

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

25/00010/FUL

CASE OFFICER

Majid Mir

DETERMINATION DATE 01.05.2025 **EXT OF TIME**

Address: Land At 178 Halifax Road Rochdale OL16 2NJ

Proposal: Erection of 1 dwelling and associated boundary treatment

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?	Y
	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/A

RECOMMENDATION	REFUSE
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CHECKED AND SIGNED OFF BY: TH DATE: 01.05.2025

SITE

The application relates to a small plot of land that is presently located within the curtilage of 178 Halifax Road. The land of the proposed development is located to the north of the part two storey part single storey building of no. 178. Parking for no. 178 is available off-street and access via Dover Street. No. 178 is presently being used as a hair and beauty salon (Use Class E). The application site appears to have

been left in a state of disrepair. There a number of shrubs and immature trees plus the remnants of a previous extension to the site that had been started. It appears that the foundations and the concrete subfloor had been constructed.

The site is located in a prominent position, just off the roundabout that connects the A58 (Halifax Road) with A664 (Albert Royds Street). Other than the properties on the opposite side of the Rochdale Bypass which are either commercial and/or industrial uses, the rest of the surrounding properties are residential. The nearest properties to the application site are the residential properties on Clarke Street. The residential properties on Clarke Street and the application site are separated by a narrow access path.

PROPOSAL

The application proposes to erect a one-bedroom dwelling and install new boundary treatment. The proposed dwelling would be two storeys tall and would be attached to the existing building of no. 178 Halifax Road.

The proposed dwelling would consist of a shared living space with a water closet on the ground floor. On the second floor the application proposes one bedroom, one office and a shower room. A small garden space to the side and a bin storage area to the front is also proposed.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Places for Everyone Joint Development Plan (PfE)

JP-S1	Sustainable Development
JP-S2	Carbon and Energy
JP-H1	Scale, Distribution and Phasing of New Housing Development
JP-H2	Affordability of New Housing
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-G7	Trees and Woodland
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-G9	The Green Belt
JP-P1	Sustainable Places
JP-C1	An Integrated Network
JP-C7	Transport Requirements of New Development

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
C6	Improving health and well being

SO3	Improving design, image and quality of place
P1	Improving image
P2	Protecting and enhancing character, landscape and heritage
P3	Improving design of new development
SO4	Promoting a greener environment
G6	Enhancing green infrastructure
G7	Increasing the value of biodiversity and geodiversity
G8	Managing water resources and flood risk
G9	Reducing the impact of pollution
SO5	Improving accessibility and delivering sustainable transport
T2	Improving accessibility
SD1	Delivering sustainable development
DM1	General development requirements

Unitary Development Plan (UDP):

G/D/1 Defined Urban Area

Supplementary Planning Documents (SPD):

Guidelines and Standards for Residential Development (June 2016)
Residential Design Guide (September 2007)

RELEVANT SITE HISTORY

82/D14167	Change Of Use And Alterations Of Public Conveniences To Form Office Accommodation. Decision: Approved.
86/D19954	Single Storey Extension To Premises For Use As Shop. Decision: Approved.
92/D28455	Extension Of Opening Hours. Decision: Approved.
92/D28261	Change Of Use From Insurance Brokers To Hairdressing And Beauty Salon. Decision: Approved.
94/D30694	Erection Of First Floor Extension To Create Two Storey Building And Single Storey Rear Extension Including Formation Of Car Park. Decision: Approved.
97/D33980	Single Storey Side Extension To Beauty Salon. Decision: Approved.

CONSULTATION RESPONSES

Highways And Engineering
No objections.

Env Health - Noise/Odours
No comments received to date.

Tree Officer

No comments received to date.

United Utilities

Advice provided.

REPRESENTATIONS

Letters of notification were sent to neighbouring properties and a site notice was placed in the vicinity of the site. No responses were received.

ANALYSIS

Principle of Development

The application site is located within the Defined Urban Area as designated under saved policy G/D/1 of the 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. Paragraph 11 of the NPPF requires decisions to apply a presumption in favour of sustainable development. Paragraph 61 of the NPPF requires Local Planning Authorities to “support the Government’s objective of significantly boosting the supply of homes”.

