

APPLICATION NUMBER: 23/00253/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00253/FUL	Rosalind Gralton	31 May 2023

Address: Gelder Clough Caravan Park, Ashworth Road Heywood Rochdale OL10 4BD

Proposal: Proposed change of use of a former office building to a residential dwelling. Part retrospective

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

RECOMMENDATION	APPROVE SUBJECT TO CONDITIONS
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CHECKED AND SIGNED OFF BY: LA

DATE: 24.07.23

SITE AND SURROUNDINGS

The site relates to a former office unit within the Gelder Clough Caravan Park site. The building is of breeze block construction, is single storey and dual aspect.

The wider site comprises of single storey buildings, approximately 115sqm in size.

The site is located in the green belt, and is located between Naden Brook, Cheesden Brook, adjacent to Bamford Wood, and Cobb Wood. A public footpath runs directly through the site and runs north, as well as another public right of way located west, accessible from just south west of the site further along Ashworth Road.

PROPOSAL

Planning permission is sought for the retrospective permission for the change of use of the building from an office to a residential dwellinghouse (C3).

Alterations have been made to the property as existing, with the inclusion of two rooflights.

The proposed building would not benefit from any external amenity or garden space, and is part of the wider development.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

SO2 – To create successful and healthy communities

C1- Delivering the right amount of housing in the right places

C3- Delivering the right type of housing

SO3- To improve design, image and quality of place

P2- Protecting and enhancing character, landscape and heritage

P3- Improving design of new development

G4 - Protecting Green Belt land

SO5- To improve accessibility and deliver sustainable transport

T2- Improving accessibility

DM1- General development requirements

Supplementary Planning Documents (SPD):

Supplementary Planning Document 'Guidelines and Standards for Residential Development' (2016).

Unitary Development Plan (UDP):

G/D/1 – Defined Urban Area

G/D/2 – Green Belt

RELEVANT SITE HISTORY

87/D20895 – Gelder Clough Park – Attachment of 25' High TV Aerial Mast to side of bungalow – Grant 15/10/1987

88/D22014 – Extension of existing tv aerial mast to 50' – Grant 21/07/1988

89/D23280 – Wardens Lodge – Grant subject to conditions 18/05/1989

90/D25588 – Formation of new access – Grant subject to conditions 11/10/1990

CONSULTATION RESPONSES

Highways And Engineering

The Council's Highways Engineer was consulted on the above application and their response is as below:

'The existing use is long established and in terms of servicing and parking requirements the proposed use would be similar so we would not expect any detrimental impact should permission be granted..

We would not expect that the proposed development would have any detrimental impact on road safety or highway capacity.

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

Natural England (North West Planning)

No comments received to date

REPRESENTATIONS

The proposal was advertised by way of neighbour notification. 3 representations were received. The concerns and comments raised are summarised below:

- Privacy
- Disruption during works
- Odour from toilet
- Concern for amenity of the occupier
- Only one exit door for the occupier

ANALYSIS

Principle of Development

Green Belt

The proposal site is located within the Green Belt. Policy G4 of the Rochdale Core Strategy indicates that development within the Green Belt should be restricted to those which are deemed not inappropriate by National Planning Policies.

Paragraph 143 of the National Planning Policy Framework states '*Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.*'

Paragraph 150 of the NPPF states '*Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are [...] d) the re-use of buildings provided that the buildings are of permanent and substantial construction*'.

The site relates to a former office building within an established residential caravan park. The use as an office building sits within the caravan park and is of permanent and substantial construction, as indicated from site visit photographs. It is clear from site history the building has only recently been converted to residential use, and was used for the purpose of an on-site office for a substantial period of time. The proposal seeks alterations to the fenestration to introduce a new window to the rear, addition of rooflights, and the conversion of the use of the building to a C3 dwelling. Given the wider lawful use of a residential caravan site, the conversion of the building into a residential dwelling is considered not to harm the openness of the green belt, and would not conflict with the purposes of the land within it.

It is acknowledged by officers, the harm that would be caused by the comings and goings of the building as a commercial office building, would be considered greater in this sensitive residential location, than that of the proposed change to C3.

Taking all the above factors into account, the proposal would therefore meet the requirements of Rochdale CS Policy G4. On the above basis, the principle of the development would be acceptable in accordance with Rochdale Core Strategy Policy P3, DM1 and the NPPF

Residential Amenity

Paragraph 130 of the NPPF states *'Planning policies and decisions should ensure that developments: f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users'*

Policy DM1 states development should be *'compatible with surrounding land uses, both in terms of its impact upon those uses and the impact of the surrounding land uses upon the amenities of future residents / users' and seeks to protect the amenity of surrounding occupiers.'*

The proposed conversion of the existing office would result in the introduction of a residential dwelling in an established residential caravan park. As such, consideration must be given to the residential amenity of surrounding occupiers, in addition to the amenity of the potential future occupiers of the property.

In relation to the proposed dwelling, the proposed bedroom would be 9.7sqm in space, 3.8m in width and 3.2m in depth. For a single bedspace, single bedroom property, the proposal meets the standard exactly (37sqm).

It is noted no outdoor amenity space is proposed, however it cannot be disregarded that given the development's setting, adjacent to multiple woodland and public right of way, access to amenity space is widely available. As such, in this unique situation and setting, it is not considered this lack of outdoor amenity space would be unacceptable in this instance.

