

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00202/FUL	Claire Ringwood	23 rd May 2023

Address: 90 New Road, Littleborough, OL15 8NL

Proposal: Single storey rear extension , installation of replacement flue, formation of new access steps and Gabion retaining wall, installation of driveway gates, boundary fencing and creation of two parking spaces to the rear, following removal of existing detached store to rear - Resubmission of 22/00826/FUL

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?	N

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

RECOMMENDATION	GRANT subject to conditions
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CHECKED AND SIGNED OFF BY: RG

DATE: 26 May 2023

SITE

The application relates to a terraced style commercial building on New Road in the Wardle and West Littleborough ward of Rochdale. The property is currently a bakery/café (Class E), the earliest record for which is from 2001.

The building is built up to the footway of New Road at the front and there is a designated on street parking area along this section of New Road in front of the building. There is a private yard to the rear with a raised section of land beyond this, which is separated by an existing retaining wall. Within the rear yard there is an existing outbuilding.

The site is considered a non-designated heritage asset.

PROPOSAL

The application proposes the construction of a single storey rear extension. This extension would measure approximately 5.2 metres in depth from the rear wall of the original structure, in place of an existing single storey rear extension. The extension would have a mono-pitched roof with a maximum height of approximately 4.5 metres, and an eaves height of approximately 2.3 metres. The extension would be constructed in reconstituted stone and natural blue slate [the submitted Design & Access Statement refers to red facing brick and concrete tiles which is in error and has not been amended from the previous application however, as a condition will be imposed requiring details of the materials to be submitted, officers do not consider the statement needs amending]. This extension would include the installation of a ventilation flue that is to be replaced and existing flue, like-for-like.

The existing detached store is to be removed from the site.

The application also proposes engineering works to the rear of the site. The submitted plans refer to 'upgraded gabion retaining structure' but the works involve replacing the existing stone retaining wall with a permeable gabion retaining structure that would extend 1.5m further back into the existing sloping garden. Steps up from the rear yard are proposed with two car parking spaces consisting of permeable hardstanding proposed at the top, accessed from James Street. 1.8m high sliding metal gates and timber fencing are proposed to the parking area with 0.6m high hooped perimeter vehicle barriers at the highest part of the site. 1.2m high triple wire boundary fence is proposed to the side boundaries.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – July 2021

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

- E1 Establishing thriving town, district and local centres.
- P1 Improving image
- P2 Protecting and enhancing character, landscape and heritage

- P3 Improving design of new development
- G8 Managing water and flood risk
- G9 Reducing the impact of pollution
- T2 Improving accessibility
- DM1 General development requirements

Unitary Development Plan (UDP):

G/D/1 Defined Urban Area

RELEVANT SITE HISTORY

- | | |
|--------------|---|
| 01/D38631 | Use Of Premises For The Sale Of Hot And Cold Food To Takeaway And For Consumption On The Premises. Granted subject to conditions. |
| 02/D40657 | Continued Use As A Hot And Cold Food Takeaway Without Compliance With Condition 3 Of D38631. Granted subject to conditions. |
| 04/D44048 | Continued Use Of Premises As Hot And Cold Food Takeaway Without Compliance With Condition 2 Of D40657 To Allow Opening Between 11.30AM - Midnight, Tuesday To Saturday And 5.00PM - Midnight On Sundays. Refused. Appeal dismissed. |
| 08/D51132 | Change Of Use Of First Floor From Storage Area To Café. Granted subject to conditions. |
| 18/00956/FUL | Single storey rear extension following demolition of existing outbuildings. Granted subject to conditions. |
| 22/00826/FUL | Re-siting of existing detached store and erection of single storey rear extension with installation of flue and terracing of land to rear to create two parking spaces. Refused 17/11/2022. |

This application was refused for the following reason:

- 1 By virtue of the proposed materials, the proposed single storey rear extension and outbuilding would not relate well to the host property and would have an unacceptable impact on the character and appearance of the site, and on the significance of the non-designated heritage asset 90-92 New Road. Furthermore, insufficient information has been provided in relation to the proposed engineering works to accommodate the terraces to the rear of the site, and as such the impact of these works on the character and appearance of the site and the significance of the non-designated heritage asset cannot be assessed. The proposed development therefore conflicts with policies P2, P3 and DM1 of the adopted Rochdale Core Strategy, and the National Planning Policy Framework.

CONSULTATION RESPONSES

Highways

Highways raised no objection to the previous application on this site (22/00806) and this application would appear to have a reduced highways impact.