Additionally paragraph 73 of the NPPF also states that ‘small and medium sized sites can make an important contribution to meeting the housing requirement of an area’. Policy JP-H3 of the PfE also stated that ‘development across the plan area should seek to incorporate a range of dwelling types and sizes including for self-build and community led building projects to meet local needs and deliver more inclusive neighbourhoods’. In this regard, it is noted that the application proposes a one bedroom dwelling and as such is a size of dwelling which would make a valuable contribution towards diversifying local housing stock and meeting different needs.

The latest published information suggests that the Council can demonstrate over 5 years’ worth of deliverable housing sites as required by national policy, however, this does not preclude the promotion of sustainable development where this can assist in delivering additional housing to meet local needs. The recent adoption of PfE has also increased the housing requirement to 616 per annum from 2025 to 2030.

In principle, given the site’s sustainable location within an urban area, and within a predominantly residential area, the proposal is considered in principle to be in line with the aims of the NPPF, and relevant development plan policies for residential development.

However, any development proposals on the site would also be assessed in terms of all other relevant material planning considerations to assess the suitability of the site for residential use and ensure it is compatible with surrounding land uses.

Design and Visual Amenity

Policies DM1 and P3 of the Council’s adopted Core Strategy requires development proposals to adhere to high quality design and 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. The NPPF also requires that planning decisions should ensure that developments function well, add to the overall quality of the area for the lifetime of the development, are visually attractive as a result of good

architecture and are sympathetic to local character and history. Paragraph 139 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. Policy JP-H3 of the PfE requires development 'to incorporate a range of dwelling types and sizes' and a key aim of the DPD is to boost the supply of well designed, adaptable new homes with appropriate access to private space.'

The application proposes to construct a two storey structure that would adjoin the existing part two storey, part single storey property of no. 178 Halifax Road. The proposed building would use matching design features found on the adjoining building of no. 178 (fenestration, window headers and footers, brick banding and materials). This would help soften the visual impact of the proposed development.

However, there are elements of the proposal that would be in stark contrast to the adjoining property of no. 178 that would appear incongruous when viewed in context to the adjoining property of no. 178 Halifax Road.

The proposed dwelling would be sited within the garden to the side of no. 178. The garden is triangular shaped and covers an area of approximately 64 sqm with the footprint of the proposed dwelling totalling 37.3 sqm. The proposed dwelling would be set 2m back from the front elevation of no. 178. The rear elevation of the proposed dwelling would be level with the rear elevation of the single storey rear extension of no. 178.

The proposed dwelling would have a chamfered edge to the north. This element of the proposal would face towards the roundabout and be clearly visible. Furthermore, the site has a whole is located within a prominent position with the street scene, and as such, the proposed development would play a prominent role within the character of the wider street scene.

The ridge height of the proposed dwelling would be 7.1m and height to eaves would be 5.9m. This would be the same as no. 178. The element of the proposed dwelling that would adjoin no. 178 would be a gable roof design, with the element to the north being a hipped roof design with a chamfered edge.

This would give the proposed dwelling an unbalanced design form. Furthermore, as the proposed dwelling would set further back, the roofs will not line up and the roof of the proposed dwelling would be set further back. The design and siting of the proposed dwelling demonstrates that the proposed development would be cramped within the setting of the site.

It is clear that the plot of land is unable to satisfactorily accept a new building of this scale. This is further emphasised through the front elevation of the chamfered edge sited very close to the boundary with the footpath. Whereas with no. 178, there is a small front garden which creates a small buffer between the property and the highway, providing some visual relief, the proposed dwelling would not have that.

Furthermore, the addition of a two storey structure close to the boundary and only approximately 4.3m from the boundary of the adjacent residential properties would only exacerbate the sense of overdevelopment of the plot and oppressiveness created the limited distance between the properties. This would have a negative impact on the character of the area.

Additionally, the rear elevation of no. 178 already has limited openings. These include two short high level windows, one window that is of a standardised size and one door. The proposed dwelling would have one window on the ground floor and one window on the first floor. The window on the ground floor would be a short high

level window and the window on the first floor would be of a standardised size. These would be placed close to the boundary with no. 178. This would leave an area of approximately 33sqm with no opening. There would be some visual interest created by the materials proposed, however, this would be limited and would still leave a large proportion of an elevation with limited openings and an otherwise blank elevation.

