APPLICATION NUMBER: 19/00289/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
19/00289/FUL	Michael Atkinson-Smith	21 June 2019

Address: 123 Durnford Street Middleton M24 5TS

Proposal: Subdivision of existing single dwelling into two dwellings including two storey rear extension, new window opening on existing rear elevation at first floor, removal of window on side elevation at first floor and alterations to front elevation

PUBLICITY	**Weekly list expired?**	Y	**Site notice expired?**	Y
	Neighbour letters expired?	Y	**Press Notice expired?**	Y

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/A

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

RECOMMENDATION	GRANT

CHECKED AND SIGNED OFF BY: AT **DATE: 21.06.2019**

SITE

The application relates to No. 123 Durnford Street in Middleton, a two storey dwellinghouse that has previously been extended by means of a subservient but still substantial two storey side extension which is set behind the principal elevation of the original dwellinghouse. No. 121 Durnford Street stands to the east and No. 125 to the west. Vacant and overgrown land lies immediately to the rear and Woodclough Day Centre stands beyond. The north facing front elevation looks towards No. 2 Traynor Close.

The site is located within the Middleton Town Centre Conservation Area, with the Council's Conservation Area Appraisal identifying the significance of the conservation area as being through the grouping of a number of listed buildings including arts and crafts buildings by the renowned architect Edgar Wood. The Grade II listed former Infant School Building at the former Durnford High School is one such building, with the boundary walls, railings, gate piers and arched entrance gateway included in the listing description. That designated heritage asset lies to the north east of the application site across Durnford Street.

PROPOSAL

The application proposes the subdivision of the existing dwellinghouse to provide an additional four bedroomed dwelling in the previous two storey extension. That extension itself would be extended to the rear by means of a two storey extension with a 5m rearward projection. External alterations would take place to the front elevation including the removal of the existing garage door, erection of a front entrance porch and changes to the fenestration detailing. An off-street parking space would be provided for one vehicle, a brick built bin store provided and partial brick built boundary installed.

The original dwellinghouse, following sub-division, would be re-modelled internally to provide an additional bedroom, taking the total in that dwelling to three. This would include the closure of the first floor window in the western side elevation (bathroom) and the installation of a new first floor window in the rear elevation to serve the same room.

RELEVANT PLANNING POLICY AND LEGISLATION

Legislation

Planning (Listed Building and Conservation Areas Act) 1990 (as amended)

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**
P2	Protecting and enhancing character, landscape and heritage
P3	Improving design of new development

SO4 **Promoting a greener environment**
G6 Enhancing green infrastructure
G7 Increasing the value of biodiversity and geodiversity

SO5 **Improving accessibility and delivering sustainable transport**
T2 Improving accessibility

DM1 General development requirements

SD1 Delivering sustainable development

Unitary Development Plan (UDP):

A number of policies contained within the Unitary Development Plan have been saved following the adoption of the Core Strategy. The following saved policies are relevant:

G/D/1 **Defined Urban Area**
BE/17 New Development Affecting Conservation Areas

Supplementary Planning Documents (SPD):

Guidelines and Standards for Residential Development' (June 2016)

RELEVANT SITE HISTORY

18/01293/FUL	Subdivision of existing single dwelling into two dwellings including two storey rear extension and alterations to front elevation. Granted STC March 2019
82/D14098	Two storey side extension to Dwellinghouse. Granted STC August 1982
78/D07141	Extension and Relocation of Garage. Granted STC September 1978

CONSULTATION RESPONSES

Highways and Engineering – No objection.
I have no sustainable objection to these proposals. Ideally the proposals would have at least 2 off street parking spaces. In this instance the 2 dwellings share one parking space which is below what Rochdale would typically require. Whilst typically I would require more parking very few of the dwellings in the vicinity have off street parking.

I have however checked the accident record and there is evidence of this causing a problem at this location. In 2017 a 6 year old male was run over at this location running between parked cars. Whilst this single incident does not give us cause for concern exacerbating this situation could put more vulnerable young people at risk. I cannot therefore support this application.

