

APPLICATION NUMBER: 24/00355/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

24/00355/FUL

CASE OFFICER

Rosalind Gralton

DETERMINATION DATE 21.06.2024 EXT OF TIME 23.08.2024

Address: 10 Woodgate Avenue Rochdale OL11 4DW

Proposal: Change of use of land within residential garden and conversion of existing outbuilding to one separate residential dwellinghouse (Use Class C3). Erection of extensions and alterations to proposed dwelling to provide two bedroom residential dwelling including front and rear dormer extension, erection of 1.8m high boundary fence with associated car parking and landscaping

PUBLICITY	Weekly list expired?	Y	Site notice expired?	NA
	Neighbour letters expired?	Y	Press Notice expired?	NA

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?	N
	Pre-commencement conditions agreed (or notification period expired)?	N

RECOMMENDATION

APPROVE SUBJECT TO CONDITIONS

SITE

The site relates to the eastern rear half of the external garden area of 10 Woodgate Avenue, Rochdale.

10 Woodgate Avenue is a two storey, semi-detached dwelling with a single storey outbuilding located in the rear corner of the garden. To the northern side boundary is Oxford Avenue, where off street parking is accommodated. To the rear the site shares a boundary with No 3 Oxford Avenue. North east of the site is 12 Oxford Avenue.

The site is located within the Defined Urban Area and is not within or near a conservation area and is not a listed building.

PROPOSAL

Planning permission is sought for the subdivision of the existing residential garden area, conversion of an existing outbuilding and for proposed single storey extension and dormer extensions, to the outbuilding.

The outbuilding would operate as a single dwellinghouse with private parking. This would not be ancillary to 10 Woodgate Avenue.

The existing outbuilding is occupied as a garage and ancillary living space to the main dwellinghouse. A kitchen, small bathroom and bedroom is occupied in the outbuilding.

The proposed extensions include a gable end extension, which would result in the building being L shaped in design, a home office in the loft space and a larger kitchen/diner area with bi-folds on the proposed front gable. Works would also involve the removal of the wood store to the northern elevation and reduction of the roofslope in this location. Associated soft and hard landscaping works are also proposed.

Additional rooflights are proposed to the front gable extension and to the existing loft space.

RELEVANT PLANNING POLICY**National Guidance**

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Sub-Regional

Places for Everyone Joint Development Plan (PfE)

Policy JP-P1 Sustainable Places

Adopted Rochdale Core Strategy (CS) 2016:

P3 Improving Design of New Development

DM1	General Development Requirements
T2	Improving Accessibility
Appendix 5	Schedule of Parking Standards

Saved Rochdale Unitary Development Plan (UDP) 2006:
G/D/1 Defined Urban Area

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

RELEVANT SITE HISTORY

16/00856/HOUS - Proposed rear extension – Grant subject to conditions 21/09/2016

08/D50802 - Demolition Of Side Extension And Detached Garage And Erection Of Two Storey Side Extension, Rear Conservatory And Detached Double Garage – Grant subject to conditions 25/06/2008

CONSULTATION RESPONSES

Highways And Engineering

No objections to this development subject to condition.

Env Health - Noise/Odours

No objections subject to construction management plan and restriction on site hours.

Lead Local Flood Authority/Drainage

No objections subject to pre-commencement condition.

REPRESENTATIONS

The application was publicised by way of neighbour notification. One letter of objection was received, with concerns of impact of privacy and overlooking.

ANALYSIS

The application site is within the Defined Urban Area under the Rochdale Unitary Development Plan. Policy G/D/1 is therefore relevant to any applications on the site and in the supporting text to this policy it is established that new development should be located in the urban area, so as to support urban regeneration and to protect the countryside.

PfE Policy JPH-1 sets out the requirement for Rochdale to deliver 10,472 dwellings over the plan period to 2039, at an average of 616 dwellings per year, which increases during periodically with the delivery target at 568 dwellings over 2022-25. This supersedes the targets previously established within CS Policy C1. In light of the consultation on an updated National Planning Policy Framework and revised methodology for assessing housing need, it is anticipated that this figure may rise substantially in the coming months.

