

APPLICATION NUMBER: 22/01050/TDC1

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
22/01050/TDC1	Rachel Carney	1 November 2022

Address: 7 Raleigh Gardens Littleborough OL15 9PX

Proposal: Submission of technical details pursuant to permission in principle application 21/00490/PIP for the erection of one dwelling - Resubmission of 22/00146/TD1

PUBLICITY	Weekly list expired?	y	Site notice expired?	y
	Neighbour letters expired?	n/a	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/a
	Pre-commencement conditions agreed (or notification period expired)?	n/a

RECOMMENDATION	REFUSE
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CHECKED AND SIGNED OFF BY: AT

DATE: 03.11.2022

SITE

The application relates to the side curtilage of no. 7 Raleigh Gardens which is an end terrace residential property located to the end of a small cul-de-sac. The host property and other dwellings along Raleigh Gardens are two storey, red brick houses and others in the immediate vicinity comprise semi-detached bungalows and houses and similar terraced properties.

PROPOSAL

The application seeks approval of the technical details that have now been submitted following the approval of permission in principle on the site for the erection of one dwelling (21/00490/PIP).

The application proposes a single dwelling that would be attached to the party wall of no. 7 Raleigh Gardens, thus creating a new end terrace property. The dwelling would have a width of 5.5m and a depth of 9.9m, which would take it 3.0m beyond the rear elevation of no 7 (but in line with the front elevation). The property would be designed with two distinct roof styles. The front section of the property which would have a depth almost matching no 7 (depth of 6.6m compared to depth of 6.9m at no 7) would have a dual pitched roof with an upper eaves height of 3.1m and a ridge height of 4.8m. The remaining depth of the property would then comprise a flat roof structure which would have a height of 2.7m but which would also include a roof lantern that would extend the height up to 3.5m.

All fenestration for the property is proposed to the front and rear elevation and given the property would be attached to no. 7, the development would also include closing up the existing openings to the side of no. 7. Externally, gardens would be provided to the front and rear elevations and 1.0 and 2.0m high timber fencing is proposed to the boundaries. One off street parking space is also proposed to the front of the property.

Materials of construction are proposed as masonry and roof tiles to match the adjacent property. Gutters, rainwater goods, fascias and soffits are also to match and doors and windows are to be in UPVC, similar to the adjacent property.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

- C1 Delivering the right amount of housing in the right places
- P1 Protecting and enhancing character, landscape and heritage
- P3 Improving design of new development
- G8 Managing water resources and flood risk
- G9 Reducing the impact of pollution, contamination and land instability
- 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

21/00490/PIP – Permission in principle for the erection of one dwelling – Approved

22/00146/TDC1 - Submission of technical details pursuant to permission in principle application 21/00490/PIP for the erection of one dwelling – Refused

CONSULTATION RESPONSES

Lead Local Flood Authority/Drainage

No details have been provided about the footpath and paved driveway areas on the plan. These should not drain to the public sewer; slope levels should be shown on a plan to indicate how these paved areas or drain, OR details of how they will be constructed in permeable paving materials.

Suggested drainage foul and surface water drainage condition.

United Utilities

Recommend that drainage of the site is undertaken in accordance with the NPPF and NPPG drainage hierarchy.

Advice on United Utilities assets.

Highways And Engineering

As with previous applications for development on this site our main concern is parking provision. The submitted plans now include one parking space for the new dwelling which we would say for the size of the dwelling this is acceptable. The existing dwelling does not have any off street parking provision so there would be no change to the current on street parking arrangements, therefore any objection on parking provision is not likely to be sustainable. We would ask that the parking space is retained for its intended purpose and the storage of materials, caravans or bins etc in the parking space is restricted.

Access to the parking space will require an authorised vehicle crossing of the footway which will require a separate permission from Highway and the crossing must be in place prior to occupation of the site. The parking area must be SUDs compliant.

There would be no detrimental impact on road safety or highway capacity as a result of development and we have no real concerns about servicing arrangements.

Highways raise no objection to this application subject to the above suggested conditions.

REPRESENTATIONS

The application has been publicised with a site notice. No representations have been received.

ANALYSIS

Background - Technical details

The application is submitted following the approval of grant of a permission in principle (21/00490/PIP). Following the grant of permission in principle, the site must

receive a grant of technical details consent before development can process. The granting of technical details consent has the effect of granting planning permission.

An application for technical details consent must be decided in accordance with the terms of the permission in principle granted for the site. The requirements that apply to decisions on other types of applications for planning permission also apply, including that the decision must be made in accordance with relevant policies in the development plan unless there are material considerations, such as those in the NPPF and national guidance, which indicate otherwise.