When added with the limited openings on the existing property of no. 178, this would only exacerbate the negative visual impact. This would also exacerbate the oppressiveness created by the siting the structure close to the boundary and within close vicinity to the adjacent properties.

The poor design of the proposed dwelling is further demonstrated by the lack of direct access to the outdoor amenity space from the proposed dwelling. The proposed dwelling would have a front door which is accessed via the public footpath. To access the outdoor amenity space the occupiers would need to exit the proposed dwelling and then enter the amenity space from the street.

In regards to the boundary treatment, the application proposes to continue the brick and metal railing boundary treatment found along the boundary of no. 178. This is considered to be acceptable.

In conclusion, the proposed development would be located in a prominent position and would represent poor design and therefore negatively impact on the overall visual amenity of the area. It is therefore considered that the proposal does not accord with policies DM1 and P3 of the adopted Rochdale Core Strategy, the SPD, PFE and the NPPF.

Neighbour and Occupier Amenity

Paragraph 135 of the NPPF states planning decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Furthermore, policy DM1 of the Core Strategy requires development proposals to demonstrate that they will not have a negative impact upon the amenities of future residents and occupiers. Furthermore, policy G9 requires that sensitive new developments such as housing are not adversely affected by existing sources of pollution, including noise, from certain types of industry.

Noise and Disturbance

The application proposes the construct a residential property within a predominantly residential area. The proposed dwelling would adjoin a commercial property which is used as a hair and beauty salon (Use Class E). The proposed dwelling would not lead an increase in noise or disturbance and the proposed development would be compatible with the neighbouring uses.

Neighbour Amenity

The Council's adopted Supplementary Planning Document '*Guidelines and Standards for Residential Development 2016 (SPD)*' contains a number of guidelines and requirements for the design and layout of new housing in order to preserve the amenity standards for surrounding residents.

The proposed dwelling would directly face the rear of the residential properties of 65, 63 and 61 Clarke Street. There is a narrow pedestrian alleyway that separates the application site and the properties on Clarke Street.

Paragraph 4.1 of the SPD states that 'all new developments should avoid causing a significant loss of privacy and/or light for occupiers of new neighbouring dwellings and existing dwellings. The following minimum space standards will be applied to all new residential developments and developments which affect existing residential properties:

- (i) 21m between directly facing principal windows of habitable rooms, at an upper floor level AND 10.5m between a principal window at an upper floor level and a directly facing boundary of the curtilage;
- (ii) 14m between a principal window and any directly facing two storey elevation which does not contain a principal window to a habitable room;
- (iii) 10m between a principal window and any directly facing single storey elevation which does not contain a principal window to a habitable room.'

On the rear elevation of the proposed dwelling, the application proposes a first floor window that would be used for a shower room. A high level window is also proposed on the ground floor for a water closet. The proposed development would project along the full width of no. 63 Clarke Street and would be partially in the direct line of no. 61 and no. 65 Clarke Street. To the rear of the properties on Clarke Street, the properties possess the only outdoor garden space available. There is no front garden to these residential properties on Clarke Street. The residential properties and the application site are separated by a narrow pedestrian alleyway. The residential properties have low level boundary treatment that separate the alleyway and gardens.

To the rear of no. 63 it appears that there is a kitchen/dining room on the ground floor and on the first floor is a bedroom and bathroom. There is a small mono-pitched attached structure that straddles the boundary between no. 63 and no. 61. This is the element of the rear of no. 61 that directly faces the proposed dwelling. In regards to no. 65, there is a single storey extension to the rear. This covers a large proportion of the rear garden space. The extension appears to be used as a kitchen, with the window on the rear elevation of no. 65 appearing to be used as dining room/living room. This rear facing window would face directly towards to the proposed dwelling. On the first floor of both no. 65 and no. 61 is a bathroom and bedroom.

