

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00797/FUL	Aimee Bovaird	9 November 2023

Address: Ley Farm Lane End Heywood Rochdale OL10 2JE

Proposal: Conversion of part of former agricultural building to a single self-contained dwelling

PUBLICITY Y	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/A
------------	--	-----

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

RECOMMENDATION	REFUSE
-----------------------	---------------

CHECKED AND SIGNED OFF BY: LA **DATE:** 18.11.24

SITE

This site relates to Ley Farm. The existing building is a red bricked farmhouse that has been extended over the years. The wider site is used for stabling and grazing

for horses. The building is a Non-Designated Heritage Asset and sits within the Green Belt.

PROPOSAL

The application proposes the conversion of part of former agricultural building to a single self-contained dwelling. The building consists of a store room and shower room on ground level and a store room in the basement.

This proposal would extend part of the front elevation 1.5m. The ground floor is proposed to be a living room/bedroom and the basement will consist of a kitchen and shower room.

RELEVANT PLANNING POLICY

National

National Planning Policy Framework (NPPF) (December 2023)
National Planning Practice Guidance (NPPG)

Sub-Regional

Places for Everyone Joint Development Plan (PfE)

JP-P9 Green Belt
JP-P1 Sustainable Places

Local

Adopted Rochdale Core Strategy (CS):

SO2 - To create successful and healthy communities

C1 - Delivering the right amount of housing in the right places
C3 - Delivering the right type of housing

SO3 - To improve design, image and quality of place

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

SO5- To improve accessibility and deliver sustainable transport

T2 - Improving accessibility
DM1 - General development requirements

Unitary Development Plan (UDP):

G/D/2 – Green Belt

Supplementary Planning Documents (SPD):

Supplementary Planning Guidance note 'Guidelines and Standards for Residential Development' (June 2016).

RELEVANT SITE HISTORY

No relevant history.

CONSULTATION RESPONSES

Highways and Engineering

No objections.

Env Health - Noise/Odours

No objections.

Conservation and Design

No objections.

REPRESENTATIONS

Letters of representation have been sent out to surrounding properties and a site notice displayed in the vicinity of the site. No public comments were received.

ANALYSIS

Principle of Development – Green Belt

The site is designated as part of the Green Belt under policy G/D/2 of the Unitary Development Plan. Policy G4 of Rochdale's Adopted Core Strategy seeks to restrict development within the Green Belt in line with national planning policies unless very special circumstances can be demonstrated.

The NPPF sets out the Government's planning policies which includes those relevant to the Green Belt. Paragraph 154 sets out that the construction of new buildings in the Green Belt should be regarded as inappropriate development, unless it meets one or more of a list of exceptions, with paragraph 155 further setting out other forms of development which are not inappropriate within the Green Belt provided they preserve its openness and do not conflict with the purposes of the including land within it. Paragraph 152 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

When considering planning applications, the NPPF states that Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt and 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

A consideration when assessing the principle of development is whether the proposed scheme constitutes inappropriate development within the Green Belt, the harm to openness, and where harm by inappropriateness, harm to openness or any other harm

exists, whether very special circumstances have been demonstrated which may outweigh the presumption against development.

Appropriateness

The proposed development comprises the erection of an extension, and the conversion of the building into living accommodation.

Paragraph 154 (c) sets out an exception to inappropriate development, *'the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building'*.

The proposed development would be an extension to the existing building and is not considered a disproportionate addition for the reason that it extends part of the front elevation 1.5m, the proposal complies with paragraph 154 (c).

Paragraph 155 sets out other forms of development that are not inappropriate in the Green Belt, (d) states 'the re-use of buildings provided that the buildings are of permanent and substantial construction'. The building is of permanent and substantial construction, the proposed development appears to be capable of conversion and would be permanent. This accords with paragraph 155 (d).

Openness

Paragraph 142 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

"Openness," for the purpose of Green Belt policy is not formally defined within Planning Policy or legislation but is taken to mean the absence of built development. The term *"openness,"* comprises a spatial and visual component which should be assessed in considering whether a proposal preserves the openness of the Green Belt. Exception c in paragraph 155 is subject to the proposed development preserving openness. In assessing this, Officers have considered that the site is not seen from the highway due to the surrounding boundary vegetation and the site is set back from the entrance to the site. The addition is subservient to the host dwelling and is not considered to harm the visual aspect of openness. The curtilage of the property consists of hardstanding for carping, existing dwellings and various farm buildings, the reuse of the building is not considered to give rise to a loss of openness.

Overall, the proposal would comprise the re-use of a building that appears to be of permanent and substantial construction, and it would not result in the diminution of, and therefore would preserve, the openness of the Green Belt. The scheme would also not conflict with the purposes of including land within it. Therefore the principle of development is considered acceptable.

