

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

24/00230/FUL

CASE OFFICER

Majid Mir

DETERMINATION DATE 17.06.2024 **EXT OF TIME** 31.10.2024

Address: 19 Broad Lane Rochdale OL16 4QQ

Proposal: Erection of one dwelling following demolition of existing dwelling

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?	Y
	Neighbour comments received?	Y

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

RECOMMENDATION

GRANT SUBJECT TO CONDITIONS

CHECKED AND SIGNED OFF BY: RG

DATE: 22 November 2024

SITE

The application relates to 19 Broad Lane, a two storey semi-detached dwelling. To the east, no. 19 adjoins 17 Broad Lane. There is a driveway to the west of the dwelling which leads to the rear garden. It appears, historically no. 19 may have adjoined a row of terrace properties. Further west is a single storey structure used as stable block. It appears at present that the building is unoccupied.

No. 19 Broad Lane is located within the Green Belt.

PROPOSAL

The application seeks to demolish the existing dwelling and replace with a new dwelling.

The proposed dwelling would have a front and rear facing gable and the front door would be sited to the side elevation. The proposed dwelling would have a depth of 14.7m and width of 5m. The height to eaves would be 5.9m and the overall height up to the ridge would be 8.9m.

The proposed plan states that the roof will be constructed using concrete interlocking roof tiles in slate grey, Marshall Cromwell (or similar) reconstructed stone walling with colour and face type to client and LPA approval, UPVC windows with colour to client and LPA approval and composite door with colour to client and LPA approval.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Places for Everyone Joint Development Plan (PfE)

JP-S1	Sustainable Development
JP-S4	Flood Risk and the Water Environment
JP-G1	Landscape Character
JP-G9	The Green Belt
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-P1	Sustainable Places
JP-P2	Heritage
JP-C8	Transport Requirements of New Development
JP-H1	Scale, Distribution and Phasing of New Housing Development
JP-H2	Affordability of New Housing
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing

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
SO4	Promoting a greener environment
G6	Enhancing green infrastructure
G7	Increasing the value of biodiversity and geodiversity
G8	Managing water resources and flood risk
G9	Reducing the impact on pollution, contamination and land instability
SO5	To improve accessibility and deliver sustainable transport
T2	Improving accessibility
DM1	General development requirements
SD1	Delivering sustainable development

Unitary Development Plan (UDP):

G/D/2	Green Belt
EM/8	Protection of Surface and Ground Water

Supplementary Planning Documents (SPD):

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

RELEVANT SITE HISTORY

Not applicable.

CONSULTATION RESPONSES

Highways And Engineering

The proposed development will operate much the same as existing and as such we cannot sustain an objection to this proposal.

Env Health - Noise/Odours

This section has no objections in principle to the proposal, we would recommend a construction management plan is conditioned, to cover areas such as noise, vibration, mud and dust suppression.

Given the close proximity to existing residential properties we would also recommend restricting the site hours to 08:00-18:00 Monday - Friday 09:00-14:00 Saturdays and no work on Sundays or Bank holidays

Conservation And Design

No heritage objections.

United Utilities

The applicant should consider their drainage plans in accordance with the drainage hierarchy set out in the NPPF/NPPG.

Guidance provided.

Lead Local Flood Authority/Drainage

Recommend pre-commencement condition.

Environmental Control (Landfill Gas)

Recommend PRA report be submitted prior development commencing.

Gtr Manchester Ecology Unit & Tree Officer

No bats or evidence of bats roosting was found, and as such no further survey work is required.

Recommendations made to include advisory on bats, restrict works to/or removal of trees, hedgerow and other vegetation during bird nesting season and consideration given to recommendations in bat survey.

REPRESENTATIONS

Letters of notification were sent to neighbouring properties and a site notice was placed in the vicinity of the site. No responses were received.

ANALYSIS

Principle of Development – Green Belt

The application site is allocated as Green Belt. Paragraph 152 of the NPPF establishes that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 states that Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 154 of the NPPF establishes that Local Planning Authorities should regard the construction of new buildings as inappropriate in the Green Belt except in those instance where it meets the criteria identified within the list of exceptions. Included in the list of exceptions is:

- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

The NPPF establishes two tests; firstly relating to the use, and then an assessment of the relative size of the existing and replacement building. As noted above, the use of the building would be the same as the existing. The second test is a matter of judgement based on the evidence of each case as the NPPF does not define 'materially larger'.

