

APPLICATION NUMBER: 24/00029/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

24/00029/FUL

CASE OFFICER

Sam Yuen

DETERMINATION DATE 11.07.2024 **EXT OF TIME** 15.07.2024

Address: 13 Jonas Moore Close, Littleborough, OL15 8DP

Proposal: Relocation of boundary wall to form extension of existing garden

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

EIA	Screening opinion completed and saved to Onbase?	N
-----	--	---

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

RECOMMENDATION

REFUSE

CHECKED AND SIGNED OFF BY: RK

DATE: 16/07/2024

SITE

The application relates to no. 13 Jonas Moore Close, a two-storey detached dwelling located in a newly-constructed residential development in Littleborough. The dwelling is situated on a corner plot at the end of the highway and is adjacent to no. 34 Jonas Moore Close to the east, adjacent to no. 11 Jonas Moore Close to the north, and faces no. 10 Jonas Moore Close and the highway to the west.

PROPOSAL

Planning permission is sought for the forward projection of the existing 1.8m west-facing boundary wall towards the highway by 4.12m to facilitate an enlargement to the garden space to the host dwelling. The proposed wall would be set back 1.5m from the edge of the highway. The proposal would be constructed in matching stonework.

RELEVANT PLANNING POLICY

National Guidance

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

Places for Everyone Joint Development Plan (PfE)

The Places for Everyone Joint Development Plan was adopted and became part of the statutory development plan for each of the 9 authorities covered by the plan on 21st March 2024. The following policies are relevant:

Policy JP-P1 Sustainable Places

Adopted Rochdale Core Strategy (CS):

P3	Improving Design of New Development
DM1	General Development Requirements
T2	Improving Accessibility
Appendix 5	Schedule of Parking Standards

Unitary Development Plan (UDP):

G/D/1 Defined Urban Area

Supplementary Planning Documents (SPD):

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

RELEVANT SITE HISTORY

CONSULTATION RESPONSES

Highways and Engineering

The Highways Officer has raised no objection.

REPRESENTATIONS

Neighbour notifications via letters were sent to surrounding properties. Eight objection letters were received with the following representations:

- ☐ The proposal will look ridiculous and impact on the aesthetics of the street;
- ☐ The proposal would go against the SPD due to its proximity to the highway and strong building lines;
- ☐ The proposal will alter the layout of the original planning permission for the residential development which has been carefully considered;
- ☐ The proposed wall would be oppressive and intrusive;
- ☐ The proposal would take away the existing open space between the wall and highway;
- ☐ The proposal would spoil open views, sight lines and landscaping of the development;
- ☐ The proposal would set a precedent for other properties to do the same, impacting on the appearance of the street;
- ☐ The proposal would block light into neighbouring properties;
- ☐ The proposed relocated wall would be a hazard for kids;
- ☐ The proposed wall would obstruct views of vehicles traveling around the corner of the highway;
- ☐ Concerns for noise and dust levels of the build;
- ☐ The loss of views and natural light would impact on neighbour's mental wellbeing;
- ☐ Concerns on the upkeep of existing bushes to the front of proposed wall;
- ☐ The covenants within the title deeds restricts the opening of front boundaries;
- ☐ The proposal may impact on neighbouring foundations if not carried out by competent tradesman;
- ☐ The proposal would be sited directly above the drainage line for the highway and would make future investigations difficult;
- ☐ The proposal would devalue surrounding properties.

Officer's Comments:

- ☐ Concerns relating to the visual amenity and impacts of the proposal are addressed under the 'Design and Appearance' heading of the report.
- ☐ Concerns relating to residential amenity are addressed under the 'Amenity' heading of the report.
- ☐ Concerns relating to highway safety are addressed under the 'Highways and Parking' heading of the report.

- ☐ The construction of the proposal is not considered to result in long-term impacts in terms of noise and air pollution and the LPA therefore has no concerns in this regard.
- ☐ Matters relating to covenants are not material planning considerations.
- ☐ Concerns over damages to the neighbouring property relate to the provisions under The Party Wall etc. Act 1996 and are not material considerations in the determination of planning applications.
- ☐ Concerns relating to access to utilities are not material planning considerations.
- ☐ Devaluation of properties is not a material consideration in the determination of planning applications to which the LPA shall have no regard.

