APPLICATION NUMBER: 20/01365/AM

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
20/01365/AM	Rachel Carney	20 January 2021

Address: Land Off Barke Street Littleborough

Proposal: S73 application for minor material amendment to planning permission to 17/00308/AM for the proposed addition of 4no. velux rooflights to southeast and northwest elevations and amendment of velux rooflights on southwest elevation to inset windows

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?	n

EIA	**Screening opinion completed and saved to Onbase?**	n

CONDITIONS	**Pre-commencement conditions proposed?**	n
	Pre-commencement conditions agreed (or notification period expired)?	n

RECOMMENDATION	APPROVE

CHECKED AND SIGNED OFF BY: AT **DATE: 22.01.2021**

SITE

The application relates to a new residential care home where construction is almost complete. The care home is sited off Barke Street and is located in the Smithy Bridge area of Littleborough.

PROPOSAL

The application proposes an amendment to the current approved scheme to provide an additional 4 velux roof lights to the south east and north west elevations and amendment of the velux roof lights to the south west elevation to inset windows.

The new roof lights would serve second floor roof voids with first floor bedrooms beneath and the inset windows would serve a second floor lounge/dining room.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – February 2019

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

C1 Delivering the right amount of housing in the right places
C3 Delivering the right type of housing
C7 Delivering education facilities

G2 Energy and new development
G6 Enhancing green infrastructure
G7 Increasing the value of biodiversity and geodiversity
G8 Managing water resources and flood risk
G9 Reducing the impact of pollution

P3 Improving design of new development

T2 Improving accessibility

DM1 General development requirements

Relevant saved Rochdale Unitary Development Plan (UDP):

G/D/1 Defined Urban Area

Supplementary Planning Documents (SPD):
Supplementary Planning Guidance note 'Guidelines and Standards for Residential Development'.

RELEVANT SITE HISTORY

07/D49733 - Outline application for residential development of 15 apartments. Refused and dismissed on appeal. Whilst this appeal was dismissed the Planning Inspector found in favour of a number of elements of that proposal which led to the granting of subsequent development proposals for the site.

08/D51443 – Outline application for 14 apartments. Approved

09/D52091 – Reserved matters application for 14 apartments. Approved.

11/D54616 – Erection of a 4 storey 50 bedroom nursing home, including the demolition of 2 and 4 Barke Street. Approved

14/00237/AM – Minor material amendment to D54616 for alterations to external elevations following amendments to internal layout. Approved.

14/00906/AM - Minor material amendment to planning permission 14/00237 for the removal of the opaque glazing between the first and second floors on the rear and side elevations, the installation of four additional windows on the rear elevation, the removal of balcony guards on the rear elevation, together with an extension to the lower ground floor to provide four additional bedrooms and a plant room. Approved.

14/01423/VRCON - Removal of condition 4 of planning permission 14/00906/AM relating to the achievement of BRE Code for Sustainable Homes. Approved.

17/00081/ANM - Application for non-material amendment to planning permission 14/00906/AM for the installation of extraction flues on north west and south east elevations and revised landscaping layout to side and rear of building – Withdrawn.

17/00308/AM - Application for minor material amendment to planning permission 14/00906/AM for the installation of extraction flues on north west and south east elevations and revised landscaping layout to side and rear of building - Approved

CONSULTATION RESPONSES

Highways And Engineering
Concerns that the gates would gate off a small section of the highway.

Network Rail
No comments received to date

REPRESENTATIONS

The application has been publicised with neighbour notification letters, a press notice and site notice. No letters of representation have been received.

ANALYSIS

Principle of development

Paragraph 017 to section 17a of the NPPG states that:

- "There is no statutory definition of a 'minor material amendment' but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved."

Given the approval of planning applications 11/D54616 and the subsequent amendments 14/00237//AM, 14/00906/AM and 17/00308/AM, the development which the current application seeks to amend has already been judged to be acceptable in principle and indeed construction on site is well underway and appears to be almost complete.

Applications for minor material amendments are to be determined in accordance with s.38(6) of the Planning and Compulsory Purchase Act 2004, though given the existence of an extant planning approval, it follows that attention should be focussed on national or local policies or other material considerations which have changed significantly since the original grant of permission, as well as the changes sought.

The construction of the nursing home is ongoing and appears to be nearing completion. Therefore, whilst approval of the application would, in effect, result in the issuing of a new permission, consideration only needs to be given to those elements of the scheme which differ from the previous approvals, together with any significant change in policy which has occurred in the interim.

Since the approval of the last minor material amendment application in 2017 there has been an update to national policy through the publication of the amended NPPF in 2019. This does not however comprise a fundamental change in planning policy that would indicate that an alternative approach should be taken with respect to the principle of development, nor has there been any physical change in circumstances at the site.

The implications of the amendments are addressed below.

Revisions

The application proposes the installation of additional velux roof lights and the alteration of previously approved velux roof lights to inset windows. The application also initially proposed the installation of gates but following concerns from the Council's Highway Service that the gates may result in gating off a small section of the highway, that element of the scheme has been removed from the application at the request of the agent and the description of development has been amended accordingly.

