

Officer Report

Case Reference: 25/00299/FUL
Location: Stables On Land To North West Of 19 Broad Lane, Burnedge, Rochdale, OL16 4QQ.
Proposal: Change of use from stables to residential dwelling including increase in roof height and alteration to fenestration, formation of vehicular access and boundary treatments
Recommendation: Approve with Conditions
Officer: Sam Yuen

SITE DESCRIPTION

The application relates to a stable structure located off Broad Lane in Burnedge. The site sits within the Green Belt and forms part of a ribbon development along Broad Lane comprising residential and commercial uses. The site is adjacent to no. 19 Broad Lane to the southeast and faces the highway to the northeast. A public right of way adjoins the side boundary of the site and connects to Pit Lane to the south. Broad Lane/B6194 is a classified highway connecting Rochdale and Oldham.

PROPOSAL DESCRIPTION

Planning permission is sought for the change of use of the stables to a residential dwelling. The works to facilitate the conversion comprises the following:

- Increase in ridge height by 2m;
- Infilling of existing openings with natural stone walls; and
- Alterations to fenestration to the front, rear and south-east facing side elevation;

The submitted plans also indicate the formation of a vehicle access and boundary treatments including a 0.9m-high front stone wall and 2m-high timber gate to the side and rear.

POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Places for Everyone Joint Development Plan (PfE)

The Places for Everyone Joint Development Plan was adopted and became part of the statutory development plan for each of the 9 authorities covered by the plan on 21st March 2024. The following policies are relevant:

Policy JP-G8 A Net Enhancement of Biodiversity and Geodiversity

Policy JP-G9 The Green Belt

Policy JP-P1 Sustainable Places

Local

Adopted Rochdale Core Strategy (CS) 2016:

The Rochdale Core Strategy was adopted on 19th October 2016. The following policies are relevant:

P2 Protecting and Enhancing Character, Landscape and Heritage

P3 Improving Design of New Development

G7 Increasing the Value of Biodiversity and Geodiversity

G9 Reducing the Impact of Pollution, Contamination and Land Instability

DM1 General Development Requirements

T2 Improving Accessibility

Appendix 5 Schedule of Parking Standards

Supplementary Planning Documents (SPD):

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

PLANNING HISTORY

11/D55093 - Erection Of Single Storey Stable Block With Associated Tack Room And Feed Store Including Formation Of Hardstanding Vehicle Parking And Turning Areas And Creation Of Vehicle Access To A Classified Road (Resubmission D54450) - Grant subject to conditions

11/D54450 - Erection Of Single Storey Stable Block With Associated Tack Room And Feed Store Including Formation Of Hardstanding Vehicle Parking And Turning Areas And Creation Of Vehicle Access To A Classified Road. - Withdrawn

CONSULTATION RESPONSES

Highways And Engineering

This is a semi-rural area some distance from any local centre of amenities. It is not considered to be a sustainable location.

The proposed use is unlikely to generate any significant volume of traffic.

Access to the site is existing and satisfactory.

Ample parking has been provided on site for the proposed usage.

Whilst the proposal has no parking associated with it, Highways could not justify an objection to this application.

No new roads are proposed as a result of this proposal, and no changes are proposed to the existing highways network.

No new road safety issues are of a concern with this proposal.

Highways have no sustainable objection to this proposal.

Greater Manchester Ecology Unit (GMEU)

Biodiversity Net Gain

The Ecology Unit has reviewed the updated BNG metric and report and have no reason to doubt the assessment of the baseline or post-development value of the site. Given the site will comprise residential curtilage, no further units can be gained on-site and therefore units will need to be sourced from an off-site provider. The Ecology Unit would have no objection to this, providing units in close proximity to the site are prioritised. The Statutory Biodiversity Gain Condition will be deemed to apply should this planning application receive permission. In order to discharge the condition and commence the development, sufficient information will be required to demonstrate that a 10% net gain will be achieved, including a Biodiversity Gain Plan, final version of the BNG metric showing a 10% net gain, and evidence that the correct number and type of units have been successfully purchased and allocated to the development.

Ecological Appraisal

The building was assessed as having low potential to support roosting bats. As such 1 emergence survey was undertaken. No bats or evidence of bats was recorded during the survey. Sufficient survey work in relation to bats has therefore been carried out.

The Ecology Unit would therefore recommend that the following are secured by a condition:

- Reasonable Avoidance Measures (RAMs) during habitat clearance and construction are followed to protect wildlife that could be present, such as hedgehogs and amphibians.