The application proposes two parking spaces accessed directly off James Street which we would say is appropriate for the size of the extended property. It would appear that the existing kerb height on James Street could accommodate a vehicle crossing, however we would ask that the applicant contacts the Councils Highways Team to ensure that the footway has the structural capacity to accommodate a vehicle access crossing.

The application includes vehicle barriers at the end of the parking bays to prevent over run and plans also indicate a permeable surface to the bays both of which are acceptable.

Highways raise no objection to this application subject to the approval of an appropriate vehicle access crossing of the footway on James Street.

Conservation Officer

The proposed extension features a new flue, to be a like-for-like replacement for the existing with respect to dimensions and materials. The impact of this aspect of the proposed is considered to be neutral to the building's heritage significance; therefore there is no objection to the flue details as presented.

Likewise, the amendment from terracing to steps (leading from the proposed 2 no. parking spaces fronting to James Street) is welcomed considering previous concerns relating to retaining works which would be required to accommodate the terracing. The impact of this aspect of the proposed is considered to be neutral to the building's heritage significance; however, see the below with regard to material specification.

There are, however, some concerns in terms of impacts on the significance of the non-designated heritage asset when considering the current proposal. They are:

Extension

There is no objection to the current design of the extension, especially given the recent amendments to materials (relating to the reconstituted stonework and the natural slate roofing slates). Although,

- Clarification is needed in the design and access statement to reflect the reconstituted stonework and natural slate roofing materials
- Clarification is needed to reflect the demolition of the detached store, rather than for its relocation (as denoted on Plan Ref. 13)

Boundary treatments

As remarked in email correspondence dated 05/05 by the Planning Officer, the proposed Concrete slotted, timber infill panelled fencing (Pan ref. 08, detail A) and high sliding metal gates (Plan ref. 08, detail D) are too high at 1.8 metres. This height of fencing would not be in keeping with the height of fencing in the general area, and would detract from the setting of the non-designated heritage asset.

Additionally,

- A concrete slotted post with timber infilling would detract from the building's heritage significance by instating materials which do not preserve or enhance the building materials of the non-designated heritage asset. As seen in the officer's photographs dated 03/04/2023, boundary treatments of the area are either stone walling, with timber extensions to full height, or picket timber fencing. Either one of these boundary treatments should be proposed to better enhance the significance of the heritage asset.
- Likewise, the high sliding metal gates would detract from the building's heritage significance by instating materials which are not in keeping with boundary treatments in the general area, nor do they reflect the building materials of the non-designated heritage asset. A timber sliding gate should be instated here instead, to be more in keeping with established boundary treatments of the area

All proposed building materials should be submitted to the local planning authority for approval prior to submission. These materials include:

- Photographic or physical samples of the steps leading from the parking spaces to the rear elevation. Ideally, the steps should be faced in local stone, although concrete pigmented to blend in with the existing stone rear elevation would be agreeable;
- Photographic or physical samples of any hard landscaping. This would include to the parking spaces and outside the rear elevation. The plans state that the car parking would be a permeable finish. Ideally, this would be a locally sourced gravel and would be identical to the scheme for the area outside the rear elevation;
- Photographic or physical samples with geographical location of visible gabion stones. These will ideally be locally sourced;
- Photographic or physical samples with geographical location of stone to the proposed extension. Any stone should be locally sourced sandstone, chosen to match the existing with respect to appearance and durability;
- Photographic or physical samples and mortar specification for proposed extension stonework. Any mortar should be lime-based and should be chosen to match the rear elevation of the weavers' cottage with respect to colour; and
- Photographic or physical samples with geographical location of roofing slates to the proposed extension. Any proposed slates should be locally sourced and match the appearance of those existing at neighbouring properties.

Lead Local Flood Authority

The Proposed Site Section drawing states that the driveway will be "*Lightweight structural permeable base mix concrete hardstanding draining to soakaway*". No details of the sub-base has been provided, which will need to be open graded "Type 3" gravel with "low fines". This will be a gravel base with voids such that rainwater has time to percolate into the ground. At the discharge of conditions stage, full details of the construction details must be provided.

REPRESENTATIONS

Letters of notification were sent to all surrounding properties. No representations have been received.

ANALYSIS

Principle of Development

Given that the application proposes works to an existing building currently in use as a bakery/café within the Defined Urban Area, the proposed development is considered as acceptable in principle.

Visual Amenity and Impact on Heritage Assets

Paragraph 195 of the National Planning Policy Framework states that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. Paragraph 197 goes on to state that In determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 203 of the NPPF adds that ‘the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.’

