

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

24/00448/FUL

CASE OFFICER

Majid Mir

DETERMINATION DATE 05.08.2024 **EXT OF TIME** 23.08.2024

Address: The Ark Featherstall Road Littleborough Rochdale OL15 8DH

Proposal: Conversion and alterations to existing detached garage including the formation of a first floor along with a two storey extension to be used as an 'After School Club' facility to rear of existing nursery

PUBLICITY	Weekly list expired?	Y	Site notice expired?	Y
	Neighbour letters expired?	Y	Press Notice expired?	N/A

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?	N

EIA	Screening opinion completed and saved to Onbase?	N
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CONDITIONS	Pre-commencement conditions proposed?	N
	Pre-commencement conditions agreed (or notification period expired)?	N

RECOMMENDATION

GRANT subject to conditions

CHECKED AND SIGNED OFF BY: RG

DATE: 23 August 2024

SITE

The site is situated to the west of the centre of Littleborough and was formerly the local Police Station until converted to a nursery. The host building is a larger part 2-storey, part single-storey modern brick building with a shallow pitch roof with distinctive deep eaves / gutter in blue trim. There is tall boundary treatment that runs along the side and rear of the grounds of the nursery. The garage is located to the rear and within the grounds of the nursery. Parking and drop-off layout is provided to front with landscaped areas to front and east frontage. The rear is also used as a play area.

The surrounding uses are predominately residential with some other commercial uses. To the east of the site is Lidl Supermarket, to the north is Medical practice, to the east is a commercial building and to the south is Featherstall Road. To northeast and south east there are residential properties. On the opposite side of Featherstall Road there are also residential properties.

PROPOSAL

The application seeks to convert the existing garage and extend it with the addition of a two storey side extension. The garage is sited within the curtilage of the nursery and is located to the rear of the main building. Along with the two storey side extension to the garage, a number of alterations are proposed for the existing garage. These will consist of:

- ❑ Removal of double height garage door and introduction on glazed windows and glazed sliding doors on the ground floor.
- ❑ Replacement of hipped roof with gable roof. Gable ends will face the front and rear.
- ❑ Render on all elevations of garage.
- ❑ New window on ground and first floor side elevation.
- ❑ Creation of first floor.

The garage will be constructed out of brick. The application also seeks to increase the number of children attending the nursery from 155 to 178.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

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:

JP-P1	Sustainable Places
JP-J1	Supporting Long-Term Economic Growth
JP-S4	Flood Risk and the Water Environment

JP-C8	Transport Requirements of New Development
JP-S1	Sustainable Development
JP-G6	Urban Green Space
JP-G7	Trees and Woodland
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-P5	Education, Skills and Knowledge

Adopted Rochdale Core Strategy (CS):

SO1	To deliver a more prosperous economy
SO3	To improve design, image and quality of place
SD1	Delivering sustainable development
C7	Delivering education facilities
C8	Improving community, sport, leisure and cultural facilities
P3	Improving design of new development
G8	Managing water resources and flood risk
G9	Reducing the impact of pollution
T1	Delivering sustainable transport
T2	Improving accessibility
DM1	General development requirements

Unitary Development Plan (UDP):

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

87/D20443	Provision Of Visitor's Car Park. Decision: Approved.
04/D43085	Refurbishment Of Police Station To Include Pitched Roof On Existing Building, Single Storey Extension, Detached Garage Additional Car Parking, Temporary Office Accommodation And Access Restrictions. Decision: Approved.
16/01345/FUL	Change of use from existing police station to children's day nursery (Use Class D1) together with a single storey rear extension and first floor extensions, including installation of external staircase and alterations to existing outbuilding. Decision: Grant subject to conditions.
22/00356/VRCON	Section 73 application to vary condition 7 of planning permission 16/01435/FUL to increase the number of children from 125 to 155. Decision: Grant subject to conditions.

CONSULTATION RESPONSES

Highways And Engineering

No objection.

Env Health - Noise/Odours

No objection.

Transport For Greater Manchester

No comment.

Schools Service

No comments received to date

Tree Officer & Gtr Manchester Ecology Unit

Potential ecological issues include bats and nesting birds.

Bats: Prior to development a precautionary working method statement for bats will be provided to and agreed in writing by the LPA.

Nesting Birds: The garage is very low risk and works to trees and shrubs is restricted to pruning back an existing semi-mature tree to enable the extension to be built. I am satisfied that overall the development can be dealt with via an informative along the following lines.

BNG: The development is exempt from 10% BNG under the de minimis rule.

Trees: The development will result in the pruning back of one tree, with the development footprint restricted to hardstanding. There are unlikely to be any wildlife issues, though there is a very low risk of impacts to bats and nesting birds.