The permission in principle granted the principle of development on the site. The current application now needs to consider the finer details of the proposal, including the impacts on residential and visual amenity, highway safety and drainage. These matters now need to be assessed against local and national adopted planning policy.

Residential amenity

The Council's Supplementary Planning Document (SPD)'Guidelines and Standards for Residential Development', which establishes minimum space standards will be applied to all new residential developments and development which affect existing residential properties.

The minimum space standards set out in the SPD are:

- (i) 21m between directly facing principal windows of habitable rooms, at an upper floor level AND 10.5m between a principal window at an upper floor level and a directly facing boundary of the curtilage
- (ii) 14m between a principal window and any directly facing two storey elevation which does not contain a principal window to a habitable room
- (iii) 10m between a principal window and any directly facing single storey elevation which does not contain a principal window to a habitable room.

The site is overlooked from the north by a pair of semi-detached bungalows (9 and 11 Frobisher Road). The rear elevation of these bungalows is separated from the application site boundary by a distance 10.5m and the bungalows' boundary is separated by a distance of 2.9m. Both of the bungalows directly overlook the application site, although it is noted that no. 11 is off mostly off-set from the position of the proposed dwelling.

A previous technical details application was refused partly due to the adverse impact the development would have on the amenity afforded to the residents of the overlooking bungalows as it was considered that the relationship would be overbearing and result in an excessive loss of outlook and overshadowing.

The current proposal reduces the height of the dwelling to single storey, with a maximum ridge height of 4.8m. With the reduction in height of the property to a bungalow it is considered that the 10.5m separation proposed would be acceptable. This would be in accordance with the SPD which recommends a minimum separation distance of 10.0m where a principal window faces a single storey elevation which does not include a principal window to a habitable room. This distance of separation, with a single storey development, would ensure that the privacy of residents is adequately protected and that the development does not appear overbearing when viewed from the bungalows at Frobisher Road. The relationship in this respect is therefore acceptable and the objections (in this respect) raised under application 22/00146/TDC1 have been suitable addressed.

In regards other properties around the site the development would have an acceptable relationship. The proposal would replicate the existing relationships to the front and the rear of the site. To the front of the site, towards 8 Raleigh Gardens, the separation distance between front elevations would be approximately 18m. This would replicate the existing ground floor relationships seen along Raleigh Gardens and subsequently not result in any undue harm. To the rear of the site, to 54 Drake Road, the rear principle elevations would be separated by a distance of approximately 21.8m, with a distance of approximately 11m to the shared boundary. This would again replicate existing relationships and the distances to neighbours would comply with the guidance in the SPD.

Additionally, the relationship with no. 7 Raleigh Gardens (the adjoining property) would also be acceptable with the single storey element of the proposal extending no more than 3.0m beyond the rear elevation of no. 7, therefore ensuring no harmful levels of overshadowing, in accordance with the Council's SPD.

In addition to the above, the National Space Standards under the Government document – Technical housing standards – national described space standard should also be considered. These set out the minimum standards that should be expected in order to provide an adequate level of amenity for residents and require that a one bedroom, single storey dwelling for one person should have a minimum gross internal floor area of 39 square metres and if it is for two people it should have a minimum floor space of 50 square metres. Additionally, it should provide 1.0m² built in storage if for one person or 1.5m² if for two people. A double bedroom should be at least 11.5m² and a single bedroom should be at least 7.5m² with a minimum width of 2.15m.

The submitted floor plans provide a total internal floor area of approximately 45m² and the proposed bedroom would measure approximately 9m². There is no internal storage proposed.

Examining the proposal against the space standards, the development would predominantly comply if it was a single bedroom property for one person, however, if it was to accommodate two residents in a double bedroom it would be of insufficient size, both in regards it overall floor area and bedroom size. Furthermore, when looking at the area that the development is proposed (established residential area predominantly comprising family size dwellings) it is considered that it is likely the property, if approved, would attract a couple rather than a single person. As such, on this occasion it is considered reasonable to require space standards that would provide a suitable living environment for two people and therefore the application fails in this regard.

Further to the above it is considered that the application has overcome the previously raised objections in respect of the relationship with Frobisher Road. However, the size of accommodation would be substandard and fail to provide the minimum level of amenity that should be expected for a property that would likely house two residents. The application is therefore unacceptable in this regard and contrary to policy DM1 of the Core Strategy and the Technical housing standards – national described space document.

Visual amenity

The application site is located on a residential street that is comprised of red brick terraced houses. Other development in the area includes semi-detached houses and bungalows and the permission in principle identified that the site is capable, visually, of accommodating an additional single house that subject to its scale and design

would complement the existing street scene and respect the visual amenity of the area.

The detailed plans now submitted propose a single storey dwelling (bungalow) that would adjoin the adjacent property no. 7 Raleigh Gardens and the other dwellings along the street.

