

Application Number:	23/00660/HOUS
Location:	31 Stopford Avenue, Littleborough, Rochdale, OL15 8QH
Proposal:	Erection of detached annexe to rear garden and new hardstanding to front elevation to provide additional car parking space
Applicant:	Mr Alec Betham
Case Officer:	Sam Yuen
Recommendation:	Grant subject to conditions

DELEGATION	Applicant a Council Member or officer?	N
	Contrary to previous decision?	N
	Called in or Planning Panel objection?	N

COMMENTS	Planning Panel comments received?	N
	Neighbour comments received?	N

CONDITIONS	Pre-commencement conditions proposed?	N
	Pre-commencement conditions agreed (or notification period expired)?	N/A

Location

The application relates to no. 31 Stopford Avenue, a two-storey semi-detached dwelling located in the residential suburb of Smithy Bridge. The dwelling is adjoined by no. 33 Stopford Avenue to the south-west, adjacent to no. 29 Stopford Avenue to the north-east, and faces the highway to the north. The rear boundary of the curtilage borders the side curtilage of Halliday Court, a three-storey flat complex, which is sited on a lower level to the host property. The property is adjacent to and visible from Smithy Bridge Road/B6225, a classified road. The rear garden of the property comprises a mature conifer tree which is visible from the highway.

Description of Proposal

Planning permission is sought for a detached annexe to the rear garden of the property, abutting the rear boundary fence. The annexe comprises a living room, kitchen, bedroom and bathroom. The annexe is characterised by a flat roof form and measures 8.6m in width, 2.8m in height and 4.82m in depth. The proposal would be

constructed from anthracite uPVC cladding with a rubber membrane roof and uPVC windows.

A new hardstanding is also proposed to the front curtilage space to accommodate additional off-street parking spaces. It would be constructed from permeable tarmac or block paving.

Relevant History

N/A

Township/Member comments

N/A

Consultee responses

Lead Local Flood Authority/Drainage

The Drainage Officer requests planning condition for the driveway to be constructed in permeable materials.

Highways and Engineering

The main issue from a Highways perspective is parking provision for both the existing and proposed residential annexe.

Highways would request two viable off-street parking spaces to be provided as part of the application proposals. The new parking spaces will also require the construction of a vehicle access crossing which would require a separate permission from the Councils Highway team.

The current servicing arrangements would remain unchanged as a result of the development.

Highways do not expect there would be any detrimental impact on road safety or highway capacity as a result of the proposed development.

Highways raise no objection to this application, subject to the provision of the requested off-street parking spaces, and request no specific planning conditions.

Representations

Neighbour notifications via letters were sent to surrounding properties. No comments were received.

Policy

National

Local

Saved Rochdale Unitary Development Plan (UDP) 2006:

G/D/1 Defined Urban Area

Adopted Rochdale Core Strategy (CS) 2016:

The Rochdale Core Strategy was adopted on 19th October 2016. The following policies are relevant:

P3	Improving design of new development
G6	Enhancing green infrastructure
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

Assessment

Principle of Development

- ❑ Longstanding case law establishes that ancillary accommodation can be viewed as appropriate development, provided it is incidental and used in connection to the main dwelling house. In particular, *Uttlesford DC v Secretary of State for the Environment and White [1992]* determined that even if an accommodation provided facilities for independent day-to-day living, it would not necessarily become a separate planning unit from the main dwelling; it would be a matter of fact and degree whether this constitutes a material change of use.
- ❑ The application proposes a detached annexe which comprises a bedroom, bathroom, kitchen and living area. As such, the annexe is considered to be capable of providing independent and self-contained living without reliance on the facilities of the main dwelling.
- ❑ However, it is noted the proposed annexe is sited within the curtilage of the main dwelling and would share the same site access and external amenity space. Given this relationship with the host dwelling, and in the absence of evidence to suggest the annexe would be used outside of its existing single household unit, it is considered that, in line with *Uttlesford DC v Secretary of*

State for the Environment and White [1992], the development can be viewed as incidental to the main dwellinghouse and would be acceptable in principle.

Design: DM1 and P3

- ☐ Paragraph 130 of the NPPF requires new development to be *“visually attractive as a result of good architecture, layout and appropriate and effective landscaping”* in addition to ensuring they are *“sympathetic to local character.”*
- ☐ Policy DM1 and P3 of the adopted Rochdale Core Strategy require development proposals to be *“of high quality design and take the opportunity to enhance the quality of the area”* and to *“enhance the borough’s identity and sense of place, by respecting context where it is positive and having regard to the scale, density, massing, height, layout, landscape, materials and access of surrounding buildings and areas in general.”* In addition, Section 5.1 of the SPD states development proposals should be *“in keeping with the host property and generally should be subservient to it.”*
- ☐ The proposed annexe is located to the rearmost section of the rear curtilage space and whilst part of the development may be visible from the side access of the property, given it is not readily visible from the street scene, the proposal is not considered to adversely affect the visual amenity of the street scene.
- ☐ The use of a flat roof form and its insubstantial height above the boundary treatments also ensure the proposed annexe does not appear unduly prominent from the adjacent rear curtilages.
- ☐ It is noted the proposed anthracite uPVC cladding would appear notably different to the redbrick of the host dwelling. Notwithstanding, such materiality would be consistent with garden outbuildings of similar designs, and given the overall unobtrusiveness of the annexe from the street scene, the proposal would be considered appropriately designed, subject to condition for materials specification.
- ☐ 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.

