DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
18/01408/FUL	Michael Atkinson-Smith	11 March 2019

Address: Side/Rear Garden Of 9 Broadhalgh Road Rochdale OL11 5NJ

Proposal: Erection of detached dwellinghouse

PUBLICITY	**Weekly list expired?**	Y	**Site notice expired?**	N/A
	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?	Y

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

RECOMMENDATION	GRANT

CHECKED AND SIGNED OFF BY: DR **DATE: 11/03/2019**

SITE

The site comprises part of the large garden serving Graystones (No. 9 Broadhalgh Road) which is situated south west of the junction of Broadhalgh Road and Bamford Way. To the north of the site are numbers 2 and 4 Bamford Way; to the west is 3 Bamford Way and to the east and south are residential properties at 7 Broadhalgh Road and 2 and 4 Beaumonds Way respectively. Planning permission has previously been granted for a large two storey dwelling on site under application reference 07/D50224, although this permission was never implemented and subsequently the host dwelling has been extended by means of a side extension under application reference 12/D55318.

The immediate area is residential in character with a range of buildings styles, heights, types, and ages. Large gardens and greenspaces are common in the area but not features of all properties.

PROPOSAL

The proposed development is the erection of a three bedroomed dwelling with a north-south orientation alongside the eastern elevation of No. 3 Bamford Way, encompassing part of the side/rear garden of No. 9 Broadhalgh Road. The proposed dwelling would have a predominantly 1.5 story mid-section with single store outriggers to the north and south elevations. The main roof would have a north - south orientation in order to reduce the impact on the adjacent properties and to reflect the appearance of the front elevation of No. 3 Bamford Way.

The proposed external materials include white rendered external walls with Staffordshire Blue dpc brickwork. The roof would be covered with Marley Ashmore Old English dark red concrete tiles (subject to confirmation) which have a profile similar in appearance to the plain clay tiles to No. 9 Broadhalgh Road.

The driveway will be constructed with block paving, providing a permeable surface, and the perimeter paths and bin storage / patio areas will be laid with artificial stone paving. There is an existing tree, adjacent to the previously approved driveway access, which is to be retained. Part of the existing hedge will be removed to facilitate the new driveway. There will be landscaped areas provided to the front and rear areas which will be grass seeded or turfed and planted with shrubs and ornamental trees. The new boundary separating the proposed dwelling from No. 9 Broadhalgh Road will be a 2 metre high close boarded timber fence. The existing fences to the remaining boundaries are to be retained. The north boundary hedge will be retained and pruned back as required.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – February 2019
National Planning Practice Guidance (NPPG)

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
SO3	**Improving design, image and quality of place**
P3	Improving design of new development
SO4	**Promoting a Greener Environment**
G6	Enhancing Green Infrastructure
G8	Managing water resources and flood risk
G9	Reducing the impact of pollution, contamination and land instability
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 Water

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

RELEVANT SITE HISTORY

12/D55318	Single storey extensions to dwelling (resubmission of D54559). Granted STC May 2012
11/D54559	Erection of single storey side extension to dwelling. Withdrawn August 2011
07/D50224	Erection of a detached dwelling. Granted STC January 2008
02/D40631	Erection of one dwelling. Granted STC November 2002

CONSULTATION RESPONSES

Highways And Engineering – We have no objections to this proposal.

Lead Local Flood Authority/Drainage: **Summary:** No Drainage Proposals were submitted. UU have provided Guidance on surface water and foul drainage guidance on their response to this application. In the event of surface water discharging to sewerage: the rate of discharge shall be restricted to the lowest possible rate; prior to connection to the sewer, the flow rate shall be agreed with United Utilities, because they own the combined sewer in Broadhalgh road; and foul & surface water system shall be separate and only combined at the site's final outfall manhole i.e. in accordance with Building Regulations Part H5 (2010).

