

APPLICATION NUMBER: 24/00716/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

24/00716/FUL

CASE OFFICER

Rachel Carney

DETERMINATION DATE 16.09.2024 EXT OF TIME

Address: Branch Road Farm Branch Road Littleborough OL15 0AB

Proposal: Re-construction of a partially demolished barn to 1 no. 4 bedroom dwelling, replacement single storey rear extension and erection of detached double garage (Resubmission of 24/00111/FUL)

PUBLICITY	Weekly list expired?	y	Site notice expired?	n/a
	Neighbour letters expired?	y	Press Notice expired?	n/a

DELEGATION	Significant departure from local plan?	n	Contrary to national policy?	y
	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	Refuse
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CHECKED AND SIGNED OFF BY: LA

DATE: 16.09.2024

SITE

The application relates to a former barn where planning permission has previously been approved under application 21/00942/FUL for the barns reconstruction to form a single dwelling.

Prior to planning permission being approved, the barn was predominantly demolished, with only the front elevation and a small section of the side elevation remaining. Information included with the approved application stated that the barn was demolished due to structural issues that were discovered during development of approved application 18/00645/FUL, which was for conversion of the barn to one dwelling.

PROPOSAL

The application proposes part reconstruction of the partially demolished barn to create one no. dwelling at the site. The details submitted under this application are largely as approved under application 21/00942/FUL, except for the following:

- A detached garage double garage is proposed.

The proposed garage and garden store would have a width of 6m and depth of 6m, with a dual pitched roof with an eaves height of 2.8m and a ridge height of approximately 5.5m.

The main barn reconstruction and new dwelling is identical as previously approved. This would comprise a main two storey section with a depth of 8.7m and a width of 15.9m. Behind this a single storey section would sit and this would provide an additional depth of 5.0m.

Internally the proposal would provide living accommodation comprising:

- Ground floor
 - o Living room
 - o Sitting room/bedroom
 - o WC
 - o Kitchen
 - o Utility room
 - o Family room
 - o Storage room
 - o Cloakroom
 - o Hallway (leaving an open gallery space above).
- First floor
 - o Master bedroom with dressing area and en-suite bathroom
 - o Two bedrooms with a shared en-suite bathroom
 - o Landing with open gallery area
- Second floor
 - o Bedroom with en-suite bathroom
 - o Games room
 - o Landing with open gallery area
 - o Two storage spaces

N.b The application was originally submitted with an increased area of residential curtilage and provision of a new access. Amendments have been received to remove these elements from the application.

RELEVANT PLANNING POLICY

National Guidance

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:

JP-S1 Sustainable Development
JP-S4 Flood Risk and the Water Environment
JP-H1 Scale, Distribution and Phasing of New Housing Development
JP-H3 Type, Size and Design of New Housing
JP-G9 The Green Belt
JP-P2 Heritage

Adopted Rochdale Core Strategy (CS):

C1 Delivering the right amount of housing in the right places
C3 Delivering the right type of housing
C6 Improving health and well being
P1 Improving image
P2 Protecting and enhancing character, landscape and heritage
P3 Improving design of new development
G4 Protecting green belt land
G6 Enhancing green infrastructure
G7 Increasing the value of biodiversity and geodiversity
G9 Reducing the impact of pollution
T2 Improving accessibility
DM1 General development requirements

Unitary Development Plan (UDP):

G/D/2 Green Belt

Supplementary Planning Documents (SPD):

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

RELEVANT SITE HISTORY

24/00111/FUL - Re-construction of a partially demolished barn to 1 no. 4 bedroom dwelling, replacement single storey rear extension and erection of detached garage - Resubmission of 21/00942/FUL - Refused

21/00942/FUL - Part re-construction of a partially demolished barn, including retention of existing front wall to form 1 no. 4 bedroom dwelling and replacement single storey rear extension - Resubmission of 20/01551/FUL - Approved

20/01551 - Re-building of a partially demolished barn to 1 no. 4 bedroom dwelling and replacement single storey rear extension - Refused

19/01451/FUL - Erection of agricultural building to house livestock - Refused

18/00645/FUL - Change of use and conversion of existing attached agricultural building to 1 no. 4 bedroom dwelling including changes to fenestration to all elevations, addition of roof lights and replacement single storey rear extension - Approved

16/01104/FUL – Change of use and conversion of barn to residential to provide additional living accommodation for existing dwelling and the creation of a new separate two storey dwelling, including replacement of rear extension and alterations to front and rear elevations - Approved

13/01107/FUL - Change of use and conversion barn to residential to provide additional living accommodation for existing dwelling, the creation of a new separate two storey dwelling and alterations to front and rear elevations - Approved

CONSULTATION RESPONSES

Highways And Engineering

Our main concern is damage to the access road caused by construction vehicles we therefore request a dilapidation survey of the highway is undertaken before construction and any damage apparent remedied upon completion

Conservation And Design

The reduction in the size of the garage (from the last application) and amendments to the design would help the building to better relate to its setting. While there would be a degree of harm, this would be less than the previously refused scheme. If approved, it is important to condition landscaping and materials.