- A sensitive lighting scheme should be implemented to reduce disturbance to bats and other wildlife in the locality (e.g. Artificial Lighting Guidance - Buildings, planning and development - Bat Conservation Trust).
- Work that will impact on habitats where nesting birds may be present (for example vegetation removal), should not be undertaken in the main bird nesting season (March – August) unless suitable checks for active bird nests have been undertaken.
- An Ecological Enhancement Scheme is secured to include new bat and bird boxes to be incorporated into the building.
- Protected species can turn up in unexpected places and the granting of planning permission does not negate the need to abide by the laws which are in place to safeguard biodiversity. An informative should be used so that the applicant is aware that they must seek ecological advice should they find or suspect that the proposals will impact on protected species.

Environmental Control (Landfill Gas)

The development is a conversion of the existing building into housing. The geo-environmental audit states that both reservoirs to the south of the site were infilled with inert waste between 1984-1986. Historical landfill data from both RBC and the Environment Agency indicates that only one of these reservoirs (the smaller, most westerly reservoir) was infilled with inert waste and was licenced. The larger of the two reservoirs disappears from historical OS maps in the mid to late 1970s, completely filled by 1979. Although this is when the Control of Pollution Act was in effect, regulating the deposit of controlled waste to land, RBC (and the Environment Agency) have no records as to the material used to fill this reservoir. It is noted that the geo-environmental audit says:

“The superficial aquifer is designated also as Secondary A, however, geological maps and local borehole records suggest the area is underlain by an impermeable clay aquitard.”

The drainage strategy records an average infiltration rate of 0.000014 m/s. This shows that, if gas were to arise from the infilled reservoir, that it would be able to migrate from the former reservoir to the site in question in slightly over a month, should conditions prevail.

As such, and as ground gas monitoring was not undertaken, and in keeping with other planning applications which Env. Control has commented on in this area in the past, then it would be requested a pre-commencement condition for gas protection measures be included, should the application be granted permission.

REPRESENTATIONS

Neighbour notifications via letters were sent to surrounding properties and a site notice was posted within the vicinity of the site. No comments were received.

PRINCIPLE OF DEVELOPMENT - GREEN BELT

The application site is allocated as Green Belt under Policy JP-G9 of the recently adopted Places for Everyone Joint Development Plan, which establishes a revised Green Belt in the Borough and supersedes Policy G/D/2 of the Rochdale Unitary Development Plan and Policy G4 of the Rochdale Core Strategy. Policy JP-G9 does not set out specific requirements for development proposals within the Green Belt and as such the provisions of the NPPF apply.

Paragraph 153 of the NPPF establishes that, as with previous Green Belt policy, “local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. ‘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 development in the Green Belt is inappropriate unless one of the following exceptions applies:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt”

Therefore, the main consideration in assessing the principle of development is whether the proposed scheme constitutes inappropriate development within the Green Belt and, if so, whether very special circumstances have been demonstrated which may outweigh the presumption against development.

In respect of the above policy guidance, Section 5.20 of the Council's adopted 'Guidelines and Standards for Residential Development' (2016) Supplementary Planning Document states that "normally, in principle, extensions that result in up to a 35% increase in floor space or volume over and above the original dwelling would normally 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). However, the characteristics of properties and proposals will vary significantly and there may be instances when a 35% increase would be considered disproportionate and other occasions when a greater than 35% increase may be considered proportionate." Whilst the current use of the building is not residential, Section 5.20 of the SPD remains relevant as a measure for "disproportionate additions".

The proposal seeks to convert the existing stables into a residential dwelling by way of an upward enlargement and external alterations. The current building was approved in 11/D55093 and has remained in place since with no visible changes to its footprint. For the purposes of this assessment, the stables in its current form would therefore constitute the original building.

The original building comprises an existing volume of 354m³ and the proposed enlargement would result in an additional volume of 119.66m³, which constitutes a 34% increase over and above the original building. There would be no changes to the existing footprint of the building. As such, the proposed development would meet the allowance of Section 5.20 of the SPD and would not represent a disproportionate addition.

Openness

Paragraph 142 of the NPPF states that "the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence."

"Openness", for the purpose of Green Belt policy is not formally defined within Planning Policy or legislation but is taken to mean the absence of built development. The term "openness", comprises a spatial and visual component which should be assessed in considering whether a proposal preserves the openness of the Green Belt.

