

APPLICATION NUMBER: 25/00192/HOUS

Application Number:	25/00192/HOUS
Location:	1 Ramsden Farm, Roundthorn Road, Middleton, M24 1ZB
Proposal:	Erection of a detached single storey building for use as a granny annex
Applicant:	Mr Marcel Duffy
Case Officer:	Bob Melling
DETERMINATION DATE 23.04.2025	EXT OF TIME 02.05.2025
RECOMMENDATION:	Refuse

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?	Y

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

Location

The application relates to no. 1 Ramsden Farm, a large detached dwelling located on a private road between Round Thorn Road and St Dominics Way/Brookbank Close, Alkrington. The site falls within an area designated as a Greenspace Corridor on the Rochdale Unitary Development Plan Proposals Map, and forms a peripheral part of the wider corridor which runs between the southern bank of Wince Brook up to the built-up edge of Alkrington Garden Village. The subject property is one of four detached dwellings approved under application ref: 16/01302/FUL and is located on the site's western boundary. Nos. 1 and 4 (at either end of the road) benefit from detached garages which are set forward of the houses and face inwards, perpendicular to the primary building line. No.1 is the first dwelling at Ramsden Farm as approached from the south and benefits from a large plot that wraps around the rear and side of the dwelling, sharing a common boundary to the west with dwellings fronting St Dominic's Way.

Planning permission was granted on 13th March 2024 for the construction of a further three detached dwellings on the opposite side of Ramsden Farm (Figure 1).

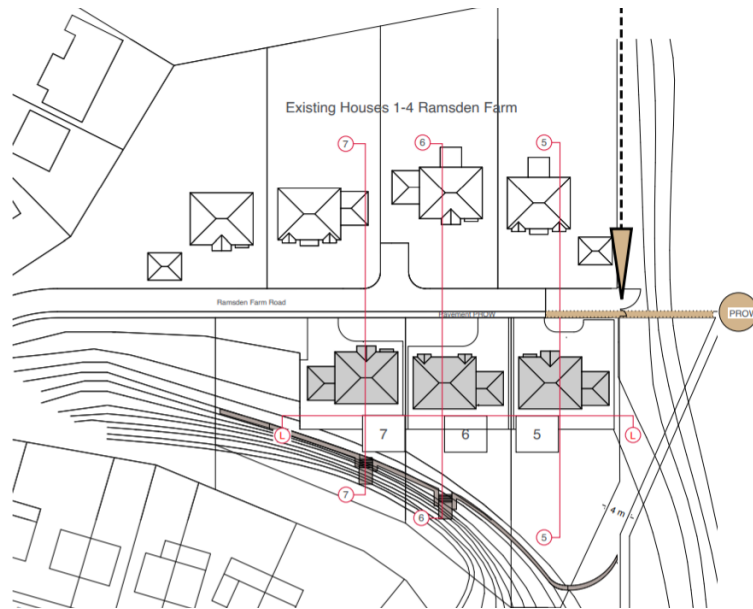


Figure 1 - Site plan for 24/00924/FUL

Description of Proposal

Permission is sought for a single storey outbuilding within the side garden area to form additional living accommodation. The proposed annex would have a footprint of 51 square metres and be set against the western boundary fencing. It would have an unusual shape with a hipped roof form and a maximum height of approximately 3.97m and a height to eaves of approximately 2.37m.

Internally the outbuilding would provide ancillary living accommodation to include a bedroom, kitchen, living room and ensuite.

The proposed development would be constructed in materials to match those used externally in the host dwelling and the existing off-street parking arrangements would not be affected by the proposed works.

Relevant History

<u>16/01302/FUL</u>	Proposed residential development of 4 detached houses with private access road Decision: Grant Subject to Conditions
<u>23/00273/HOUS</u>	Erection of a detached single-storey outbuilding to form additional living accommodation and other recreational spaces Decision: Refuse
<u>23/00799/CPL</u>	Certificate of lawfulness for a proposed outbuilding within the rear garden Decision: Grant
<u>23/01341/HOUS</u>	Erection of single storey annexe. Decision: Refuse (Appeal Dismissed)
<u>24/00494/CPL</u>	Application for a certificate of lawfulness for proposed a detached building to house swimming pool Decision: Refuse (Appeal In Progress)

Township/Member comments

N/A

Consultee responses

N/A

Representations

Letters of notification were sent to surrounding properties and 4 letters of objection were received. The letters raised the following concerns:

Public Comment	Officer's Response
The building would be too close to neighbouring properties/gardens.	This is assessed in the 'Amenity' section of the report.
There would be additional noise disturbance.	This is assessed in the 'Amenity' section of the report.
It will not be used for the stated purpose and the plan is to create a leisure complex similar to the one initially refused.	The application must be assessed on the basis of what has been proposed, rather than any assumptions about how it might be used.
Overdevelopment of the plot.	This is assessed in the 'Design' section of the report.