Conservation and Design - This application cannot be supported for approval until design development has been undertaken. This application is a resubmission of application 18/01293/FUL. It is disappointing to see that the previous comments have not been taken on board and that the design for the proposal remains unaltered. As such, the comments in relation to the impact upon the historic built environment remain and these are copied below:

123 Durnford Street is located within the Middleton Conservation Area and is also within the setting of the Former Infant School, a Grade II listed building. As such any development must seek to preserve and enhance the significance of the designated heritage assets.

The existing extension to the rear of 123 Durnford Street is unattractive and lacks architectural merit. This element of the building does not make a positive contribution to the conservation area and therefore its alteration in principle is considered to be acceptable. The proposed extension to the rear will cause less than substantial harm to the designated heritage assets (NPPF, paragraph 196). Whilst it is recognised that the scale of the proposed extension is subservient to the existing dwelling this element of the scheme requires a more robust justification and mitigation of this harm. This could be achieved through the inclusion of traditional materials, i.e. red brick and a slate roof to match the existing.

The proposed alterations to the front elevation of the property would cause less than substantial harm to the designated heritage assets (NPPF, paragraph 196). This harm could be mitigated through the inclusion of good design within the site which could be achieved through the window and door openings using the same proportions as those found on the existing building rather than having a wholly horizontal emphasis. Similarly, the windows on the rear and side elevations should also take influence from the original openings.

In conclusion, this proposal still cannot be supported until further design development is undertaken. The proposal will cause less than substantial harm to the designated heritage assets (NPPF, paragraph 196). This harm is not justified within the current application nor is it mitigated through good design. There are no public benefits identified or offered to outweigh the harm caused by this scheme.

REPRESENTATIONS

Letters of notification were sent to surrounding neighbours, a site notice posted in the vicinity and an advertisement published in the local newspaper. No representations have been received.

ANALYSIS

Principle of Development

As the proposal involves the subdivision and extension of an existing dwelling within the defined urban area in a location within easy walking distance to town centre amenities and public transport nodes, the application is considered to be acceptable in principle and in accordance with saved policy G/D/1 of the Rochdale Unitary Development Plan, policies C1, C3, and SD1 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework in respect of housing supply and sustainability. However, the application is additionally subject to an assessment of matters such as amenity, highway safety and the environment to ensure its acceptability.

Impact on Heritage Assets and Visual Amenity

As the application property lies within Middleton Town Centre Conservation Area the proposal must be considered with regard to Section 72 of the Planning (Listed Building and Conservation Areas Act) 1990 (as amended) states that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The NPPF states in Paragraph 192 that in determining applications, local planning authorities should take account of:
a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. In addition, paragraph 127 of the Framework states that planning decisions should ensure that developments are sympathetic to local character and visually attractive as a result of good architecture, layout and effective landscaping.

Furthermore, Core Strategy policy P2 states that the borough's heritage will be promoted by 'conserving, enhancing and promoting key heritage assets, both statutory and non-statutory, including consideration of their wider settings.' In addition, the application should also be judged against the content of saved Policy BE/17 of the UDP which states that development proposals will be permitted that preserve or enhance the character or appearance of a conservation area. Further to the above, Core Strategy Policy P3 requires all new developments, including associated landscaping, regardless of location, to adhere to high standards of design. Core Strategy Policy DM1 requires that all development proposals are of high quality design and take the opportunity to enhance the quality of the area.

