

APPLICATION REPORT - PA/345054/20
Planning Committee – 18th January 2023

Registration Date: 7th July 2020
Ward: Saddleworth South

Application Reference: PA/345054/20
Type of Application: Full Application

Proposal: Conversion of existing barns to form 3No dwellings, demolition of single storey extensions, forming new roof and extension

Location: The Barns, Clough Lane, Grasscroft, OL4 4EW

Case Officer: Matthew Taylor
Applicant: Mr Alan Davies
Agent: Mr Alan Davies

INTRODUCTION

The application is referred to Planning Committee for determination since it was originally requested by (former) Councillor Curley on the basis that the building proposed would represent a significant loss of amenity to adjacent properties, overdevelopment of green space in a conservation area and construction/materials would be incompatible with the surrounding properties.

RECOMMENDATION

It is recommended that the application should be approved subject to the conditions as set out in this report.

THE SITE

The application site comprises a dilapidated former agricultural building within the heart of Grasscroft Conservation Area and is adjacent to a number of Grade II listed buildings at 7, 9, 11, 10, 12 and 14 Clough Lane.

THE PROPOSAL

Planning consent is sought for the conversion of the barns to three dwellings (1No. two Bedroom dwelling and 2No. three bedroom dwellings).

The works proposed include:

- Demolition of a small single storey extension, removal of three existing trees to the rear of the building and reduction of the ground level to create onsite car parking and gardens to the rear of the property;
- The erection of a two-storey rear extension to form a utility room at ground floor and later bedroom at first floor to serve proposed Unit No. 3;

- The utilisation of the adjacent land to form car parking for proposed Unit No. 2 and also neighbour parking;
- Raising of the ridge and eaves of the middle section of the existing building, to create a further stepped roof design, to facilitate the creation of 2 bedrooms in the resultant roof space, to serve proposed Unit No. 2;
- The replacement of the corrugated metal roof with to slate; and
- Alterations to the external window and door fenestration are also proposed.

REPRESENTATIONS

This application has been publicised by way of a site notice, press notice, and neighbour notification letters. In response, 26 letters of objection have been received which are summarised below:

- Proposed development would impact on the setting of a Grade II listed building and Grasscroft Conservation Area;
- Proposed development would have an unacceptable impact on highway safety and amenity;
- Proposed development would have a detrimental impact on protected trees on site;
- The proposed development may impact on bat roosts ;
- Development make an insufficient parking provision;
- Proposed parking would result in the loss of a green space in the Grasscroft Conservation Area;
- Proposed new windows openings would overlook neighbouring properties;
- Site has Japanese knotweed;
- Proposed development is over development of the original building;
- Blue slate not in keeping with the Grasscroft Conservation Area;
- Redevelopment of the barn would result in cars that current park surrounding it being pushed away causing greater parking issues;

Saddleworth Parish Council were also consulted and recommended refusal on the basis that the site is located in a designated conservation area and that the proposal is not in keeping with the character and buildings within the area.

RELEVANT PLANNING HISTORY

PA/340653/17 - 1) Conversion and extension of barns to form two dwellings 2) Demolition of single storey outbuilding 3) Removal of roof – Approved 24.12.2018

RELEVANT PLANNING POLICIES

The 'Development Plan' is the Joint Development Plan Document (DPD) which forms part of the Local Development Framework for Oldham.

Other than being located within a conservation area the application site is otherwise unallocated by the Proposals Map associated with the Development Plan. As such, 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;
Policy 21 - Protecting Natural Environmental Assets; and,
Policy 24 – Historic Environment.

The advice and guidance within the National Planning Policy Framework (NPPF) is also relevant as a material planning consideration.

CONSULTATIONS

Environmental Health:	No objection.
Highways:	Recommended a condition the development not be brought into use until the parking arrangement outlined on the amended site layout have been provided.
LLFA/Drainage:	Comments to be reported on the late list.
Trees:	No objection, subject to condition requiring the provision of replacement planting.

PLANNING CONSIDERATIONS

The main issues to consider are:

1. The principle of the development;
2. Design and impact on the historic environment;
3. Residential amenity;
4. Highway safety;
5. Impact on trees; and
6. Ecology.

Principle

Policy 1, in the context of this application, seeks to ensure the effective and efficient use of land and buildings by promoting the re-use and conversion of existing buildings and development on 'previously developed land' prior to the use of greenfield sites - an approach echoed by Policies 3 and 11. Policy 1 also seeks to meet Oldham's housing needs and demands by focusing residential development in sustainable and accessible locations.

