

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00131/FUL	Chelsea Petrillo	13 April 2023

Address: 1 Gainsborough Drive Rochdale OL11 2QT

Proposal: Change of use of land to form extension to existing curtilage including a single storey attached garage, together with alterations to boundary treatments and creation of hardstanding

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

DELEGATION	Significant departure from local plan?	No	Contrary to national policy?	No
	Applicant a Council Member or officer?	No	Contrary to previous decision?	No
	Major with 10 or more objections and recommending approval?	No	Called in or Planning Panel objection?	No

COMMENTS	Planning Panel comments received?	No
	Neighbour comments received?	No

EIA	Screening opinion completed and saved to Onbase?	No
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CONDITIONS	Pre-commencement conditions proposed?	No
	Pre-commencement conditions agreed (or notification period expired)?	N/A

RECOMMENDATION	REFUSE
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CHECKED AND SIGNED OFF BY: TH

DATE: 27/04/2023

SITE

1 Gainsborough Drive is a two storey end terrace, corner plot property located in the Balderstone and Kirkholt ward of Rochdale benefitting from off-street parking facilitated by a driveway to the front of the dwelling, a small attached garage to the south-side elevation and sufficient garden space.

The dwelling is of a coherent aesthetic with reference to the immediate surrounding short row of terrace dwellings, constructed in red brick to the ground floor and white render to the first floor. The dwelling adjoins to 3 Gainsborough Drive to the north and sites adjacent to 10 Hogarth Road to the rear and faces east onto the highway.

The application site includes a patch of vacant land immediately adjacent to the house, located on the corner junction between Gainsborough Drive and Hogarth Road, which is in the same ownership as the house, having been purchased in 2021. A fence has been erected along the boundary of the land prior to this application being submitted. The land at the corner of the site forms part of the landscaping around the junction of Gainsborough Drive and Hogarth Road. Similar landscaped areas are present at the other three corners of the junction.

PROPOSAL

Permission is sought for the change of use from a vacant patch of land, situated on the junction between Gainsborough Drive and Hogarth Road, to residential use including the construction of a single storey side attached garage projecting 6.1m from the south-side elevation of the application property and spanning 9.8m in length surpassing the existing rear elevation by 2.8m. The enlargement would feature a maximum height of 3.9m and a height to eaves of approx. 2.5m together with a timber pitched roof to match that on the existing and would be constructed in red brick to match the ground floor external facing materials of the application property.

The proposed works would also incorporate alterations to the existing boundary treatment with the existing black metal hoop fencing, 1.2m in height, between the existing driveway and vacant land to be removed and retrospective permission sought for the erection for the existing fence standing 1.5m in height lined along the vacant land comprised of concrete posts and solid wooden panels.

The creation of hardstanding with the addition of permeable paving to the existing grassed vacant land is also proposed within the application.

The application was first received as a householder application. As part of the application site lies outside the curtilage of the dwelling, the application was converted to an application to full planning permission.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

P1	Improving Image
P3	Improving Design of New Development
DM1	General Development Requirements
T2	Improving Accessibility
Appendix 5	Schedule of Parking Standards

Unitary Development Plan (UDP):

G/D/1	Defined Urban Area
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Supplementary Planning Documents (SPD):

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

RELEVANT SITE HISTORY

None Applicable

CONSULTATION RESPONSES

Highways and Engineering

There are a number of highway issues arising from this application that will need consideration.

The height of the proposed fencing to Hogarth Road causes some visibility concerns around the junction with Gainsborough Drive. The fence will reduce visibility for drivers using this junction however having considered the amount of vehicles using the junction and the residual visibility an objection on this basis may not be sustainable. We do however feel that the height of the fence would have an unacceptable impact on visibility for drivers emerging from the driveway of 10 Hogarth Road which would create road safety issues.

The formalisation of the driveway onto Gainsborough Drive would require the construction of a vehicle access crossing within the footway and a separate permission from the Councils highway team. We would ask that no other vehicle access, other than the existing access is permitted from Gainsborough Drive or Hogarth Road into the proposed hard standing is permitted.

The extensive hard standing area would need to be SUDs compliant.

The servicing arrangements for the existing dwelling would be unaffected by the proposed development.

The applicant attention is also drawn to that there may be statutory undertakers pipes cables and equipment within the site and that may be affected by the proposed works. Prior to development it is recommended that the applicant liaise with the relevant statutory undertaker on development proposals.

