APPLICATION NUMBER: 20/01259/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
20/01259/FUL	Majid Mir	9 December 2020

Address: Land Opposite 12 Lytham Street Rochdale OL12 6HD

Proposal: Change of use of land to private garden

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/A

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

RECOMMENDATION	

CHECKED AND SIGNED OFF BY: KN DATE: 11 December 2020

SITE

The application relates to a plot of land on the opposite side of the road from no. 12 Lytham Street. The plot of land that the applicant is proposing to use a garden space

sits on the edge of the land identified as playing fields and is protected recreational open space. To the north of the plot of land is a vehicle parking space used by the occupants. The plot of land is adjacent to land that is already being used as private garden space by the occupants of the neighbouring property.

PROPOSAL

The applicant proposes to change the use of land from the existing recreational open space to private garden space and erect a 1.2m high fence around the perimeter of the site.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – February 2019

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

SO3 To improve design, image and quality of place
P2 Protecting and enhancing character, landscape and heritage
P3 Improving design of new development
G6 Enhancing green infrastructure
DM1 General Development Requirements

Unitary Development Plan (UDP):

G/D/1 Defined Urban Area
G/3 Protection of Existing Recreational Open Space

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

RELEVANT SITE HISTORY

Not applicable.

CONSULTATION RESPONSES

Not applicable.

REPRESENTATIONS

Letters of notification have been sent to neighbouring properties and a site notice was placed in the vicinity of the site. No representation has been received.

ANALYSIS

Principle

- The application site is within the Defined Urban Area as allocated under saved UDP policy G/D/1. This therefore establishes that development should be concentrated in the urban area so as to protect the countryside.
- The plot of land the applicant proposes to change of use to private garden space is on the edge of land identified as protected recreational open space.

However, the plot of land is separated from the rest of the recreational open space by trees that run along the edge of the recreational open space. Additionally, the plot of land sits considerably higher than the rest of the recreational open space.

- It is noted that a number of the neighbouring properties are already using similar plots of land opposite their property as private garden spaces. Additionally, the use of the plot of land by the occupants of no. 12 Lytham Street will increase the outdoor amenity space available.
- Policy G6 of the adopted Rochdale Core Strategy indicates that the green network should be sustained and enhanced with an emphasis on providing local opportunities for recreation. The space the applicant proposes to use as private garden space is not easily accessible due to the topography of the area and is located on higher ground than the rest of the recreational open space. Additionally, there are strip of trees that separate the plot of land from the rest of the recreational open space.
- Considering the location of the plot of land, it is considered it has limited value as open recreational space. Additionally, it considered that the change of use to private garden space would not undermine any surrounding land uses and would be appropriate considering the character of the immediate area. Furthermore, it is considered that the benefits to the applicant outweigh the loss of a plot of land that is unused and not easily accessible. It is therefore considered that this element of the application is acceptable in respect of principle and is in accordance with saved policy G/D/1.

Design

- The proposed boundary treatment will be low level and will be 1.2m high. It is therefore considered that it would not be a prominent addition. By virtue of its size and design and the plot of land being set on lower ground, it is considered that it would have limited impact on the street scene.
- The design of the proposal is therefore acceptable and accords with policies DM1 and P3 of the adopted Rochdale Core Strategy, the SPD and the NPPF.

Neighbouring Amenity

- Taking into consideration the location of the proposed garden and its relationship with neighbouring properties, it is considered that the proposed garden and low level fencing would not unduly impact on the amenity of occupants of neighbouring properties.
- The proposal is therefore in accordance with Policy DM1 of the adopted Rochdale Core Strategy, Residential Development SPD and the guidance contained within the NPPF.

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
   Proposed block plan
   Fencing detail

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

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the saved Rochdale Unitary Development Plan, the adopted Rochdale Core Strategy and the National Planning Policy Framework.

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.

Notes for Applicant:

This permission does not supersede any legal covenants or rights in relation to the application site.

Report Author Majid Mir