The Council's adopted Guidelines and Standards for Residential Development Supplementary Planning Document (SPD) provides guidance in regards to extensions within the Green Belt. The SPD states that 'disproportionate additions comprise inappropriate development in the Green Belt and will not be approved unless very special circumstances exist that would outweigh the harm to the Green Belt.' The SPD sets out that extensions resulting in up to 35% increase in floor space or volume over the original dwelling would in most cases be considered appropriate and not disproportionate (this calculation would include previous extensions to the original dwelling, which is defined as the dwelling as it was first built or as it stood on 1 July 1948).

The supporting report notes that the footprint of the existing building is 72 square metres and a volume is 437 cubic metres. The footprint of the proposed building would be 73 square metres and the volume would be 534 cubic metres. Although the increase in the foot print would be nominal, the increase in volume would equate to 22%. It is unclear what represents the original building. There is no planning history available for the site. A building is shown in the position of no. 19 on the 1851 map. However, the property clearly pre-dates this. It appears to have been at the very

least partially rebuilt. It is clear that considerable work has been undertaken on the building. However, it is unclear when the two storey rear projection or the conservatory were constructed. It is clear that the conservatory is a later addition, however, historic plans suggest a building of a similar footprint to a building including the two storey rear projection. Without any evidence to suggest otherwise, it is accepted that the original dwelling includes the two storey rear projection. Taking on board this, even with the exclusion of the conservatory it would equate to an increase in footprint of 20% and increase in volume of 30%. As such the proposed replacement building would meet the requirements set out in criterion (d).

Furthermore, it is noted that the proposed building would be set in the same position as the existing and would increase the volume to the rear where the conservatory is. Additionally, the proposed replacement building does not appear more prominent and does not impact on the openness of the Green Belt any more than the existing structure.

It is therefore concluded that the proposed replacement dwelling meets the requirements of criterion (d) and is not inappropriate development in the Green Belt.

Design and visual amenity

The application property and the neighbouring property have been identified on the 1851 map. The Conservation Officer noted that the property was likely once part of a larger terrace, which has since been demolished. It was considered that the application property is likely to have at the very least been partially rebuilt and retains little in the way of historic features. As such, the Conservation Officer raised no objection to the proposal.

When viewed from the highway, no. 17 and no. 19 are viewed together. The two dwellings sit at odds with one another, with varying roof designs, heights, and window and door sizes. No. 17 is rendered, white in colour and has a front facing gable, whereas no. 19 has a more traditional side facing gable, is a brick structure and is painted in a cream colour. No. 19 is substantially taller with eaves and ridge set higher. Additionally, the windows of no. 19 are taller and a rectangular form, whereas the windows on no. 17 are shorter with a more square form. The height differences between the two is made blunter with the two front doors sited next to each other. Overall, when read together, the dwellings do not present a coherent built form or provide any meaningful architectural value.

Although side-facing gables are common along this part of Broad Lane, considering the adjoining property of no. 17 is a front facing gable, and the properties are viewed together from numerous public vantage points, a front facing gable design is considered acceptable. Although the height of the proposed dwelling would be the same as the existing, the height difference when compared to no.17 is more notable with the front facing gable. This is exacerbated with the narrower footprint of no. 19.

The removal of the door from the front elevation would be at odds with the no. 19, however when travelling along Broad Lane this side entrance arrangement is found on a number of properties in the area.

The proposed plan states that the roof will be constructed using concrete interlocking roof tiles in slate grey, Marshall Cromwell (or similar) reconstructed stone walling with colour and face type to client and LPA approval, It is noted that the existing structure is constructed out of brick and the adjoining building has a rendered finish. The roofs of the buildings are constructed using slate. The local area features a palette of natural stone, brick , and render with roofs predominantly using slate.

It is preferable that the proposed dwelling is constructed using natural stone and slate. Where a reconstituted stone is proposed, it is expected that this will have high quality finish. The same applies for the concrete interlocking tiles. It is therefore considered appropriate to include a condition requiring details and samples of the materials to be provided.

The windows on the front and rear elevations would be larger than the windows proposed on the side elevation however this reflects the existing appearance and reflects the internal layout appropriately.

