

APPLICATION NUMBER: 24/00837/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

24/00837/FUL

CASE OFFICER

Aimee Bovaird

DETERMINATION DATE 17.10.2024 EXT OF TIME 01.11.24

Address: Land Adjacent To The Gable Of The End Terrace (no 34 Queen Street)

Proposal: Erection of 1 No. two storey dwelling comprising of 1 No. two bedroom and 1 No. one bedroomed self-contained apartments -(Resubmission of 23/00985/FUL)

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?	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
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CONDITIONS	Pre-commencement conditions proposed?	Y
	Pre-commencement conditions agreed (or notification period expired)?	Y

RECOMMENDATION

GRANT subject to conditions

CHECKED AND SIGNED OFF BY: LA

DATE: 31.10.24

SITE

The site is located on land adjacent to 34 Queen Street Heywood. This is a residential area in the Defined Urban Area. The site is currently grassed and there is an alley way to the rear of the existing houses. North and west of the site are existing rows of terraced housing. The dwellings are characterised by traditional red brick. South of the site is a nursery.

This site is a greenfield site as although there was historically houses on the site, they have been removed at least since 2005 and the land is free from built development. On this site there has previously been a tree, this has now been removed. There is a red post box that is locked and does not appear to have been used in a long time. The site is grassed and overgrown.

The site was previously owned by the council and sold in 2019, within the auction pack it has been commented that the site may be possible for redevelopment.

PROPOSAL

The application proposes the erection of 1 No. two storey dwelling comprising of 1 No. two bedroom and 1 No. one bedroomed self-contained apartments, this is a resubmission of 23/00985/FUL following its refusal for the following reasons,

1. By reason of internal layout the proposal would result in a poor standard of amenity for future occupiers as both apartments do not meet the minimum standards and Apartment 1, bedrooms 1 and 2 would have a poor outlook. The proposed development is also poor design and would be harmful to the character and appearance of the surrounding area. As such the proposal would not comply with policies DM1, P1, P2, P3 and C3 of the adopted Rochdale Core Strategy, the Guidelines and Standards for Residential Development' (June 2016) SPD and the National Planning Policy Framework and relevant policies in Places for Everyone.
2. By reason of the proposal encroaching on the unadopted highway this would have negative effect on pedestrians using the highway and footpath, and would be unacceptable in regards to highway safety. As such the proposed development fails to accord with Policies T2 and DM1 of the adopted Core Strategy and the National Planning Policy Framework and Places For Everyone.

Apartment one is on the ground floor and consists of two bedrooms, lounge/ kitchen and a bathroom.

Apartment two is on the first and second floor and will consist of one bedroom, living room, kitchen/dining room and bathroom.

The site's red edge borders with no.34 Queen Street and the proposed development will be approx. 1m away from this dwelling.

The proposed materials are red facing brick and slate effect roof tiles. The boundary wall is 1.38m and the proposed material is stone. The height of the proposed development is 6m to the eaves and 8.5m to the

No parking is proposed with the development.

RELEVANT PLANNING POLICY

National Guidance

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

Sub-Regional

Places for Everyone Joint Development Plan (PfE)

7. Places for Homes

JP-H 3 Type, Size and Design of New Housing
JP-H 4 Density of New Housing

9. Places for People

JP-P 1 Sustainable Places

Adopted Rochdale Core Strategy (CS):

SO2 Creating successful and healthy communities
C1 Delivering the right amount of housing in the right places
C2 Focusing on regeneration areas and economic growth corridors/areas
C3 Delivering the right type of housing
C4 Providing affordable homes
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

SO5 Improving accessibility and delivering sustainable transport
T2 Improving accessibility

DM1 General Development requirements
SD1 Delivering sustainable development

Unitary Development Plan (UDP):

G/D/1 Defined Urban Area

EM/7 Development and Flood Risk
EM/8 Protection of Surface and Ground

Supplementary Planning Documents (SPD):

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

RELEVANT SITE HISTORY

23/00985/FUL - Erection of 2.no 2 bedroom self-contained apartments - Refused

CONSULTATION RESPONSES

Highways And Engineering

Subject to the success of the highways closure we have no objection to this proposal.

Lead Local Flood Authority/Drainage

No objections

Env Health - Noise/Odours

No objections.

United Utilities

No comments received to date

Community Safety -Sajjad Miah

No comments received to date

REPRESENTATIONS

Letters of representation have been sent out and a site notice has been displayed in the vicinity. No comments have been received.

ANALYSIS

Principle of Development

The proposed development is within the Defined Urban Area, as designated under the Proposals Map of the Unitary Development Plan (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.

The principle of constructing new apartments on a site within the urban area is therefore acceptable and in accordance with the adopted Core Strategy, saved policies within the Unitary Development Plan and the NPPF and PfE.

The previous application was refused as the development was considered poor design which would be harmful to the character of the area. The second reason for refusal was the development would result in a negative effect on the highway and this was not considered acceptable.

Further planning considerations will be considered below.

Design and character and appearance

Policies DM1 P1, P3 and P3 of the adopted Core Strategy requires all new developments, regardless of location in the borough, to adhere to high standards of design.