The proposed enlargement does not constitute disproportionate additions over and above the size of the original building, therefore no harm has been identified in terms of the spatial component of openness.

It is noted the proposed enlargement would increase the height and bulk of the building and may restrict long-range views of the open land from the adjacent public right of way. Notwithstanding, the dwelling would be seen in the context of an established line of built development and thus the spatial relationship of the original building and the adjacent development would not be compromised.

Views of the open farmland from public vantage points along Broad Lane is limited due to its setting against a backdrop of large mature trees. Given this, the proposed upward enlargement is not considered to restrict any existing views of the Green Belt and would not significantly harm its visual openness.

Planning Balance

In light of the above assessment, it is considered the proposed development would meet inappropriate development exception (g) which allows for the limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt. Paragraph 153 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. No harm through inappropriateness has been identified and no additional harm with regard to the openness of the Green Belt has been identified. The proposal therefore accords with Policy JP-G9 of the PfE and the NPPF.

DESIGN AND APPEARANCE

The NPPF states achieving good design is a key aspect of sustainable development, and decisions should ensure developments are visually attractive and sympathetic to local character. This is also reflected in PfE Policy JP-P1 and CS Policies DM1 and P3, which require development to respect local context with regard to siting, size, scale, massing, height and materials. In addition, Section 5.1 of the SPD states development proposals should be in keeping with the host property and generally should be subservient to it.

The proposal relates to a detached stables building located on a building line of residential, commercial and agricultural properties. By virtue of its extended width and large openings, the building has an agricultural character which is distinct from the adjacent residential dwellings.

The proposed raising of the ridge height would increase the overall mass of the building but would nonetheless retain the built form of the original stables. The enlarged building is also not considered to be dominant when viewed alongside the surrounding two-storey buildings on the building line.

The proposed extension would be constructed in materials matching the original building. Whilst the proposed dwelling may not read as residential in appearance, the external finish of the building would not be materially different from the existing. As such, the proposal is not considered to have an undue visual impact to the character of the surrounding street scene.

There are no concerns regarding the design and visual impact of the proposed boundary treatments which would be appropriately designed for its setting.

The proposed design is therefore acceptable in accordance with Policies DM1 and P3 of the Core Strategy, Policy JP-P1 of the adopted PfE and the NPPF.

AMENITY

Protection of residential amenity is considered under Policy DM1 of the adopted Rochdale Core Strategy, which states development proposals should ensure they do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.

The proposed dwelling does not directly face any properties and would have a neutral impact on the amenity of neighbouring occupiers.

The submitted plans indicate the provision of natural light to all habitable rooms and that sufficient garden space of a functional layout would be retained. As such, the proposed works would ensure an acceptable standard of living for existing and future occupants.

The proposal would be acceptable in terms of amenity impact and accord with with Policy DM1 of the adopted Core Strategy, the SPD and the NPPF.

HIGHWAYS AND PARKING

Policy DM1 of the adopted Rochdale Core Strategy requires development proposals to provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements taking into account of the proposed use and location.

The proposed use of the site as a residential dwelling is not considered to generate a level of traffic which would compromise highway safety in this location. The submitted plans indicate hardstanding providing at least two off-street parking space for the property which would be acceptable. The Council's Highways Officer has also raised no objection to the proposal.

The proposed parking arrangements are therefore acceptable in accordance with Policies T2 and DM1 of the adopted Core Strategy and the NPPF.

ECOLOGY

Core Strategy Policy G7 requires that sites and features of biodiversity and geodiversity importance are given full and appropriate recognition and protection and that opportunities for enhancing biodiversity and geodiversity will be supported. It is expected that development proposals will protect and include existing biodiversity and take opportunities to promote biodiversity and create new habitats using landscaping and building and construction features wherever possible. Policy G7 requires that no development should result in a net loss of biodiversity and geodiversity.

PfE Policy JP-G8 seeks to deliver a net enhancement of biodiversity resources through a collective of measures which are broadly aligned with the approach to BNG outlined within the Environment Act (2021), the NPPF and supporting guidance documents. The provisions of the Environment Act in respect of BNG are now a statutory requirement for planning applications and so the proposed development should achieve net gains for biodiversity via species enhancement as guided by the NPPF (Paragraphs 187d and 192 b) to achieve demonstrable net gain for biodiversity.