Policy

National

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

Sub-Regional

Places for Everyone Joint Development Plan (PfE)

JP-P1 Sustainable places

Local

Saved Rochdale Unitary Development Plan (UDP) 2006:

G/D/1 Defined Urban Area

G/8 Greenspace Corridors (*To be read in conjunction with CS Policy G6 until replaced by Site Allocations or other DPD*)

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

DM1 General Development Requirements

G6 Enhancing green infrastructure **T2** Improving Accessibility

Appendix 5 Schedule of Parking Standards

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

Amendments

It was considered that the application could not be determined in its initial form given the relationship between the proposed annex and the refused lawful development certificate which is currently under appeal (ref: 24/00494/CPL). The initial plans included part of the roof to be built above the refused pool building and the buildings were sited within very close proximity, with the front elevation of the proposed structure wrapping around/into the appeal proposal, essentially forming one structure (Figure 2).

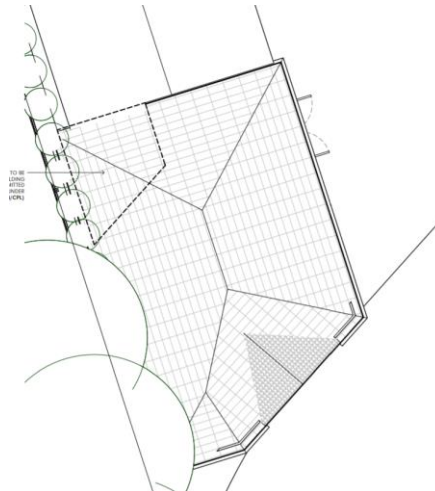


Figure 2 - Roof plan for initially proposed annex

It is important to note that the Council also consider the development refused under application 24/00494/CPL to be attached to the building approved under 23/00799/CPL. Therefore, the annex as initially proposed would be attached to both structures, effectively creating one large building that wraps around the side and rear of the curtilage.

To overcome this, amended plans have been submitted which show a separation of 1m between the proposed annex and the refused pool building.

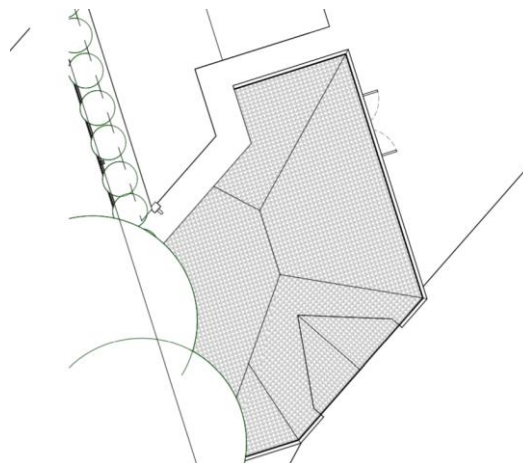


Figure 3 - Amended plans with 1m separation

Assessment

Principle of Development

The application proposes a detached outbuilding to provide ancillary living accommodation. Longstanding case law establishes that ancillary accommodation

can be viewed as appropriate development, providing the accommodation is incidental to the main dwelling house.

Additionally, case *Uttlesford DC v Secretary of State for the Environment and White* 1992 JPL 17, established that it is not necessary for a relative of the occupier of the main dwelling to rely upon the facilities in the main dwelling house, in order to maintain additional living accommodation.

The proposed living accommodation would comprise a bedroom, kitchen, living room and ensuite. The level of accommodation is sufficient for the property to be occupied without a reliance upon the main dwelling house, however, given its relationship spatially with the host dwelling and its reliance on a shared site access and external amenity space it is considered that, in line with the *Uttlesford DC* case, the development can be viewed as incidental to the main dwelling house.

It is accepted that when assessed in isolation the proposed annex can be viewed as incidental to the main dwelling house. However, it is also noted that there is an approved lawful development certificate for an outbuilding and a refused lawful development certificate for a pool building which is currently under appeal. The combined footprint of these outbuildings would be approximately 263sqm, which increases to 314sqm when the proposed annex is accounted for. This compares to a footprint of approximately 148sqm for the original dwelling (excluding the existing garage). In the case of *Emin v SSE & Mid Sussex DC* [1989] it was held that incidental connotes an element of subordination in land use terms in relation to the enjoyment of the dwellinghouse and cannot rest solely on the unrestrained whim of him who dwells there. Therefore, whilst the granny flat alone is considered to be incidental, there are concerns that the proposed development would contribute to an arrangement of outbuildings that would not be viewed as incidental to the main dwelling house, particularly if the current appeal is upheld.

