

APPLICATION NUMBER: 24/00980/HOUS

Application Number:	24/00980/HOUS
Location:	8 Tangmere Avenue Heywood OL10 2WA
Proposal:	Conversion of existing garage to living accommodation
Applicant:	Steve Asten
Case Officer:	Rosalind Gralton
Recommendation:	Grant subject to conditions

DELEGATION	Applicant a Council Member or officer?	N
	Contrary to previous decision?	N
	Called in by Ward Member?	N

By indicating that the development proposal complies with relevant national and local policy and the 'Guidelines and Standards for Residential Development' Supplementary Planning Document, the planning officer is taking into account the information submitted with the application, any previous relevant applications, observations during the site visit, any comments received in connection with the application and any other considerations which are material to the decision.

Policy**National**

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

Local

Saved Rochdale Unitary Development Plan (UDP) 2006:
G/D/1 Defined Urban Area

Adopted Rochdale Core Strategy (CS) 2016:

P3 Improving Design of New Development

DM1 General Development Requirements

T2 Improving Accessibility

Appendix 5 Schedule of Parking Standards

Supplementary Planning Documents (SPD): Supplementary Planning Document 'Guidelines and Standards for Residential Development' (2016).

Amendments

N/A

Summary of comments from neighbours, consultees and Planning Panel

The application was publicized by way of neighbour notification and site notice. One letter of objection was received. Concerns raised are summarised below:

- Why has work already begun
- Parking concern
- How does this meet building standards if the property is not checked
- Other works already on the property is poor

- Please check to make sure the property is safe after conversion

Officer response:

Building regulations is separate to planning permission and covered under separate legislation, and is not a material planning consideration.

Assessment

Principle and consideration of “householder” application

In order to constitute a “householder application” the development must accord with the definition set out in the Development Management Procedure Order: “...*an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse*”.

In this case the application relates to an existing dwellinghouse, but it is necessary to test whether the proposed garage conversion to living accommodation is “*incidental to the enjoyment of the dwellinghouse*”.

Section 55 of the Town and Country Planning Act 1990, states

‘(2) The following operations or uses of land shall not be taken for the purposes of this Act to involve development of the land—

(d) the use of any buildings or other land within the curtilage of a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse as such;

The existing garage is located within the curtilage of the residential dwellinghouse. The conversion would be used for additional living accommodation for the occupants and would still form part of the dwellinghouse together as a whole. The proposed conversion of the garage does not constitute a material change of use or a separate planning unit and therefore confirms to the definition of ‘incidental to the enjoyment of the dwellinghouse’. As such, the application can proceed as a householder application.

Design and Visual Amenity: Are the following acceptable?

Impact on street scene, including subservience, terracing and building line	✓
Height and massing	✓
Facing materials and detailing	✓
Roof style	✓
Window proportions	✓
Bin storage	✓
Impact on trees	✓

From public views and vantage points, the only visible alteration proposed is the change of a garage door to side hung, in order to accommodate storage. The vast majority of alterations relate to the side elevation of the garage, including the removal of existing double glazed doors on the side elevation, and replacement of sliding glazed doors, as well as a larger window.

The design of the proposal is therefore acceptable and accords with policies DM1 and P3 of the adopted Rochdale Core Strategy, the SPD and the NPPF.

Residential Amenity: Are the following acceptable?

Impact on privacy, light & outlook of neighbours (to sides, rear and front)	✓
Light and outlook of application property	✓
Remaining garden space of application property	✓

The proposal would alter the garage to habitable living space ancillary to the main dwellinghouse. A small bedroom, living area and bathroom are proposed. The width of the bedroom area is 2.15m, which complies with the Nationally Described Space Standards minimum requirement for a single bedroom. All habitable rooms in the property would be served by adequate outlook and light. While the building would not meet the minimum required space standards for a dwelling and would not be acceptable as a separate dwelling, the proposal is incidental to the main dwellinghouse and therefore the occupant will not be residing solely in the converted living space. The main dwellinghouse is a large property with ample garden space in a residential area, and as such the proposed conversion would be considered acceptable.

Habitable room windows would face directly north towards the boundary fence, shared with No 10. There is a 9.5m distance to the directly facing boundary fence. While a minimum of 10.5m is required in line with the Council's SPD, given the opaque screening provided by the fencing, it is not considered the proposal would have an unacceptable impact on the privacy of No 10.

It is not expected the proposed conversion would generate significant amounts of noise over and above the existing dwelling.

In the instance a conversion to a separate dwelling is proposed, a separate full planning permission will be required.

The proposal is therefore acceptable in terms of residential amenity and accords with policy DM1 of the adopted Rochdale Core Strategy, the SPD and the NPPF.

Highways and Parking: Are the following acceptable?

Impact on highway safety	✓
Parking provision	✓

The loss of the existing garage and conversion of the property to add one additional bedspace would not result in a detrimental impact on parking in this location. The property benefits from a large driveway and on street parking is available in this location. The proposal is therefore acceptable in terms of highways and parking and accords with policy T2 and Appendix 5 of the adopted Rochdale Core Strategy and the NPPF.

Recommendation: Grant subject to the following conditions

1. The development must be begun not later than three years beginning with the date of this permission.

Reason. Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. This permission relates to the following plans:

- ☐ Location Plan – 02 Rev A
- ☐ Proposed Garage Conversion Site Plans – 03 Rev A
- ☐ Proposed Garage Conversion to Residential Annexe – 01 Rev A

and the development shall be carried out in complete 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 saved Rochdale Unitary Development Plan, the adopted Rochdale Core Strategy and the National Planning Policy Framework.

3. The materials used in the proposed alterations to the exterior of the development hereby permitted shall match those used in the construction of the exterior of the existing building in colour, form, type, size and texture.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Article 35 Statement

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively to issue the decision without delay.

	Date	Officer
Report Completed	11/12/2024	Signed: RGR
Authorisation	12/12/2024	Signed: LA

Report Author Rosalind Gralton