ANALYSIS

Design and Appearance: DM1 and P3

Achieving good design to achieve sustainable development is a key component of the NPPF, whereby decisions should ensure developments are visually attractive and sympathetic to local character. This is also reflected in Policy JP-P1 of the PfE and Policy DM1 and P3 of the adopted Rochdale Core Strategy, which require development to respect local context with regard to siting, size, scale, massing, height and materials.

The proposal is located within a newly constructed residential development with strong and unbroken building lines along the streets. There is a consistent setback of dwellings from the highway with clear edges defined by grass verges and hardstanding which provides a symmetrical appearance and a sense of openness that feels comfortably enclosed in the context of the open space to the south of the site. This spatial relationship contributes positively to the character of the area to which protection is warranted.

The proposed boundary wall would protrude 4.12m forward of this established building line and would erode the open space between the existing boundary wall and the highway. The resultant development would be readily visible when viewed from the junction between Jonas Moore Close and Quaker Drive and constitutes an obtrusive and incongruous structure which presents a hard edge against the highway. The proposal would fail to represent a satisfactory standard of design and would result in undue visual harm to the character and appearance of the surrounding street scene.

The proposed development would not be well-designed and would therefore fail to accord with Policies DM1 and P3 of the adopted Core Strategy, the SPD, Policy JP-P1 of the PfE, and the NPPF.

Amenity: DM1 and SPD

Protection of residential amenity is considered under Policy DM1 of the adopted Rochdale Core Strategy, which states development proposals should ensure they *“do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.”*

The proposed boundary wall would project 4.12m forward of the existing boundary treatments and representations have made note of this in relation to the guidance contained within the SPD for residential development. However, the proposed wall is of a height lower than those of single-storey extensions and thus the amenity impacts of the proposed works cannot not be directly comparable to fully roofed structures. Notwithstanding, the proposed projection would nonetheless comply with the space requirements of Section 5.6 and 5.7 and is not considered to result in unacceptable levels of overshadowing to the front habitable windows to no. 11. Likewise, the proposed wall would retain a 15.67m separation distance from the habitable rooms of no. 10 which would satisfy Section 4.1 (iii) of the SPD and would not be overly overbearing in this regard.

With regard to occupier amenity, the proposal would not affect provision of natural light to the existing habitable rooms of the host dwelling and would retain sufficient garden space of a functional layout.

The proposal would not unduly impact on the amenity of the occupants and therefore accords with Policies DM1 of the adopted Core Strategy, the SPD and the NPPF.

Highways and Parking: DM1 and T2, Appendix 5

Policy DM1 of the adopted Rochdale Core Strategy requires development proposals to *“provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements taking into account of the proposed use and location.”*

The proposed boundary wall would retain an open area measuring 10.71m by 6.82m at the junction between Jonas Moore Close and the adjoining access road. This distance is considered to be sufficient in maintaining visibility splay for vehicles and pedestrians turning at this junction. Additionally, owing to the proximity of off-street parking of no. 11 to the highway, sufficient splay would also be retained at this access. The Highways Officer has also made no objection to the proposed plans.

On this basis, the proposal would not inflict significant harm to highway safety and would be acceptable, in accordance with Policies P2 and DM1 of the adopted Core Strategy.

RECOMMENDATION: REFUSE

1. By virtue of its siting, scale and design, the proposed boundary wall would project forward of the established building line and constitutes an obtrusive and incongruous form of development which undermine the spatial relationship and character of the street scene. The proposed works would not be well-designed and therefore fails to accord with Policies DM1 and P3 of the adopted Rochdale Core Strategy, the Council's adopted Supplementary Planning Document 'Guidelines and Standards for Residential Development', the adopted Places for Everyone Joint Development Plan, 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.

Notes for Applicant:

INFORMATIVES

For the avoidance of doubt, this Decision Notice relates to the following submitted plans:

- ☐ Location Plan – received 11/04/2024
- ☐ Existing and Proposed Site Plan – Drawing No. 23.3241.4A received 11/04/2024
- ☐ Existing and Proposed Floor Plans and Wall Front Elevation – Drawing No. 23.3241.1A received 11/01/2024
- ☐ Existing Elevations – Drawing No. 23.3241.2 received 11/01/2024
- ☐ Proposed Elevations – Drawing No. 23.3241.3A received 11/01/2024

Procedural Note

Notwithstanding the application reference denoting a full application, the application was considered under a householder application as the submitted plans indicate the proposed works to take place within the curtilage of the host dwelling. The subsequent assessment is set out in this Officer's report.

Report Author Sam Yuen