

Report to Planning and Licensing Committee



Date of Meeting	04 February 2021
Portfolio	Councillor John Blundell, Cabinet Member for a Thriving Economy.
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Public/Private Document	Public

Application: 20/00713/FUL	Township: Rochdale	Ward: Castleton
Applicant: Mr Ian MacLean	Agent: N/a	
Site Address: Land Rear Of 19 To 25 Innings Way, Rochdale		
Proposal: Erection of one bungalow		

SITE LOCATION



DELEGATION

- 1.1 The application has been called up by Councillor Billy Sheerin. The grounds of the call up are that there is a national shortage of bungalows; this single development utilises a piece of scrub land, and will be beneficial to elderly residents or even, if internally adapted, for a family with a physically disabled member.

PROPOSAL SUMMARY

- 2.1 Planning permission is sought for the erection of one detached 3 bedroom bungalow.

RECOMMENDATION

- 3.1 It is recommended that the Planning and Licensing Committee resolves to **REFUSE** planning permission.

REASON FOR RECOMMENDATION

- 4.1 The proposed development would encroach into Protected Open Land and the proposed bungalow, sited at the rear of an existing car park, amongst two storey dwellings, would appear at odds with the established pattern of development and character of its immediate surroundings. Furthermore, its isolated position relative to the existing housing would relate poorly to it and would fail to maintain a strong sense of place. The proposed development is therefore contrary to saved Policy D/10 of the UDP, Policies P3 and G5 of the adopted Core Strategy and the National Planning Policy Framework.

SITE

The application site relates to a small parcel of land set to the rear of a row of dwellings fronting Innings Way. It is set back approximately 25m from the highway boundary. The intervening land forms a car parking area to which access is gained between 23 and 25 Innings Way. The site is elevated around 2.5m above the general level of the car park, the adjacent dwellings and the highway. The site is separated from the car park by a 2m high timber fence. There are several mature trees on the site.

PROPOSAL

The application proposes the erection of a detached bungalow. The bungalow would consist of 3 bedrooms, lounge and a kitchen/diner. The Planning Statement submitted states that the dwelling would be cut into the slope where its floor level would be approximately 0.5m higher than the level of the adjacent car park. No plans to show the proposed levels have been submitted. Access to the bungalow would be taken via the car park, with hardstanding to the front providing car parking. The bungalow would be constructed of brickwork and roof tiles with windows and doors of UPVC material.

No details of retaining walls or boundary treatments have been provided at this stage.

DEVELOPMENT PLAN

Rochdale Core Strategy (CS):

- DM1 General development requirements
- C1 Delivering the right amount of housing in the right places
- C3 Delivering the right type of housing
- T2 Improving accessibility
- P2 Protecting and enhancing character, landscape and heritage
- P3 Improving design of new development
- G5 Managing protected open land
- G7 Increasing the value of biodiversity and geodiversity
- G9 Reducing the impact of pollution, contamination and land instability

Rochdale Unitary Development Plan (UDP) 2006:

- D/10 Protection of open land

Supplementary Planning Documents (SPD):

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

NATIONAL PLANNING POLICY AND GUIDANCE

National Planning Policy Framework (NPPF) – February 2019
National Planning Practice Guidance (NPPG)

RELEVANT HISTORY

The applicant submitted a Pre-application for the erection of a bungalow at the site (PREAPP/00008/20), and the planning officer provided the following advice in writing (7th April 2020);

'I would confirm my view expressed at the meeting that this site would conflict with policy D10, which protects open land. In essence, it would be an isolated form of back-land development, using a tandem access; apart from its encroachment into the area of open space that otherwise contributes to the amenities of the area and is identified for protection'.

CONSULTATION RESPONSES

Greater Manchester Ecology Unit (GMEU)

No objections to the application on either nature conservation or arboriculture grounds

RBC Drainage

The new building would be cut into a slope but no details have been provided. Since cutting into a slope can affect drainage issues, the Applicant should provide some more details, including contours on a drawings and details of whether a retaining wall is needed.

United Utilities

The site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

Highways and Engineering

No objections to this proposal.

Contamination Officer

Condition to be attached for a Site Investigation and risk assessment to be carried out.

TOWNSHIP PLANNING PANEL

N/a

MEMBER REPRESENTATIONS

A representations have been received from Councillor Billy Sheerin on the grounds that there is a national shortage of bungalows. This single development utilises a piece of scrub land, and will be beneficial to elderly residents or even, if internally adapted, for a family with a physically disabled member.

PUBLIC REPRESENTATIONS

Objection Reps	4	Support Reps	1	Neutral Reps	0
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Letters of notification were sent to surrounding neighbours and a site notice posted.

Objections received raised the following concerns;

- Future occupiers will actually be crossing a private car park. The car park in question is the parking for 21, 23 and 25 Innings Way, they pay a service charge weekly for the up keep of the area, which was a requirement for these properties to be built by Rochdale Council.

- We (Great Places Housing) strongly object to this proposal, nobody representing those wanting to build this have been in contact with us regarding our land and we will not allow our car park to be used as a vehicle access route for this property - **Officer response** – This would be a separate legal issue and not material in the consideration of this planning application.
- Heavy goods, vehicles and machinery will create disruption to neighbouring occupiers – **Officer response** – The disruption from construction would be for a limited period. Construction activity itself is not a justification to withhold planning permission.
- Trees would be felled which provide sound proofing from the road behind leading to sound pollution.
- We wouldn't have much privacy.

The letter of support submitted provided no further reasoning/details.

ANALYSIS

Principle of Development

1. The application site comprises greenfield (not previously developed) land outside the Defined Urban Area and identified as Protected Open Land on the Proposals Map. Saved Policy D/10 (Protected Open Land) of the UDP and G5 (Managing Protected Open Land) of the adopted CS are restrictive in nature and seek to divert development primarily towards sites within the Defined Urban Area.
2. Policy G5 of the adopted CS permits limited development that would be acceptable were it in the green belt or small scale development which is consistent with other detailed policies and site allocations in the Development Plan. Saved Policy D/10 of the UDP permits certain forms of development, including 'limited infilling within an established pocket of housing where this is in scale with the area and will not adversely affect its character or surroundings'.
3. The site lies within a residential area that is characterised mainly by recently constructed two-storey semi-detached dwellings that have small front garden areas which follow consistent building lines. The linear street pattern and rear garden areas are prevalent and key features of the layout along Innings Way. A vehicular access exists between 23 and 25 Innings Way leading to a hardstanding area at the rear of the properties providing car parking for dwellings on Innings Way.
4. This application relates to vegetated land adjoining the rear of the car park. The proposal would be in a back-land location and cannot therefore be said to comprise infill development. The development would encroach into Protected Open Land and be at odds with the existing linear pattern of development. As a result, the bungalow would appear at odds with the established pattern of development and layout of its immediate surroundings.
5. As such, the proposed development would not fall within any of the categories permitted under saved Policy D/10 of the UDP and Policy G5 of the adopted CS, and would result in an adverse impact on the character of the surrounding area.
6. An online article has been provided by the applicant referring to research undertaken by McCarthy and Stone which indicates a need for bungalow properties nationally. However, National Planning Practice Guidance is clear that the development plan should be the starting point to identify local housing needs and plan for housing for older people

where an identified need exists. In addition, no evidence is provided by the applicant to demonstrate that 'urban' brownfield and greenfield sites are not available to meet those needs, rather that Protected Open Land. Rochdale currently has a 6.8 year supply of housing land and therefore substantial weight is attached to the harm to the protected open land, which provides a sense of relief from urban development and which contributes to the character and identity of the urban edge. The proposal is therefore contrary to Policy D/10 of the UDP and Policy G5 of the adopted CS, and would result in an adverse impact on the character of the surrounding area.

Design, Character and Appearance

7. The dwelling offers a relatively simple single storey design to be constructed of brick and roof tiles, in materials which in principle could suitably match those of the surrounding dwellings. However, in this instance the proposal would introduce a detached bungalow in a back land location amongst mainly two storey dwellings. The bungalow, sited at the rear of an existing car park, would appear at odds with the established pattern of development and character of its immediate surroundings. Furthermore, its isolated position relative to the existing housing would relate poorly to it and as such, would fail to maintain a strong sense of place and be harmful to the character of the area contrary to Policy P3 of the adopted Core Strategy, the National Design Guide and the NPPF.

Trees and Ecology

8. The site has a large mature tree along the southern corner of the site, a couple of silver birch trees towards the front and laurel hedging along the edges. One of the silver birch trees would be relocated within the site. The GMEU have raised no objections to the proposal on either nature conservation or arboriculture grounds.
9. GMEU consider that it is possible to retain trees on and close to the site, although the trees which will be affected by the scheme are not of such high value that they merit special protection and any losses would not be so egregious as to merit an objection to the application on Arboriculture grounds.

Amenity

10. There are two habitable room windows in the western elevation of the bungalow, these windows would face the rear elevation of Number 23 Innings Way at a distance of approximately 16m, and this is considered acceptable given the distance would be compatible with separation distances established in the surrounding development. The development would not result in loss of privacy to the occupiers of the surrounding properties.
11. An objection has been received concerning the removal of trees and potential noise as a consequence from neighbouring streets to the rear. It is noted that trees are to be retained, in addition, the nearest street to the rear is at a distance of 60m from existing dwellings and approximately 35m from the proposed bungalow, is a side street and therefore with minimal traffic. As such the increase in the amount of noise as a consequence of the proposed development would be small given its location and distance from noise generating uses.
12. In respect of the future occupiers of the bungalow, a retaining wall is likely to be necessary however the internal arrangement and outdoor garden space would provide acceptable living conditions. As such, the application accords with Policies P3 and DM1 of the Core Strategy, the Council's SPD and the National Planning Policy Framework in this regard.

Access, Highways and Parking

13. Off street parking for 2no. vehicles is proposed within the curtilage on the hardstanding area to the front of the bungalow. Objections have been received concerned that the existing car park is to be used as a vehicle access route for the proposed property. The Local Highways Authority have been consulted and view the access to be acceptable and no objections are raised by the Planning Authority. Although it is acknowledged that access to the proposed bungalow would be via a third party car park, permission to cross over this land would be a private matter.
14. The proposed development would not generate significant vehicle movements. The site is considered to be safe and sustainable in regard to highways considerations and no objections are raised by the highways officer.
15. The proposal would therefore be in accordance with Policies DM1 and T2 of the adopted Core Strategy and the NPPF.

Drainage and Flood Risk

16. The site falls within Flood Zone 1 and is therefore at a low risk of flooding (less than 1 in 1000 or 0.1% annual probability of river or sea flooding in any year). The site is therefore suitable for residential development in this respect, subject to appropriate wastewater and surface water disposal to reduce the risks of flooding or aquatic pollution elsewhere.
17. No drainage proposals have been submitted as part of this application. The Council's Drainage Engineer has been consulted and advised that cutting into a slope can affect drainage, the applicant should therefore provide more details, including contours on a drawing and details of whether a retaining wall is needed.
18. Given the application is recommended for refusal, it is not expedient to request a detailed drainage scheme, however the requirements of Policy G8 of the Core Strategy and the requirements of the National Planning Policy Framework would need to be satisfied with a comprehensive drainage scheme.

Land Contamination and Stability

19. No reports have been submitted assessing contamination risks on site or slope stability. A retaining wall would however be required for the development to proceed and contamination would need to be appropriately assessed before any construction works were to commence and secured by condition to accord with policy G9 of the adopted Core Strategy and the NPPF.

Conclusion

20. The proposed development would encroach into Protected Open Land and the proposed bungalow, sited at the rear of an existing car park, amongst two storey dwellings, would appear at odds with the established pattern of development and character of its immediate surroundings. Furthermore, its isolated position relative to the existing housing would relate poorly to it and would fail to maintain a strong sense of place. The proposed development is therefore contrary to saved Policy D/10 of the UDP, Policies P3 and G5 of the adopted Core Strategy and the National Planning Policy Framework.

RECOMMENDATION

It is recommended that the Planning and Licensing Committee resolves to **REFUSE planning permission** for the following reason:-

- 1 The proposed development would encroach into Protected Open Land and the proposed bungalow, sited at the rear of an existing car park, amongst two storey dwellings, would appear at odds with the established pattern of development and character of its immediate surroundings. Furthermore, its isolated position relative to the existing housing would relate poorly to it and would fail to maintain a strong sense of place. The proposed development is therefore contrary to saved Policy D/10 of the UDP, Policies P3 and G5 of the adopted Core Strategy and the National Planning Policy Framework.