

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
22/01090/FUL	Jake Powell	17/11/2022

Address: 27-29 Lake Bank, Littleborough, OL15 0DQ

Proposal: Change of use of ground floor from Residential to Retail (Classes E a and b) including alterations to front elevations consisting of installation of shop fronts with ramp access and alteration to fenestration, increase in ridge height, front and rear dormer extensions, single storey rear extensions, installation of chimney, alteration to fenestration on side elevation and the erection of an external access stairway to rear and creation of rear parking area following demolition of single storey rear extensions and chimney (Resubmission of 22/00412/FUL).

PUBLICITY	Weekly list expired?	Y	Site notice expired?	Y
	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	REFUSE
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CHECKED AND SIGNED OFF BY: AT

DATE: 23.11.2022

SITE

The application relates to no. 27-29 Lake Bank. The two properties are a pair of two storey semi-detached dwellinghouses.

To the north-west of the site, there is a large area of hardstanding used for car parking, which is also owned by the applicant. To the north-east the site shares a boundary with another restaurant, which also appears to have a residential use above. The applicant is also the owner of this neighbouring site.

To the south-east the site fronts onto the road, Lake Bank, with a view on Hollingworth Lake. To the south-west, the site shares a boundary with no. 23-25 Lake Bank, which consists of a café/restaurant on the ground floor with two residential units above.

The area is predominately residential, although some commercial uses which benefit from the tourism for Hollingworth Lake are in the vicinity.

PROPOSAL

The application proposes the change of use of the ground floor of the two properties from residential (Class C3) to retail (Class E). No indication has been given of the proposed hours of use. The change of use would result in two separate units with an individual floorspace of approximately 50sqm. Each would comprise of a main retail area, with a kitchen and bathroom to the rear. To the rear of each unit, a yard area will facilitate bin storage and access to the rear parking area.

The application will retain a residential use on the proposed first and second floors divided between two flats, which will provide a lounge and kitchen/dining area with a wash cabinet at first floor level. At second floor level, one double bedroom and one single bedroom is proposed, with a bathroom.

The application also proposes external alterations including raising the ridge height of the property by approximately 0.5 metres. A new chimney will be installed in the centre of the roofspace. To the front elevation, the application proposes to install two dual-pitched dormer extensions, which will be clad in uPVC dark grey shiplap.

Two access ramps to the proposed retail units are also proposed, with an associated handrail. A new dark grey uPVC eaves fascia boarding and uPVC grey rainwater goods will be installed.

To the rear, the application proposes a large gable ended dormer extension which spans the entire width of the rear roofspace of the site. The rear elevation of the proposed dormer extension would be finished with external cladding, also in dark grey. The proposed roof would be finished in dark grey slate tiles.

At ground and first floor level to the rear, the exterior is proposed to be finished in cream render.

To the rear the application also proposes the construction of two stair ways, and rear balconies to allow access to the proposed residential units. A privacy screen will be installed between the two properties.

Part of the rear year will be finished with York stone flags, or materials of a similar appearance. A bin storage area will be constructed within this area to accommodate the residential units.

Changes to the fenestration are proposed to both the front and rear elevations, which will also be installed in dark grey uPVC.

Two vehicular parking spaces are proposed to the rear.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – July 2021

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

S01 To deliver a more prosperous economy

E1 Establishing thriving town, district and local centres.

S02 Creating successful and healthy communities

C1 Delivering the right amount of housing in the right places

C3 Delivering the right type of housing

S03 To improve design, image and quality of place

P3 Improving design of new development

S05 To improve accessibility and deliver sustainable transport

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

22/00412/FUL	Change of use of ground floor from Residential to Retail (Classes E a and b) including alterations to front elevations consisting of installation of shop fronts, formation of patio doors onto first floor balconies and front and rear dormer extensions together with single storey rear extensions and the erection of an external access stairway to rear and creation of rear parking area. Withdrawn.
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CONSULTATION RESPONSES

Highways

No objection and no specific conditions.

Greater Manchester Fire and Rescue

Standard response. Strongly recommends the installation of a fire sprinkler system.

REPRESENTATIONS

The application has been publicised with neighbour notification letters, in addition to a site notice. No letters of representation have been received in respect of this application.

ANALYSIS

Principle of Residential Development and Contribution towards Housing Supply

The proposed application site is located within the Defined Urban Area as designated under the Proposals Map of the Unitary Development Plan (UDP). New development, wherever possible and appropriate, should be concentrated within the urban area in order to support urban regeneration and to protect the countryside. Policy SD1 of the adopted Rochdale Core Strategy – Delivering Sustainable Development states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The aim is to secure development that improves the economic, social and environmental conditions in the area.