United Utilities

Request that drainage is undertaken in accordance with the NPPF and NPPG drainage hierarchy.

Lead Local Flood Authority/Drainage

No comments received to date

Gtr Manchester Ecology Unit

No bat survey has been submitted and therefore advise the application be refused.

Environmental Control (Landfill Gas)

Prior to commencement of the development the existing structures and surrounding site shall be inspected for visual/olfactory evidence of contamination and a letter report submitted to the Local Planning Authority for approval

REPRESENTATIONS

The application has been publicised by neighbour notification letters and no representations have been received.

ANALYSIS

Principle of development

The principle of development for the rebuilding of the barn and creation of a single dwelling has already been accepted under extant permission 21/00942/FUL. Under that application it was determined that the proposals comprised inappropriate development, for which planning permission should not be approved unless the very special circumstances outweigh the harm caused to the Green Belt by reason of inappropriateness, and any other harm.

A case for very special circumstances was submitted with application 21/00942/FUL and this comprised detailed structural information to demonstrate how the proposed development could be undertaken ensuring the retention of the remaining front wall of the former barn. This information, which has been resubmitted with the current application, was assessed by the Council's Conservation Officer who advised that the proposals would be sympathetic to the significance of the non-designated heritage asset and employ building materials that are appropriate for the special interest of the structure. The details were also assessed by the Council's Building Control team who advised that the submitted method statement was acceptable and that the proposals would allow for retention of the remaining front wall.

Application 21/00942/FUL also outlined the harm that had arisen to the non-designated heritage asset through demolition of the majority of the barn. It is clear that this harm cannot be reversed and paragraph 195 of the NPPF sets out that heritage assets are an irreplaceable resource. Nonetheless, it was also clear that the remaining section of the front wall retained some interest, as does the adjoining farmhouse which also comprises part of the non-designated heritage asset. Given the significance of these retained features, the Conservation Officer advised that a scheme that retains the front wall of the structure would ensure that no further harm arises to the significance of the heritage asset, and mitigate some of the visual harm to the farmhouse and its setting.

Taking into account the above, it was determined under application 21/00942/FUL that the re-building of the barn structure (as a house) would have heritage benefits as it would ensure the retention of the remaining section of the barn wall and ensure that there is no additional visual harm to the farmhouse and its setting and the significance of the heritage asset. These demonstrated benefits were weighed in the planning balance.

In considering the harm to the Green Belt, application 21/00942/FUL acknowledges that this arises through the proposal comprising inappropriate development in the Green Belt. It was noted that substantial weight must be given to this harm and it was also accepted that the development would adversely impact on the openness of the Green Belt.

Balancing all of the above considerations, it was determined under application 21/00942/FUL, that there would be significant heritage benefits in retaining the front wall of the barn as this would prevent any further harm arising to the significance of the heritage asset. It was recognised that this could only be achieved through development of the site, and reconstruction of the former barn in the same manner as the previously approved plans for conversion was considered to be the most sensitive way of doing this. Evidence was submitted with the application that demonstrated that the construction techniques involved with the development would retain the remaining front wall and incorporate it sensitively into the new development. It was considered that this would ensure that no further harm to the significance of the heritage asset took place.

Taking into account all of the above, it was considered that the heritage benefits as outlined above would outweigh the substantial harm to the Green Belt through inappropriateness and loss of openness. This was considered to comprise very special circumstances.

Under the current application the barn conversion details remain identical to those previously approved. It is also noted that work has significantly commenced on site and that much of the former barn has been rebuilt. These works remain acceptable for the reasons as outlined above.

The current application differs from the previous approval through provision of a detached double garage and garden store. An assessment is required into whether these amended details comply with Green Belt policy.

It is noted that a similar application (24/00111/FUL) was submitted earlier this year and that the erection of a garage as well as an increase to the approved. That application was refused as it comprised inappropriate development in the Green Belt and would also result in harm to the significance of the non-designated heritage asset and visual amenity.