It is recognised that the scale of the property has been reduced in an attempt to address the previous residential amenity reason for refusal. However, the Council also previously advised within the delegated report for application 21/00490/PIP that an application for a bungalow may not be acceptable, stating “It is not clear, at this stage, how a bungalow would visually fit in with the existing street scene and appear visually acceptable against the adjacent two storey dwelling and the other properties along Raleigh Gardens.”

Considering the detailed proposals now presented, the concerns outlined in the PIP report remain. The proposal for a bungalow at the site would result in a development that would completely fail to respect the existing form and layout of development along Raleigh Gardens. The single storey development would result in a dwelling that would sit awkwardly against the existing row of two storey terraced properties and appear completely at odds with the existing street scene. It is recognised that the properties to Frobisher Road comprise bungalows. However, despite their relative closeness to the site they are viewed in an entirely different context to the application site, additionally the bungalows along Frobisher Road have a much more spacious layout, comprising semi-detached bungalows that are provided with comparatively generous amenity space. Compared to these properties, the proposed dwelling to Raleigh Gardens would appear cramped and relate very poorly to the existing bungalows.

Further to the above it is considered that the provision of the proposed bungalow would not be an acceptable development at the end of Raleigh Gardens. The single storey development would fail to respond positively to the existing style of dwellings and street scene and would detract from the existing visual amenities of the area, contrary to policies P1, P3 and DM1 of the adopted Rochdale Core Strategy and the NPPF.

Highway safety

Highway Services commented on the Permission in Principle and advised that, as with the previous application, their primary concern is parking provision and it is noted that the last technical details application was refused due to an absence of off street parking.

With the current application an off street parking space is now proposed to the front elevation of the property. Highway Services have confirmed that this provision is acceptable for the size of dwelling proposed. Highway Services have also noted that the existing property (no. 7 Raleigh Gardens) would have no off street parking provision, however as this would replicate existing, there are no sustainable objections to this.

Highways have noted that their separate consent will be required for creation of a vehicle crossing of the highway and that the parking space should be SUDs compliant. However, the proposed development would have no detrimental impact on road safety or highway capacity and in this regard the application accords with policies DM1 and T2 of the adopted Rochdale Core Strategy and the NPPF.

Drainage

The application site is within a critical drainage area. It is therefore important that the site includes appropriate surface water drainage, which should include sustainable drainage where possible. The Council's Drainage Officer has commented on the application and the provision of hardsurfacing/paving to the front and rear gardens has been raised as a potential matter of concern. It has been advised that this should not drain to the public sewer and should instead drain to a soakaway within the site or be constructed of permeable materials. A drainage condition should also be included to control foul and surface water drainage, with all surface water drained in the most sustainable manner possible, in accordance with the hierarchy of drainage set out in National Planning Practice Guidance.

United Utilities have also provided comment and it is noted that there is a combined sewer to the rear of the building. The exact position of this will require clarification with United Utilities and any necessary consents from United Utilities will be required prior to development. This matter would however sit separately to the planning process.

Further to the above, subject to an appropriately worded condition it is considered that drainage of the site is acceptable and in accordance with policy G8 of the Core Strategy.

Summary

The principle of developing this site has been approved under application 21/00490/FUL. The details of the current proposal would however fail to accord with local and national planning policy. The development would provide an unacceptable level of amenity (unacceptable living environment) for future residents due to the inadequate size of the dwelling. The style and form of the proposed bungalow would also fail to positively respond to the existing street scene and cause harm to visual amenity. The application is therefore contrary to policies P1, P3 and DM1 of the Core Strategy as well as the Technical housing standards – national described space standards.

RECOMMENDATION

REFUSE

1. By virtue of its design, height and siting, the proposed single storey dwelling would sit at odds to the existing street scene along Raleigh Gardens, which comprises entirely of two storey, terraced dwellings. The provision of a bungalow would detract from this existing character and the appearance of the street scene, to the detriment of visual amenity and contrary to policies P1, P2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.
2. The proposed dwelling would be substandard in terms of its overall internal floor area and bedroom size and fail to meet the nationally described space standards as set out in the Statutory Guidance – Technical housing standards. The application would therefore fail to provide an acceptable living environment for future residents and would provide an unacceptable level of residential amenity contrary to policy DM1 of the Rochdale Unitary Development Plan and Technical housing standards – national described space standard.

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:

INFORMATIVE:

For the avoidance of doubt, this Decision Notice relates to the following drawings :-

- Location Plan and Block Plan – Drawing no. 21-2133-004
- Proposed Ground Floor, First Floor and Roof Plans – Drawing no. 21-2133-003
- Proposed Site Plan and Elevations – Drawing no. 21-2133-002

Report Author Rachel Carney