Policy C1 of the Rochdale Core Strategy seeks to maximise the potential of previously developed land to contribute to the required deliverable five year supply of land for new homes. The same policy also seeks to ensure that sites for homes are sustainable with good access to local services, facilities, green infrastructure, shops, jobs, schools and public transport. Policy C3 of the Core Strategy seeks to provide a range of housing types to meet different needs, and at densities that make efficient use of land.

Annexe 2 of the National Planning Policy Framework defines ‘previously developed land’ as land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.

The application proposes to retain the existing residential use of the site, although relocate it to the first and second floors of the developed property exclusively. It is considered that the principle of development for the proposed residential flats is therefore acceptable in accordance with saved Policy G/D/1 of the Rochdale Unitary Development Plan, Strategic Policies C1, C3 and SD1 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework in respect of housing supply and sustainability.

Principle of development – Commercial

The site does not lie in any formalised town centres or primary or secondary shopping centres, but is sited approximately 350m away from the Smithy Bridge Village Centre, which is denoted within the UDP proposals map under saved UDP policy G/S/1 and S/6, which sets out the hierarchy and role of centres. Policy S/6 notes the overall objective to sustain and support local centre functions and secure regeneration where needed.

Policy E1 seeks to restrict out of centre development to only when there are no suitable sites in, or on the edge, or well connected to, the town centre, district centres or local centres and the proposal would cause no significant overall impact on the existing centres vitality and viability.

Policy E1 requires the application of a sequential approach towards proposals that include the provision of additional retail units not in a designated centre and not in accordance with an up-to-date development plan.

The application has not been supported by a statement which acknowledges the siting of the proposal outside of the Smithy Bridge Village Centre, and no sequential test has been provided indicating that there are no avenues for the proposed retail use within the Village Centre.

Subsequently it is considered that the proposed development would unduly detract from the vitality and viability of the Smithy Bridge Village Centre as it would include the provision of commercial units outside of a designated town centre, district centre or local retail centre. No evidence has been provided to successfully demonstrate that there are no suitable sites in, on the edge, or well connected to, the town centre, district centres or local centres. The proposal is therefore contrary to UPD policy G/S/1, policy E1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Visual Amenity

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities

Policy P3 of the adopted Core Strategy requires all new developments, regardless of location in the borough, to adhere to high standards of design. Policy DM1 of the Core Strategy states that all development proposals will be expected to demonstrate that they are of high quality design and take the opportunity to enhance the quality of the area, in addition to requiring a number of other basic planning considerations.

Paragraphs 126 and 130 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, which is largely reflected within Policies DM1 and P3 of the Council's adopted Core Strategy, which requires development proposals to demonstrate high quality design.

The revisions to the NPPF in July 2021 are clear that development that is not well designed should be refused, and conversely, significant weight should be given to development which reflects local design policies and government guidance on design. In support of this, the Government have produced a suite of guidance documents including Building for a Healthy Life, the National Model Design Code and the National Design Guide which form a material consideration in the assessment of the design of development proposals, and aid Local Authorities and developers alike in understanding what 'good' and 'bad' design looks like.

In respect of the shopfront and proposed access ramp, whilst admittedly simple and sporting no features of any notable design merit, given the presence of similar commercial features within the vicinity of the site, the shopfront would not appear at odds with the prevailing character of the area and would subsequently be considered acceptable.

In relation to the proposed roof alterations and extension, considering that the developed site with the proposed raise in ridge height would not exceed the ridge height of the neighbouring property at No. 31-33 Lake Bank, Officers consider that this element of the proposal would be considered to have an acceptable impact on the character of the site and streetscene.

To the front roofslope the application proposes the erection of two dual-pitched dormer extensions. The *Guidelines and Standards for Residential Development SPD* states that front dormers will not normally be permitted, but sets out a number of principles which should be applied to rear dormers:

- (i) They should not exceed the height of the ridge and where possible, should be sited below the ridge line of the dwelling;**
- (ii) They should be set back from the eaves line;
- (iii) They should be set in from the party/side walls of the house;
- (iv) Dormers with flat roofs should be avoided, unless they are considered to better respect the design of the host building and character of the area;
- (v) Dormers which wrap around the side ridges of a hipped roof are not acceptable;
- (vi) Dormer windows should normally line up vertically with existing windows and/or be smaller than existing openings and the window design should match the existing window style;
- (vii) The materials used in the construction of dormers should match those of the existing roof; and**
- (viii) Dormer extensions should protect the amenity of neighbouring occupants and should achieve the minimum space standards set out in Section 4. Side facing windows should be obscurely glazed.

