The application site is located within the domestic residential garden of 26 Falcon Close and is greenfield land. The site is located within the defined urban area, and is located on the edge of a greenspace corridor which provides a buffer between the defined urban area and the Green Belt, less than 50m north of the site.

The site is a short distance away from three listed buildings; Woodhouse Cottages, Woodhouse Farm Foldyard Buildings and Woodhouse Farm Foldyard Midden, all Grade II listed. Woodhouse Lane, where the site access is proposed, is an unclassified road, characterised by a narrow lane with tall, verdant hedging on one side, and a boundary wall with trees.

The rear elevations and gardens of properties along Nordale Park face onto Woodhouse Lane, and the site is located on a bend in the road, as it sways left toward Shepherd's Cottage.

The planning statement explains total site area is 0.2ha of land, and would be located within the residential curtilage of no 26 Falcon Close; a detached property with a large garden which the application relates to the north-eastern side of.

There are no trees subject to a Tree Preservation Order within the vicinity of the site. The site previously contained multiple trees, however the officer's site visit confirmed these appear to have been felled.

PROPOSAL

This Section 73 application seeks to vary conditions 2 and 6 of the approved planning permission 24/00759/FUL.

Condition 2 is proposed to be varied to make minor external and internal alterations to the dwellings, to meet building regulations and to improve the visual appearance of the dwellings. The proposed changes are summarised below:

- Replace the hipped roof with a fully gabled side elevation
- Increase in size and repositioning of dormer on front elevations
- Alteration to appearance of dormer on rear elevation

Condition 6 is proposed to be varied to amend materials to show buff Bradstone for external walls and Marley Anthracite slate for the roof, opposed to natural slate and red brick/ natural stone.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Places for Everyone Joint Development Plan (PfE)

JP-S1 Sustainable Development

JP-P1 Sustainable Places

JP-P2 Heritage

JP-H3 Type, Size and Design of New Housing

JP-G8 A Net Enhancement of Biodiversity and Geodiversity

Adopted Rochdale Core Strategy (CS):

SO2 – Creating successful and healthy communities

C1 – Delivering the right amount of housing in the right places

SO3 – Improving Design, image and quality of place

P1 – Improving image

P3 – Improving design of new development

SO4 – Promoting a greener environment

G7- Increasing the value of biodiversity and geodiversity

SO5 – Improving accessibility and delivering sustainable transport

T2 – Improving accessibility

DM1 – General Development Requirements

Unitary Development Plan (UDP):

G/D/1 – Defined Urban Area

G/8 – Greenspace Corridors

Supplementary Planning Documents (SPD):

Supplementary Planning Guidance note 'Guidelines and Standards for Residential Development' (June 2016).

RELEVANT SITE HISTORY

24/00759/FUL - Erection of 2 detached dwellings following demolition of existing garage, including alterations to site access and associated boundary treatments – Grant subject to conditons

CONSULTATION RESPONSES

Not applicable.

REPRESENTATIONS

The application was publicised by way of neighbour notification and site notices. No responses have been received.

ANALYSIS

Principle of Development

The application is a variation of condition 2 (approved plans) and 6 (materials) of the approved application reference 24/00759/FUL. As such, this variation of conditions application will assess the changes proposed within this planning application.

Design and Appearance

Policies DM1 and P3 of the Council's adopted Core Strategy requires development proposals to demonstrate high quality design.

Paragraph 140 of the NPPF states '*Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).*'

The application proposes to amend the designs of the dwellings slightly, by removing the side hip roofs and replacing these with a gable end, and increasing the sizes of the pitched dormers slightly. The proposal would retain the prominent catslip roof design and the 1 and ½ storey design overall. The scale would be very similar and the ridge height would not increase. As such, the proposed changes are considered acceptable.

Condition 6 relates to the submission of materials, and specifies that the materials shall include red brick and/or natural stone to the elevations, and natural slate to the roof. This application seeks to vary this to propose a reconstituted stone 'Bradstone' from Aggregate Industries to the elevations. As originally submitted the proposal sought approval of a concrete roof tile which was considered to conflict with paragraph 140 of the NPPF. Following discussions with the applicant this has been amended so that the roof coverings are now proposed as natural Spanish slate to be used to the roof. The Council's Conservation and Design Officer was informally consulted due to the proximity of the site to the listed building to the north, and concurs that the reconstituted stone was a suitable material given the rural context and the appearance of the slate would comply with the wording of the original condition, as well as being an acceptable alternative for Natural Welsh Slate in this instance. The condition is therefore satisfied and will be varied to acknowledge the reconstituted stone. The condition will require a discharge of condition application in order for all other outstanding materials on the building to be approved.

The proposal would not materially affect the visual amenity upon adjacent neighbouring properties. The proposed amendments are considered acceptable and compliant with Policy DM1, P1, P2 and P3 of the Core Strategy and relevant policies in the NPPF and PFE.