Public Protection (Environment) – **Summary:** No development shall take place until such time as a Phase I Report (Preliminary Risk Assessment) has been completed to assess the actual and/or potential contamination risks at the site and the report has been submitted to, and approved in writing by, the Local Planning Authority.

Tree / Landscaping Officer: No comments received to date

United Utilities - **Summary:** In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way (in accordance with the NPPG hierarchy).

REPRESENTATIONS

Letters of notification were sent to surrounding occupiers and a site notice posted in the vicinity. Three letters of objection were received from neighbouring occupants, citing the following concerns:

- The proposed development would lead to overlooking and loss of privacy
- Outlook would be affected

- The proposed development will be out of character with the remaining developments in the surrounding area in terms of scale, design and layout, including the provision of large gardens and green spaces.

These matters are addressed in the relevant report sections below.

ANALYSIS

Principle of Development and Contribution to Housing Supply

The proposed application site is located 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.

Annexe 2 of the National Planning Policy Framework defines 'previously developed land' as land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes land in built-up areas, including private residential gardens.

As the site forms part of a residential garden, the site would therefore be considered to represent an area of previously un-developed, or greenfield, land. Policy C1 of the Core Strategy outlines that the Council will promote the reuse and regeneration of vacant and underused previously developed sites and focus only on sustainable Greenfield sites which provide the best access to a range of services, jobs and facilities and have limited impact on green infrastructure and amenity.

In relation to housing supply, Core Strategy policy C1 requires the provision of at least 460 net additional dwellings per year in the period 2012 to 2028 to assist in the creation of successful, inclusive and mixed communities and meet the housing needs. The policy acknowledges that this is a challenging target and whilst it seeks to ensure that the focus is on maximising the use of brownfield sites it states that the development of greenfield sites may be necessary.

Whilst the latest published information suggests that the Council can demonstrate a five year supply based on the Core Strategy target; this does not preclude the promotion of sustainable development where this can assist in delivering additional housing to meet local needs. Therefore, whilst a five year supply can at present be demonstrated, the Council must ensure there is no ongoing deficit in supply.

As such, the principle of development of a greenfield site such as this for residential purposes in the urban area is acceptable in principle; however, this factor must be balanced against all other material considerations as outlined below.

Layout, Design and Appearance

The application proposes the subdivision of the existing large side and rear garden area of No. 9 Broadhalgh Road and the erection of a 1.5 storey building in line with the neighbouring row of low odd numbered properties on Bamford Way. The lower ridge height than the neighbouring dwelling at No. 3 Bamford Way will assist in the proposed dwelling appearing appropriately positioned in the row, given that the side extension of No. 9 Broadhalgh would be of a similar height. Across the front elevation, the proposed dwelling is modest in form and proportion and would take the form of a bungalow with a ridge line perpendicular to the highway. It is noted that despite the relatively close proximity of the proposed dwelling and No. 3 Bamford Way, the roof formations will have the effect of providing a higher degree of

separation as a result of the increased space between the buildings at first floor level.

The design of the proposed dwelling takes visual cues from properties in the immediate row in respect of design and roof formation and the modestly protruding gable fronted garage and canopy covered external porch would add visual interest. The fenestration design and proportions are acceptable. It is noted that the immediately adjacent dwelling at No. 3 Bamford Way is formed from brickwork, but the proposed rendered finish is considered to be acceptable given that there is an increasing prevalence of such finishes within the immediate vicinity and the host property at No. 9 Broadhalgh Road is already fully rendered, including its later extension which would stand close to the side of the proposed dwellinghouse. The red roof tiles would contrast with the dark grey of No. 3 Bamford Way but be similar in appearance to those at 9 Broadhalgh Road. Taken as a whole, the proposed materials are considered to be acceptable. However, to ensure a satisfactory standard of visual appearance full samples should be provided.

Whilst acknowledging the loss of a street fronting area of garden, the proposed landscaping will soften the appearance within the street scene. Full details of proposed boundary treatments and landscaping details have not been provided and should be secured through condition, although it is noted that the proposal seeks to retain existing hedge and tree features in the front garden area. Appropriate landscaping of the front boundary will reduce the visual impact on the street scene of cars being parked in a dominant position in the front garden area.