At this stage Highways cannot support the application because of the impact the fence would have on visibility for drivers emerging from the adjoining driveway

REPRESENTATIONS

Letters of notification were sent to surrounding neighbours. No public comments were received.

ANALYSIS

Principle of Development

The application site is located within a residential area of Rochdale, within the Defined Urban Area as allocated under saved UDP policy G/D/1. The change of use element relates to a parcel of vacant land located to the south-side of the application property fronting both Gainsborough Drive and Hogarth Road. It is noted that the land is not under any present use however, contributes to the visual and coherent aesthetic of the area to which vacant parcels of land are commonly sited on many corner plots therefore crucial for retaining the

character of the estate. The land was once host to a large tree, as are others around the estate, however this has now been removed, assumed in the interest of the proposed works.

The area of land proposed for change is a section of land (approx. 10m x 19m) contained within the 3982m² of the application property site that is not under any present use, serving as an area for residents to enjoy open space.

The predominant land use in the area is residential and to change the use of the proposed section of land (noting its size) into residential curtilage to form additional parking arrangements at 1 Gainsborough Drive would significantly undermine surrounding land uses and would not be appropriate for the established character of the area. However, in principle, to change the existing use of land to residential to form additional recreational garden space in addition to the existing garden space at 1 Gainsborough Drive, ensuring the grassed area is retained, could be acceptable subject to an assessment of the overall intended use therefore the change of use element of the application is considered acceptable in respect of principle and would be in accordance with saved policy G/D/1.

Design

Policy P3 of the adopted Rochdale Core Strategy requires all new developments, regardless of location in the borough, to adhere to high standards of design.

Policy DM1 requires “development to be of a high quality design taking the opportunity to enhance the quality of the area.”

The proposed single storey side extension would incorporate a pitched/gable roof form and would be constructed in materials consistent with the host property and wider street scene. Window proportions would be in keeping with those on the existing.

The extension would have the same width as, and a greater depth than, the host dwelling and would therefore appear as a disproportionate addition to the dwelling. The overall length of the extension would be considered too large for a dwelling of this side, specifically with reference to the dwelling being sited on a highly visible corner plot given it would stand flush with the front elevation and extend 2.8m beyond the existing rear elevation.

It is acknowledged the extension would not extend beyond the front elevation of the dwellings along both Gainsborough Drive and Hogarth Road therefore preserving the building line and would also maintain sufficient space between the boundary and nearest part of the extension to the front and south-side elevation.

However, the harm posed by the overall scale of the extension is considered to be enough to outweigh the preservation of the building line and retaining of sufficient space. It is therefore considered the single storey extension would be deemed unacceptable and not appear to respect the overall visual appearance and built form of the host dwelling.

The land adjacent to the house serves as soft landscaping, intentionally designed as part the layout of the estate, which provides visual relief and a sense of spaciousness. Sited in a significantly prominent location within the street scene, the addition of concrete posts and solid wooden panels forming

a new fence along the boundary of the vacant land is not considered to form an unacceptable addition due to the enclosure of the green space. It is acknowledged similar fence designs are found locally within the street scene. However, it is considered the eroding of the green space through the erection of the proposed boundary fence would present an incongruous and inappropriate addition to the overall appearance of the street scene and undermine the character of the area. It is noted many of these fences found locally are within original land sites of local dwellings and would not extend to cover patches of vacant land surrounding these dwellings therefore preserving the greenspace.

The proposed permeable paving would erode significant green space and is not considered to be a satisfactory addition. It should be noted many of the corner plots in immediate and adjacent wider settings host a patch of green vacant land to the front and side of the plots which would be preferred for the upkeep and coherent aesthetic of the wider estate, therefore the harm posed by the addition of permeable paving, and the resultant loss of soft landscaping, is thought to be so significant it would be unacceptable in this location.

In view of the above assessment, it is considered the single story side extension, the addition of paving and the proposed boundary fence would not constitute a satisfactory and appropriate change of use addition to the dwelling nor wider estate and would erode significant green space located on a prominent corner junction therefore not in keeping with the verdant character of the street scene and not acceptable with reference to visual amenity.

Amenity

Overshadowing and Overbearing Impact

Paragraph 4.10 of the SPD states “when considering applications for the change of use of a building or part of a building to residential use, the Council will take into account the impact of residential use on the area and will also seek to secure a good standard of amenity for the future occupants”.