Overall, it is accepted that the existing arrangement between the two properties is poor and whilst the application proposals would not present a relationship we would consider appropriate for a pair of new build semidetached properties, they would result in betterment over the existing context, so are considered acceptable on balance. The proposal would therefore be in accordance with Core Strategy policies DM1 and P3, the Residential Design Guide SPD, PfE and the NPPF.

Amenity

Section 4.1 of the Guidelines and Standards for Residential Development SPD sets out minimum distance standards which all new residential developments should adhere to in order to ensure a satisfactory standard of amenity for surrounding, existing and future occupiers. The proposed bedroom windows would face the front and rear, and would not face any residential properties. In regards to the side windows, the windows on the first floor would not service habitable rooms, nevertheless, the windows do not face any residential property.

The proposed dwelling would be elongated and a two storey structure would stand where the existing conservatory is built. Therefore, it is considered paragraphs 5.8 – 5.10 of the SPD are relevant. This limits the projection of rear two storey extensions to prevent extensions from unduly impacting on the amenity of neighbouring properties. The proposed dwelling would project 0.4m from the rear elevation of the adjoining property. It would therefore accord with the requirements of the SPD.

The proposed dwelling would have four bedrooms and set over three floors. The floor space area would be 154sqm, exceeding the Nationally Described Space Standards. Additionally, the bedrooms would meet the minimum standards set out in the Nationally Described Space Standards. Furthermore, all habitable rooms will receive a sufficient amount of light and outlook and ample amount of outdoor amenity space will be retained.

It is noted that the Environmental Health department has requested the addition of condition requesting a Construction Management Plan and restrictions on working times. As a small-scale development that would see the existing single dwelling replaced a condition is considered disproportionate in this instance.

The proposal would not unduly affect the amenity of any of the neighbouring residential properties and would provide suitable amenity for residents of the application site, according with the relevant policies within the Core Strategy, PfE and the NPPF.

Highways

The proposed development would retain the existing driveway and access to the rear parking area. This would provide a parking area that exceeds the maximum standards set out in Appendix 5 of the Core Strategy. Additionally, the highways department have not raised an objection.

As such it is considered that the proposal would accord with policies T1 and DM1 of the adopted Core Strategy, PfE and the NPPF.

Drainage

The application site is not located in flood risk zone 2 or 3, and nor is it located within a critical drainage area.

A drainage plan has been submitted with the proposal. It is noted that there is no public sewerage system and therefore private sewage is necessary. The applicant's proposed works show the location of a soakaway and a septic tank. The drainage Officer has requested the addition of a condition in regards to the drainage scheme. However, it is noted that this would be dealt with through the building regulations process. As such the addition of the condition would not meet the criteria for the inclusion of the condition.

It is therefore considered the proposal is acceptable in regards to drainage and flood risk considerations and accords with the relevant policies in the UDP, Core Strategy, PfE and the NPPF.

Land Contamination

The application site is within a landfill buffer zone. The Land Contamination Officer has recommended the addition of a condition requiring a Preliminary Risk Assessment to be provided prior to the commencement of work. Noting the history of the site and the proposed work required for the construction of the proposed development, it is considered appropriate to include the condition for the purpose of environmental and human safety.

Subject to the addition of a condition, the proposal is considered to be acceptable and accords with relevant policies in Core Strategy, PfE and the NPPF.

Ecology and trees

The application is exempt from statutory Biodiversity Net Gain.

A bat survey was provided to support the application. On the first survey, there was no evidence of roosting bats in any part of the dwelling or elsewhere within the site currently or historically. Also, no bats were seen to have emerged from any building or foliage during the evening activity and bat emergence survey.

The survey noted that there was potential for the trees and shrubs within the site, and the shrubbery and hedgerows both within and around the sites' perimeter, to be used by birds for both roosting and nesting purposes. Neither active nor historic nests had been found during the surveys. However, the survey noted that due to the time of year, that the majority of birds will have already completed breeding, and the young will have fledged and dispersed. Additionally, no evidence of roosting barn owls was observed in any part of the site,

The survey recommended the addition of installation of Schwegler 1FD bat boxes, Eco-plate Hedgehog Box positioned in appropriate location close to the southern site boundary and hedgehog holes in the fencing. It is however, noted that the application does not propose any new boundary treatment.

The GMEU ecologist noted that no further survey work is required. The ecologist recommended that an informative in regards to the responsibility to protected

species is added, removal of trees, hedgerows and other vegetation should not take place during the main bird nesting season (March – August) and consideration should be given to inclusion of integration of bird and bat boxes into the new building.