Paragraph 154 of the NPPF establishes that an LPA should regard the construction of new buildings as inappropriate development in the Green Belt. Exceptions to this are:

- 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) 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, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Paragraph 155 also sets out that certain other forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- a) mineral extraction;
- b) engineering operations;
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d) the re-use of buildings provided that the buildings are of permanent and substantial construction;
- e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and

f) development, including buildings brought forward under a Community Right to Build Order or Neighbourhood Development Order.

In assessment of the proposed detached double garage, this would not fall under any of the exceptions to inappropriate development listed under paragraphs 154 and 155 of the NPPF. It should not be supported unless very special circumstances outweigh the harm.

It is noted that the planning statement states that the garage would fall under the exception of not being a disproportionate addition to the original building (NPPF paragraph 154 g). However, as this application is for the rebuilding of the barn, following demolition of the side, rear and partial front elevations there is currently no “original building” to extend. It is accepted that works to undertake the development (i.e. rebuild of the barn) approved under application 21/00942/FUL are underway. Nonetheless, this application is for a revised scheme, including the rebuilding of the demolished barn. Therefore, consideration paragraph 154 g is not considered appropriate.

A Court of Appeal judgement in Redhill Aerodrome Ltd v Secretary of State for Communities and Local Government establishes that ‘any other harm’ in paragraph 153 of the NPPF includes non-Green Belt harm that is to be taken into account in the weighing exercise of the planning balance as to determining whether or not very special circumstances exist which would clearly outweigh the harm to the Green Belt by inappropriateness and any other harm.

This Court of Appeal judgment is an important reminder that under paragraph 153 of the NPPF, when considering any planning application concerning proposed development in the Green Belt, local planning authorities should continue to ensure that substantial weight is given to harm to the Green Belt and any other harm.

Impact on openness

Under application 21/00942/FUL it was considered that the works to the barn to create the dwelling would impact on openness. Assessing the impacts against the structure that remained on site (following demolition) it was determined that the development would have a harmful impact on the openness of the Green Belt through the construction of a relatively large dwelling on what was considered to be (following demolition) an undeveloped site. Additionally, it was considered that the presence of the new building alongside the residential curtilage and associated parking and residential paraphernalia would have a clear impact on openness.

The current application seeks the provision of a detached garage to the side and rear of the proposed dwelling. This would further add further domestic development to this green field, green belt site, exacerbating the previously identified harm and further impacting on the openness of the green belt. This would be contrary to the Green Belt policy outlined in policy G4 of the Core Strategy, policy JP-G9 of Places for Everyone and the NPPF.

Heritage and Design

Policy P3 of the Core Strategy requires all new developments, regardless of location in the borough, to adhere to high standards of design. Policy DM1 of the Core Strategy states that all development proposals will be expected to demonstrate that they are of high quality design and take the opportunity to enhance the quality of the area, in addition to requiring a number of other basic planning considerations.

The former barn and the adjoining farmhouse on the site is included on the Council's published list of non-designated heritage assets, and dated to 1853 by a date stone upon the barn. The site was considered to be an attractive property which demonstrates the local vernacular being composed of course sandstone masonry and it is sited approximately 165m from the Clegg Village Conservation Area. Whilst the form of the site is relatively formal, the farmhouse is of modest size being 3 bays over 2 storeys.

When assessing the impact of development on heritage assets paragraph 196 establishes that 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; and
- c) The desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 209 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining an application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgment will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

In consideration of approved application 21/00942/FUL disappointment in the demolition of the majority of the former barn was raised and it was clear that this was done through a lack of understanding of traditional construction methods.

The demolition of the barn was identified as having caused substantial harm to the non-designated heritage asset and it was also noted that the remaining structure, i.e. the front wall of the barn, resulted in harm in its demolished form, particularly to the setting of the adjoining house, which also comprises part of the heritage asset. It was acknowledged that the significance of the barn previously provided could not be restored, as paragraph 195 clearly establishes that heritage assets are an irreplaceable resource. Nevertheless, it was also noted that the retained wall was the element of the barn which contained the most features of architectural merit and was of the most interest. As such, it was identified that the loss of this wall would result in further harm to the significance of the heritage asset.

With the above in mind, it was determined that the approved scheme, which resulted in the retention of the front wall, would ensure that no further harm arose to the significance of the heritage asset. However, detailed information, in the form of a detailed structural plans, were required to demonstrate how the front wall would be retained and sensitively incorporated into the development. Whilst it is noted that much of the work to the barn has already taken place on site, the detailed information (plans and structural report) have been submitted with the current application and it is still considered that the proposal would represent an appropriate development, ensuring the retention of the remaining barn and providing an appropriately designed and constructed dwelling, to protect the remaining significance of the heritage asset and the visual amenities of the area.