The two storey rear elevation of the proposed dwelling would be sited 4m from the rear boundary of no. 61 and 10m from the rear elevation of no. 61. In regards to no. 63, the proposed dwelling would be between 4.1m and 4.3m from the rear boundary and 10m from the rear elevation. In regards to no. 65, the proposed dwelling would be 4.3m from the rear boundary, 5.3m from the rear elevation of the extension and 10m from the rear elevation of the dwelling. The proposed dwelling would not meet the minimum standards set out in paragraph 4.1 of the SPD. Due to the limited distance between the rear elevation and rear boundary, the proposed two storey dwelling would lead to an unacceptable loss of light and have an overbearing impact on the rear habitable rooms and outdoor amenity spaces of no. 63 and no. 65. To a lesser extent, the proposed dwelling would lead unacceptable level of overshadowing and overbearing impact on the outdoor amenity space of no. 61.

The proposed dwelling would see existing windows on the side elevation of no. 178 blocked off. However, the window on the ground floor is for a water closet and the first floor window is for a kitchen. Both rooms are not considered habitable rooms and as such do not receive the same level of protection as a habitable room.

Occupier Amenity

Along with not unduly impacting on the amenity of neighbouring properties, developments must not unduly impact on the amenity of present and future occupiers of the host dwelling. Policy JP-H3 of the PfE requires that all new dwellings must comply with the Nationally Described Space Standards (NDSS). The NDSS is a technical standards document produced by the Government to ensure internal space within new dwellings is suitable for application across all tenures.

The proposed plans show that the proposed dwelling would set over two floors. On the ground floor the application proposes a combined living room, kitchen and dining. A water closet is also proposed on the ground floor. On the first floor, the application proposes a shower room, one bedroom and an office. Therefore the proposed dwelling would need to meet the following minimum standards as set out in the NDSS:

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
	2p	50	58		1.5

* Where a 1b1p has a shower room instead of a bathroom, the floor area may be reduced from 39sqm to 37sqm, as shown bracketed.

The total floorspace of the proposed dwelling would be 58.5 sqm. The proposed dwelling would meet the minimum space standards for a 1 bedroom, 2 person dwelling set over 2 floors. The proposed bedroom would be 11.8 sqm in size. This would meet the minimum standards for a double bedroom of 11.5 sqm. The room identified as an office would be 6.5 sqm and therefore too small to be classified as a bedroom. It is noted that the proposed plans do not provide details of storage space, however, the room identified as an office would provide sufficient storage space to meet the minimum requirements.

The proposed bedroom and office will both have one window that faces the front. The proposed combined living space on the ground floor will have two windows. The windows would provide sufficient amount of light and outlook to the rooms.

In regards to private amenity space, the PfE states that 'the provision of appropriate outdoor private amenity space will also be vital in delivering high quality homes that support good health.' The proposed dwelling would leave small patch of garden space to the side. With the removal of existing trees it would leave a minimal amount of useable amenity space. However, without the removal of the trees, in particular the mature tree, the proposal would provide insufficient amenity space. This only further demonstrates that overdevelopment of the site as discussed in the design and visual amenity section of the report. Considering the application proposes to construct a single bedroom dwelling, it is considered that the minimal outdoor amenity space proposed would not provide a level of amenity for future occupants, to warrant a reason for refusal on its own.

In light of the above, the proposal would unduly impact on the amenity of the occupants of neighbouring properties of numbers 61, 63 and 65 Clarke Streets. The proposed development would therefore fail to accord with policy DM1 of the adopted Rochdale Core Strategy, the SPD, PfE and the NPPF.

Highway Safety

The proposed development does not provide any off-street parking spaces. Appendix 5 of the adopted Core Strategy states new dwellings should have a

maximum of 2 of street parking spaces. However, the site is located in a highly sustainable location which is well served by public transport and the local centre is within walking distance. As such, the highways department would not expect or require off-street parking spaces in this location. Furthermore, the highways department concluded that the proposed development would have limited impact on the existing highway network and as such have no objection to the proposal.

It is therefore considered that proposed development would not have a detrimental impact on highway safety, and would accord with policies DM1 and T2 of the Core Strategy, PfE and NPPF.