When determining planning applications Paragraph 193 of the NPPF sets out that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Opportunities to improve biodiversity in and around developments should also be integrated as part of their design, especially where this can secure measurable net gains.

As of 2nd April 2024, BNG of 10% for minor planning applications is mandatory for development in England under Schedule 7A of the Town and Country Planning Act 1990.

The submitted bat emergence survey recorded no evidence of bats in the existing structure and as such no concerns are had with regard to impacts to protected species.

The proposal would result in the loss of the existing soft landscaping and habitats within the site boundary. Notwithstanding, the submitted BNG assessment indicates a deficit of 0.02 habitat units to achieve 10% net gain which would be secured through off-site habitat bank units. GMEU has considered the submitted assessment and is satisfied with the proposed arrangements.

Therefore, subject to the statutory BNG condition, the proposed development is considered to be acceptable and would comply with Policies G6 and G7 of the Core Strategy, Policies JP-G7 and JP-G8 of the PfE and the NPPF.

CONTAMINATION

Core Strategy Policy G9 states 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 Environmental Control Officer has noted that the application site is adjacent to two former reservoirs. Whilst both reservoirs have since been filled, there are no records as to the materials used to fill one of the reservoirs. As there is potential gas which may migrate from the reservoir to the application site, and in the absence of ground gas monitoring surveys, it would be necessary to recommend a pre-commencement condition for the submission of gas protection measures, or information to demonstrate such measures are not necessary, in order to address any potential risk arising from ground gas.

Subject to conditions, the requirements of Policies G9 and DM1 of the adopted Core Strategy and the NPPF will have been met.

Recommendation: Approve with Conditions

Condition(s) (4)

- 1 The development hereby permitted shall begin no later than three years from the date of this planning permission.

Reason: For the avoidance of doubt and to ensure that any conditions imposed on the original permission remain in force other than as expressly hereby varied and development must be started in accordance with Section 73(5) of the Town & Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development shall be carried out in accordance with the following drawings and documents hereby approved:
- Location Plan - received 25/03/2025
 - Existing and Proposed Site Plan and Boundary Treatments - drawing no. 1705.02 Rev. A received 28/04/2025
 - Existing and Proposed Floor Plans and Elevations - drawing no. 1705.01 received 25/03/2025

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, the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 3 No development shall commence until proposals for gas protection measures, to be incorporated into the proposed building to prevent the ingress of landfill gas or ground gas, have been submitted to, and approved in writing by, the Local Planning Authority.

The development shall thereafter be completed in accordance with the approved details and a Verification Report confirming the installation of the approved protection measures shall be submitted to, and approved in writing by, the Local Planning Authority.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy G9 of the adopted Rochdale Core Strategy, Policy JP-S1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Reason for pre-commencement condition: Details of remediation will be required to ensure the safe development of the site during the construction and operation phases of the development.

- 4 The materials used in the construction of the exterior of the development hereby permitted shall match those used in the construction of the exterior of the existing building in colour, form, type, size and texture.

Reason: In the interests of ensuring a satisfactory visual appearance to the development and in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

Approval Reason(s) (1)

- 1 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.

Informatives (1)

- 2 All British bats and their roosts are protected by law under the provisions of the Wildlife and Countryside Act 1981 (as amended) and they should therefore always be taken into account when any work is being done on buildings which are known to be used by bats or have potential as bat roosts. Should bats be found on site you are advised to cease works and contact Natural England for further advice.

BIODIVERSITY NET GAIN

- 9 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority,

and;

(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Rochdale Council.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1. The application for planning permission was made before 12 February 2024.

2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.

3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and

(i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or

(ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

i) the application for planning permission was made before 2 April 2024;

ii) planning permission is granted which has effect before 2 April 2024; or

iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and

ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

i) consists of no more than 9 dwellings;

ii) is carried out on a site which has an area no larger than 0.5 hectares; and

iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high-speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

*original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

For the purposes of paragraph 13 (a) above, a biodiversity gain plan is a plan which:

(a) relates to development for which planning permission is granted,

and;

(b) specifies the matters referred to in sub-paragraph 14(2) below:

The matters are:

(g) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;

(h) the pre-development biodiversity value of the onsite habitat;

(i) the post-development biodiversity value of the onsite habitat;

(j) any registered offsite biodiversity gain allocated to the development and the biodiversity value of that gain in relation to the development.

(k) any biodiversity credits purchased for the development; and

(l) any such other matters as the Secretary of State may by regulations specify.