Section 4.1 of the Council's Guidelines and Standards for Residential Development SPD specifies window distances:

'4.1 Although it is expected that most new development will have some impact on neighbours, it is important to ensure that the impact is not so significant that it results in unacceptable harm. All new developments should avoid causing a significant loss of privacy and/or light for occupiers of new neighbouring dwellings and existing dwellings. The following minimum space standards will be applied to all new

residential developments and developments which affect existing residential properties:

- (i) 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 (Figure 2);*
- (ii) 14m between a principal window and any directly facing two storey elevation which does not contain a principal window to a habitable room (Figure 3);*
- (iii) 10m between a principal window and any directly facing single storey elevation which does not contain a principal window to a habitable room (Figure 4). it is noted a 21m distance should be present between directly facing principle elevations, and 10.5m between principle windows and rear boundaries'*

It is noted in subsequent Section 4.3, the SPD states 'Exceptions to theses minimum space standards may be acceptable in some circumstances and applications will be considered on their individual merits. For example, where the character and density of the surrounding area would be best preserved by reduced distances and this would not detract from the general levels of privacy and amenity typical in the area, then exceptions may be made.'

In this instance, the proposed rear window serving the bedroom, would be located less than 10m to the rear boundary of the plot directly below the property. However, it is noted the staggered ground levels and arrangement of caravans within the site. Additionally, the existing arrangement of caravans does not afford residents a greater level of spaciousness than that is proposed. As a result, it is not considered the proposed bedroom window would result in an overlooking impact upon the buildings to the south of the proposal and refusing the application for this reason would be difficult to substantiate.

It is noted by virtue of granting permission of the use of the building for a C3 dwellinghouse, the property will benefit from GPDO Schedule 2 Part 1. In relation to Class A, it is noted the red line extends to no other land or rear amenity space other than the built bungalow concerned, and therefore an extension would not be possible on the site. However, insertion and relocation of non-obscure glazed windows and doors at ground floor level would be possible under Class A. Therefore the implementation of these rights could impede privacy and impact overlooking on adjacent neighbours. As such, a condition is attached removing these rights to ensure residential amenity of neighbours is protected.

Additionally, Class AA and Class B would relate to an upwards extension and roof extensions. While it is unlikely the site would be able to implement this given the low ridge height of the roof, it is noted the possibility of extending the roof would be detrimental to residential amenity, given a roof extension could protrude over and above that of the adjacent bungalows. The terraced layout of the properties would exacerbate this impact further. In the interest of residential amenity, permitted development rights relating to Classes AA and B are removed.

Similarly, a 6.5m distance is proposed from the front window of the property to the nearest caravan to the north; and would not project forward of existing caravans within that line of building. As such, it is not considered the proposal would result in an unacceptable degree of overlooking, relative to the site's context.

The proposals do not seek to add any mass or height to the building, and as such the proposal would not appear overbearing or visually intrusive as a result.

It is not considered the introduction of a toilet within the building would result in an unacceptable odour impact upon adjacent neighbours.

As such, it is not considered the proposal would result in an unacceptable impact upon the level of residential amenity occupants of the site can reasonably be considered to expect. Given the above, the proposal is considered in accordance with Policy DM1 of the Rochdale CS and policies contained within the National Planning Policy Framework.

Design

Policies DM1 and P3 of the Council's adopted Core Strategy requires development proposals to demonstrate high quality design. Paragraphs 126 and 130 of the NPPF state good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Further to this, Rochdale CS Policy P3 requires all new developments to adhere to high standards of design, ensuring it enhances the borough's identity and sense of place, by respecting context where it is positive.

The proposed alterations to the building, in relation to rooflights, and the insertion of a window to the rear elevation, are considered acceptable and would not harm the overall design and visual amenity of the area.

Given the above, the proposal is therefore in accordance with the requirements of CS Policy P3, and advice contained within the NPPF.

Highways

Relating to sustainable transport, Paragraph 111 of the NPPF states '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.'

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.

The Council's Highways Engineers were consulted on the application, and concluded the existing use of the wider site is long established, and the proposed dwelling would not seek additional parking and servicing requirements over and above the existing availability within the site. No planning conditions were recommended and no objections were raised. The case officer concurs with this view. The applicant has also confirmed in writing the bins associated with the proposed change of use would be managed at the communal bin storage on site, and therefore would not be located at the front of the dwelling, nor would the proposal impact on collection distance for refuse vehicles. As such, the proposed change of use would have no material impact on access compared with the existing building use, and adequate areas for vehicle parking, access and manoeuvring would be provided. The proposal is considered to accord with the requirements of Policies DM1 and T2 of the adopted Core Strategy and the National Planning Policy Framework.

RECOMMENDATION

1. This permission relates to the following:-

Application form
Gelder Clough – Existing Site Office Plan
Site Plan – Septic Tank Location
Location Plan

and the development shall be carried out in 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 Core Strategy, the Unitary Development Plan and the National Planning Policy Framework.

2. The materials used in the external alterations hereby permitted shall be as shown on drawings:
Gelder Clough – Existing Site Office Plan
Site Plan – Septic Tank Location
Location Plan

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent Order following the revocation and re-enactment thereof, the dwelling hereby approved shall not be altered or extended, and no buildings or structure shall be erected within their curtilage under Schedule 2, Part 1, Classes A, AA, B, of the above Order except with the prior written approval of the Local Planning Authority.

Reason: To prevent undue harm to the amenity of existing and future occupiers and in the interest of visual amenity and in accordance with Policy DM1 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:

None