The application site is a dilapidated building within an existing residential area, as such the principle is considered acceptable, as the change of use would bring an existing building back into use.

Sustainable location:

Policy 3 gives preference to the use of previously developed sites for residential development and the availability of such land, both in the locality and borough wide, as assessed by the Council's monitoring arrangements, will be the first consideration when considering

applications on greenfield sites. It also clarifies the Council's aims to promote development in sustainable locations and on previously developed sites.

Policy 3 acknowledges the contribution that residential development on non-allocated sites can make to the housing market providing they are in sustainable locations. It specifically states that residential development (for 'minor' category proposals such as this) should be within 480m or a ten-minute walk of at least three 'key services'. In this regard both the Farrars Arms, and Friezland Primary School, are within a ten minute walk of the application site.

DPD Policy 5 requires minor development to achieve 'low accessibility' as a minimum which is defined as being within approximately 400m of a bus route with a service or combination of services running less frequently than the medium accessibility. The nearest bus stop is approximately 100m from the application site. Therefore, it is considered reasonable to suggest that the site is well placed in terms of access to bus routes.

Having regard to the above it is considered that the principle of the proposal is acceptable, and the site is in a sustainable location.

Design and historic environment

Policies 9 and 20 recognise the contribution that high quality design can make to regeneration and sustainable development.

Policy 24 states that development within or affecting the setting of a conservation area, including views in or out, must serve to preserve or enhance the character or appearance of the area. Proposals for all new development, including alterations and extensions to buildings and their re-use, must have a sensitive and appropriate response to context and good attention to detail. Proposals must not adversely affect important architectural or historic features or distinctive local features or structures unless it can be demonstrated that the development brings substantial benefits to the community.

NPPF Paragraph 194 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Paragraph 197 of the NPPF requires Local Planning Authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality, and the desirability of new development making a positive contribution to local character and distinctiveness.

Having considered the amended extensions and alterations to the elevations of the existing building against both those previously approved, and their relationship with the surrounding properties it is considered they would have a positive impact on the Conservation Area and the setting of the adjacent listed buildings. The proposed development would secure the active reuse of the building in the heart of the Grasscroft Conservation Area and the additions would be compatible with its character.

To this end, it is considered the proposed use and alterations are considered both sympathetic and appropriate, and that the proposed development would have a positive impact on the host building, the Grasscroft Conservation Area, the setting of the Grade II listed buildings adjacent, and the wider street scene.

To this end, it is considered the amended proposal will both preserve and enhance the Grasscroft Conservation Area and complies with the provisions of Development Management Policies 9, 20 and 24 and Chapter 16 of the NPPF.

Residential amenity

Policy 9 requires that new development proposals must not have a significant adverse impact upon the amenities of neighbouring properties.

Impact on No. 3 Clough Lane:

The most impacted property is No. 3 Clough Lane, given the separation distance from the buildings side elevation to this neighbouring property's front elevation. However, as the proposed windows facing this neighbouring dwelling are all either secondary window or serve non habitable rooms, it is considered a condition to secure they be provided as obscure glazing will mitigate against any harm.

Impact on other neighbouring properties:

In regards the other neighbouring dwellings, it is noted they are set sufficient distance from the building, so that the proposal would not have a significantly greater impact in terms of loss of light, outlook or privacy to the occupiers of the neighbouring properties.

Impact on the Future Occupiers:

Policy 9 of the Oldham LDF states that the council will ensure development does not cause significant harm to the amenity of the occupants and future occupants of the development. To this end, the development has been assessed against the 'Technical housing standard-nationally described space standards', March 2015.

The proposed floor space of the scheme complies with these standards and it is concluded that the development will be provided appropriate living space for the future occupants of the development as the additional windows proposed would give the occupiers a good level of amenity.

Given the above, it is considered that the development has no significant impact on residential amenity, in accordance with DPD Policy 9.

Highway safety

The Highway Engineer raised concerns about the original layout in terms of the orientation of the car parking spaces and the effect that manoeuvring into and out of them would have on highway safety. However, an amended site layout drawing has been submitted and the concerns have been fully addressed by amending the orientation of the parking to serve Unit No's. 1 and 2.

Therefore, it is considered the amended scheme does not conflict with the requirements of Policy 9 or Paragraph 111 in the National Planning Policy Framework in respect of highway safety.

Trees

Saved UDP Policy D1.5 'Protection of Trees on Development Sites', states:

“In determining a planning application for development of a site containing existing trees, or adjoining a site containing trees, the Council will only permit a proposal where:

- a) the development is designed, insofar as is reasonably practicable, to maximise the retention and continued health of the trees in question; and*
- b) development comprising residential accommodation is positioned in relation to retained trees so as to avoid an unacceptable degree of overshadowing of both internal accommodation and garden areas.*

In those cases where it is agreed that trees will be lost to accommodate the development, adequate replacement planting will be required as a condition of planning permission for the development.”