In regards the new roof lights, these would serve a roof void to the second floor of the development that sits above first floor bedroom accommodation. The new roof lights would be sited to an elevation that already contains a number of openings and would match with the velux roof lights that have already been approved. In this respect it is considered that the roof lights would complement the existing form of development and result in no harm to surrounding occupiers through overlooking and loss of privacy. These additional velux rooflights are therefore considered to be an acceptable addition to the site.

Elsewhere on the building, to the south west elevation, previously proposed velux roof lights are proposed to be altered to inset windows. This would result in bringing a new type of roof opening to the development but being inset to the approved roof slope it is considered that they would result in no undue harm to the overall appearance of the development. Furthermore, there are no concerns from overlooking from the new openings, with their position replicating window openings that have already been approved on the floors below.

In addition to the above it is noted that the site lies within close proximity to the railway and Smithy Bridge Station. Comments have been sought from Network Rail on the application but to date no response has been received. Nonetheless, the impact from the railway was considered in previous application and it is considered that this application would not materially alter the already accepted position.

Further to the above it is considered that the effects of the proposed amendments to planning approval 17/00308/AM would not significantly alter the development's impact in terms of its design, relationship with neighbouring uses or impact on the character and appearance of the surrounding area. It is important that the correct

materials for the roof lights and inset windows are used and these should match those materials used and as controlled under application 14/01438/DOC. Care should be taken to ensure that this permission refers back to that approval.

RECOMMENDATION

1 This permission relates to the following plans:-

o 1020/100 (Rev F) - Site Plan
o 1322/P-201 - Elevations 1
o 1322/P-202 Revision A – Elevations 2
o 1020/101 (Rev G) - Lower Ground Floor Plan
o 1020/102 (Rev D) - Upper Ground Floor Plan
o 1020/103 (Rev D) - First Floor Plan
o 1020/104 (Rev D) - Second Floor Plan
o 1020 - Site Location 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 Rochdale Core Strategy, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

2 Notwithstanding any description of materials in the application, the development shall be carried out using the materials which were agreed as part of discharge of condition application 14/01438/DOC.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Policies DM1 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

3 Prior to or within 28 days of their installation on site, the extraction flues hereby approved shall be powder coated Anthracite Grey (RAL 7016) to match the colour of the existing window frames within the building and retained as such thereafter.
Reason: In the interests of the general visual amenities of the vicinity in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

4 No building or engineering operations within the site or deliveries to and from the site shall take place other than between 07.30 hours and 14.00 hours on Saturdays and between 07.30 hours and 18.30 hours Monday to Friday.

Reason: In order to safeguard the amenities of the area and to prevent nuisance arising in accordance with Policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

5 The car parking areas shall be constructed and marked out in accordance with those details shown on the submitted drawing numbered 1020/100 Rev. F, concurrently with the construction of the building hereby permitted. The approved parking areas shall be made available for use before the building is first occupied and shall be retained and kept available for their intended use at all times thereafter.

Reason: In order to ensure adequate and appropriate parking provision in accordance with Policy T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

6 The details of the means of surface water disposal which were agreed as part of discharge of condition application 14/01438/DOC shall be implemented in full before the development hereby permitted is first occupied unless otherwise agreed in writing by the Local Planning Authority.

Reason: To secure a satisfactory system of drainage and to prevent pollution of the water environment in accordance with Policy G8 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

7 The details of the means of foul water disposal which were agreed as part of discharge of condition application 14/01438/DOC shall be implemented in full before the development hereby permitted is first occupied unless otherwise agreed in writing by the Local Planning Authority.

Reason: To secure a satisfactory system of drainage and to prevent pollution of the water environment in accordance with Policy G8 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

8 The hard landscaping scheme shown on the submitted drawing numbered 1020/100 Rev. F, shall be implemented in full before the development hereby permitted is first occupied unless otherwise agreed in writing by the Local Planning Authority. The soft landscaping and scheme of planting shown on the same drawing shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally requires to be planted.

Reason: In order to achieve a satisfactory level of landscaping in the interests of the amenities of the area in accordance with Policies DM1 and G6 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

9 The boundary treatment shown on the submitted drawing numbered 1020/100 Rev. F shall be constructed before the building is first brought into use and retained thereafter.

Reason: In the interest of visual amenities, in accordance with Policies DM1 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

10 No part of the residential accommodation hereby approved shall be occupied until such time as Barke Street has been brought up to an adoptable standard in full accordance with details shown on the submitted drawing numbered 1020/100 Rev. F unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway and pedestrian safety in accordance with Policy T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

11 The development shall be carried out in accordance with the site investigation report produced by GCM Consulting Engineers (ref: 3684 dated February 2009) and a verification report shall be submitted to and approved in writing by

the Local Planning Authority before the building is first brought into use.

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.

12 Within one month of the date of the occupation of any part of the development, a notice for that part of the development as occupied shall have been submitted to and approved in writing by the Local Planning Authority. The Notice shall specify the following from calculations made using methodology for the calculation of energy approved by the Secretary of State:

The target CO2 emission rate for the building applicable at the time of development commencement; and
The calculated emission rate for the building which shall be at or below the above target.

Reason: To ensure that the development is sustainable and makes efficient use of energy demand in accordance with Policy G2 of the adopted Rochdale Core Strategy, the Council's Energy and New Development Supplementary Planning Document and the National Planning Policy Framework.

Procedure Statement

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

Notes for Applicant:

Report Author Rachel Carney