Subject to the addition of a condition, the proposal is considered to be acceptable and accords with relevant policies in Core Strategy, PfE and the NPPF.

RECOMMENDATION : Grant Subject to 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. Planning. Drawing no: CM344a PL 01.
- Site Plans. Planning. Drawing no: CM344a PL 02a.
- Existing Layout. Planning. Drawing no: CM344a PL 03.
- Proposed Layout. Planning. Drawing no: CM344a PL 04d.
- Street Scenes. Planning. Drawing no: CM344a PL 01.

and the development shall be carried out in 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 saved Rochdale Unitary Development Plan, the adopted Rochdale Core Strategy, the adopted Places for Everyone Joint Development Plan Document 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 specification of materials to be used externally on the building(s) 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 use of appropriate materials which are sympathetic to the listed building and the surrounding area in the interests of visual amenity and heritage. In accordance with policy DM1, P2 and P3 of the adopted Rochdale Core Strategy, policy JP-P2 of the adopted Places for Everyone Joint DPD and the National Planning Policy Framework.

4. Prior to commencement of the development a Phase I Report (Preliminary Risk Assessment) must be completed to assess the actual and/or potential contamination risks at the site. The Phase 1 Report must be submitted to, and approved in writing by, the Local Planning Authority and shall include a desk top study, site walk over, conceptual model, basic hazard assessment and recommendation regarding the need or otherwise for further investigation and risk assessment.

Where the Phase 1 Report has identified potential unacceptable risks, a suitable investigation, risk assessment and remedial action shall be carried

out in accordance with details and within a timescale to have first been submitted to and approved in writing by the Local Planning Authority.

In the event that contamination is suspected or found at any time when carrying out the approved development that was not previously identified, or contamination is caused, the Local Planning Authority shall be notified immediately and development affected and potentially affected by the contamination must stop. An investigation and/or risk assessment and/or remediation shall be carried out in accordance with an agreed process and within agreed timescales to have first been submitted to and approved in writing by the Local Planning Authority. If contamination is not suspected, found or caused during development, this must be confirmed in a completion letter which is subject to the approval in writing of the Local Planning Authority

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with policies G8 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Contamination measures 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. No clearance of trees, hedgerows 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 which provides for the protection of nesting birds during the period of works on site.

Reason: In order to prevent disturbance to any nesting birds that may be present in accordance with Policies G6 and G7 of the 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:

1. Birds
The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a birds nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

2. Bats

All bats and their roosts are protected under the Wildlife and Countryside Act 1981; the Countryside and Rights of Way Act 2000; the Natural Environment and Rural Communities Act 2006; and by the Conservation of Habitats and Species Regulations (2010). Before any work can proceed which may cause harm to bats, a License will need to be obtained from Natural England derogating from the terms of the legislation protecting bats. The License application process is separate from any grant of planning permission.

3. United Utilities - Assets

United Utilities reminds the applicant it is their responsibility to investigate the existence of any pipelines that might cross or impact their proposed site and also to demonstrate the exact relationship between United Utilities' assets and the proposed development.

United Utilities recommends the applicant to visit their website for further information on how to investigate the existence of water and wastewater pipelines and what to do next if a pipeline crosses or is close to their red line boundary. Details can be found here <https://www.unitedutilities.com/builders-developers/your-development/planning/building-over-or-working-near-our-assets/working-near-our-pipes/>.

United Utilities will not allow building over or in close proximity to a water main. United Utilities will not allow a new building to be erected over or in close proximity to a public sewer or any other wastewater pipeline. Nb. Proposals to extend domestic properties either above, or in close proximity to a public sewer will be reviewed on a case by case basis by either by a building control professional or following a direct application to United Utilities.

Where United Utilities' assets exist, it is essential that the applicant, or any subsequent developer, contacts our Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition.

Please contact United Utilities by:

Water supply / water infrastructure: DeveloperServicesWater@uuplc.co.uk

4. United Utilities - Drainage

In the event that the applicant, or any subsequent developer, approaches United Utilities regarding a connection for surface water to the public sewer, it is likely that we will request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable. This will be managed through either our 'S106 Sewer Connections' or 'S104 Adoptions' processes.

Please contact United Utilities by:

Drainage / wastewater infrastructure: SewerAdoptions@uuplc.co.uk