Design: DM1 and P3

When read collectively, the NPPF, policies P3 and DM1 of the Core Strategy, and policy JP-P1 of Places for Everyone seek to achieve development of high quality design, 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. Development should function well and add to the overall quality of an area by being visually attractive as a result of effective architecture, layout and landscaping. Paragraph 5.1 of the SPD also states that house extensions should be in keeping with the host property and generally should be subservient to it.

Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

It was noted by the Planning Inspector under the dismissed appeal against the refusal of 23/01341/HOUS that the layout of Ramsden Farm has been carefully and well-designed, with the large dwellings proportionate to their plot sizes, well-spaced, typically with open frontages, which results in a spacious and open character and appearance to the development. No. 1 has been sited off its shared boundary with those dwellings fronting St Dominic's Way and whilst the front boundary is partly enclosed with a horizontal paneled fence and trellis, the side garden contributes positively to this open character. It also provides a clear break in built form between the new development of Ramsden Farm and older residential cul-de-sac of St Dominic's Way.

The Inspector outlined the following concerns regarding the annex proposed under application 23/01341/HOUS:

'When viewed within the street scene from the south, and notably from the double gates on the southwest boundary of No.1, the annex would appear unduly prominent. Despite its modest height, its siting and footprint (around 78sqm) means it would effectively fill the open space to the side of No.1, eroding the break in built form, to the detriment of the character and appearance of the street scene ... the proposed annex would, in combination with the detached garage, appear as an arrangement of multiple outbuildings to the side of No.1 which I find would be visually overbearing and unsympathetic to the well-designed wider development.'

Therefore, one of the main considerations with regards to the current application is whether the annex would sufficiently overcome the concerns raised by the Inspector in their assessment of the annex proposed under 23/01341/HOUS.

Under the current proposals, the footprint of the annex has been reduced by approximately 27sqm and the shape of the building has been changed in order that the side elevation sits wholly against the western site boundary. While this would reduce the prominence of the annex in southwesterly views, it would still result in the erosion of the important visual break between the built form on Ramsden Farm and the properties fronting St Dominic's Way.

Moreover, while there is a physical gap of 1m between the annex and the refused pool building, the design of the annex has clearly been contrived to achieve physical separation while still reading as a single structure. This would broadly mirror the overall scale of development refused under 23/00273/HOUS (Figure 4). This application was refused on the basis that the proposed outbuilding would *'constitute a disproportionate and incongruous addition to the application site by virtue of its scale and size and would be detrimental to the visual amenity of the street scene.'* Therefore, if the appeal for the pool building was allowed and the current application approved, then significant visual harm would result with the various outbuildings reading as one structure similar in scale to the development refused under 23/00273/HOUS. In the event that the appeal is dismissed, then the proposed annex, which has been designed to fit around the refused pool building, would appear poorly thought out with an awkward design.



Figure 4 - Comparison between site plans for current application and 23/00273/HOUS

While permission was recently granted for the construction of three further dwellings on Ramsden Farm (Figure 1), it is not considered that this approval would justify the harm caused by the proposed development through the erosion of an important visual break in built form, to the detriment of the character and appearance of the street scene.

Overall, the proposed annex is considered to cause undue harm to the character and appearance of the host dwelling, and wider street scene. Consequently, it would conflict with policies DM1 and P3 of the Core Strategy (2016) and policy JP-P1 of Places for Everyone (2024) which together require all development, including extensions and alterations, to be of high quality design and take the opportunity to enhance the quality of the area, respecting context, having regard to scale, density and layout. It would further conflict with the guidance at paragraph 135 of the NPPF that planning decisions should ensure that developments are sympathetic to local character, including the surrounding built environment.

Amenity: DM1 and SPD

Policy DM1 of the Core Strategy states that all development proposals must not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.

Privacy

The annex would be positioned against the western boundary, adjacent to the rear gardens of nos. 38 - 40 St Dominics Way.

The proposed development contains openings on the side elevation directly facing the host property and on the front elevation, which would measure a substantial distance to the nearest residential properties on Round Thorn Road. On this basis, the proposed development is not considered to result in an undue loss of privacy for the neighbouring properties.