Residential Amenity

Core Strategy policy DM1 requires all development proposals to demonstrate that they will not have a negative impact upon the amenity of future residents and occupiers. Paragraph 135 of the National Planning Policy Framework advises that planning decisions should result in places with a high standard of amenity for existing and future users.

The proposed change of a hipped roof to a gable end roof would affect the shared dividing boundary between the two proposed properties. As such, the impact on the residential amenity of the proposed properties is negligible, given the siting of the properties along a very similar building line and would not overshadow or result in any overbearing impact on either of these properties. The changes would reduce the

appearance of spaciousness between the properties slightly however this would not be considered unacceptable given the 4.5m distance between the properties.

It is not considered the properties to the west, south or east would be affected unacceptably by this proposal. While the alteration to the gable from the hip may be more visible from the rear of properties on Nordale Park, this change would not be considered unacceptable, or result in any unacceptable impact on the residential amenity of these properties.

RECOMMENDATION: APPROVE VARIATION OF CONDITIONS

1. The development hereby permitted shall begin no later than three years from the date of planning permission 24/00759/FUL issued 10/12/2024

Reason: For the avoidance of doubt and to ensure that any conditions imposed on the original permission remain in force other than as expressly hereby varied and development must be started in accordance with Section 73(5) of the Town & Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans, files and documents:-

Location Plan – Dwg No 24NP504/01/001
Proposed Landscaping Plan – Dwg No 24NP504/01/008 Rev A
Proposed Floor Plans and Elevations – East House – Document Number 24-10663_10 – Rev A
Proposed Floor Plans and Elevations – West House – Document Number 24-10663_01 Rev B
Proposed Site Plan – Document Number 24-10663_33 Rev 0
Arboricultural Impact Assessment, prepared by E3P dated June 24, and all accompanying appended plans

and the development shall be carried out in complete accordance with these drawings hereby approved unless otherwise required by the conditions below.

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 saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

3. Prior to the commencement of development (except demolition of the garage hereby approved), details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:
 - (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
 - (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);

- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

Reason for pre-commencement condition: The submitted drainage scheme is not acceptable. As the proposals require ground works, these details are required prior to commencement of any building or engineering works on site.

4. Notwithstanding any information submitted with the application, no development (except demolition of the garage hereby approved), shall take place until an investigation has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place. The submitted report shall comprise:

- ii) where potential risks are identified by the Preliminary Risk Assessment, a site investigation survey of the extent, scale and nature of contamination and;
- ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archeological sites and ancient monuments;
- iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy.

Reason: To ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Further investigation will be necessary prior to commencement of any building or engineering works on site.

5. No above ground works shall take place until a scheme to provide a visibility splay of 24 metres by 2.5 metres to each side of the access serving the development where it meets Woodhouse Lane, has been submitted to and approved in writing by the Local Planning Authority. The area of land between the visibility splay line and the highway boundary shall be kept clear of all obstructions in excess of 0.6 metre in height at all times thereafter. The approved scheme shall be implemented in accordance with the approved details before first occupation of any dwelling.

Reason: In the interest of highway safety, in accordance with the requirements of Core Strategy Policy T2 and the NPPF.

6. No above ground construction works shall take place until samples on site and full specifications of materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall be carried out in accordance with the approved details. These materials shall include Reconstituted stone, 'Bradstone' aggregate to the elevations, and a Natural Spanish Slate to the roof.

Reason: In the interests of amenity and in compliance with policies P2, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

7. Notwithstanding the development hereby approved, no above ground construction works shall take place until detailed designs of the window and door reveals, at a scale of not less than 1:50, to be used on the development hereby approved, have been submitted to and approved in writing by the Local Planning Authority. The windows and doors shall be installed in accordance with the approved details thereafter.

Reason: In the interests of visual amenity and in accordance with policies P1, P2, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework

8. Notwithstanding the details shown on the approved plans, no above ground construction shall take place until full details of both hard and soft landscaping works, including compensatory tree planting at a ratio of 2:1 have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

The landscaping works shall be carried out before any dwelling is occupied.

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 10 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance

with Core Strategy Policy G6 and G7 and the National Planning Policy Framework.

9. All trees to be retained, which is limited to those shown on 'Tree Impacts & Protection Plan' included in Appendix III of the approved Arboricultural Impact Assessment dated June 24 prepared by E3P, shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standard.

Reason: To safeguard the trees to be retained and in accordance with Core Strategy Policy G6 and G7 and the National Planning Policy Framework.

10. Pursuant to condition 4, and prior to first occupation of any dwelling, a verification report, which validates that all remedial works undertaken on site were completed in accordance with those agreed with the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

11. Before the development hereby permitted is occupied, full details of the alignment, height and appearance of all fences and walls and gates to be erected (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to occupation of the final dwelling.

Reason: In the interests of visual and residential amenity and in accordance with policies P1, P2, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Procedure 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.