

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
22/01142/FUL	Jake Powell	03/11/2022

Address: Hardfield House, Bowling Green Street, Heywood, Rochdale, OL10 1DJ

Proposal: Change of use from dwelling to 9 no. bedroom House in Multiple Occupation including two storey side extension together with external alterations, following demolition of existing single storey garage

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?	Y

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	REFUSED
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CHECKED AND SIGNED OFF BY: AT

DATE: 04.11.2022

SITE

This application relates to Hardfield House, a detached three storey dwelling on Bowling Green Street, approximately 200m south of Heywood Town Centre. The dwelling itself is of mid-twentieth century construction and is finished in render. The property faces west towards the highway, adjoining a car dealership to the south and east. A run of terraced bungalows runs east to west approximately 8m to the north of the northern boundary of the curtilage.

PROPOSAL

This application seeks permission for the change of use of the property to a 9 bedroom House of Multiple Occupancy, capable of accommodate up to 18 individuals (Use Class Sui Generis).

This application also seeks permission for the construction of a two storey side extension following the demolition of the existing garage. The extension would project approximately 3.3m – 4.5m from the north facing side elevation of the host building, tapering towards Bowling Green Street due to the shape of the plot. It would be constructed with a dual-pitched gable style and would be finished in materials to match.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – February 2019
National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

SO2	Creating successful and healthy communities
C1	Delivering the right amount of housing in the right places
C3	Delivering the right type of housing
SO3	Improving design, image and quality of place
P3	Improving design of new development
SO4	Promoting a Greener Environment
G6	Enhancing Green Infrastructure
G8	Managing water resources and flood risk
G9	Reducing the impact of pollution, contamination and land instability
SO5	Improving accessibility and delivering sustainable transport
T2	Improving accessibility
DM1	General development requirements
SD1	Delivering sustainable development

Unitary Development Plan (UDP):

G/D/1	Defined Urban Area
EM/7	Development and Flood Risk
EM/8	Protection of Surface and Ground Water

RELEVANT SITE HISTORY

20/01352/FUL

Change of use and conversion of existing dwelling into 10 bedroom House in Multiple Occupation (HMO) including erection of three-storey side extension following demolition of existing single storey side extension. Refused.

Reason(s) for refusal:

1. As a result of its siting, scale and design, the proposed three storey side extension would appear unduly prominent in the street scene and be detrimental to the character and appearance of the host dwelling. The tapering of the extension to the front elevation would present an awkward and unresolved appearance, the prominence of which would be compounded through a juxtaposition of the applicant property with the surrounding low built form. Taken as a whole, the development would represent an overdevelopment of the plot with the proposed alterations failing to result in a satisfactory standard of design and visual appearance in respect of the building itself and resulting in significant visual harm to the street scene. The application is therefore contrary to the requirements of Policies DM1 and P3 of the adopted Rochdale Core Strategy, the Supplementary Planning Document 'Guidelines and Standards for Residential Development' (2016) and the National Planning Policy Framework.
2. By virtue of its siting, size and design, the proposed side extension would result in an undue loss of amenity for the occupiers of no.17 Bowling Green Street due to a loss of light and outlook to the rear ground floor windows and an overbearing impact on the rear outdoor amenity space. As such, the proposed development would fail to accord with policies DM1 and P3 of the adopted Rochdale Core Strategy, the Council's 'Guidelines and Standards for Residential Development' SPD and the National Planning Policy Framework.
3. The proposed development would result in an increase in on-street parking and would increase the risk to the safety of pedestrians on the footway and risk the potential to restrict access to emergency vehicles. The proposal is therefore detrimental to highway safety, contrary to policies DM1 and T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

CONSULTATION RESPONSES

Highways

No objection and no specific planning conditions.

Designing Out Crime Officer

Made recommendations regarding entry to the property, external fittings, doors to rooms, storage, lighting and security to bin storage.

Grater Manchester Fire and Rescue Service

Should meet Fire Service requirements. Recommend installation of domestic sprinkler systems.