The current application seeks to extend the proposals beyond those already approved through the provision of a detached garage. The Council's Conservation Officer has reviewed the application and noted that the garage has been reduced in size from that previously refused. Furthermore, the material palette has been updated to side hung timber doors and natural stone and slate.

It is noted that the garage would still be a relatively prominent feature from the road, however the reduction in its size and amendments to the design would help the building better relate to its setting. Whilst there would still be some degree of harm to the historic interests of the building (non-designated heritage asset), this would be less than the previously refused scheme and when making a balanced judgement of this harm, as set out in paragraph 209 of the NPPF, it is considered that this could be adequately mitigated by appropriate materials, and well-designed landscaping.

Further to the above, the major part of the proposal, the rebuilding of the barn and provision of a single dwelling, remains acceptable in terms of its impact on heritage and visual amenity. Amendments from the previously refused application have also addressed the concerns relating to the extended curtilage and the size and design of the proposed garage. The application would therefore be acceptable in respect of its impact on the non-designated heritage asset and be appropriate in respect of visual amenity and therefore accords with policies P1, P2, P3 and DM1 of the adopted Rochdale Core Strategy, PfE policy JP-P2 and the NPPF.

Residential amenity

Policy DM1 of the Core Strategy states that all development proposals will be expected to demonstrate that they are of high quality design and take the opportunity to enhance the quality of the area, in addition to requiring a number of other basic planning considerations.

Policy G9 of the emerging Core Strategy requires that final development does not lead to an increase in noise pollution.

Approved application 21/00942/FUL determined that the existing residents at the adjoining property (Branch Road Farm) would not be adversely affected by the proposals. It was also accepted that the proposed dwelling would provide a good level of accommodation to provide a high level of amenity for future residents.

It is not considered that the proposed amendments to the scheme through the provision of a garage would impact on the relationship with the neighbouring dwellings, nor would they adversely affect the level of amenity provided by the development. As such, it remains the view that the application would represent an acceptable level of amenity for existing and future residents, in accordance with policies DM1 and G9 of the Core Strategy and the NPPF.

Landscape and Ecology

Policy G7 of the Core Strategy requires developments to protect existing biodiversity including trees and vegetation. The NPPF also requires the planning system to contribute to and enhance the natural and local environment.

Whilst this is a new application it is noted that the proposals submitted to the former barn are identical to those submitted under application 21/00942/FUL and that works approved under that application are substantially underway.

Under application 21/00942/FUL, through the submission of a bat survey, the building was identified as very low risk for bats, but a footnote was considered necessary to remind the applicants that under the Habitats Regulations it is an offence to disturb, harm or kill bats.

GMEU also previously advised that in line with the NPPF, the development should include, through condition, a scheme for biodiversity enhancements at the site. Such

enhancements were outlined in the submitted preliminary bat survey and comprise bird nesting opportunities.

To satisfy the required biodiversity enhancements 2x Schwegler 1B Nest Boxes as recommended by GMEU were included and a condition was imposed requiring the installation and retention of these features.

In respect of the current application, it is noted that a bat survey has not been included and GMEU have raised this as a concern. However, GMEU are also not aware that the works to the barn are substantially underway, in accordance with the details approved under application 21/00942/FUL.

With this in mind and given that the works proposed to the barn (under this application) are identical to previous approved (and in the large already taken place), it is considered that subject to inclusion of the condition previously identified, the development would be acceptable in respect of its impact on ecology and protected species and in accordance with policy G7 and the NPPF.

In regards landscaping of the site, the previous application did not differ significantly from the existing site (prior to development) and this was considered to be acceptable. With the current application, it is noted that the Conservation Officer has noted that landscaping is important to ensure appropriate setting the previously proposed curtilage is retained and in this respect it is considered that adequate landscaping can be provided through condition.

Highway safety

Policies DM1 and T2 of the adopted Core Strategy regard improved accessibility and parking standards are set out in appendix 5.

The approved application allowed for parking for several vehicles exists on an area of gravel hardstanding to the front of the proposed dwelling.

The only request from Highway Services on the current application is the requirement of a highway dilapidation survey. This request was also made on the previous application 21/00942/FUL, however it was noted that earlier applications had not included a dilapidation survey and given that most of the external building materials were already on site and the traffic movements associated with the development will not significantly exceed those that would have been required with the construction of the approved scheme. As such it is not considered reasonable to include this further requirement and any approval should not be subject to a dilapidation survey.

