DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
19/00312/FUL	Michael Atkinson-Smith	28 May 2019

Address: Alkrington Tennis And Social Club Uplands Middleton M24 1EA

Proposal: Removal and replacement of existing timber raised balcony/platform to rear with enlarged structure including glazed balustrade

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

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

RECOMMENDATION	GRANT

CHECKED AND SIGNED OFF BY: DR **DATE: 28/05/2019**

SITE

The application relates to the pavilion building of Alkrington Tennis Club which is accessed off Uplands in Middleton. The club is a long-established facility within the area and includes a number of tennis courts, the pavilion building and a car parking area to the front. The tennis courts are backed onto by residential properties at Nos. 33-55 Crow Hill North, 25-31 Kingsway and 42-52 Uplands. The side boundary of No. 28 Uplands lines the tennis courts to the north. Nos. 43-49 Uplands directly face the front of the site and the car park area from across the street. The existing pavilion building is of double storey construction and includes a raised balcony to the rear accessed from the building itself and by external steps to the rear.

PROPOSAL

Planning permission is sought for the removal and replacement of the existing timber framed balcony to the rear with a larger steel framed structure surrounded by a glazed balustrade. At the deepest point of the platform towards the southern side of the pavilion building the balcony would project 5m from the rear elevation of the pavilion building. A set of steps would be provided to the side of the larger balcony area leading to ground level and an additional smaller balcony section with a projection of 2.2m from the rear elevation would extend out rearward at the point closest to the northern side elevation. The maximum height of the balcony platform would be 2.7m above ground level at the point closest to the rear elevation of the building.

An amendment to the proposals was secured resulting in a higher balustrade along the southern side of the balcony to prevent undue overlooking and loss of privacy of No. 42 Uplands. Obscure glazing would also be utilised at this point.

Additional information requested during the application process confirms that the balcony would be predominantly used for viewing tennis play on the courts below but that the pavilion building is used for functions and other events up to twelve times per year.

RELEVANT PLANNING POLICY

National Guidance

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

Adopted Rochdale Core Strategy (CS):

SO3	**Improving design, image and quality of place**
P3	Improving design of new development
SO4	**Promoting a greener environment**
G9	Reducing the impact of pollution
SO5	**Improving accessibility and delivering sustainable transport**
T2	Improving accessibility
SD1	Delivering sustainable development
DM1	General development requirements

Unitary Development Plan (UDP):

G/D/1	**Defined Urban Area**

RELEVANT SITE HISTORY

03/D42279	Use of part of car parking area as mini tennis court. Granted STC November 2003
88/D21368	Floodlighting of tennis courts. Granted STC March 1988

CONSULTATION RESPONSES

Public Protection (Noise / Odours) - This section would have no objections to the proposal, you may wish to consider a condition stopping use of the balcony after

23:00 Monday-Saturday and 22:00 Sundays. The environmental Health department has no current or historic complaints of noise nuisance associated to the club, if any were received they would be dealt with under the provisions of Section 80 of the Environmental Protection Act 1990.

REPRESENTATIONS

Letters of notification were sent to surrounding neighbours and a site notice posted in the vicinity. No representations have been received.

ANALYSIS

Impact on Visual Amenity

Policy P3 of the Core Strategy requires all new developments, including associated landscaping, to adhere to high standards of design. Policy DM1 requires that all development proposals demonstrate that they are of a high quality design and take the opportunity to enhance the quality of the area. The removal of the existing timber framed balcony and replacement with a higher quality contemporary structure formed with a steel frame and glazed balustrade will result in a clear improvement to the visual appearance of the pavilion building and the tennis club as a whole. For that reason, the visual impact of the development for surrounding residential dwellings would be acceptable and it is noted that due the rearward siting of the balcony the impact on the street scene and the public realm would be minimal. Therefore the proposed development is considered to be acceptable in respect of visual amenity and the application accords with the relevant parts of Core Strategy policies DM1, P3 and the NPPF.

Impact on Surrounding Occupiers / Residential Amenity

Core Strategy policy DM1 requires all development proposals to demonstrate that they will not have a negative impact upon the amenities of future residents and occupiers. Policy G9 sets out that the Council will reduce all forms of pollution in the borough by, amongst others, requiring that development does not have impacts that lead to an unacceptable increase in pollution, including noise. Paragraph 127 of the National Planning Policy Framework advises that planning decisions should result in places with a high standard of amenity for existing and future users.

An elevated balcony in this location is a long-established feature and with a proposed separation distance of over 30m to the rear boundary of the directly facing residential properties to the rear, the impact on surrounding residents through overlooking and loss of privacy or an extended balcony would not be unacceptable. However, the closest dwelling to the south at No. 42 Uplands is closest to the proposed replacement balcony. It is noted that dense tree screening shields the existing balcony from the dwelling at present but should the trees, for whatever reason, be removed, the impacts of overlooking and loss of privacy would be unacceptable. For this reason, an amendment was secured to the scheme to incorporate a higher balustrade on the southern side of the balcony and the installation of obscure glazing panels. This would reduce the potential impacts of overlooking and loss of privacy to an acceptable degree. It is noted that no neighbour objections have been received in response to the proposals.

As a result of the likely intensification of use of the balcony due to its enlarged size and enhanced quality, the potential for noise and disturbance to surrounding residential occupiers would be increased. It is also noted that the pavilion is used for functions and events up to twelve times per year in which the balcony may be used during the evening. In assessing the impact of the proposed development, consultation was carried out with the Council's Public Protection Officer who notes

that there is no complaints history associated with the facility in respect of noise and disturbance [and that any potential impacts could be dealt with under the provisions of Section 80 of the Environmental Protection Act 1990. The Officer also recommends a condition restricting the use of the balcony after 23:00 Monday-Saturday and 22:00 Sundays to prevent noise and disturbance to surrounding residents at times when a reasonable degree of peace and quiet would be expected.

Therefore, subject to the suggested conditions, the proposed development is not considered to result in unacceptable amenity impacts for surrounding occupiers and the application therefore accords with Core Strategy policies DM1 and G9 and the National Planning Policy Framework.

Impact on Highways, Parking and Accessibility

Policy DM1 requires all development proposals to demonstrate that they provide satisfactory vehicular access with adequate parking, manoeuvring and servicing arrangements, taking account of the proposed use and location. Policy T2 deals with accessibility. The proposed balcony extension would increase the attractiveness of the tennis club as a whole and usability of the pavilion but would not in itself directly lead to an increase in trip generation or increased parking pressure. The external steps would not permit external wheelchair access but it is noted that this is an existing situation at the club. The application therefore accords with Core Strategy policies DM1 and T2 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:-

- Location Plan
- Proposed Site Plan
- Existing Site Plan
- 2520-01 Rev A Existing Plans and Elevations
- 2520-01 Rev B Proposed Plans and Elevations (Amended Plan Received 14.05.19)

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

3 Prior to first use of the balcony hereby permitted the glazing panels in the southern balustrade shall be fitted with textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.

Reason: In the interest of amenity and in compliance with policy DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

4 The replacement balcony hereby approved shall not be used after 23:00hrs Monday – Saturday or after 22:00hrs on Sundays and Bank Holidays.

Reason: In the interest of amenity and in compliance with Policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Procedure Statement

The Local Planning Authority worked proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition.

Report Author Michael Atkinson-Smith