Subject to the suggested conditions in respect of boundary treatments, landscaping and materials, the proposed dwelling is considered to be compatible with its surroundings in terms of scale, massing, height, position and design detailing and as such would comply with the requirements of Core Strategy policies P3, C3, G6 & DM1 and the NPPF. Amongst other things, these require developments to be sympathetic to local character and visually attractive as a result of good architecture, layout and effective landscaping.

Impact upon Residential Amenity

The Council's adopted Supplementary Planning Document '*Guidelines and Standards for Residential Development'* (2016) 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.

Due to the stepped rear elevation of the proposed dwelling, the rearward projection beyond the rear elevation of No. 3 Bamford Way would accord with the relevant standard in the SPD. As such, the outlook from the rear facing habitable rooms of this dwelling would not be unduly affected. It is noted that a utility room window is shown in the side elevation of No. 3 Bamford Way on the plans for application ref. 17/01336/HOUS which is currently being implemented. However, this secondary room window does not require an outlook or to benefit from light given its position and use. It is noted that an additional window has been inserted in the side roof plane of this dwelling not shown on the approved plans for planning permission being implemented. However, given that the corresponding side roof plane window of the proposed dwelling appears to be at 1.7m above internal floor level, it is not considered reasonable of necessary to require for it to be obscure glazed to protect the amenity of the neighbouring occupants.

The single first floor habitable room window in the rear elevation of the proposed dwelling would be 18m from the rear boundary which significantly exceeds the minimum requirement of 10.5m contained within the SPD. The same window would be 36m from the rear elevation of No. 4 Beaumonds Way and 47m to directly facing

habitable room windows of No. 2 Beaumonds Way, again significantly in excess of the required minimum separation distance of 21m. The impact of the proposal on these properties is therefore acceptable.

The rear facing habitable room windows of No. 7 Broadhalgh Road would look directly towards the rear garden area of the proposed dwelling at a distance of 21m, ensuring that there would be no undue overlooking of the proposed garden area from this property. At a 45 degree angle from the first floor habitable room window of the proposed dwelling, it cannot be said that the proposal would lead to an unacceptable level of increased overlooking or loss of privacy for the occupants of No. 7 Broadhalgh Road. Indeed, the existing dwelling at No. 9 Broadhalgh Road already has a far greater impact on overlooking of this property than the proposed dwelling by reason of the relatively low separation distances from windows to the boundary.

The resultant garden area of No. 9 Broadhalgh Road would be much smaller than at present but not necessarily unacceptably so. The outlook from this property would not be significantly affected given the siting of the main part of the house away from the common boundary with the proposed dwelling. The windows in the rear elevation of the extension to No. 9 Broadhalgh Road serve the garage and utility room and these windows do not require a specific level of outlook. The roof formation of the proposed dwelling which would slope down towards the boundary would further reduce the impact on the host property. There would be a window in the east elevation serving the dining area but this would be at high level and would not be overlooking or invade the privacy of the retained garden to No. 9 Broadhalgh Road.

Therefore, in light of the above assessment, the proposal would accord with Core Strategy Policy DM1, the SPD and the NPPF which amongst other things seek to ensure that developments do not adversely affect the amenity of residents through visual intrusion, overbearing impact or loss of privacy.

Highways, Access and Parking

The proposed development would benefit from two off-street parking spaces with associated turning space and with no detriment to the existing parking provision at No. 9 Broadhalgh Road. No objections have been received from the Council's Highways Officer and the proposed parking and access arrangements are in accordance with Core Strategy policies T2 and DM1 and the requirements of the NPPF.

