

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00261/FUL	Claire Ringwood	17 th July 2023

Address: Pack Horse Inn, Birtle Road, Heywood, Rochdale, BL9 6UR

Proposal: Alterations to south facing elevation from 3 windows to 1 replacement window and installation of 2 bi-folding windows, including the formation of new raised patio/seating area and horse park enclosed with gabion walls

PUBLICITY	Weekly list expired?	Y	Site notice expired?	Y
	Neighbour letters expired?	Y	Press Notice expired?	Y

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?	Y

EIA	Screening opinion completed and saved to Onbase?	N/A
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CONDITIONS	Pre-commencement conditions proposed?	Y
	Pre-commencement conditions agreed (or notification period expired)?	Y

RECOMMENDATION	GRANT subject to conditions
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CHECKED AND SIGNED OFF BY: RG

DATE: 20 July 2023

SITE

The application relates to the Pack Horse Inn located on Elbut Lane / Birtle Road in the semi-rural area of Birtle. The building itself is located to the north of the site with the car park to the south. There is an existing patio area to the north east side of the Inn. At the time of the officer site visit the parking spaces to the front of the existing building had large planters in front of them with tables and a water trough for horses behind.

The site is within the Green Belt and backs onto the Ashworth Valley. The Inn has recently been designated a non-designated heritage asset. The site is also within the Birtle Conservation Area. A Public Right of Way is to the south of the car park and there is a Tree Preservation Order (TPO 010) on the site.

PROPOSAL

The application proposes the removal of 3 existing black painted timber windows to the elevation facing the existing patio area and the replacement with a new black painted timber double glazed fixed central window and 2 inward opening bi-fold windows each fitted with an outer black powder coated tubular guard rail.

The proposal also involves the formation of a new paved patio area and a horse park area to the front of the existing patio areas. New gabion walls are proposed using rock filled gabion baskets. The proposed patio and the horse park will be located at a lower level than the existing patios. Due to levels at the site the gabion walls will be a minimum of 0.75m and a maximum of 1.2m. The proposed patio and horse park extend approximately 4.8m in depth.

A cherry tree to the existing patio has previously been removed however, a condition will be imposed requiring replacement planting as there is a TPO on the site.

The materials will consist of gabion baskets with 50mm galvanised mesh holes and baskets filled with rocks to match the existing gabion walling and new paving slabs to patio area.

PLANS AND DOCUMENTS SUBMITTED

Location Plan

Received 14⁵th March 2023

Drawing No: 4002-PL01 Rev A – Existing Ground Floor / Site Plan

Drawing No: 4002-PL02 Rev A – Proposed Ground Floor / Site Plan

Drawing No: 4002-PL03 Rev A – Existing & Proposed Elevations

Design & Access Statement

Heritage Statement

Received 14th April 2023

Noise Impact Assessment Report

Received 5th May 2023

RELEVANT PLANNING POLICY

National Guidance

Adopted Rochdale Core Strategy (CS):

- P1 Improving image
- P2 Protecting and enhancing character, landscape and heritage
- P3 Improving design of new development
- G8 Managing water and flood risk
- G9 Reducing the impact of pollution
- T2 Improving accessibility
- DM1 General development requirements

Unitary Development Plan (UDP):

G/D/2 Green Belt

Greater Manchester Combined Authority (GMCA) – Places for Everyone (DRAFT)
Policy J2-P2

RELEVANT SITE HISTORY

87/D20088 - Alterations And Extensions To Public House And Extension To Car Park. Approved 02/04/1987.

88/A3728 - Externally Illuminated Fascia Sign And Projecting Pictorial Sign. Internally Illuminated Lanterns Mounted Above Wall Plaques. Approved 26/04/1988.

94/D31188 - Porch Extension To Public House Including Alterations To Staircase. Approved 28/10/1994.

95/D32020 - Conservatory Extension. Extension To Terrace. Childrens Play Area With Equipment. Formation Of Additional Car Park And Alterations To Existing Car Park. Refused 15/08/1995.

98/D35251 - Single Storey Pitched Roof Extension To Front Of Public House. Refused 08/01/1999.

07/D49927 - Smoking Shelter Extension To Public House. Refused 15/11/2007.

CONSULTATION RESPONSES

Highways

Having compared the existing and proposed plans it would appear that the proposals would result in the loss of some parking provision, however it also appears that the parking spaces to be lost are not currently in use.

Although the proposals would result in the loss of parking, the residual parking provision is only marginally below the Councils maximum parking standards and we do not think that an objection on this basis would be sustainable.

The servicing arrangements for the building would remain unchanged.

If approved the development should not have any impact on road safety or highways capacity.

Highways raise no objection to this application and request no specific planning conditions.

Conservation Officer

The proposed changes will not negatively impact the significance of the heritage assets as the proposed changes (alterations/replacements of windows to the South elevation in timber, instatement of a gabion walls at the existing retaining walls and surrounding proposed patios, creation of a patio extension at present tarmac, instatement of horse troughs in the present car park) as the proposed changes are to relatively recent alterations at the property. The additional horse troughs as proposed would further serve to enhance the Inn's significance as a historical pack horse train stop along established trade routes through the area.