The proposed front and side elevation will be red facing brick to match existing dwellings. The rear elevation is proposed to be rendered, the materials will match the surrounding dwellings and are considered acceptable as the development will sit comfortably within its context. The overall scale and form of the proposed development is reflective of houses in the area, continuing the eaves and ridge

height of the existing dwellings. This differs from the previous application where the windows and doors did not reflect surrounding dwellings, the proposed development now contributes to a good standard of design.

The proposed boundary wall will be 1.38m in height to the front and rear of the property the proposed material is stone, this is considered acceptable as it will match surrounding houses.

As such, it is considered that the 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.

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. Further to the above are the considerations of the Councils Supplementary Planning Document (SPD) 'Guidelines and Standards for Residential Development' which states that new developments *"should be carefully designed to protect the amenity of the occupants of adjoining properties."*

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. PfE Policy JP-H3 also establishes the requirement for new dwellings to be compliant with the Nationally Described Space Standards. This policy also requires all new dwellings to be built to the 'accessible and adaptable' standard in Part M4(2) of the building regulations.

Apartment 1 has an area of 62.25m² and apartment 2 has an area of 66.4m², both meet the minimum requirements set out in the NDSS, this contributes to an acceptable standard of amenity for future occupiers.

The proposed rear garden area is small however it is noted this has been increased from the previously refused application. The surrounding residential dwellings are characterised by small rear gardens and on balance this is considered acceptable. The bins are also proposed to be stored within a bin cover and this will help maintain an acceptable outlook from the bedroom windows on the ground floor. The previous application had not considered the outlook from the dwellings to the bin store and this has now been overcome.

The Guidelines and Standards for residential development SPD set out space standards for new development. It sets out '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'.

The proposed development is approx. 14.6m from the rear development on Hilda Street and approx. 8.6 to the rear facing boundary. These distances fall short of the standards however it is acknowledged this is a characteristic of the area and is considered acceptable. There has been previously been dwellings on this site and this is a contributing factor in why the separation distances are considered acceptable.

As such, it is considered that the proposals would comprise an acceptable standard of amenity for future occupiers and accord with the requirements of Policies DM1 and P3 of the adopted Core Strategy and the National Planning Policy Framework.

Highways and refuse collection

Policy T2 of the adopted Core Strategy seeks to improve accessibility by locating development where good access to public transport is available or can be provided and in all circumstances, prioritises the safety, accessibility and amenity of those who live or have business in the area. Policy DM1 also states that all development proposals should provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements taking into account of the proposed use and location. Paragraph 115 of the National Planning Policy Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The *Guidelines and Standards for Residential Development* SPD states that bin storage areas that require excessive movements from the storage area to the street should be avoided and any bin storage areas and access arrangements, including access routes for collection vehicles, should be provided in accordance with all relevant legislation and guidance, such as any relevant local planning documents, Building Regulations and Highways requirements.

The proposed bin store is at the rear of the development and this is considered acceptable subject to details of the bin store being secured via condition.

Rochdale Core Strategy sets out in Appendix 5 the minimum number of spaces required, for 2+ bedroom apartments, 2 spaces per dwelling are required. Highways have not raised any objection in regards to parking. It is noted the proposal does not include the provision of off street parking however this is characteristic of the area. On-street parking is generally a common feature in the area.

The application was supported by a Planning Statement, this included information showing the applicant has applied for a highways closure. This information was not submitted in the previous application and contributed to a previous reason for refusal.

The Council's Highways Officer has been consulted and raised no objections subject to the success of the highways closure, which is a process that lies outside of the planning regulations. An informative will be added to the effect that the development should not commence until the highways closure has been approved.

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.

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 and document:

- Proposed 2.No self contained apartments on vacant land Previously no 30 and 32 Queen Street DWG 1 of 5 Rev F (Site Location Plan, existing and proposed Block Plan)
- Proposed 2.No self contained apartments on vacant land Previously no 30 and 32 Queen Street DWG 1 of 5 Rev F (Proposed floor plans and sections)
- Proposed 2.No self contained apartments on vacant land Previously no 30 and 32 Queen Street DWG 2 of 5 Rev G (Existing and Proposed Elevations)
- Proposed 2.No self contained apartments on vacant land Previously no 30 and 32 Queen Street DWG 4 of 5 Rev G (Proposed side and rear elevations)
- Proposed 2.No self contained apartments on vacant land Previously no 30 and 32 Queen Street DWG 5 of 5 Rev C (Proposed front, rear and side elevations)
- Planning Statement

and the development shall be carried out in complete accordance with these drawings hereby approved unless otherwise required by the conditions below.

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. No part of the development shall be occupied until details of the bin store have been submitted to and approved by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structure should be made available for use before the first occupation of the dwellings. The structures shall thereafter be retained.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and in the interests of visual amenity and accord with the requirements of Policies DM1 and P3 of the adopted Core Strategy and the National Planning Policy Framework.

4. No development shall take place until such time as a scheme for the disposal of foul and surface waters from the site has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separately from foul water. The surface water drainage scheme should be based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions, and include details of how the scheme shall be managed after completion. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface and foul water from the site in accordance with the requirements of Policy G8 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As the proposals require ground works, these details are required prior to commencement of any building or engineering works on site.

Procedure 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.

INFORMATIVE:

It is the developer's responsibility to ensure that the stopping up of the highway at the junction of Queen Street / Holland Street is complete.

Report Author Aimee Bovaird