

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

23/00970/FUL

CASE OFFICER

Aimee Bovaird

DETERMINATION DATE 26.03.2024 EXT OF TIME 20.12.24

Address: 71 Kenyon Lane, Middleton, M24 2QS

Proposal: Erection of two dwellings with associated parking and landscaping and boundary treatment

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?	Y

EIA	Screening opinion completed and saved to Onbase?	N
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CONDITIONS	Pre-commencement conditions proposed?	N/A
	Pre-commencement conditions agreed (or notification period expired)?	N/A

RECOMMENDATION	REFUSE
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CHECKED AND SIGNED OFF BY: LA

DATE: 19/12/2024

SITE

The site is located at 71 Kenyon Lane, the site is currently a grassed area of land with some mature trees. The site is accessed off Kenyon Lane and is within the Defined Urban Area

North to the site is a local convenience shop, west of the site consists of residential dwellings. Opposite the site is Middleton Technology School.

PROPOSAL

The application proposes the erection of two dwellings with associated parking and landscaping and boundary treatment.

The proposed dwellings will consist of a dining room, kitchen, living room and bathroom on the ground floor and three bedrooms and a bathroom on the first floor. A bin store is proposed at the rear of the property, there is off street parking proposed. A front wall boundary is proposed, the rest of the site boundary will be fenced.

The proposed materials consist of brick elevations, UPVC windows and a wooden joist roof.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Sub-Regional

Places for Everyone Joint Development Plan (PfE)

7. Places for Homes

JP-H 3 Type, Size and Design of New Housing

JP-H 4 Density of New Housing

9. Places for People

JP-P 1 Sustainable Places

Adopted Rochdale Core Strategy (CS):

SO1 Delivering a more prosperous economy
E1 Establishing thriving town, district and local centres

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
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
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Supplementary Planning Documents (SPD):

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

RELEVANT SITE HISTORY

National Guidance

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

Sub-Regional

Places for Everyone Joint Development Plan (PfE)

7. Places for Homes

JP-H 3	Type, Size and Design of New Housing
JP-H 4	Density of New Housing

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Adopted Rochdale Core Strategy (CS):

SO1	Delivering a more prosperous economy
E1	Establishing thriving town, district and local centres
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

Supplementary Planning Documents (SPD):

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

CONSULTATION RESPONSES

Highways And Engineering

Summary,

Highways cannot support the application due to the potential impact on road safety.

Env Health - Noise/Odours

Cannot support the application without a Noise Impact Assessment.

Conservation

No objections.

Urban Design

In summary, the development is not visually attractive and the designer must revise the design to introduce architectural detail and character. Outdoor amenity space is minimal which questions if two dwellings can be adequately supported on this site. The proposal does not add quality to the immediate urban context and in its current form does not meet the expectations set out in NPPF Paragraph 135.

The Coal Authority

No comments received to date

Greater Manchester Ecology Unit

In summary, the only potential ecological issue is mitigation for the loss of three ornamental trees and a small area of lawn. Other potential issues can be dealt with via condition.

REPRESENTATIONS

Letters of notification were sent to all surrounding properties and a site notice displayed in the vicinity of the site. Three objections have been received and the main following points have been raised.

- Increase in traffic
- Negative impact on residential amenity
- Drainage problems
- Increase in parking problems

ANALYSIS

Principle of Development

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. Policy C1 directs new housing to urban areas in sustainable locations. The site is located in a residential area and as such is considered to be an appropriate location for residential development in sustainability terms.

The latest published information suggests that the Council can demonstrate more than a six-year supply of housing land based on the Core Strategy target; however, this does not preclude the promotion of sustainable development where this can assist in delivering additional housing to meet local needs.

The principle of development is considered acceptable. Further planning considerations are set out below.

Character and Appearance

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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

Paragraphs 131 and 135 of the National Planning Policy Framework (NPPF) state that good design is a key aspect of sustainable development and that planning policies and decisions should ensure that developments function well and add to the overall quality of the area and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, which is largely reflected within Policies DM1 and P3 of the Council's adopted Core Strategy, which requires development proposals to demonstrate high quality design.

PfE Policy JP-P1 sets out the ambition for Greater Manchester to become one of the most liveable cities in the world, consisting of a series of beautiful, healthy and varied

places and sets out a number of requirements for new development to adhere to. This includes creating places which respect and acknowledge the character and identity of the locality and are visually stimulating, creating interesting and imaginative environments.

The proposed dwellings appear large in scale and out of context to neighbouring dwellings however no street scene elevations or justification have been provided to fully assess the height of the proposed development. The design of the proposed development does not follow the existing houses located west of the site, the Council's Urban Design Officer has been consulted on the application and commented on the placement of the windows contributing to a disordered façade. This contributes to a poor overall design and is not considered acceptable.