The only point for refinement is to ensure that the proposed stone cladding which finishes the face of the steps and the walls surrounding the patio is locally sourced Yorkstone, chosen to match the Inn's fabric in appearance and durability. This should likewise be applied to the flags proposed to cover the ground. This should be sent to the LPA for approval prior to the commencement of these works.

One point which has negatively impacted the significance of the heritage asset is the loss of the mature cherry tree. As stated in the building record, part of the Inn's significance lies in its backing onto the Ashworth Valley. However, the proposal of an adequate number of replacement trees is agreeable and will therefore result in a neutral impact on the significance of the non-designated heritage asset and the conservation area. Details of the number and species of the replacement tree should be sent to the LPA and agreed upon with the Tree Officer prior to instatement.

Drainage Officer

The new patio and new horse park are quite small areas and are over an area that is already a hard-standing area. As such, I see no need for any drainage condition to be applied to this application.

Environmental Protection (Noise)

I have reviewed the report and I am satisfied with its conclusions.

REPRESENTATIONS

Letters of notification were sent to all surrounding properties, a site notice was displayed and an advert placed in the newspaper. Two letters of representation have been received making the following comments:

1. Loss of privacy;
2. Noise impact which will impact sleeping/health;
3. The development has two components working against each other, with a reduction in car parking spaces which reduces capacity to park but increasing capacity for visitors and the impact of cars parking on the lane;

4. If this is approved a great example of not considering the wider impact on the local area, increasing the risk of road traffic, pollution, accidents, Elbut Lane / Birtle Road becoming a car park, with horses, families at risk;
5. Detrimental development for nothing more than increase in profit [Officer Note: *this is not a material planning consideration*].

ANALYSIS

Principle of Development

The NPPF states in paragraph 147 that *'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.'* Paragraph 149 continues and sets out that exceptions under which proposals would not be considered inappropriate. The proposal comprises a reframing of an existing area of hardstanding using gabion walls with infrastructure included for horses to be kept along with new paving to the patio area. Exception B is somewhat relevant in that the proposals will provide facilities for outdoor recreational horse riders within the local area. Separately exception g allows for limited infilling or redevelopment of previously developed land where it would not have a greater impact on the openness of Green Belt. The introduction of the gabion walls would provide a small increase in built structures on the site. It is however noted that existing temporary landscaping planters exist in these locations which do not require permission, whilst the previous extant use for car parking also exists. Separately the area of new walling is minimal and is in a corner of the site with well-defined mature landscape boundaries that significantly limits any wider impact on the Green Belt. With these considerations in mind it is considered that the proposals would not have a greater impact on the openness of Green Belt and as such would not be inappropriate.

Visual Amenity and Impact on Heritage Assets

Paragraph 195 of the National Planning Policy Framework states that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. Paragraph 197 goes on to state that In determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 203 of the NPPF adds that 'the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

Policy P1 of the Council's adopted Core Strategy seeks to require design which is of a high standard, demonstrating innovation and originality, and maximising the potential for heritage assets to provide a sense of place and image. Policy P2 seeks to conserve, enhance and promote key heritage assets and utilise heritage assets positively and intelligently to strengthen identity and image.

Further to this, Policies DM1 and P3 of the Council's adopted Core Strategy require 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. In addition, paragraph 126 of the National Planning Policy Framework (NPPF) states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 130 of the NPPF goes on to state that planning policies and decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

The Pack Horse Inn has recently been designated a non-designated heritage asset due to its proven historical community significance as well as appearing on a first edition, Ordnance Survey Map of Lancashire (dated 1848). The Council's Conservation Officer has been consulted on the application and considers the proposed changes will not negatively impact the significance of the heritage asset as the proposed changes are to relatively recent alterations to the building. The additional horse troughs as proposed would further serve to enhance the Inn's significance as a historical pack horse train stop along established trade routes through the area.

The proposed changes are set back from the road and screened by boundary hedging, the car park and the building itself to some degree and will not be particularly visible from the road. The only refinement is to ensure that the proposed stone cladding to the face of the step and the walls surrounding the proposed patio is locally sourced Yorkstone which would match the Inn's fabric in appearance and durability and this should also be applied to the flags proposed to cover the ground. This matter can be secured by way of a condition.

One matter which has negatively impacted the significance of the heritage asset is the loss of the mature cherry tree. As highlighted previously, part of the Inn's significance lies in its backing onto the Ashworth Valley. However, replacement planting is agreeable in this instance and will therefore result in a neutral impact on the significance of the non-designated heritage asset and the conservation area. Details of the number and species of the replacement trees can be secured by way of condition.

With the recommended conditions in place, the proposed development is considered acceptable in terms of its overall impact on the character and appearance of the site, surrounding area and on the significance of the non-designated heritage asset. The proposal is therefore in accordance with policies P1, P2, P3 and DM1 of the Adopted Rochdale Core Strategy, as well as the National Planning Policy Framework.