In addition, Paragraph 5.6 sets out guidance for maximum projection standards to which it requires “For attached properties, a point 3 metres along the common boundary measured from the rear elevation of the adjoining or adjacent dwelling(s);”. Although a side extension is proposed, it is acknowledged the extension is proposed to extend 2.8m from the rear elevation however, is set well away from the common boundary shared with 3 Gainsborough Drive and would therefore be acceptable.

By virtue of its siting, size and design, the proposed extension would be in accordance with paragraph 5.6 of the SPD and not considered to result in an undue loss of light or outlook for surrounding occupiers.

Loss of Privacy

The proposed extension incorporates front and rear windows illustrated as frosted glass on the proposed elevations. Section 4 Space Standards requires “(ii) 10m between a principal window and any directly facing single storey elevation which does not contain a principal window to a habitable room”. Whilst it is unknown what the ground floor window on the east-side elevation of the adjacent property to the rear, 10 Hogarth Road, currently hosts, the obscure glazing and modest size of the window would indicate it is not a window to a habitable room therefore in the instance the application

was an approval, although the two windows would host a separation distance of approx. 6m, it would not be considered necessary to impose the obscure glazing of the rear garage windows by condition given neither windows are principal windows to habitable rooms.

Occupier Amenity

The change of use of the area to the side ensures the provision of a suitably sized rear garden would be retained post-development. The proposed works would not propose any habitable rooms which would require the provision of adequate light or outlook. The works would also not pose any detrimental impact to the provision of adequate light and outlook to internal rooms of the host property.

The proposal would not unduly impact on the amenity of the occupants of the application property or that of neighbouring properties and is therefore in accordance with policies DM1, the SPD and the NPPF.

Highways and Parking

Core Strategy policy DM1 notes that all development proposals will be expected to demonstrate that they mitigate against impacts due to inadequate access as well as provide satisfactory vehicular access. Paragraph 111 of the NPPF notes that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.

The plans indicate the provision for four off-road parking spaces located in the proposed garage extension with sufficient space on the creation of hardstanding permeable paving and the existing driveway therefore in exceedance of Appendix 5 Schedule of Parking Standards requirement of two spaces per dwelling for dwellings outside the town centre.

In line with comments received by the highways officer, the presence of the new boundary fence would pose significant reduced visibility for drivers between the Gainsborough Drive and Hogarth Road junction. The 1.5m height of the fence would cause an unacceptable reduced visibility for drivers emerging from the 10 Hogarth Road driveway.

Furthermore in the instance the application was an approval, it is noted, as advised by the highways officer, prior to development taking place, the applicant is encouraged to liaise with the relevant statutory undertaker on development proposals.

In line with comments from the highways officer who cannot support the application in its current state on cause to highway safety for drivers emerging from the driveway of the adjacent property, 10 Hogarth Road, the proposal would not be acceptable in highways safety terms and not accord with policy DM1 or the NPPF.

RECOMMENDATION: REFUSE

1. By virtue of its design and siting, the proposed works are considered to be inappropriate and discordant to the character of the surrounding estate with the erosion of prominent green space on a corner junction resulting in significant visual harm to the street scene and the character of the local area. The extension is not considered to respect the character of the site and would

appear disproportionate for a dwelling of this size. The addition of permeable paving and a 1.5m boundary fence fails to respect the visual amenity and would be detrimental to the verdant character of the estate. As such, the proposal would not accord with Policies DM1 and P3 of the adopted Rochdale Core Strategy, the Council's adopted Supplementary Planning Document 'Guidelines and Standards for Residential Development' and the National Planning Policy Framework

2. By virtue of its siting, the proposed 1.5m boundary fence would pose significant road safety issues regarding the reduced visibility for drivers emerging from the adjacent driveway at 10 Hogarth Road. The proposal would therefore fail to accord with Policy DM1 of the adopted Rochdale Core Strategy and paragraph 111 of the NPPF.

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, the decision relates to the following plans:

- SP01 REV A EXISTING LOCATION AND BLOCK PLAN
- SP02 REV A PROPOSED BLOCK PLAN
- 003 REV A PROPOSED GROUND FLOOR PLAN
- 004 PROPOSED ELEVATIONS
- 005 REV A PROPOSED SITE PLAN
- 006 FENCING DETAILS

Report Author Chelsea Petrillo