Following a precautionary working method statement for bats: Satisfied that the method statement is adequate and can be conditioned as part of any permission.

Drainage

No comments received to date.

REPRESENTATIONS

Letters of notification were sent to neighbouring properties surrounding the application site and site notices were placed in the vicinity of the site. No representations were received.

ANALYSIS

Principle of development

The application seeks construct a two storey side extension to the garage within the curtilage of the nursery and increase the number of children attending the nursery from 155 to 178. The building will be used as an after school club. The use as an after school club would be retained with the use as a nursery.

The principle of the site being used as a nursery has been accepted. The application seeks to extend the existing an existing building and increase the number of children that can use the nursery. Policy JP-P5 of the PfE, states that significant enhancements in education, skills and knowledge to benefit existing and new residents will be promoted, including by enabling the delivery of new and improved

accessible facilities for all ages, such as early years, schools, further and higher education, and adult training to ensure our workforce is ready to benefit from new employment opportunities;

The Council's adopted Core Strategy policy C7 (Delivering education facilities) states that we will improve education, skills and training in the borough and raise educational achievement. Although the policy mainly relates to primary education and above, it is considered that a nursery is a valuable community facility.

The proposal would provide the opportunity for more children to be allocated more places within the borough, providing an essential facility for the wider community. This is particularly important with the Government's extension of support for 15 hour childcare.

The principle of development is therefore considered to be acceptable, in accordance with Policy C7 of the CS and the policy JP-P5 of the PfE. However, the application is subject to the below assessments to ensure its acceptability.

Visual amenity

The garage is located to the rear of the application site. The garage is predominantly screened from view by the main building to the front, tall brick boundary treatment to the sides and the trees/shrubs to the rear. Furthermore, to the rear is the parking for the medical centre. With the trees and shrubs, the garage is not visible. In the winter months, the only element of the garage that would be visible is the roof.

The land surrounding the garage is predominantly commercial. The main building as well as the garage are relatively modern structures. The medical centre is a red brick structure with no architectural value or quality. To the east is the recently constructed Lidl Supermarket. To the west there are older commercial and residential properties, however, these again are not of any architectural value or quality.

The materials used for the structures in the vicinity vary, with red brick, stone, render and cladding being visible. The majority of the structures are predominantly brick or stone structures. As such the use of brick, render and concrete tiles are acceptable.

The design of the proposed extension along with the proposed alterations to the garage would give the structure a more modern appearance. The appearance would be something more commonly found on a residential property rather than a commercial property. Nevertheless, the proposed development would have little impact on the street scene owing to the building being substantially screened from public vantage point and viewed as a structure connected to the main building.

In conclusion the design of the proposal is considered to be acceptable accords with the relevant policies within the Core Strategy, PfE and NPPF.

Residential amenity

The proposed extension and the alterations on the existing garage are sufficiently set away from any residential properties to unduly impact on the privacy of the occupants or lead to an unacceptable level of overshadowing.

The proposed development would be approximately 10m from the rear elevation of the main building. However, this is not a residential property and nor will the proposed building be used as a residential property. Therefore, the level of protection in regards to impact on light, outlook or overshadowing is limited.

The proposal would lead to an increase in the number of nursery places from 155 to 178. The proposed building would be used as an after school club and therefore there is likely to be greater coming and goings after school and prior to closing of the nursery.

It is however noted that the nursery is surrounded by predominantly commercial properties. The car park of the nursery is located to the front, by the busy A58. The residential properties close to the site and by the A58 are unlikely to see a material or discernible change to the impact on noise through the addition of the additional spaces.

In regards to the residential properties to the northwest. These properties are sited close to the medical centre. It is noted that the application does not seek to increase the opening time. The noise impact assessment concluded that the noise impact is considered to have a low Impact and will have no detrimental effect on night time noise levels. Furthermore, the Environmental Health department have raised no objection to the proposal. As such, the increase in number of children by 23 would not be materially or discernibly different from the existing arrangement.

It is therefore considered the proposal would not unduly impact on the amenity of any of the neighbouring residential properties and would accord with the relevant policies within the Core Strategy, PfE and the NPPF.

Highways and parking

The application is proposing to increase the number of children from 155 to 178. This would be linked to the after school club sited within the grounds of the nursery. As such it is anticipated that there would be an increase in the number of coming and goings between school ending time and the closing of the nursery. The proposal does not include any additional off-street parking.

Nevertheless, the highways department considered that a development of this size and use would not generate any significant volume of traffic and falls below the threshold for a Transport Study to be undertaken as part of the application process.

It is noted that the site is located off the A58 and on a public transport route. The site is also close to the Littleborough Local Centre. The site is considered to be in a sustainable location.

Furthermore, the highways department do not envisage any servicing issues associated with this proposal and no new highways safety concerns. As such, the Highways Department raised no objection to the proposal.