Impact on Amenity

Paragraph 135 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.

PfE Policy JP-P1 requires all new development to be *“Comfortable and inviting, with indoor and outdoor environments, offering a high level of amenity that minimises exposure to pollution; and addressing microclimate issues such as sunlight, indoor air quality, overheating, shade, wind and shelter.”*

A kitchen is proposed at basement level, this would be serviced by two light wells. The plans demonstrate the lightwells are to be enlarged however due to the position of the lightwells the basement will receive no direct daylight, there will also be no outlook from the basement. This results in no meaningful light at all being received by the kitchen and this results in no outlook. It is noted a kitchen is not normally considered a habitable room however in this case it will receive sufficient use due to the small scale of the building, the kitchen is shown with seating and will most likely be used as a dining room. There is no justification as to why this area should be afforded poor levels of natural light. The kitchen would be required to use artificial light to combat a gloomy living environment and this is not considered acceptable.

In appeal APP/Y0435/W/21/3289784 the inspector states, ‘the GPDO deals with ‘habitable rooms’ as opposed to ‘spaces’. Indeed, the term ‘habitable rooms’ is defined in Part 3, paragraph X and Part 20, paragraph C.(1) of the GPDO as meaning ‘any rooms used or intended to be used for sleeping or living which are not solely used for cooking purposes, but does not include bath or toilet facilities, service rooms, corridors, laundry rooms, hallways or utility rooms’. 16. This definition clearly differentiates between rooms solely used for cooking purposes and those which are not. The Living Room/Kitchen/Dining Rooms (LKDs) proposed under each scheme are therefore habitable rooms in their entirety.’ This is comparable in the application as the kitchen will be used for more than cooking due to the scale of the development.

A shower room is also proposed at basement level within the setting of the kitchen, the access to the shower room is through the kitchen and this further demonstrates poor standards of occupier amenity and poor functionality. The National Design Guide sets out well designed homes should be functional and provide internal environments that support the well-being of users who experience them. Having a shower room next to the kitchen does not accord with this and does not create a functional living space.

The plans show the bed taking up a large area of the floor space on the ground floor and it is unclear how this space would operate as both a bedroom and living room, it represents a cramped living space.

Irrespective of the floor space being acceptable, the lack of light and outlook is not acceptable in terms of amenity for future occupiers as they would be overly reliant on artificial light. This will not replace natural daylight or sunlight and results in unacceptable occupier amenity and does not comply with the NPPF.

No information has been submitted to justify the limited light and outlook and how this would not harm future occupiers.

Overall the application is considered to provide a poor standard of amenity for future occupiers and does not accord with Policy DM1 and C3 of the adopted Rochdale Core Strategy, Policy JP-P1 of Places for Everyone, the Guidelines and Standards for Residential Development' (June 2016) SPD and the National Planning Policy Framework.

Character and Appearance

Paragraphs 131 and 135 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 alterations to the roof would consist of adding roof lights and this would be considered acceptable. The Council's Conservation Officer has been consulted and raised no objections to the development subject to further details of the materials be provided if the application is to be approved. The proposed front extension will create a new entrance and contain the front door and small window. The eaves will be 2.2m in height. The appearance is considered acceptable.

As such, it is considered that the proposed proposals would comprise a good standard of design. In light of this, the proposals would accord with the requirements of Policies DM1 and P3 of the adopted Core Strategy and the National Planning Policy Framework

Highways

As part of the application process the Council's Highway Officer has been consulted and raised no objections as the existing farm area has adequate servicing and the proposal will not have any impact on road safety or highway capacity.

As such it is considered that the proposal would not adversely impact on public and highway safety and the application would accord with the requirements of Policy DM1 and T2 of the adopted Core Strategy and the National Planning Policy Framework.

Other matters

The proposal will help meet the government's aim of increasing the supply of homes however this is for one unit and is a limited contribution. This does not outweigh the harm to the living conditions of occupiers.

RECOMMENDATION

REFUSE for the following reason

1. The application will provide a poor standard of amenity for occupiers due to the lack of light and outlook provided by the light wells for the basement level, the future occupiers will suffer inadequate levels of natural light and outlook. As such the proposal would not comply with policies DM1 and C3 of the adopted Rochdale Core Strategy, Policy JP-P1 of Places for Everyone, the Guidelines and Standards for Residential Development' (June 2016) SPD 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.

For avoidance of doubt the decision relates to the following plans:

Site Location Plan 22.633.09

Proposed Site Plan

Proposed Elevation 22.633.08

Revised Floor Plans received 30.08.24