

APPLICATION NUMBER: 22/01451/VRCON

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
22/01451/VRCON	Aimee Bovaird	31 January 2023

Address: 47 Crescent Road, Rochdale, OL11 3LG

Proposal: Section 73 application for minor material amendment to planning permission 18/01279/FUL (Proposed demolition of existing commercial property and erection of 1no' 6 bedroom dwelling including associated landscaping, parking, boundary treatment and detached garage) relating to the installation of 3 sets of solar panels arranged as 1 x 2 panels, 1 x 4 panels and 1 x 6 panels on rear and side elevations and relocation of one of four rooflights on front elevation

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?	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
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CHECKED AND SIGNED OFF BY: LA

DATE: 09/02/23

SITE

This application relates to 47 Crescent Road, a large detached residential dwelling which is under construction. The application site edged in red covers the partly dwelling and surrounding landscaped and grassed areas. It also covers a double garage.

The site is bordered with residential housing to the west, a beauty clinic and residential housing to the east. To the north of the development is residential housing and to the south is allotments.

PROPOSAL

The application seeks to vary condition 2 application 18/01279/FUL which would amend approved drawings to see three sets of solar panels on the rear and side elevations and the relocation of one of four rooflights on the front elevation.

RELEVANT PLANNING POLICY

Legislation

Town and Country Planning Act 1990 - Section 73

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

SO1	To deliver a more prosperous economy
SO2	To create successful and healthy communities
SO3	To improve design, image and quality of place
SO4	To promote a greener environment
SO5	To improve accessibility and deliver sustainable transport
SD1	Delivering sustainable development
SP3/R	The Strategy for Rochdale
C1	Delivering the right amount of housing in the right places
C3	Delivering the right type of housing
C4	Providing affordable homes
C6	Improving health and well being
P3	Improving design of new development
G7	Increasing the value of biodiversity and geodiversity
G8	Managing water resources and flood risk
G9	Reducing the impact of pollution
T2	Improving accessibility
DM1	General development requirements
DM2	Delivering planning contributions and infrastructure

Unitary Development Plan (UDP):

G/D/1 Defined Urban Area

EM/7 Development and Flood Risk

EM/8 Protection of Surface and Ground Water

Supplementary Planning Documents (SPD):

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

RELEVANT SITE HISTORY

99/D36707 – change of use from shop/off license to hot food takeaway – refuse

18/00386/FUL - Proposed demolition of existing commercial property and erection of 1 dwelling with associated hard and soft landscaping and parking - withdrawn

18/01279/FUL – Proposed demolition of existing commercial property and erection of 1no' 6 bedroom dwelling including associated landscaping, parking, boundary treatment and detached garage - Resubmission of 18/00386/FUL

07/D49809- single storey extension to training centre – grant

18/00386/FUL - Proposed demolition of existing commercial property and erection of 1 dwelling with associated hard and soft landscaping and parking – withdrawn

19/01341/DOC - Submission of details to comply with conditions 7, 10, 12, 13 and 15 on planning application 18/01279/FUL – Request completed

21/01306/DOC - Submission of details to comply with condition 7 (Drainage) of planning permission 18/01279/FUL – Request Completed

21/00707/VRCON - Section 73 application minor material amendment to planning permission 18/01279/FUL to replace approved drawings (Condition 2) with a drawing which more accurately depicts the development which includes raising of the roof height and 2 additional rooflights on the front elevation – withdrawn

21/1308/VRCON - Section 73 application for minor material amendment to planning permission 18/01279/FUL to allow for increased roof pitch, insertion of two further rooflights to front and alteration to dormer position (resubmission of 21/00707/VRCON) - Refusal

22/01041/DOC - Submission of details to comply with condition 3 (materials) of planning permission 18/01279/FUL – Request completed

From a review of the planning history, all the relevant conditions have been approved and the development has been lawfully implemented.

CONSULTATION RESPONSES

Env Health - Noise/Odours

This section has no objections to the proposals

REPRESENTATIONS

ANALYSIS

The principle of development was established in the application 18/01279/FUL. Whilst approval of the application would, in effect, result in the issuing of a new permission, consideration only needs to be given to those elements of the scheme which differ from the previous approval, together with any significant change in policy which has occurred in the interim. The key consideration of this application is the visual amenity impact of the proposed amendments to the elevations.

Visual Amenity

The application proposes to make alterations to the rear and side elevations by adding solar panels. The proposed solar panels will not cover an excessive amount of the roof and are acceptable in appearance and design and will not negatively affect visual amenity for neighbouring occupants.