The significance of the Middleton Town Centre Conservation Area lies in the grouping of buildings by renowned local architect Edgar Wood. The proposal seeks to subdivide an existing dwelling which in itself would not result in harm to the significance of the conservation area. The changes to the front elevation of the previous extension include the replacement of the garage door with a large window, and the insertion of two smaller window openings at first floor level in place of a one larger window. The Council's Conservation Officer notes that the new windows would be of horizontal alignment as opposed to vernacular vertical arrangements employed locally, but it is acknowledged that this arrangement already exists within the original fabric of the previous extension and therefore it is not considered that additional harm would arise. Indeed, the proposed changes to the front elevation would result in an overall positive benefit to the visual appearance of the building. That the front elevation to be altered sits behind the building of the existing row of odd numbered properties on Durnford Street ensures that the proposed development would not unacceptably affect the setting of the Grade II listed former infant school and its listed boundary treatments. To prevent harm to the character and appearance of the Conservation Area and the buildings within it, it is recommended that a condition be applied to secure full details of all proposed external materials for approval to ensure a satisfactory brick match with the existing and an appropriate finish to windows and doors.

The proposed rear extension to the newly created dwelling house would be substantial in form but subservient due to its lowered ridge height. The Conservation Officer notes that less than substantial harm would be caused to the conservation area as a result of the proposed extension on the basis of the details submitted but this could be overcome through the use of red brick to match the existing building and a natural slate roof finish. Some concern has been raised in respect of the window proportions but as the horizontal emphasis is again a feature of the original extension it is considered unreasonable to seek such an amendment. It is noted that the two dwellings would be read as fully separate entities due to scale, height, materials, design and position and this is not uncommon within the local area and the

wider conservation area; therefore a refusal could not be substantiated on the basis of differences in design, especially given the situation is existing.

Amendments have been secured to the originally submitted proposal to include the erection of a brick built boundary treatment to the front and a partially enclosed bin storage area for the new dwelling. Together these changes will represent an enhancement over the existing situation.

In light of the above, it is considered that the proposal would have a neutral impact on the conservation area and the setting of the listed former infant school building, subject to suitably worded conditions in respect of materials and implementation of bin storage facilities and boundary walls. Therefore the application complies with Section 72 of the Planning (Listed Building and Conservation Areas Act) 1990 (as amended), Core Strategy policies P2, P3 and DM1 saved UDP Policy BE/17 and the requirements of the National Planning Policy Framework.

Impact upon Residential Amenity

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. 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, including through visual intrusion, overbearing impact, overshadowing or loss of privacy. The Council's adopted Supplementary Planning Document '*Guidelines and Standards for Residential Development'* 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.

The proposed two storey rear extension would not project further rearward than the two storey rear extension of No. 121 Durnford Street which has a blank side elevation. Therefore there would be no undue amenity impacts for the occupiers of this dwelling. The separation distance from the first floor habitable room windows to the rear boundary would be only 7.5m as opposed to the 10.5m required by the SPD but it is noted that the land to the rear is vacant and unused; forming only a buffer between the grounds of Wood Clough Day Centre and the rear gardens of the neighbouring terrace to the west. As such, there would be no undue amenity impacts for surrounding occupiers as a result. The proposed changes to the front elevation will not lead to an increased potential for overlooking or loss of privacy for any surrounding occupiers over the existing situation. The area of outdoor amenity space afforded to the new dwelling would be relatively small but not necessarily unacceptably so in an area where modest rear yards are the norm.

The main difference with this application over the previously approved application for a similar scheme (18/01293/FUL) is the change to the internal floor layout at first floor level of the retained dwelling. The revised layout would see the current bathroom removed from the two storey outrigger and replaced with a bedroom. The bathroom would be located to towards the centre point of the dwelling and not be served by a window, whilst the new bedroom would have an outlook provided facing directly to the rear, facilitated by the installation of a new structural opening in the rear elevation and the closure of the existing window in the western side elevation at first floor level. The result of this is that the amenity of the occupants of No. 125 Durnford Street would be protected in respect of potential for overlooking and loss of privacy.

Therefore, for the above reasons, the proposal is considered to be acceptable in respect of amenity standards and compliant with Core Strategy policy DM1, the supplementary Planning Document 'Guidelines and Standards for Residential

Development' (2016) and the requirements of the National Planning Policy Framework.