The proposed dormer extensions to the front roofslope fails to comply with point (vii), proposing shiplap cladding in comparison to a grey slate tiles of the proposed roof, but arguably complies with the other criteria. The plans provided also indicate that the design of these dormers is intended to mirror to the design of an existing front dormer at the neighbouring property at No. 31-33 Lake Bank. Furthermore, whilst it is uncommon, a number of properties along Lake Bank also benefit from front dormers and as such the construction of these front dormers would not be an uncharacteristic addition to the street scene.

However, turning to the proposed rear dormer, this extension would fail to comply with point (i), by not being set down from the ridge height of the proposed developed roof. With this in mind, and by reason of the proposed dormer extension spanning the entire width of the site, it is considered that proposed rear dormer extension would dominate the rear roofslope of the property, and would not be sympathetic to the local character and would appear anomalous and incongruous in the context of the setting of the applicant property. It is therefore considered that the rear dormer is an unacceptable form of development.

In relation to the proposed alterations to the front elevation of the property, the proposed changes to the fenestration would appear disproportionate to one another, with no shared characteristics in terms of size of windows and siting. Similarly, there is no clear symmetry between windows, with the proposed front dormer windows appearing off centred when viewed in comparison with the first floor front windows. This issue is compounded by the choice of materials for the windows. The proposed windows would be installed in grey uPVC to reflect the fenestration of the neighbouring site at No. 31-33 Lake Bank. Whilst this choice of colouring may be

considered suitable in comparison to the grey stonework of the neighbouring site, it would create a stark contrast with the red brick front elevation of the application site, and would be at odds with the character of the existing building. As such it is considered the fenestration to the front of the site would have an unacceptable impact on the character and appearance of the site and surrounding area.

To the rear, the application proposes grey cladding to the rear elevation of the dormer extension, cream rendering at first floor level and partly at ground floor level, as well as the rear yard finished with York stone flags. This choice of material is also considered to be at odds with the existing dwellinghouses on site, which are a definitive red brick pair. The impact of this also furthered, considering that red brick would be retained on the front elevation of the property, ensuring that the rear would have a completely different character and not appear as part of the same building. These material choices would also then have an unacceptable impact on the character and appearance of the site.

Whilst the proposed staircases and rear balconies to the proposed residential units are not characteristic of the area, with no examples of this design within the vicinity, Officers do not consider them to detrimentally impact the visual amenity of the area. This is the same with the proposed boundary wall to the rear.

Overall, by reason of the proposed fenestration to the front elevation of the property, the proposed material choices to the rear, and the proposed dormer extension to the rear roofslope, Officers consider that the proposed development would have an unacceptable impact on the character and appearance of the site and surrounding area, contrary to Rochdale Core Strategy Policies DM1 and P3, as well as the National Planning Policy Framework.

Residential Amenity

Paragraph 130 of the National Planning Policy Framework advises that planning decisions should always seek to secure a high standard of amenity for existing and future users. Further to the above are the considerations of the Councils Supplementary Planning Document (SPD) 'Guidelines and Standards for Residential Development' which states that new developments "*should be carefully designed to protect the amenity of the occupants of adjoining properties.*"

Space Standards & Privacy

Section 4.1 of the SPD sets out minimum distance standards which all new residential developments should adhere to in order to ensure a satisfactory standard of amenity for surrounding, existing and future occupiers.

Whilst it is noted that the application proposes a rear dormer extension of an elevated height and view in comparison to the existing, as well as a first floor rear balcony/entranceway, considering the existing use of the site, it is considered that the proposed development would not result in an unsatisfactory level of privacy to occupiers of the site or neighbouring properties.

Occupier Amenity

The Nationally Described Space Standards (NDSS) is a technical standards document produced to ensure internal space within new dwellings is suitable for application across all tenures. Table 1 of this document sets out the minimum gross internal floor area requirements for dwellings, and setting out the requirements for dwellings which include a variety of room numbers, bed spaces and storeys.

Number of bedrooms (b)	Number of bed spaces (persons)	2 storey dwellings	Built-in storage
2	3p	70sqm	2.0sqm

In assessing this application, the table below sets out the GIA of each unit. It is noted that no details on the intended number of occupants have been submitted. However due to the sizing of the proposed units, it is likely that each would accommodate three individuals.

Unit	No. of occupiers	Gross Internal Area (M ²)	Required GIA (M ²)	Difference (M ²)
Unit 1	1	77	70	+7
Unit 2	1	77	70	+7

Both units meet the requirements of the Nationally Described Space Standards. Whilst it is noted that no built in storage is provided, adequate additional space is available and Officers therefore consider that the occupier amenity would be satisfactory. The proposal would provide adequate light and outlook for all habitable rooms.

