

APPLICATION REPORT – FUL/352308/24
Planning Committee 5th June 2024

Registration Date: 2nd March 2024
Ward: Saddleworth South

Application Reference: FUL/352308/24
Type of Application: Full Application

Proposal: Erection of one detached dwelling and installation of dropped kerb.
Location: Land Adjacent To 4 Stockport Road, Lydgate, OL4 4JL

Case Officer: Sophie Leech
Applicant: Mr S Leigh
Agent: HNA Architects Ltd

1. INTRODUCTION

- 1.1 The application has been referred to Planning Committee as there has been significant public interest in the application.

2. RECOMMENDATION

- 2.1 It is recommended that the application be approved subject to the conditions set out in this report and that the Assistant Director of Planning, Transport and Housing Delivery shall be authorised to issue the decision.

3. SITE DESCRIPTION

- 3.1 The site relates to a parcel of land adjacent to no. 4 Stockport Road. This parcel of land is not within the Green Belt and is approximately 45 metres north of the Lydgate Conservation Area, approximately 93 metres away from St Anne's Church and approximately 66 metres away from the White Hart Inn, both of which are Grade II listed.
- 3.2 The site lies on the A6050 road and the surrounding area to the west and south is predominantly rural, whilst Lydgate merges into the larger settlement of Grasscroft to the east.

4. THE PROPOSAL

- 4.1 Permission is sought for the erection of one 4-bed dwelling with integrated garage. The application also includes a new access onto Stockport Road.

5. PLANNING HISTORY

- 5.1 FUL/351105/23 – Erection of 1no dwelling and dropped kerb – Refused, 01.08.23.
- 5.2 APP/W4223/W/22/3306367 – Appeal to PIP/348651/22 – Dismissed, 28.02.23.
- 5.3 PIP/348651/22 – Proposed development of 3no dwellings – Refused, 14.04.22.
- 5.4 FUL/346015/20 – Erection of 1 no dwelling with internal garage – Refused, 05.03.21.

6. RELEVANT PLANNING POLICIES

- 6.1 The adopted Development Plan for the borough encompasses several documents, but principally the saved policies of the Joint Core Strategy and Development Management Policies DPD (Local Plan) and the recently adopted Places for Everyone Joint Plan (PfE).
- 6.2 Following the examination of PfE, all nine councils (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan) considered the Inspectors' recommendations and the adoption of PfE and related documentation at Council meetings held between 28 February and 20 March 2024. All nine authorities adopted PfE and it therefore took effect and became part of the statutory development plan for each of the nine PfE authorities on 21 March 2024.
- 6.3 PfE must now be considered in the determination of planning applications, alongside Oldham's Joint Core Strategy and Development Management Development Plan Document (Local Plan), adopted November 2011, in accordance with the National Planning Policy Framework (NPPF). There are aspects of the Local Plan that have been superseded by policies in PfE and these are set out Appendix A of PfE.
- 6.4 Having regard to PfE, the following policies are considered relevant to the determination of this application:

PfE Policies:

- JP-P1 - Sustainable Places;
- JP-P2 – Heritage; and,
- Policy JP-H3 - Type, Size and Design of New Housing

Local Plan Policies:

- Policy 9 – Local Environment; and,
- Policy 24 – Historic Environment

7. CONSULTATIONS

| Consultee | Comments |
|----------------------------|---|
| Saddleworth Parish Council | Object on the grounds that the proposed building will be totally out of character with the surrounding area in the green belt. An appeal submitted to the |

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| | Planning Inspectorate was refused on the grounds that the entire site was unsuitable for development. There are several issues including highway issues, traffic calming issues and it would also detract from the iconic skyline from the church. |
| Highways Engineer | No objections. |
| Environmental Health | No objections, subject to contamination condition. |
| United Utilities | No objections, subject to drainage conditions. |
| Drainage | No comments received. |
| Network Rail | No objections. |

8. PUBLICITY AND THIRD-PARTY REPRESENTATIONS

8.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's adopted Statement of Community Involvement, the application has been advertised by means of neighbour notification letters, site notice and press notice.

8.2 In response to this publicity 39 objections and 1 support letter have been received. A summary of the concerns raised are outlined below:

- Inappropriate on the setting of the green belt;
- Inappropriate development next to conservation area/listed buildings;
- Not in keeping with the village;
- Scale, massing and design not in keeping;
- Highway safety issues;
- Views will be harmed from surrounding area; and,
- Ignorance to the appeal decision.

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

9.1 The site is unallocated on the Local Plan Proposals Map. Given it is in close proximity to other well established dwellings, and in close proximity to public transport options and local services, the site is considered suitable for residential purposes subject to compliance with relevant policies.

10. DESIGN AND HERITAGE

10.1 Places for Everyone (2024) Policy JP-P1 (Sustainable Places) recognises the contribution that high-quality design can make to regeneration and sustainable development. The NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve, and that permission should be refused for development that is not well designed.