Accordingly, subject to an assessment of other development management requirements, the principle of development of the proposed change of use of the B8 storage unit to residential is accepted and in accordance with Policy C2 and C3 of the adopted Core Strategy and the National Planning Policy Framework.

Character and Appearance

Paragraphs 131 and 135 of the National Planning Policy Framework (NPPF) state that good design is a key aspect of sustainable development and that planning policies and decisions should ensure that developments function well and add to the overall quality of the area and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, which is largely reflected within Policies DM1 and P3 of the Council's adopted Core Strategy, which requires development proposals to demonstrate high quality design.

The existing outbuilding to be converted is sited in the rear amenity area of 10 Woodgate Avenue, and would share a boundary with the occupants of 10 Woodgate, 12 Woodgate, and 3 Oxford Avenue. The building is single storey and has a pitched roof. No details of boundary treatments are proposed of how the building would be subdivided to the adjacent properties. Proposed parking for two cars is proposed on the site one behind the other, with a single vehicle access.

The streetscene of Woodgate Avenue is characterised by period semi-detached properties with modestly sized gardens, however there is a variation in garden size when secondary and tertiary streets have formed and subsequent homes have been built.

The side extension to the proposed dwelling would be set 0.69 metre from the boundary to the garden area and 8m to the front elevation of No. 3 Oxford Avenue. The side extension would be single storey with an eaves height of 2.25m and would be considered acceptable in scale.

The proposed front gable extension would be set down from the existing single storey building roof and would have an eaves height of 2.25m. Bifolding doors and glazing are proposed on the gable end which is considered acceptable in relation to design and visual amenity.

The proposed materials include brick and roof tiles to match the existing building, black UPVC windows and aluminium frames, white render to areas denoted on the approved elevation plans and velux rooflights. These materials would be considered acceptable and in keeping with the existing building and character of the surrounding area.

The design of the proposal is therefore acceptable and accords with policies DM1 and P3 of the adopted Rochdale Core Strategy, the SPD and the NPPF

Amenity

Paragraph 135 of the National Planning Policy Framework advises that planning decisions should always seek to secure a high standard of amenity for existing and future users. Further to the above are the considerations of the Council's Supplementary Planning Document (SPD) 'Guidelines and Standards for Residential Development' which states that new developments *"should be carefully designed to protect the amenity of the occupants of adjoining properties."*

Section 4.1 of the Guidelines and Standards for Residential Development SPD sets out minimum distance standards which all new residential developments should adhere to in order to ensure a satisfactory standard of amenity for surrounding, existing and future occupiers.

A minimum of 10m is required between any principal window and a directly facing single storey elevation, as outlined in the Council's SPD. In this instance, the rear

elevation of the proposed dwelling will retain a 0.69m distance to the shared rear boundary with No 3 Oxford Road, and 8m distance from the front elevation of 3 Oxford Road.

A 10.5m distance from the rear elevation of 10 Woodgate to the shared boundary.

To the rear, adjacent to the boundary with No 12 Woodgate, the eaves and ridge height of the building would not increase and as such no concerns are raised in relation to overbearing or overshadowing.

As defined within the Council's Residential Development SPD residential amenity is; *'The benefit enjoyed from physical external space which is part of the private home. The level of enjoyment is dependent on a number of factors, including location, size, orientation, sounds, noise, accessibility and enclosure, and general quality of space.'* A large area of soft and hard landscaping is proposed to the front of the building, with ample room for outdoor private amenity space.

Policy JP-H3 of PfE relates to new housing, and that all new housing should comply with the Nationally Described Space Standards.

The proposed dwelling would be a one bedroom two bedspaces dwelling. The NDSS requires 58sqm for a dwelling of this size, 80sqm is achieved. The bedroom meets the requirements of the 11.5sqm minimum size and measurements, and is considered acceptable. The kitchen and sitting room area would benefit from a large area of glazing, the bedroom would have adequate outlook. An office upstairs would have a rooflight obscurely glazed. Given the walls positioning internally, it is unlikely a rooflight inserted under Class C of permitted development would be sited lower than 1.7m above ground level, and therefore no concerns are raised in relation to privacy by way of possible future alterations.