REPRESENTATIONS

The application has been publicised with neighbour notification. One letter of representation was received OBJECTING to the application on the grounds that:

- ☐ Extension would appear unduly prominent in the streetscene, and represents over development of the site.
- ☐ The proposed extension would still result in an unacceptable impact on the residential amenity of No. 17 Bowling Green.
- ☐ Unacceptable impact on highways.

The points raised within this representation are considered material planning concerns, which will be discussed in the analysis of this recommendation.

ANALYSIS

Principle of Development

The proposal is for a ten bedroom HMO sharing basic amenities, which is a 'sui generis' use not falling within any use class defined in the Town and Country Planning (Use Classes) Order 1987 as amended (only HMO's for up to six individuals encompassing shared facilities, fall within Use Class C4 (Houses in Multiple Occupations)) and the development proposal is a material change of use of the building.

The site is located within the Defined Urban Area and sustainably located close to the town centre. The development may be considered acceptable in principle, subject to the scheme being acceptable by way of the following development management requirements.

Housing Standards and Council Housing Strategy

The Housing Act 2004 introduced a licensing requirement for larger HMOs. The proposal falls within the Act's definition of an HMO by way of the intention of it to be occupied by more than one household and in which more than one household shares an amenity, and is: the household's only or main residence; a refuge by persons escaping domestic violence; during term-time by students; or some other purpose prescribed by regulations.

The Housing Act also incorporates space standards for bedrooms and shared facilities, and on this basis the proposed floor plan has been submitted to the Council's Private Rented Sector Project Assistant for consultation, who did not provide comment.

The proposal would broadly accord with the Council's own HMO standards. The proposal includes shared kitchen areas at each floor and dining/living areas at the ground and second floor.

The proposal would ensure a minimum of 11.5m² for a two-person bedroom. Overall the proposal would meet the Housing Standard requirements.

Impact on Visual Amenity

Policies DM1 and P3 of the Council's adopted Core Strategy requires development proposals to demonstrate high quality design. In addition, paragraphs 124 and 127 of

the National Planning Policy Framework (NPPF) state that good design is a key aspect of sustainable development and that planning policies and decisions should ensure that developments function well and add to the overall quality of the area and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

Further to this are the considerations of the *Guidelines and Standards for Residential Development SPD*, which are considered appropriate to prescribe upon this development given its residential setting and use.

The applicant dwelling is of a well-proportioned 3 storey form as a result of its double fronted design and considered fenestration placement. The scale of the property contrasts the surrounding design vernacular and is finished in white render where traditionally red brick is used.

The proposal seeks to erect a two storey side extension following the demolition of the existing single storey garage. Section 5.1 of the SPD states that extensions should be in keeping with the host property and generally should be subservient to it.

The proposed extension would be considered subservient to the host dwelling in terms of scale and height, being set down from the main building by an entire storey, and would therefore partly overcome one of the previous reasons for refusal.

The proposal would maximise the available floorspace through occupying the full extent of the northern curtilage, which tapers towards the highway. Whilst the proposed extension may appear partly out of character within the streetscene when compared against the typically single-storey red brick properties in the vicinity, in the context of the scale of the original dwellinghouse, Officers consider the extension would appear as an appropriate addition. As such, the proposed extension would not result in harm to the character and appearance of the host dwelling and existing street scene.

The storage of bins is to be contained within the ground floor garage. This approach would be acceptable as the containers would not be visible from public vantage points and therefore would not impact the character or appearance of the applicant property or street scene.

Overall, it is considered that the proposal would result in a satisfactory standard of visual amenity and would be in compliance to the aims of Policies P3 and DM1 of the adopted Core Strategy, the SPD and the NPPF.

Residential Amenity

Policy DM1 of the Core Strategy requires that proposals should not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy. The National Planning Policy Framework requires development to achieve a high standard of amenity for existing and future users.

The “Guidelines and Standards for Residential Development” SPD contains a number of guidance parameters for the design and layout of new housing in order to preserve the amenity standards for surrounding residents and future occupiers.