Policy P1 of the Council’s adopted Core Strategy seeks to require design which is of a high standard, demonstrating innovation and originality, and maximising the potential for heritage assets to provide a sense of place and image. Policy P2 seeks to conserve, enhance and promote key heritage assets and utilise heritage assets positively and intelligently to strengthen identity and image.

Further to this, Policies DM1 and P3 of the Council’s adopted Core Strategy require development proposals to adhere to high quality design and enhance the borough’s identity and sense of place, by respecting context where it is positive and having regard to the scale, density, massing, height, layout, landscape, materials and access of surrounding buildings and areas in general. In addition, paragraph 126 of the National Planning Policy Framework (NPPF) states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 130 of the NPPF goes on to state that planning policies and decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

90 and 92 New Road appear to have been constructed as weaver’s cottages, based on their distinctive upper floor windows on the front elevation. The properties were present on the first edition OS map from 1851 and likely date from the late 18th/early 19th centuries.

Given their age and links to the region’s early textile industry, they are of some architectural and historic interest. They have been identified as non-designated heritage assets.

The impact of a development on the significance of a non-designated heritage asset is a material planning consideration. A balanced judgement should be had, having regard to the significance of the asset, and the scale of any harm or loss. It is also important to note that weavers' cottages are considered to be key heritage assets for the purposes of Rochdale Core Strategy policy P2.

There is no objection in principle to the construction of a new single storey rear extension to the building and as stone is now proposed (the previously refused scheme proposed brick) to match the existing this is considered acceptable. In terms of the roof, the property would originally have had stone slate, as is still the case on the neighbouring properties. The existing extension has natural slate and this is replicated on the proposed extension which is acceptable. As the proposed extension materials now match the existing building it is considered to have an acceptable impact on the significance of the non-designated heritage asset although details of the materials will be secured by way of a condition.

In relation to the proposed flue, this would be in a similar position to the existing and would be of a similar height. This would have a neutral impact on the significance of the non-designated heritage asset.

The series of terraces proposed under the refused scheme have been removed and the sloping garden remains, with steps now proposed from James Street down to the rear of the building along with a gabion retaining wall. The depth of the flat surface for the proposed parking spaces will need to be increased into the sloping garden. To ensure this work does not impact on the stability of the garden and the neighbouring gardens, details of these works will be required to be submitted to, and approved in writing by, the Local Planning Authority prior to any works to the garden being undertaken.

The proposal includes the erection of a 1.2m high timber post and triple wire fencing along the side boundaries to which there are no objections. The proposal does include an upgrade to the existing retaining structure to the bottom of the rear garden in the way of a gabion wall which will require some excavation.

The existing boundaries onto James Street read as vacant unused land and the proposed works are an opportunity to improve their appearance however, the proposed sliding metal gates and boundary fencing with concrete posts on James Street is proposed to be 1.8m in height. This is considered excessive in height and along with the materials is considered to detract from the setting of the non-designated heritage asset. As such, the materials and height of the proposed gate and fencing to the parking spaces should be timber and no higher than 1.2m in height. This matter can be dealt with by a condition requiring details of boundary treatments to be submitted.

The proposal has been suitably amended to overcome the previous reason for refusal and the amendments made, subject to relevant conditions as noted below, are now considered acceptable in terms of the choice of materials and reduced engineering works and its overall impact on the character and appearance of the site, surrounding area and on the significance of the non-designated heritage asset 90-92 New Road is acceptable and in accordance with policies P1, P2, P3 and DM1 of the Adopted Rochdale Core Strategy, as well as the National Planning Policy Framework.

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. Policy DM1 of the Core Strategy states that proposals should adversely affect the amenity of residents and be compatible with surrounding land uses. Policy G9 seeks to prevent developments that would lead to an unacceptable increase in pollution.

Due to the nature and siting of the proposed development Officers consider that the proposal would not result in an unacceptable impact on amenity through a loss of sunlight/daylight and overbearing appearance or loss of privacy.

The Guidelines & Standards for Hot Food Takeaway Uses SPD requires flue and extraction equipment to be acoustically attenuated to achieve a level of no more than 40 dB(A) when measured 1m from noise sensitive premises. It is recognised that the use of the site is a café/restaurant, rather than a hot food takeaway. Nonetheless, the principles regarding the acceptable levels of noise from the flue are considered to be transferable.

Limited details have been provided regarding the flue, however the proposed flue would be sited in place of an existing flue and appears to be a like for like replacement. As the application seeks to replace an existing flue, Officers are satisfied that the proposed flue would not result in a significantly detrimental impact on the amenity of neighbouring occupiers by reason of noise or pollutants.