Further to the above the proposal is acceptable with regard to parking and highway safety and accords with Policy T2 of the adopted Core Strategy and the NPPF.

Contamination

Policy G9 requires that any risks associated with contaminated land are appropriately identified and managed.

The Council's Public Protection Officer has reviewed the application and advised that a Phase I Contaminated Land Report is required. It is noted on approved application (21/00942/FUL) a Phase I was submitted and this required that development be undertaken in accordance with the reports recommendations and a remediation scheme is submitted, should contamination be identified. That same report has been

submitted under the current application and it is considered that should planning permission be approved, the same condition should be again included.

Drainage

Policy G8 of the Core Strategy sets out the Council's strategy for managing water resources and flood risk more effectively in the interests of public safety, protecting property and infrastructure and the conservation of the natural environment.

The Council's Drainage Officer provided advice on the previous application and advised submission of the following additional drainage details, which included proposals for an Ensign 40 packaged sewage plant which can discharge treated water directly to a stream. This was advised as acceptable.

Details submitted demonstrate that the sewage plant would be sited in the field to the north west of the site. This was considered acceptable given that the siting would be at least 5m from a building or public road and at least 2.5m from a property boundary. The current application proposes an identical drainage to that previously approved, although it is noted that the plans have not been updated to reflect the proposed new layout, of an extended area of curtilage and detached garage and garden store.

Given the previous permission, it is established that acceptable foul drainage system for the site can be achieved. However, if this application was to be recommended for approval, revised details would be required to ensure that the layout is still compatible with the revised scheme. This could be dealt with either prior to determination or through condition.

In respect of surface water, the Drainage officer advised that so long as the gravelled parking area remained as a semi-permeable surface, the reinstatement of the surface water (as it existing prior to demolition works) would be acceptable. This was therefore considered to be sufficient in respect of surface water drainage, noting that planning permission would be required for the provision of any impermeable surface to the front of the property that is over 5m².

In consideration of the current application, due to the alterations to the curtilage additional hardstanding is proposed, additional surface water will also be generated by the garage and garden store. With these changes to the site and the absence of any updated drainage details it is considered that any new approval would require the submission of surface water drainage details. These can be sought through condition on any approval.

Subject to the submission of further details it is considered that drainage of the site can be adequately managed and the application accords with policy G8 of the Core Strategy and the NPPF.

Very special circumstance

As detailed above, approved application 21/00942/FUL accepted that there were very special circumstances for rebuilding of the barn to form one dwelling and on this basis planning permission was approved.

The current application however includes the erection of a detached garage. It has been set out above that this would not fall within any of the exceptions to inappropriate development in the Green Belt as set out in the NPPF. No very special circumstances have been set out that would outweigh the harm to the green belt caused by inappropriateness, plus the other identified harm, that being harm to

openness. The application must be considered as a whole and the recommendation is for refusal.

RECOMMENDATION

REFUSE

1. The proposal would comprise inappropriate development within the Green Belt which is, by definition, harmful and given substantial weight. In addition the proposal would result in a loss of openness to the Green Belt through the cumulative development of a new dwelling on the site of a demolished former barn, which comprises previously undeveloped land and through the construction of a detached garage. No very special circumstances exist that would clearly outweigh the harm caused by inappropriateness and the other identified harm. The proposal is therefore contrary to policy G4 of the adopted Rochdale Core Strategy, policy JP-G9 and JP-P2 of Places for Everyone and the National Planning Policy Framework.

Procedure Statement

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application.

Notes for Applicant:

For the avoidance of doubt, this decision is based on the following plans:

- Location Plan, Existing and Proposed Site Plans and Garage Plans – Drawing no. 02 Revision D
- Existing Elevations - Drawing no. WILDMAN/02a
- Proposed Ground Floor Plan - Drawing no. 03 Rev B
- Proposed First Floor Plan - Drawing no. 04 Rev B
- Proposed Second Floor Plan - Drawing no. 05 Rev B
- Proposed Elevations - Drawing no. 06 Rev B
- Proposed Cross Section A - Drawing no. 07 Rev B
- Proposed Cross Section B - Drawing no. 08 Rev B
- Proposed Cross Section C - Drawing no. 09 Rev B
- Existing Wall Detail - Drawing no. 10-Rev B
- Drainage Site Plan

Report Author Rachel Carney