Trees: G6

- ☐ Paragraph 131 of the NPPF notes that *“trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change.”*
- ☐ Policy G6 of the adopted Rochdale Core Strategy states proposals are expected to *“support... tree planting in new developments, and replace removed trees from a site at a ratio of 2:1.”*
- ☐ The proposed annexe would result in the removal of an existing mature conifer tree in the rear garden of the host property, which is visible from the classified road and therefore contributes towards the visual amenity of the street scene.
- ☐ In mitigating the potential harm arising from the tree loss, the applicant has agreed to replace the tree with one that is of a native species. Given the

limited rear curtilage space of the application property, it is considered a 1:1 ratio of replacement trees would be sufficient.

- ☐ Subject to appropriate condition, the proposal would accord with the requirements of Policy G6 of the adopted Core Strategy and the NPPF.

Amenity: DM1 and SPD

- ☐ Policy DM1 of the adopted Rochdale Core Strategy states development proposals should ensure they *“do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.”*
- ☐ The proposed front fenestration does not directly face any neighbouring habitable room windows, and is not considered to result in significant levels of overlooking in this respect.
- ☐ The proposed annexe is located at the rear of the curtilage and is sited 1.07m above the existing boundary fencing which would not appear overly prominent from adjacent properties. As such, the proposal is not considered to result in significant levels of overshadowing and overbearing impacts to the occupiers of nos. 29 and 33.
- ☐ Notwithstanding the elevated position of the property and the 5m separation distance between the rear curtilage boundary and adjacent Halliday Court, the proposed annexe does not directly face any habitable room or entryway, therefore the proposal is not considered to result in unacceptable levels of overshadowing and overbearing in this regard.
- ☐ The submitted plans indicate the provision of natural light to all habitable rooms of the annexe and that sufficient garden space of a functional layout would be retained. As such, the proposed works would ensure an acceptable standard of living for existing and future occupants.
- ☐ The proposal would not unduly impact on the amenity of the occupants of neighbouring properties in accordance with Policies DM1, the SPD and the NPPF.

Highways and Parking: DM1 and T2, Appendix 5

- ☐ Policy DM1 of the adopted Rochdale Core Strategy requires development proposals to *“provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements taking into account of the proposed use and location.”*
- ☐ The proposal would result in an additional bedroom and would require a maximum standard of two parking spaces, as stated in Appendix 5 of the adopted Rochdale Core Strategy. The replacement hardstanding would retain the existing front driveway space, alongside sufficient space for two off-street parking spaces.
- ☐ The applicant has noted the proposed hardstanding would be of *“permeable tarmac or block paving on 300mm thickness of 4/20 CGA to BSEN 13242:2002.”* Permeable driveways do not require planning permission and as such, it would not be necessary to condition details.
- ☐ The proposed parking arrangements are therefore acceptable in accordance with Policies T2 and DM1.

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. The permission relates to the following plans:

- ☐ Location Plan – Drawing No. LP001 dated 05/2023
- ☐ Existing Site Plan – Drawing No. BPE001 Rev. A dated 05/2023
- ☐ Proposed Site Plan – Drawing No. BPP001 Rev. A dated 05/2023
- ☐ Proposed Floor Plans and Elevations – Drawing No. PPE001 Rev. A dated 06/2023

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 Core Strategy and the National Planning Policy Framework.

3. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) prior to first occupation of the annexe hereby permitted the bathroom windows on the south-east facing rear elevation shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.

Reason: In the interest of amenity and in compliance with policy DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

5. Within the next planting season after the felling of the tree hereby approved, one replacement tree shall be planted within the curtilage of no. 31 Stopford

Avenue and shall be a native species which is of a similar size at maturity. If the replacement tree is removed, dies, become severely damaged or seriously diseased within three years of planting, it shall be replaced by a tree of similar size and species within the first planting season following removal of that tree.

Reason: To mitigate for the loss of the existing tree and to protect the visual amenity of the area.

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.

INFORMATIVES

The applicant is reminded of the need to provide a standard vehicle access crossing which will require a separate permission from the Council as Highways Authority for the works. The works will be required to be approved and implemented in full prior to the first use of the approved development.

	Date	Officer
Report Completed	04/09/2023	Signed: SY
Authorisation	05/09/2023	Signed: RK

Report Author Sam Yuen