Noise and Disturbance

The proposal would seek to intensify use of the site for use by up to eighteen people. It is noted that Bowling Green Street does not facilitate through traffic by vehicles, and no concerns by way of noise and disturbance from vehicles are raised as the

site is the furthest south dwelling to the junction with Hardfield Street, and vehicle movement associated with the site is unlikely to pass the other dwellings on the street.

It is noted that Heywood town centre lies immediately north of the site and it is expected that residents of the proposed HMO would access local amenities by walking north up Bowling Green Street. However, due to the existing densities present in surrounding residential areas, the increase of residents at this location would not be expected to create an unacceptable level of noise and disturbance.

Overshadowing and Overbearing Impact

Section 4.1 of the SPD lists various space standards that new developments should adhere to. Of relevance to this development is:

- ii) 14m between a principal window and any directly facing two storey elevation which does not contain a principal window to a habitable room

The rear elevation of no.17 Bowling Green Street is sited 13m from the side elevation of the existing dwelling and 9m from the side elevation of the existing side extension. It is acknowledged that the relationship between the two properties is substandard at present. Whilst it is noted that the proposed development has been reduced in scale from a three storey extension in the prior submission to a two storey extension, it is still considered that the very limited separation (9m) that would result between the side elevation of the two storey side extension and the rear windows of no.17, would result in unacceptable harm to the light and outlook enjoyed from the rear windows and garden area of the property. This harm would be compounded by the siting of the applicant property directly south of no.17.

Privacy

No concerns are raised with regards to a loss of privacy as the proposal would not introduce any direct facing upper floor windows, and would not offer any vantage points into surrounding garden areas.

Occupier Amenity

The proposal would provide adequate light and outlook for all habitable rooms. The proposal neglects to provide a suitable outdoor space for the occupiers to sit out, but this would on balance be acceptable as the proposal would not accommodate families, and there are locations within the vicinity that could provide a similar function.

To conclude, the proposal would fail to accord with the requirements of section 4.1 of the SPD and unacceptably encroach on the rear windows and garden area of no.17 Bowling Green Street, becoming an unduly overbearing structure and severely restricting light and outlook, contrary to the aims of policies DM1 of the Adopted Core Strategy and Paragraph 127 of the NPPF.

Highways

Policy T2 of the adopted Core Strategy seeks to improve accessibility by locating development where good access to public transport is available or can be provided and in all circumstances, prioritises the safety, accessibility and amenity of those who live or have business in the area. Policy DM1 also states that all development proposals should provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements taking into account of the proposed use

and location. Paragraph 111 of the National Planning Policy Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The application form indicates that there would be no impact on parking provision as a result of development however the removal of the garage will result in the loss of parking. The proposed development would provide no off street parking provision, but it would be expected for a proposed use of this size to provide 2 off street parking spaces.

Nevertheless, the proposed development is in a sustainable location and within easy walking distance of Heywood Town centre and its amenities and access to public transport. Therefore it is considered that the lack of proposed parking would not warrant refusal.

The existing property has current servicing arrangements and although the proposed development will require a higher level of servicing, the existing servicing arrangements are considered acceptable. The bin storage area is accessible for both residents and collection.

Furthermore, the highways department have raised no objection to the proposal, noting that the highways department do not envisage any detrimental impact on road safety as a result of development.

As such it is considered that the proposal would not adversely impact on public and highway safety and the application would accord with the requirements of Policy DM1 and T2 of the adopted Core Strategy and the National Planning Policy Framework.

Drainage

Paragraph 155 of the NPPF 2018 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. 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 site lies within the Heywood Critical Drainage Area. The application would not extend over any undeveloped areas and it is not considered that surface run-off would be increased. The proposal would be in accordance with Core Strategy G8 and the National Planning Policy Framework.

RECOMMENDATION

REFUSE for the following reasons:

1. By virtue of its siting, size and design, the proposed side extension would result in an undue loss of amenity for the occupiers of no.17 Bowling Green Street due to a loss of light and outlook to the rear ground floor windows and an overbearing impact on the rear outdoor amenity space. As such, the proposed development would fail to accord with policies DM1 and P3 of the adopted Rochdale Core Strategy, the Council's 'Guidelines and Standards for Residential Development' SPD 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.

Report Author Jake Powell