Officers consider that the application would have an acceptable impact on the amenity of neighbouring properties and is therefore in accordance with the requirements of policies G9 and DM1 of the Core Strategy.

Highways

Paragraph 109 of the NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Policy T2 of the adopted Core Strategy concerns improved accessibility.

The application has been reviewed by the Council's Highways Engineer who raised no objection to the proposed development.

Parking to the rear of the commercial properties on this section of New Road appears to have been established and the provision of additional off street parking for staff would be beneficial. The submitted plans show a level access over what appears to be an established vehicle access crossing which appears to be acceptable.

The level difference between James Street and the floor level of the existing shop is substantial and the depth of the permeable hardstanding will need to be increased by approximately 1.2m into the sloping rear garden. As this may have some impact on the structural integrity of James Street, the works to the proposed parking area need to be viable. To ensure this viability, further details of the works required to ensure the structural integrity of James Street during the construction of the parking spaces would need to be provided by way of a condition.

With this condition in mind, the proposed development would not result in a detrimental impact on road safety, and is in accordance with Policy T2 of the Core Strategy and the NPPF.

Flooding and Drainage

Policy G8 requires that new development does not lead to any form of increased flooding or impeded natural water and flood risk management. In this regard it is important that development includes drainage that is appropriate for the site and that utilises sustainable urban drainage solutions where ever possible. The site is not within an area at increased risk of flooding.

The applicant has confirmed that the proposed driveway would be permeable. Subject to a condition requiring full details, the proposed development would therefore comply with Policy G8 of the adopted Rochdale Core Strategy.

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:

03 – Location Plan
04 - Existing & proposed Site Layout
05 – Existing & Proposed Ground Floor Layout
07 – Existing & Proposed Elevations
09 – Existing & Proposed Longitudinal Site Sections A-A
13 – Existing & Proposed Section Looking Towards No. 92
14 – Existing & Proposed Elevation Looking Towards No. 88/88A

and the development shall be carried out in accordance with the approved drawings.

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. Notwithstanding any description of materials in the application or on the plans, no above ground construction works shall take place until samples and / or full specifications of materials to be used externally on the building, boundary treatments, hard landscaping, fencing, gates, steps and gabion wall, 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 Policy P3 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

4. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall include:
 - (i) A diagram of the proposed connection(s) to public sewer; and
 - (ii) Construction details for permeable paving for the driveway including sub-base details e.g. cross-section.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface water from the site in accordance with Policy G8 of the adopted Rochdale Core Strategy, saved Policy EM/7 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

Reason for pre-commencement condition: Drainage infrastructure will need to be implemented prior to commencement of above ground works and a scheme therefore needs to be agreed in advance of the same.

5. Prior to the commencement of development, details of the proposed works to be carried out in relation to the construction of the car parking spaces shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the structural integrity of James Street is not compromised by the proposed works and in accordance with Policy T2 of the Core Strategy.

Reason for the pre-commencement condition: To ensure the structural integrity of James Street is protected prior to commencement of above ground works and a scheme therefore needs to be agreed in advance of the same.

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.

Notes for Applicant:

1. The applicant is advised to contact the Councils Highways Team on 0300 303 8879 to ensure that the footway has the structural capacity to accommodate a vehicle access crossing.

2. The following advice is provided by the Council's Conservation Officer in relation to submitting information to discharge Condition 3 (materials) above:
- Photographic or physical samples of the steps leading from the parking spaces to the rear elevation. Ideally, the steps should be faced in local stone, although concrete pigmented to blend in with the existing stone rear elevation would be agreeable;
 - Photographic or physical samples of any hard landscaping. This would include to the parking spaces and outside the rear elevation. The plans state that the car parking would be a permeable finish. Ideally, this would be a locally sourced gravel and would be identical to the scheme for the area outside the rear elevation;
 - Photographic or physical samples with geographical location of visible gabion stones. These will ideally be locally sourced;
 - Photographic or physical samples with geographical location of stone to the proposed extension. Any stone should be locally sourced sandstone, chosen to match the existing with respect to appearance and durability;
 - Photographic or physical samples and mortar specification for proposed extension stonework. Any mortar should be lime-based and should be chosen to match the rear elevation of the weavers' cottage with respect to colour; and
 - Photographic or physical samples with geographical location of roofing slates to the proposed extension. Any proposed slates should be locally sourced and match the appearance of those existing at neighbouring properties.