There were previously three Ash trees to the rear of the site that would be impacted by the previously approved development. At the time of considering this current application it is clear that only one Ash tree remains on site. Having consulted the Council's Arboricultural Officer, it is clear the removal of this tree would ordinarily warrant an objection, unless it could be shown that those works could be undertaken whilst ensuring the protection and retention of the trees.

However, it must be noted that the Ash tree is currently showing symptoms of Ash die back, and as a result it is almost inevitable it will need to be felled in the near future as a matter of health and safety. Therefore, it is considered, in this instance, appropriate and reasonable to allow the removal of remaining Ash tree subject to an appropriately worded planning condition requiring the provision of replacement trees on site at a ratio of 3:1, which is the requirements of saved UDP Policy D1.5.

Ecology

Policy 21 of the Oldham LDF Joint DPD is concerned with protecting, conserving and enhancing our local natural environments.

It is noted the previously approved scheme (ref: PA/340653/17) required a bat activity and monitoring survey be undertaken prior to the development starting on site. An application was made to discharge this condition but given that the alteration of the building was not fully implemented it is considered appropriate the same condition be attached to this application.

Furthermore, it is likely that nesting birds use these buildings and if active nests are found during work they must be left undisturbed until the young have fledged. Avoiding the nesting season (March to August) will avoid this potential problem. A condition is attached to the recommendation requiring this.

CONCLUSION

It is considered that the proposed dwellings would not have a harmful effect on neighbour amenity nor have a detrimental impact on the character of the street scene or conservation area. Essentially, it is considered that the proposals comply with Development Management Policies 1, 3, 5, 9, 11, 20, 21, 22 and 24 of the Local Plan and is consequently recommended for approval, subject to the imposition of conditions listed below.

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 Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice. 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 alterations to the external appearance of the building shall take place unless and until samples of the materials to be used on all external elevations, including the roof, external doors, windows, and rainwater goods, 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 samples. Reason - To ensure that the existing building is not detrimentally affected by the proposed development.
4. No dwelling shall be occupied until the access to the site and car parking space for that dwelling has been provided in accordance with the approved plan and with the details of construction, levels and drainage, which shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the access and parking spaces. Thereafter the parking spaces and turning area shall not be used for any purpose other than the parking and manoeuvring of vehicles. Reason - To ensure adequate off-street parking facilities are provided and remain available for the development so that parking does not take place on the highway to the detriment of highway safety having regard to Policies 5 and 9 of the Oldham Local Plan.
5. The proposed windows shown on the approved plan in the north elevation of the building shall be provided with and permanently glazed in Pilkington Level 3 obscure glass. No further windows or other openings shall be formed in that elevation without the prior written approval of the Local Planning Authority. Reason - To protect the amenities of occupiers of the neighbouring property having regard to Policy 9 of the Oldham Local Plan.
6. No development shall take place until a report concerning the use of the site by bats, prepared by a suitably qualified person, has been submitted to and approved in writing by the local planning authority. If such a use is established, any protection or mitigation measures or other recommendations of the report shall be undertaken in accordance with a timetable to be approved in writing by the Local Planning Authority. Reason - To ensure the protection of bats, which are protected species under the Wildlife and Countryside Act 1981, and their habitats, having regard to Policy 21 of the Oldham Local Plan
7. No works to trees or shrubs shall occur or demolition commence between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority. Reason - To ensure the protection of birds

8. No development shall take place until full details of both hard and soft landscape works with an associated implementation plan, have been submitted to and approved in writing by the Local Planning Authority. The hard landscape details shall include proposed finished levels or contours; means of enclosure; hard surfacing materials and street furniture, where relevant. The soft landscaping works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants and replacement trees (three at minimum). All planting shall be implemented in accordance with the approved details in the first available planting season following the completion of the development, or such longer period which has previously been approved in writing by the Local Planning Authority, and shall be maintained for a period of 5 years from the agreed date of planting. Any trees or plants which die, become diseased, or are removed during the maintenance period shall be replaced with specimens of an equivalent species and size. REASON - Prior approval of such details is necessary as the site may contain features which require incorporation into the approved development, and to ensure that the development site is landscaped to an acceptable standard having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and saved Policy D1.5 of the Unitary Development Plan.

SITE LOCATION PLAN (NOT TO SCALE):