The rooflight on the front elevation is moving slightly towards the east elevation, this will not negatively affect the visual amenity of residents.

Overall the proposed amendments are acceptable and compliant with the development plan.

RECOMMENDATION

GRANT subject to the following conditions:-

1. This permission relates to the following plans:-

- Site Location Plan – 160518/00
- Site Block Plan as proposed – 160518/006
- Site Layout Plan as proposed – 160518/005
- Roof and Solar Panel Detail as proposed 160518/008
- Proposed Ground and First Floor Plan – 160518/001
- Second Floor Plan and Roof Plan as proposed – 160518/002A
- Front Elevation and RH Side Elevation as proposed – 160518/003A
- Rear Elevation and LH Side Elevation as proposed – 160518/004A
- Drainage Layout plan ref. P226-001 rev D dated Aug 2021 by AJ Cocker Associates
- Phase 1 Environmental Site Assessment Report by enviro solution dated 29 May 2019

and the development shall be carried out in accordance with these drawings hereby approved.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

2. Notwithstanding the details shown on the approved plans and the requirements of condition 1 of this permission, the development shall not be occupied until a landscaping scheme for the site (including elements of both 'hard' and 'soft' landscaping) is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include details of the proposed surface treatment of all hard surfaced areas and the type, species, siting, planting distances and programme of planting of any trees and shrubs. The duly approved landscaping scheme shall be carried out within 12 months of the

dwellinghouse first being occupied and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

Reason: In order to achieve a satisfactory level of landscaping and provision of adequate off-road parking facilities for the dwellinghouse in the interests of visual amenity and highway safety in accordance with the requirements of Policies DM1 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

3. No part of the development shall be occupied until details of the type, siting, design and materials to be used in the construction of boundaries, screens or retaining walls have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity and to protect the amenities of surrounding residential properties in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

4. The car parking and driveways shown on the approved plans shall be constructed in accordance with the details shown prior to the development being brought into use and retained as such thereafter for the parking of vehicles.

Reason: In order to ensure adequate and appropriate parking is provided and maintained in accordance with Policy T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

5. Foul and surface waters shall be drained on separate systems and the surface water drainage scheme shall accord with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority. The development shall be completed, maintained and managed in accordance with the approved drainage layout plan.

Reason: To ensure the appropriate disposal of foul and surface waters and to manage the risk of flooding and pollution in accordance with Policy G8 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

6. The development shall not be occupied until a photographic survey showing the post-development photographic condition of the unadopted highway starting from 'Clovelly Street to Crescent Road' at 5 metre intervals along its length, accompanied by a scheme for the resurfacing and/or repair of any potholes or areas of the road surface which have deteriorated in the intervening period (between pre and post development), shall be submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until the approved works of resurfacing and/or repair have been implemented in accordance with the details in the duly approved scheme.

Reason: The unadopted highway is in a poor state of repair. Construction traffic associated with the development has the potential to cause further deterioration of the road surface. The developer is required to undertake works of repair to the road surface where deterioration arises as a result of its use by

heavy construction vehicles in order to facilitate safe and convenient access and circulation for vehicle traffic in accordance with the requirements of Policy T2 of the adopted Core Strategy.

7. The part of the building referenced 'DIS FLAT' on the approved plans shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling hereby permitted.

Reason: In order to protect the amenity of the occupiers of the dwelling in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

8. The development shall be carried out in full accordance with the duly approved Phase 1 Environmental Site Assessment Report. A verification report shall be submitted to and approved in writing by the Local Planning Authority before any of the building(s) hereby approved are first occupied.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy G9 of the adopted Rochdale Core Strategy, saved Policy EM/8 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

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

Reason: In order to maintain and ensure satisfactory neighbouring amenity in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

Procedure Statement

The Local Planning Authority worked proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition

Notes for Applicant:

- 1) It is an offence under the Wildlife & Countryside Act 1981, as amended to introduce, plant or cause to grow wild any plant listed in Schedule 9 part 2 of the Act. Species such as Japanese knotweed and Himalayan balsam are included within this schedule. If any such species will be disturbed as a result of this development a suitably experienced consultant should be employed to advise on how to avoid an offence.
- 2) Please note that authority to stop-up or divert a Highway is not conferred through the approval of a planning application. Approval to stop-up or divert a highway is only given once the Stopping up or Diversion order has been confirmed and notice of its confirmation has been published. Any obstruction

of the interference with the way concerned, is not only an offence but may make it impossible to proceed with the making or confirmation of a Stopping up or Diversion order.

Report Author Aimee Bovaird