Trees, Ecology and Biodiversity

Adopted Core Strategy policy G7 requires that no development should result in a net loss of biodiversity and geodiversity. Additionally, PfE policy JP-G9 seeks to deliver a net enhancement of biodiversity resources. This is reaffirmed in the NPPF which requires developments to contribute to and enhance the natural environment. Furthermore, policy G6 of the adopted requires that trees that are removed are replaced at a ratio of 2:1.

In regards to Biodiversity Net Gain, the application form states that the application is a self-build dwelling and as such the proposed development meets the exemption criteria as it is a self-build/custom build development. The proposal therefore is not required to comply with the statutory BNG requirement. The proposed development would see a foliage consisting of a small linear group of self-seeded trees and one mature tree removed. The supporting Arboricultural Impact Assessment and Method Statement, concludes that the trees proposed for removal are of low quality. Additionally the assessment noted that although the tree T4 would have been appropriate as a small tree, it has however now outgrown its space and location. Furthermore, the assessment noted that Cherry trees have large surface roots and have potential to cause damage to buildings and lighter structures. Additionally, the assessment noted that the Cherry tree is nearing the end of its natural life and is developing canker and necrosis around the main branch forks. The assessment did not propose new replanting as it was concluded that there was insufficient space to plant a new tree in this location which would not have the potential to cause damage to buildings and impact on light for neighbouring properties.

Nevertheless, the proposed development would see a group of trees approximately 6.5m in width and a mature tree felled to allow for the proposed development to occur. The proposal does not propose any replacement for the loss of the trees and biodiversity. As there are additional and more compelling concerns in regards to the design and amenity, it is considered that requesting amendments to the proposal to allow for compensation of the trees to be provided would not be appropriate.

The Arboricultural Method Statement specifies all measures to be undertaken to ensure the ongoing health and viability of trees to be retained. It is considered that a condition can be included with any approval.

It is therefore considered that the proposed development would fail to accord with policies G6 and G7 of the Core Strategy, policy JP-G9 of the PfE and the NPPF.

RECOMMENDATION Refuse for the following reasons:

1. By reason of its design, size, siting and massing, the proposed dwelling would represent poor design and would appear as an incongruous addition within the side garden of the host building. The proposed dwelling would

constitute a cramped addition that would negatively impact the overall visual amenity of the area and fails to produce a satisfactory standard of design. The proposed development therefore fails to comply with policies DM1 and P3 of the adopted Rochdale Core Strategy, the Guidelines and Standards for Residential Development SPD, Places for Everyone Joint DPD and the National Planning Policy Framework.

2. By reason of its design, size and siting, the proposed dwelling would fail to provide sufficient separation distances to numbers 61, 63, and 65 Clarke Street. This would result in a loss of light and outlook to the habitable rooms to the rear of numbers 63 and 65 Clarke Street, and would have an overbearing impact on the rear gardens of numbers 61, 63 and 65 Clarke Street. The application therefore fails to comply with the policy DM1 of the adopted Rochdale Core Strategy, the Guidelines and Standards for Residential Development SPD, Places for Everyone Joint DPD and the National Planning Policy Framework.
3. The proposed development would result in a loss of trees within the site and insufficient replacement tree planting are proposed in mitigation. Additionally, the loss of trees would also lead to a loss of on-site habitat without adequate compensation to deliver a measurable enhancement to the natural environment. The proposed development would therefore result in an unacceptable loss of green infrastructure and loss of biodiversity and ecological habitat, and be in conflict with policies G6 and G7 of the adopted Rochdale Core Strategy, policy JP-G9 of Places for Everyone Joint DPD 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, the Decision Notice relates to the following drawings:

Location Plan. Drawing number: LP01. Revision: A
Existing Site Plan. Drawing number: 001. Revision: A
Existing GA Plan. Drawing number: 002. Revision: A
Existing First Floor Plan. Drawing number: 003. Revision: A
Existing External Elevations. Drawing number: 004. Revision: A
Proposed Site Plan. Drawing number: 101. Revision: A
Proposed GA Plan. Drawing number: 102
Proposed First Floor Plan. Drawing number: 103. Revision: A
Proposed External Elevations. Drawing number: 104. Revision: A
Existing Boundary Treatment. Drawing number: 005
Proposed Boundary Treatment. Drawing number: 105

Report Author Majid Mir