It is noted by virtue of granting permission of the use of the building for a C3 dwellinghouse, the property will benefit from GPDO Schedule 2 Part 1. In relation to Class B, it is noted the possibility of extending the roof would be detrimental to visual and residential amenity due to the proximity of 3 Oxford Avenue and 8 Woodgate Avenue. In the interest of residential amenity, permitted development rights relating to Class B is removed.

The Environmental Health Officer was consulted on proposals and due to the very close proximity of the site to neighbouring properties, requested a condition restricting construction hours and a construction management condition. Given the scale of the proposed works is akin to works associated with a householder extension, it is not considered these conditions are necessary and therefore do not meet the requirements within Paragraph 55 of the NPPF. As such, the proposed conditions are not attached to the decision notice. Separate legislation is in place which restrict construction hours.

The proposal, subject to conditions, 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 refuse collection

Policy T2 of the adopted Core Strategy seeks to improve accessibility by locating development where good access to public transport is available or can be provided and in all circumstances, prioritises the safety, accessibility and amenity of those who live or have business in the area. Policy DM1 also states that all development proposals should provide satisfactory vehicular access with adequate parking,

manoeuvring, and servicing arrangements taking into account of the proposed use and location. Paragraph 115 of the National Planning Policy Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The Council consulted its Highways department as part of the application. Adequate parking is provided and no concerns regarding servicing of the dwelling. No objections were raised subject to a dilapidation survey of Oxford Avenue as a result of the deteriorating state of the road and construction traffic associated with the works. The proposed dilapidation survey would not impede the highway safety of the proposal or affect the acceptability of the dwelling in this regard. As such, it is not considered the condition is necessary or meets paragraph 55 of the NPPF and a condition is not secured. An informative however is added to the decision notice. Should the works degrade the highway, this would be a civil matter for the highways authority and the applicant.

As such it was not considered the development would have any detrimental impact on road safety or highway capacity.

In conclusion, the proposal would be compliant with Policy T2 and Policy DM1 of the Core Strategy, policies within PFE and the NPPF.

Other Matters

In relation to drainage, the existing building is already serviced and any further matters would be dealt with by building regulations. The proposal is exempt from Biodiversity Net Gain (BNG) under the 'de minimis' exemption, and therefore statutory BNG is not required.

The Environmental Protection officer was not consulted in the application, as the proposed dwelling currently is part of a residential curtilage and therefore no unacceptable contamination is expected.

RECOMMENDATION: APPROVE SUBJECT TO 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:-

Amended Proposed Site Plan - WGA-SVA-ZZ-ZZ-DR-A-2001 Rev D
Amended Proposed Plans and Elevations - WGA-SVA-ZZ-ZZ-DR-A-2006 Rev E
Amended Proposed 3D Plans - WGA-SVA-ZZ-ZZ-DR-A-2010 Rev C
Location Plan - WGA-SVA-ZZ-ZZ-DR-A-2000 – Rev A

and the development shall be carried out in complete 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 saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

3. The proposed extensions to the building shall be erected in materials as stated on the approved plans, noted under condition 2. The development shall be constructed in accordance with these materials.

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent Order following the revocation and re-enactment thereof, the dwelling hereby approved shall not be altered or extended, and no buildings or structure shall be erected within their curtilage under Schedule 2, Part 1, Class B of the above Order except with the prior written approval of the Local Planning Authority.

Reason: To prevent undue harm to the amenity of existing and future occupiers and in the interest of visual amenity and in accordance with Policy DM1 adopted Rochdale Core Strategy and the National Planning Policy Framework.

Procedure 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.

Informatives:

1. The Local Highways Authority request a dilapidation survey of Oxford Avenue be accompanied by a scheme for periodic inspection through the constructions phase. A further survey shall be carried out following substantial completion and prior to occupation of the dwelling. Any damage identified shall be repaired such that the highway is in the same or similar condition as prior to the commencement of works on site.

Report Author Rosalind Gralton