Overshadowing and Overbearing Impact

Paragraph 4.1 of the SPD provides guidance on minimum distances that apply to all new residential developments and developments which affect existing residential properties. The purpose of the guidance is to avoid causing a significant loss of privacy and/or light for occupiers of neighbouring properties as well the applicant property. The SPD states that a minimum of 10m should be retained between a principal window and any directly facing single storey elevation which does not contain a principal window to a habitable room.

The proposed annex would be set over 10m from any of the true rear elevations of the adjacent neighbouring dwellings on St Dominics Way. Additionally, the majority of the annex is screened by the existing boundary treatment and the annex would be stepped below the adjacent rear gardens which limits the visual impact. The LPA recognise that the distance to the rear conservatories of nos. 38 and 40 St Dominics Way is slightly less at 7m, however, given the aforementioned screening and the scale of the annex, it is considered that the proposed annex would not unduly overshadow or have an overbearing impact on any of the neighbouring properties.

Noise Disturbance

Paragraph 198 of the NPPF seeks to mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.

Whilst the proposed development would increase the living accommodation at the property, the resulting residential use would result in levels of noise and activity that would continue to be typical of a residential setting.

Occupier Amenity

The proposed annex would contain a window and patio doors that would face the side elevation of the host property at a distance of some 8m, it is noted that the facing side elevation of the host property does not contain any principal windows to habitable rooms.

Moreover, it is considered that the proposed annex would be supplied with adequate levels of natural light and outlook. In addition, the host property would retain a suitably sized rear garden space with a functional layout.

Summary

In light of the above, the proposed development would not unduly impact on the residential amenity of the present and future occupiers of the neighbouring properties or the applicant property and therefore accords with policies DM1, the SPD and the NPPF.

Highways and Parking: DM1 and T2, Appendix 5

The proposals do not reduce the existing provision of off-street parking which is considered appropriate for a dwelling of this size. The proposed parking arrangements are therefore acceptable in accordance with policies T2 and DM1 of the Core Strategy.

Greenspace Corridor

The land in question falls within an area of Greenspace Corridor as defined on the Unitary Development Plan Proposals Map. Policy G/8 states that the Greenspace Corridors shown on the proposals map will be protected, with developments only permitted where they will enhance the recreational, ecological or landscape and amenity value of the corridor. Criteria (e) and (f) of saved UDP policy G/8(A) state that development will not be permitted within the Greenspace Corridor where it would result in unacceptable harm to:

- (e) "the better landscape qualities and character of the corridor"; and
- (f) "the amenity value of the corridor where it provides welcome visual relief from urban development, including attractive views in and out of the corridor".

Further to this, Policy G6 of the Core Strategy above all, seeks to sustain and enhance a green network to support growth and regeneration in the borough, with specific reference to enhancing recreational links between urban areas and open countryside for purposes incidental to wildlife and local opportunities for recreation as well as improving visual amenity.

When considered in the wider context of the corridor (which spans for several hectares between Kirkway and Greengate), it is not considered that the building would have a harmful impact on the visual, recreational or ecological value of the Greenspace Corridor.

Recommendation: Refuse for the following reason

1. The proposed annex would result in the harmful erosion of the visual break between the built form on Ramsden Farm and St Dominic's Way to the detriment of the character and appearance of the street scene. Moreover, the design of the annex would appear contrived to fit in with the refused certificate (24/00494/CPL) resulting in a development that would not contribute positively to the quality of the area or appearance of the host property. The proposal therefore constitutes poor design and is contrary to policies DM1 and P3 of the adopted Rochdale Core Strategy, policy JP-P1 of Places for Everyone, the Council's 'Guidelines and Standards for Residential Development' Supplementary Planning Document and the National Planning Policy Framework.

Article 35 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.

Informative

For the avoidance of doubt, the decision relates to the following drawings:-

- Location Plan. Drg no. 22.128.201. Rev P1
- Existing Site Plan. Drg no. 22.128.202. Rev P1
- Proposed Site Plan (1 To 200). Drg no. 22.128.203. Rev P1
- Proposed Floor and Roof Plans. Drg no. 22.128.301. Rev P1
- Proposed Planning Areas. Drg no. 22.128.303. Rev P2
- Existing Elevations. Drg no. 22.128.401. Rev. P1
- Proposed Elevations (Annex With Existing House). Drg no. 22.128.402. Rev P1

- Proposed Elevations (Annex). Drg no. 22.128.403. Rev P1
- Site Sections. Drg no. 22.128.501. Rev P1
- Comparison Drawing (Proposed Annex and Dismissed Appeal). Drg no. 22.128.601. Rev P1

	Date	Officer
Report Completed	01/05/2025	Signed: BM
Authorisation	01/05/2025	Signed: RC

Report Author Bob Melling