Drainage and Flood Risk

Full drainage details have not been provided with the application. The site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way in accordance with the NPPG hierarchy. Full details of the proposed drainage strategy, including confirmation of the acceptance of the proposed flow rate to United Utilities' combined sewer, should be secured through condition. Subject to an acceptable drainage scheme in respect of the above being submitted to and approved in writing by the LPA, the requirements of Policy G8 of the Core Strategy and the requirements of the National Planning Policy Framework would have been met.

Land Contamination

Core Strategy Policy G9 states that the Council will ensure that any risks arising from contaminated land or land instability are identified, and that any appropriate actions to address these risks are taken, prior to development taking place.

Despite the site being a residential garden, the presence of ground based contaminants cannot be ruled out. Consultation has been carried out with the Council's Public Protection Officer who suggests that prior to commencement of the development a Phase I Report (Preliminary Risk Assessment) should be completed to assess the actual and/or potential contamination risks at the site and the report should be submitted to, and approved in writing by, the Local Planning Authority. It is therefore concluded that, subject to an appropriate condition and subsequent actions in respect of the above, the requirements of Policy G9 of the Core Strategy and the National Planning Policy Framework in relation to land contamination and land stability would have been satisfied.

Conclusion

As the proposal would make use of a greenfield site located within the Defined Urban Area and close to existing local amenities and public transport routes with no detrimental amenity impacts identified, the application is considered to be acceptable in principle and matters of detail and is therefore recommended for approval.

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:-

- 1849.02 Location Plan and Existing Site Plan Location Plan
- 1849.01 Proposed Floor Plans and Elevations
- 1849.04 Rev. A Proposed Site Plan

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 Core Strategy, the Unitary Development Plan and the National Planning Policy Framework.

3 No development shall take place until such time as a Phase I Report (Preliminary Risk Assessment) has been completed to assess the actual and/or potential contamination risks at the site and the report has been submitted to, and approved in writing by, the Local Planning Authority. The Preliminary Risk Assessment shall include a desk top study, site walk over, conceptual model, basic hazard assessment and recommendation regarding the need or otherwise for further investigation and risk assessment.

Where the Phase 1 Report has identified potential unacceptable risks, a suitable investigation, risk assessment and remedial action shall be carried out in accordance with details and within a timescale to have first been submitted to and approved in writing by the Local Planning Authority.

In the event that contamination is suspected or found at any time when carrying out the approved development that was not previously identified, or contamination is caused, the Local Planning Authority shall be notified

immediately and development affected and potentially affected by the contamination must stop. An investigation and/or risk assessment and/or remediation shall be carried out in accordance with an agreed process and within agreed timescales to have first been submitted to and approved in writing by the Local Planning Authority. If contamination is not suspected, found or caused during development, this must be confirmed in a completion letter which is subject to the approval in writing of the Local Planning Authority

Reason: To prevent pollution of the environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Rochdale Core Strategy policy G9 and the National Planning Policy Framework.

Reason for pre-commencement condition: Further investigation will be necessary prior to commencement of any building or engineering works on site.

4 No development shall take place until a scheme for the disposal of foul and surface water from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the duly approved details before the dwelling hereby approved is first occupied, or within any other timescale first agreed in writing with the Local Planning Authority.

Reason: To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of foul and surface water from the site in accordance with the requirements of Saved Unitary Development Plan policies EM/7 and EM/8, Rochdale Core Strategy Policy G8 and the National Planning Policy Framework.

Reason for pre-commencement condition: As the proposals require ground works and engineering works an understanding will be necessary of the detailed drainage arrangements prior to commencement of any development on site.

5 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or full specifications of materials to be used externally on the building 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. 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 Core Strategy and the requirements of the National Planning Policy Framework.

6 No part of the development shall be occupied until details of the type, siting, design and materials to be used in the construction of boundaries, screens or retaining walls have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

Reason: In the interests of amenity and in compliance with Policies P3 and DM1 of the Rochdale Core Strategy and the National Planning Policy Framework.

7 (a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft

landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

(b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.

(c) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with Policy P3 of the 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:

Report Author Michael Atkinson-Smith