Additionally, whilst it is also noted that the proposal neglects to provide a suitable outdoor space for the occupiers to enjoy, 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.

Hours of Use

The applicant has not specified any hours of use for the ground floor retail units, however in the interest of the amenity of occupiers of the above proposed residential flats and other neighbouring occupiers, Officers would consider it appropriate to attach a condition limiting the hours of use to a reasonable time in the event of an approval.

In light of the above, the proposal would not unduly impact on the amenity of the occupants of neighbouring properties and would provide an acceptable level of amenity for future occupiers in accordance with policy DM1 of the adopted Rochdale Core Strategy, the SPD and the NPPF.

Highways

Policy T2 of the Core Strategy sets out that development and infrastructure proposals are required to satisfy the Council's accessibility hierarchy and in all circumstances, the safety, accessibility and amenity of those who live or have business in the area will have priority, while providing reliable journey times for those travelling through. Developments are required to provide parking in compliance with the Council's Maximum Car Parking Standards as set out in Appendix 5 of the CS.

The application has been reviewed by the Council's Highways Engineer who raised no objection to the proposed development. It was noted that the existing residential properties are set within a number of commercial outlets which are part of the visitor attraction of Hollingworth Lake, with the application site being between two restaurants, which are serviced from the rear. The existing access could also be used to service the proposed development so there were no concerns regarding this issue.

The area is well served by public car parks with the property having easy access to one of the designated public car parks. The applicant also proposes to extend the existing car park to the rear of the development to provide two additional parking spaces and although this does not meet this Council's parking standards for the size of the development on this occasion we are willing to accept the parking proposals.

Hollingworth Lake itself is a vehicle trip attractor and the proposed development would be part of a range of visitor amenities already being provided on Lake Bank and the area around the Lake in general. The lake itself is served by good public transport links and cycling and walking connections. Therefore as the development is not a standalone trip attractor and has good sustainable transport links there should be no detrimental impact on highway capacity.

Therefore the proposed development is acceptable in accordance with policies T2 and DM1 of the Adopted Core Strategy, along with the objectives of the National Planning Policy Framework.

RECOMMENDATION

REFUSAL:

1. The proposed development would unduly detract from the vitality and viability of the Smithy Bridge Village Centre as it would include the provision of commercial units outside of a designated town centre, district centre or local retail centre. No evidence has been provided to successfully demonstrate that there are no suitable sites in, on the edge, or well connected to, the town centre, district centres or local centres. The proposal is therefore contrary to saved policy G/S/1 of the adopted Rochdale Unitary Development Plan, policy E1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.
2. By reason of its elevated siting, scale and design, the proposed dormer extension to the rear would form an incongruous and alien feature which would fail to sit sympathetically with, and respond poorly to, the established character and townscape of the surrounding area and site and would fail to result in a satisfactory standard of design and visual appearance. The development proposals ultimately fail to amount to a satisfactory standard of design and the application is therefore contrary to the requirements of policies DM1 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.
3. By reason of its design and inappropriate choice of material, the proposed fenestration to the front elevation would appear disproportionate and at odds with the character of the site and streetscene, and would fail to result in a satisfactory standard of design and visual appearance. The development proposals ultimately fail to amount to a satisfactory standard of design and the application is therefore contrary to the requirements of policies DM1 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.
4. By reason of the inappropriate choice of materials and colour scheme, the proposed rear elevation would appear at odds with the character of the site, and would fail to result in a satisfactory standard of design and visual appearance. The development proposals ultimately fail to amount to a satisfactory standard of design and the application is therefore contrary to the requirements of policies DM1 and P3 of the adopted Rochdale Core Strategy 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.

Notes for Applicant:

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

DR-P -1026 – 01 Rev B	Site Location Plan
DR-P2 -1026 – 04 Rev A	Proposed Ground Floor Plans
DR-P2 -1026 – 05 Rev A	Proposed First Floor Plans
DR-P2 -1026 – 06 Rev A	Proposed Second Floor Plans
DR-P2 -1026 – 10 Rev B	Proposed Front Elevation
DR-P2 -1026 – 11 Rev B	Proposed Rear Elevation
DR-P2 -1026 – 12 Rev A	Proposed Side Elevation
DR-P2 -1026 – 13 Rev A	Proposed Side Elevation
DR-P2 -1026 – 15	Street Scene Existing & Proposed Elevation

Report Author Jake Powell