Highways, Parking and Accessibility

Policy DM1 of the Council's adopted Core Strategy requires all development proposals, provide satisfactory vehicular access with adequate parking, manoeuvring and servicing arrangements, taking into account the proposed use and location. Policy T2 also seeks to promote a good standard of accessibility. Paragraphs 108 and 109 of the NPPF require that safe and suitable access to a site can be achieved for all users and that 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 of the road network would be severe.

One off-street parking space has been provided for the new dwelling and the site is located in easy walking distance to the amenities of Middleton Town Centre and the public transport network.

The Council's Highways Officer did not object the original application for a similar proposal (18/01293/FUL) on the basis that whilst the development has insufficient parking this is not uncommon on Durnford Street and the additional vehicles of one dwelling is unlikely to be distinguishable against back ground volumes of traffic. However, further review as part of this later application process has highlighted that the accident record indicates excessive that on-street parking has contributed to a child being involved in an accident in 2017 as a result of running between parked cars. On this basis, the Highways Officer is unable to support this application, but has raised no sustainable objections given the single incident on record at present.

Therefore, on balance, the application is considered to be acceptable in relation to the requirements of Core Strategy policies T2 and DM1 and the National Planning Policy Framework.

Impact on Trees and Biodiversity

Core Strategy policy G6 seeks to incorporate green infrastructure into new development within the urban areas and expects development proposals to avoid the loss of existing greenspace features such as trees unless suitable alternative provision is made, it has limited value, and its development will help to meet other sustainable or local regeneration objectives. Policy G6 states that removed trees from a site should be replaced at a ratio of 2:1. Core Strategy Policy G7 states that the Council will ensure that sites and features of biodiversity importance are given full and appropriate recognition and protection, with no net loss of biodiversity as a result of development proposals.

A row of substantial conifers would be removed from the rear garden area to facilitate the development but these are overgrown unsuitable species for the area in which they are growing. As such they are considered to be of limited value and a replacement planting condition as per the requirements of Core Strategy policy G6 is not considered to be necessary. Conifers can provide habitat for nesting birds and it is an offence under Section 1 of the Wildlife and Countryside Act of 1981 to intentionally take, damage or destroy the nest of any wild bird while it is in use or being built. A condition is therefore recommended requiring that no site clearance should be undertaken in the main bird breeding season (March to August inclusive), unless nesting birds are found to be absent, by a suitably qualified person. Subject to the suggested condition, the requirements of Core Strategy policy G7 and the National Planning Policy Framework will have been met.

RECOMMENDATION

AC

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/documents:-

- IPS/R/123/M245TS Existing & Proposed Floor Plans and Elevations incl. Location and Block 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 adopted Core Strategy and the National Planning Policy Framework.

3 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 buildings 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 Policies P2 and P3 of the adopted Rochdale Core Strategy, saved policy BE/17 of the Rochdale Unitary Development Plan and the requirements of the National Planning Policy Framework.

4 No clearance of trees and shrubs in preparation for (or during the course of) development shall take place during the bird nesting season (March - August inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

5 Notwithstanding the details shown on the approved plans and the requirements of condition 2 of this permission, no part of the development shall be occupied until such time as 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.

Reason: In the interests of amenity and in compliance with Policies P3, P2 and DM1 of the adopted Rochdale Core Strategy, saved policy BE/17 of the

Rochdale Unitary Development Plan and the requirements of the National Planning Policy Framework.

6 The proposed new dwelling formed of the sub-division of No. 123 Durnford Street shall not be occupied until such time as the waste/recycling bin store as indicated on drawing ref. IPS/R/123/M245TS, and without prejudice to the requirements of Condition 3 of this permission, has been provided and made available for use.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and in the interests of visual amenity in accordance with the Supplementary Planning Document 'Guidelines and Standards for Residential Development' (2016), policies DM1, P2 and P3 of the Rochdale Core Strategy and the NPPF.

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