The proposed development is to be finished in a combination of brick and render, no specific details of this have been provided. If the application is to be approved further details could be secured via condition.

Parking is proposed at the front of each plot, neighbouring dwellings do not benefit from off-street parking as they have a small front garden and rear garden. Due to the parking proposed at the front of the site, combined with the hard standing that surrounds the proposed development, there is no garden, and this does not reflect the houses in the surrounding area and is harmful as a result.

It is considered that the proposed dwellings would be harmful to the character and appearance of the area due to the scale and form of the development not representing houses in the area. The proposal would have a detrimental impact on the appearance of the street scene and is not in accordance with requirements of CS Policies DM1, P1, P2 and P3, and advice contained within the NPPF.

Impact on Amenity

Policy DM1 of the Core Strategy requires new development to be compatible with surrounding uses and to not adversely affect the amenity of residents. Further to the above are the considerations of the Council's Supplementary Planning Document (SPD) 'Guidelines and Standards for Residential Development' which states that new developments "*should be carefully designed to protect the amenity of the occupants of adjoining properties.*" Paragraph 135 of the National Planning Policy Framework advises that planning decisions should always seek to secure a high standard of amenity for existing and future users.

Noise

Policy G9 of the Core Strategy requires new development to avoid having unacceptable impacts, including in regards to noise.

The Council's Environmental Health Officer has been consulted and cannot support the application as no Noise Impact Assessment has been submitted. This would be to ensure appropriate internal noise levels can be achieved based on the proposed development being set adjacent to the highway and beside a public house. It is noted that the use of this public house has changed to a commercial unit without the benefit of planning permission. This is subject to a separate planning application that is undetermined at this time. If the application was to be approved this could be secured via condition.

Residential amenity

The proposed dwellings do not benefit from a front or rear garden and the limited outdoor space provided is hard standing. The SPD sets out that sufficient garden space should be retained for sitting out and drying clothes. The proposed development has three bedrooms and could be a family dwelling and therefore should provide a commensurate amount of space for play etc. The development fails to do so and for this reason it is not considered to provide a high standard of occupier amenity.

As such, the proposal does not accord with policy DM1 of the adopted Rochdale Core Strategy, the SPD and the NPPF.

Highways

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.

As part of the application process the Council's Highway Officer has been consulted and raised a number of concerns. The application proposed one parking space per dwelling and this does not meet the Council's parking standards, Rochdale Core Strategy sets out two parking spaces are required for each dwelling. The proposed development is considered unacceptable for the reason that it does not comply. The Highway Officer also raised concerns over the retaining wall as it would be an obstruction for people reversing out of the site.

Ecology

Paragraph 131 of the NPPF states that trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Core Strategy policy G7 requires that no development should result in a net loss of biodiversity and geodiversity, similarly PfE Policy JP-G7 requires replacement tree planning on the basis of two new trees for each tree lost.

The proposed development will result in the loss of three medium ornamental trees and some grassland. This will result in a net loss of biodiversity, the Greater Manchester Ecology Unit has been consulted and stated it is not possible to mitigate on site for the loss of the trees and recommends retention of the trees.

The proposed development cannot be found to comply with the NPPF or Policies G6, G7 and PfE.

Coal Mining

The proposed development falls within the defined Development High Risk Area. 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.

The Coal Authority have been consulted as part of the application and concluded that they concur with the submitted report and that investigations are required along with

possible remedial and mitigation measures. The Coal Authority has no objections to the application subject to conditions if planning permission is granted.

RECOMMENDATION

REFUSE for the following reasons:

1. The proposed development is not considered to reflect the existing street scene and is considered poor design, which would be harmful to the character and appearance of the area. The proposed development does not include any garden space and this is not a characteristic of the area and contributes to a poor design. With no garden being proposed this also has a negative impact on the amenity of future occupiers. As such the proposal would not comply with policies DM1, P1, P2, P3 and C3 of the adopted Rochdale Core Strategy, the Guidelines and Standards for Residential Development' (June 2016) SPD and the National Planning Policy Framework and relevant policies in Places for Everyone.
2. By reason of insufficient parking and unsatisfactory vehicular access with inadequate parking and manoeuvring, taking into account of the proposed use and location the development is unacceptable in regards to highway safety. As such the proposed development fails to accord with Policies T2 and DM1 of the adopted Core Strategy and the National Planning Policy Framework and Places For Everyone.

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:

For avoidance of doubt this decision related to the following plans and documents:

Proposed building elevations DR-05
Proposed building elevations with boundary wall DR-06
Proposed building plan DR-04
Proposed Plan DR-03
Section at A-A DR-06
Typical Section Details DR-07
Coal Mining Risk Assessment dated 1 November 2023
Arboriculture Report dated 6th November 2023
Design, Access and Planning Statement
Tree Constraints Plan
Impact Assessment Plan
Tree Schedule