Residential Amenity

Paragraph 130 of the National Planning Policy Framework advises that planning decisions should result in places with a high standard of amenity for existing and future users. Policy DM1 of the Core Strategy states that proposals should

adversely affect the amenity of residents and be compatible with surrounding land uses. Policy G9 seeks to prevent developments that would lead to an unacceptable increase in pollution.

A Noise Impact Assessment Report has been submitted with the application which concludes

The results of our calculations have indicated that the noise level incident upon the nearest residential properties to be 40 dB LAeq during the opening hours of the pub. The assessment indicates that the overall noise egress from the likely noise sources associated with proposed development are below the existing ambient noise climate at the nearest noise sensitive receivers during both the day and night time periods. As such this is an indication that the proposed installation falls within the lowest observed adverse effect level and would have a low impact on the surrounding residential receivers, and is therefore in accordance with the National Planning Policy Framework.

In addition it is noted that the highest calculated absolute noise levels are below the BS8233:2014 and WHO Guidelines for Community Noise suggested external noise levels of 50 – 55 dB outside dwellings during the daytime and 45 dB during the night-time.

The Noise Impact Assessment Report has been reviewed by the Council's Environmental Protection officer who has advised they are satisfied with the conclusions in the report.

Concerns have been raised with regards to the noise impact which will impact sleep and health. Environmental Protection officers are satisfied with the conclusions in the Noise Impact Assessment Report and as highlighted previously, the patio area and horse park are, to some degree, already in existence as there is seating and horse parking in the location proposed for the patio.

The proposed patio and horse park is approximately 30m from the boundary with the closest neighbouring properties at 1-2 and 3 Moulding Moss Cottages. The proposed patio and horse park are at a lower level than the existing patios and the car park between the proposal and the neighbouring properties will be retained. Due to the separation distance and the lower level, officers do not consider that the proposal will result in an unacceptable impact on amenity in regards to overlooking and loss of privacy.

The proposal is therefore considered to be acceptable in terms of its impact on the amenity of neighbouring properties and is in accordance with the requirements of policies G9 and DM1 of the Core Strategy.

Highways

Paragraph 111 of the NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Policy T2 of the adopted Core Strategy concerns improved accessibility.

The application has been reviewed by the Council's Highways Engineer who raised no objection to the proposed development. Although there would be a loss of 4 parking spaces, these spaces to be lost are not currently in use and Highways

officers advise the residual parking provision is only marginally below the Council's maximum parking standards and this would not warrant refusal of the application.

The servicing arrangements for the building would remain unchanged and the development should not have any impact on road safety or highways capacity. The proposed patio is not significant in size and officers do not consider that the proposal would increase the number of customers to a degree where it would become harmful to the living environment of neighbouring properties.

As such, the proposed development would not result in a detrimental impact on road safety, and is in accordance with Policy T2 of the Core Strategy and the NPPF.

Flooding and Drainage

Policy G8 requires that new development does not lead to any form of increased flooding or impeded natural water and flood risk management. The Council's Drainage Officer has reviewed the application and has raised no objection, or requested conditions, to the proposal and the proposed development therefore complies with Policy G8 of the adopted Rochdale Core Strategy.

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. This permission relates to the following plans:

Location Plan
Received 14th March 2023

Drawing No: 4002-PL02 Rev A – Proposed Ground Floor / Site Plan
Drawing No: 4002-PL03 Rev A – Existing & Proposed Elevations
Received 14th April 2023

and the development shall be carried out in accordance with the approved drawings.

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, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

3. Notwithstanding any description of materials in the application or on the plans, no above ground construction works shall take place until samples and / or full specifications of materials to be used externally on the building, patio and horse park, 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, particularly the use of stone cladding to the face of the steps and walls and the flags to cover the ground which shall be locally sourced Yorkstone. 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 P3 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

4. No above ground construction works shall take place until details of the proposed replacement tree planting has been submitted to, and approved in writing by, the Local Planning Authority. The details shall specify species (native), planting sizes, spacing and numbers of trees (including tree pit specifications where appropriate), and must include a maintenance programme detailing all operations to be carried out in order to allow successful establishment of planting.

Planting shall be carried out in accordance with the approved details within 3 months of the planning permission or in accordance with a timetable agreed in writing with the Local Planning Authority. Any trees which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, to be agreed in writing by the Local Planning Authority.

Reason: Insufficient information is contained within this submission and in the interest of ensuring that the replacement tree planting positively impacts on the significance of the non-designated heritage asset and the conservation area in accordance with Policies P2 and DM1 of the Rochdale Core Strategy.

5. No construction, demolition or associated deliveries shall take place outside the hours of 0800hrs to 1800hrs Mondays to Fridays, and 0800hrs to 1300hrs on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays without prior written approval from the Local Planning Authority.

Reason: In order to protect occupiers of nearby properties from unreasonable disturbance from works connected with implementing this permission in accordance Policy DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Procedure Statement

The Local Planning Authority worked proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition.