

APPLICATION REPORT - PA/343049/19

Planning Committee, 5 June, 2019

Registration Date: 05/04/2019
Ward: Werneth

Application Reference: PA/343049/19
Type of Application: Full Planning Permission

Proposal: 1) Proposed demolition of existing house 2) Retention of part existing facade and erection of replacement detached two and a half storey dwelling 3) Associated landscape and external works including new drop kerb

Location: THE COACH HOUSE, Selkirk Avenue, Oldham, OL8 4DQ
Case Officer: Dean Clapworthy

Applicant Agent : Dr Chauhan
Archirama Ltd

THE SITE

The proposal relates to a site presently occupied by a detached single storey dwelling with a generous rear garden on the north-west side of a street that falls steeply from north-east to south-west, such that the properties step down from plot to plot. The site is subject to a Tree Preservation Order (TPO/00482/05).

To the north-east of the site are mature semi-detached dwellings of a similar style and form that rise to the crest of the street. To the south-west of the site, and significantly stepped down, is a row of four detached dwellings, probably of 1970s origin, that are set back significantly from the frontage of the host plots. Further down the street are more traditional Victorian dwellings of relatively grand stature. On the opposite side of the street is the West End Bowling Club site containing a green and clubhouse.

THE PROPOSAL

The proposal is for the erection of a two and a half storey, five bedroom detached dwelling following demolition of the existing dwelling. The proposed dwelling would be set back from the footprint of the existing building, such that the front elevation would be generally aligned with the building line of the dwellings to the south-west (around 11.5m from the boundary with the adopted highway). The element of the existing front elevation incorporating the garage door opening (The Coach House) and a part of the side elevation would be retained and would form the front elevation of a projecting home office that would have a rear link corridor to the proposed dwelling.

The first floor and roof would have a more limited footprint than the proposed ground floor. The proposed dwelling would have 2no. two storey projecting gablets from the main hipped roof to the principal elevation and feature ground floor bays along the south-west (side) elevation that would be picked out in contrasting materials. Fenestration would generally be of vertical proportions and would extend into the apex of the gablets to the principal elevation.

The proposed external finishes would be red/brown facing brick with feature blockwork to elevations, natural slates to the roof, black/grey aluminium windows and doors and black upvc fascias and rainwater goods. The retained element would incorporate a full height window as replacement for the garage doors.

The boundary to the highway would be formed with a new 1.6m high boundary wall with railings and sliding gate, stepped to allow for the sloping street frontage. At the side and rear, existing boundary walls would be retained. Hard paving with sustainable drainage would form the driveway and parking/manoeuvring areas with a raised patio at the rear. New landscaping would feature to the front and rear and existing protected trees would be retained.

Vehicular access to the plot would be taken via a new access from Selkirk Avenue.

RELEVANT HISTORY OF THE SITE:

PA/058761/10 - Erection of double garage. Refused December 2010.

CONSULTATIONS

Highway Engineer	No objection.
Environmental Health	No objection, subject to conditions.
The Coal Authority	No objection, subject to condition.
Drainage	No comment provided.

REPRESENTATIONS

The application has been advertised by means of neighbour notification letter and site notice. No representations were received as a result.

PLANNING CONSIDERATIONS

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, to the extent that development plan policies are material, planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise. This requirement is reiterated in Paragraph 2 of the National Planning Policy Framework (NPPF).

In this case the 'Development Plan' is the Joint Core Strategy & Development Management Policies Development Plan Document (DPD) which forms part of the Local Plan for Oldham. The application site is unallocated by the Proposals Map pertaining to the Local Plan.

The following policies are relevant to the determination of this application.

Joint Development Plan Document

Policy 1: Climate change and sustainable development
Policy 3: An Address of Choice
Policy 5: Promoting Accessibility and Sustainable Transport Choices
Policy 9: Local Environment
Policy 11: Housing
Policy 20: Design

Unitary Development Plan Saved Policies

Policy D1.5: Protection of Trees on Development Sites

Other material considerations

The main issues to be considered are:

- Land Use;
- Layout, design and visual impact;
- Residential amenity;
- Access and highways safety;
- Impact on protected trees;

- Coal mining constraints.

Land Use

As the development proposes the replacement of an existing dwelling in a residential area within the urban area of Oldham, then the principle of development is acceptable.

Layout, design and visual impact

The site occupies a unique position in the street and therefore offers an opportunity for a bespoke and site specific design solution.

The proposed dwelling would be positioned significantly further back into the site than the existing and would generally align with the row of dwellings at the immediate south-west. Given the position of the site at the junction between two robust building lines, this new alignment would be acceptable in the street scene. The proposed dwelling would be two storey in form (with attic accommodation in the roof space) and would occupy a narrower frontage than the existing dwelling, but having a deeper section such that the rear elevation would extend around 15m further back than the neighbouring dwelling to the immediate north-east. The front elevation, and to a lesser extent, the south-west side elevation would be the most widely visible elevations in the street scene. The north-east side elevation and rear would not be visible.

The proposal would retain the most notable and attractive element of the existing building as a feature in the scheme. The proposed front elevation would be of a scale and position, with a stepped down ridge, and would be of a form and proportions and would incorporate architectural features (such as a main hipped roof, projecting gablets and bays) finished in good quality materials, such that it would reflect and complement the existing traditional semi-detached dwellings to the north-east. However, in its own regard it would form a bespoke and attractive building of a contemporary character that would enhance the appearance of the plot and the wider street scene. Proposed boundary treatment and soft landscaping would further enhance the appearance of the site.

Given the above and subject to conditions requiring the submission of details relating to materials and landscaping, the proposal would be compliant with the above DPD policies and the NPPF.

Impact on residential amenity

The proposed dwelling has been designed such that it would not have any unacceptable impacts upon neighbouring residential amenity. Given the position of the site and form of the proposed dwelling, consideration of such impacts can be limited to the existing dwellings to either side of the plot and the dwelling at the head of Broomhurst Avenue to the north. Ground floor windows would not impinge upon neighbouring privacy given the step down in levels and the high boundary walls that would be retained in the scheme. The proposed south-west facing side elevation would incorporate windows that would be either secondary windows to bedrooms or serve non-habitable rooms and roof lights would serve a general attic space e.g. bathroom/dressing room. Furthermore, the side elevation of the neighbouring dwelling to the south-west incorporates an obscure glazed window only.

To the north-east side elevation, the proposed dwelling would feature a bathroom window only (a non-habitable room). Again, the roof light would serve a general attic space. To the rear elevation, the proposed dwelling would feature main principal windows to habitable rooms that would either be over 21m from the opposing side elevation of the dwelling on Broomhurst Avenue to the north or be at an acute angle that reduces direct overlooking.

Whilst the proposed dwelling would be set further back into the site than the existing and significantly overlapping the neighbouring dwellings to either side, the change in levels, retained spacing around the proposed dwelling with retained trees and additional landscaping, and the spacious character of the neighbouring rear gardens would ensure that the proposal would not create a sense of enclosure or have overbearing impacts upon

these neighbouring dwellings.

Therefore, it is not considered that the proposed development would not have any unacceptable impacts upon neighbouring residential amenity and would thus be compliant with the above DPD policies and the NPPF.

Access and highway safety

The proposal includes the provision of a new vehicular access, and closure of the existing and reinstatement of the pedestrian footway. A separate pedestrian access would be provided. The Highway Engineer is satisfied with the proposal and the development would not therefore have any unacceptable impacts upon highway or pedestrian safety. The proposal would therefore comply with the above DPD policy and the NPPF.

Impact on trees

Trees at the site are protected by a Tree Preservation Order (TPO). The nearest protected tree to the proposed dwelling and hardstanding would be that noted as T8 on the Order (noted as TP1 on the submitted site layout plan (Drawing No. PL03)). Trees noted as T5, T7 and T6 are no longer *in situ*. Tree T8 would be around 5m from the nearest part of the development (the proposed patio area). The proposal indicates that this tree would be protected by a root protection area and that the dwelling would be positioned beyond the crown spread, at around 11m from the dwelling.

Furthermore, this tree is positioned to the west/north-west of the dwelling and would not therefore significantly overshadow it. All further protected trees fall to the north-west of T8 and would not be potentially directly or indirectly affected by the proposed development. Therefore, the proposal would comply with saved UDP policy D1.5 and the NPPF.

Coal mining

The application is supported by a Coal Mining Risk Assessment, which finds that the site is located in a Development High Risk Area and is underlain by proven workings. The Assessment recommends an intrusive site investigation in order to assess whether there are any unrecorded workings beneath the site. The Coal Authority has not objected to the proposal subject to the imposition of a condition requiring such an investigation prior to the commencement of the development. Subject to such a condition, the proposed development would not be put at unacceptable risk and it would therefore comply with the above DPD policy and the NPPF.

Conclusion

No objections have been received relating to the proposed development. The proposal is acceptable in principle and the above assessment finds that the proposed dwelling would complement the existing character of the built form and would appropriately assimilate at this junction in the street scene, without detriment to neighbouring residential amenity, highway safety, detriment to highway safety, protected trees or be at risk from past coal mining. As such, the proposal would comply with the above policies of the Local Plan, the NPPF and the National Planning Policy for Waste. Therefore, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act, the proposal merits approval.

RECOMMENDATION

Approve, subject to the following conditions:

1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission.

Reason - To comply with the provisions of the Town & Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be fully implemented in accordance with the following approved plans:
Location Plan dated 07/03/2019;
Proposed Site/Ground Floor Plan (Drawing No. PL03) dated 07/03/2019;
Proposed Elevations (Drawing No. PL03) dated 07/03/2019.

Reason - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.

3. No above ground development shall take place unless and until details of the materials to be used on all external elevations, including the roof, of the proposed dwelling and the boundary walls and hard landscaping have been submitted to and approved in writing by the Local Planning Authority. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details.

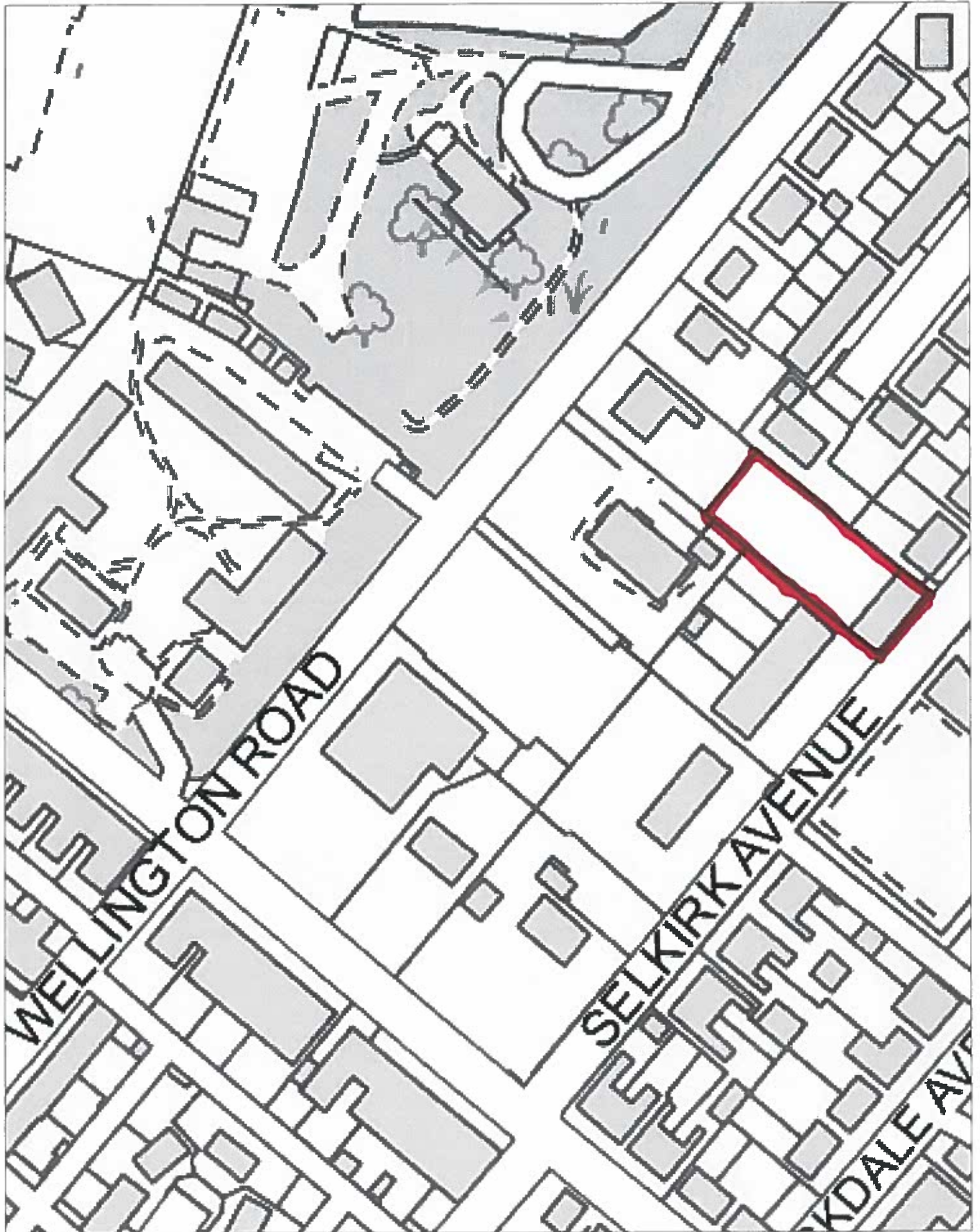
Reason - To ensure that the appearance of the development is acceptable to the Local Planning Authority in the interests of the visual amenity of the area within which the site is located.

4. The development hereby approved shall not commence until an intrusive site investigation and assessment, which is adequate to properly assess the ground conditions and the potential risks posed to the development by past coal mining activity has been carried out and a report of findings, including any remedial works necessary, has been submitted to and approved in writing by the local planning authority. Thereafter, any agreed remedial works shall be implemented in accordance with the approved details prior to the commencement of the construction of the development.

Reason - To ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site.

5. No development shall take place unless and until all trees protected by TPO/00482/05 within the site have been fenced off in accordance with a detailed scheme which has been submitted to and approved in writing by the Local Planning Authority. Thereafter, no demolition or excavation or other building or engineering operations shall take place and no plant, machinery or materials (including excavated material) shall be placed, deposited, stored or stacked within any such fence during the construction period.

Reason - In order to avoid damage to protected trees within the site which are of important amenity value to the area.



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