As such it is considered that the proposal would accord with policies T1 and DM1 of the adopted Core Strategy, PfE and the NPPF.

Flood Risk and Drainage

Paragraph 165 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. Paragraph 173 states that 'when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.

A small part of the site by A58 is located within Flood Zone 2. The main building itself, the rear curtilage of the nursery and the site of the garage and proposed extension is located within Flood Zone 1 and Critical Drainage Area., The main building and the rear curtilage of the nursery are set in an elevated level position in comparison to the car park and the A58. As such the main building as well as the site of the proposed development are subject to a lower probability of flooding.

As noted by the officer when determining planning application 16/01435/FUL, 'the car park area to the front of the building would be used solely for the parking of cars and the pick up/drop off of children attending the nursery. Therefore, users of the nursery would have safe refuge areas within the building and rear outdoor areas if a flood event were to occur. It is not considered that the development would increase flood risk elsewhere.'

A drainage plan has been submitted to support the application. It is noted that there is hard standing throughout the rear. Including the ground where the proposed development would be sited. The proposed development will connect to the existing drainage system which was considered to be acceptable when approving planning application 16/01435/FUL. The application also proposes to install water butts to collect rainwater from the downpipes, providing some betterment. It is therefore considered that the proposed development is a minor application that is unlikely to have an impact on the drainage or increase flood risk elsewhere.

It is therefore considered the proposal is acceptable in regards to drainage and flood risk considerations and accords with the relevant policies in the Core Strategy, PfE and the NPPF.

Ecology

GMEU were consulted on the proposal and the ecologist noted that the proposed development will result in the pruning back of one tree which was considered to be acceptable. In regards to birds, it was concluded that the garage is of very low risk and overall the development could be dealt with via an informatives.

In regards to bats, it is noted that the proposed development would see alterations made to the roof. The ecologist noted that there is potential bat roosting habitat, however, the building is low risk due to its use, relatively modern construction and being in good condition. Additionally, the location is considered to be of moderate risk. As such the ecologist concluded that the overall risk is very low and because the building is not to be demolished that working under a pre-cautionary method statement will suffice. A precautionary method was subsequently provided and considered to be acceptable.

The application is considered to be acceptable on ecological grounds and would accord with the relevant policies within the adopted Core Strategy, PfE and NPPF.

RECOMMENDATION

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:-

Site location plan. Drawing no: d417 /ASC 01
Existing site plan. Drawing no: d417/ASC 02 rev A
Proposed site plan. Drawing no: d417/ASC 04 rev B
Existing plan and elevations. Drawing no: d417/ASC 03 rev A
Proposed plans and sections. Drawing no: d417/ASC 05 rev A
Proposed elevations. Drawing no: d417ASC/06 rev A

And the development shall be carried out in 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, Places for Everyone Joint DPD and the National Planning Policy Framework.

3. The materials used in the construction of the exterior of the development hereby permitted shall match those used in the construction of the exterior of the existing building in colour, form, type, size and texture. For avoidance of doubt, the proposed render shall match the render on the main building.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

4. The sensitive working methods as identified in the Bat Method Statement by Dunelm Ecology shall be adhered to all times during the construction process.

Reason: To safeguard a protected species which may either live or forage within the site in accordance with policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

5. The nursery hereby approved shall not be open for trade or business before 07:00 hours nor after 18:30 hours on Mondays to Fridays, and not at all on Saturdays, Sundays and Bank Holidays.

Reason: In the interest of residential amenity and to prevent nuisance arising and in compliance with Policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

6. The number of children present in the nursery at any one time shall not exceed a total of 178.

Reason: In the interest of residential amenity and highway safety to prevent nuisance arising and in compliance with Policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

7. The proposed drainage scheme as identified in the in the 'Drainage Plans' (drawing no: d417/ASC 07) drawing shall be fully implemented prior to first occupation of the hereby permitted development and shall be retained as such thereafter.

Reason: To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of water from the site in accordance with Policy G8 of the adopted Rochdale Core Strategy, saved Policy EM/7 of the adopted Rochdale Unitary Development Plan. Policy JP-

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.

Notes for Applicant:

1. Bats
All bats and their roosts are protected under the Wildlife and Countryside Act 1981; the Countryside and Rights of Way Act 2000; the Natural Environment and Rural Communities Act 2006; and by the Conservation of Habitats and Species Regulations (2010). In the event that a bat is identified during the course of works, then works must cease and an ecologist should be contacted immediately. Before any work can proceed which may cause harm to bats, a License will need to be obtained from Natural England derogating from the terms of the legislation protecting bats. The License application process is separate from any grant of planning permission.
2. Birds
The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a birds nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).