- 10.2 Policy 24 of the DPD and Policy JP-P1 (Heritage) seek to preserve and enhance heritage assets which include conservation areas and listed buildings. In addition, Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 impose a duty on the local planning authority when assessing development which would affect heritage assets to have special regard to the desirability of preserving listed buildings and their settings, and similarly to the desirability of preserving or enhancing a conservation area.
- 10.3 The site is close but not adjacent to the Lydgate Conservation Area and this now also applies to the Grade II listed St Anne's Church. It is also in close proximity to the White Hart Inn which is also Grade II listed. The public house is an attractive three storey building with many traditional features. The church is a well-known building within the landscape around this area and can be seen in the distance from many public vantage points.
- 10.4 The red line plan has been amended to include land surrounding the site outside of the Green Belt and therefore this is the only area development is proposed. The remaining land is included within a blue line which falls outside the application boundary meaning this land will not benefit from any additional homeowner rights such as Permitted Development.
- 10.5 Within the appeal decision, it states that the Lydgate Conservation Area's significance is derived, in part, from its topographically dramatic, and largely open, rural setting, of which the site forms part. The important contribution of the conservation area's setting is realised when approaching and entering the conservation area via the main routes of Stockport Road and Quickedge Road.
- 10.6 It is considered that the sense of spaciousness is maintained between the proposed development and Lydgate Conservation Area and St Anne's Church, therefore it is considered that the dwelling would not introduce an unacceptable impact upon the setting of the designated heritage assets.
- 10.7 The red line boundary is now much smaller than the previous refused applications and therefore would not notably erode and adversely undermine the physically and visually open qualities of the site, detrimentally altering a key characteristic of the asset's settings and, in doing so, negatively affecting the ability to appreciate their historic significance. As such, the proposed development in terms of the site area is now acceptable.
- 10.8 In regard to appearance and design, the context of the area is mixed with traditional terraced cottages and larger detached dwellings. The White Hart Inn is a substantial building at three storeys in height. The properties are set along Stockport Road and the predominant material is stone and slate. The immediate area has a traditional rural appearance. The hilltop location and surrounding open fields create long vistas in many directions. As a result, the site has prominence in the area and its immediate surroundings are open and there is a sense of spaciousness when stood outside the site. Additionally, the church adjacent to the site is a dominant feature and can be seen from views from the A669 when approaching Lydgate from the west.
- 10.9 The Design and Access Statement suggests that the scheme "*has been designed so to complement the existing street scene and has been designed to follow suit from the more appropriate and best examples along Stockport Road, with similar density and spacing, with the dwelling set slightly away from the highway to incorporate an element of soft landscaping and dry-stone walls*". The height of the dwelling has been reduced to

fit in with the lower height of no.4 Stockport Road but also at a height to respect the topography of the site, a requirement of Policy JP-P1.

10.10 The dwelling will be constructed in natural stone with a slate roof to respect the traditional character of Lydgate village and the boundary to the front will feature a dry stone wall to the sides and a picket fence around the site to ensure the boundaries are in keeping with the surrounding character.

10.11 Accordingly, the proposed development is now considered compliant with Policy JP-P1, and Policy JP-P2 in this regard.

11. RESIDENTIAL AMENITY

11.1 In terms of safeguarding existing amenity levels, amongst other criteria, Development Management Policy 9 stipulates that proposed development should not cause significant harm to the amenity of the occupants and future occupants of the development or to existing and future neighbouring occupants or users through impacts on loss of privacy, safety and security, noise, pollution, the visual appearance of an area and access to daylight or other nuisances.

11.2 As with the previous application ref: FUL/351105/23, the proposed floor plans shows the positioning of habitable room windows on the front and rear elevations only. Two ground floor side windows would face onto open land owned by the Applicant; therefore the proposal would cause little impact on residential amenity.

11.3 Policy JP-H3: Type, Size and Design of New Housing states that new residential developments should provide an appropriate mix of dwelling types and sizes reflecting local plan policies, and having regard to masterplans, guidance and relevant local evidence.

11.4 It also states that all new dwellings must:

1. Comply with the nationally described space standards; and
2. Be built to the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations unless specific site conditions make this impracticable.

Space Standards

11.5 The dwelling shows 4 bedrooms and bed space for 6 occupants. The minimum size for this size dwelling to comply with the nationally described space standards is 106m² and the dwelling measures 120.9m² and therefore complies. The Agent has confirmed that the dwelling will meet part 2 and this will also be added as a condition.

11.6 Given the above assessment, the proposed development is considered acceptable against the requirements of Policy 9 and Policy JP-H3.

12. HIGHWAYS AND PARKING

12.1 Access to the proposed dwelling will be taken directly from the A6050 Stockport Road, which is traffic calmed by stone rumble strips. In addition to this, the proposed access would be located within a traffic calmed area.

12.2 The Council's Highways Engineer has been consulted on the application and has raised no objections on highway safety grounds.

12.3 On this basis, the proposed development is acceptable having regard to Policy 9 of the DPD.

13. CONCLUSION

13.1 The proposal, when considered against the relevant policies identified above, is an acceptable form of development and as such is recommended for approval, subject to the following conditions.

14. RECOMMENDED 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 development comprising the erection of any external walls shall take place until samples of the materials to be used in the construction of the external surfaces of the development, including the roof, have been submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details. 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 in the interests of the visual amenity of the area having regard to Policy JP-P1 of the Places for Everyone Plan (2024).
4. Prior to the commencement of any part of the development hereby approved, details of the method of surface water and foul water drainage from the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to first occupation of the approved development and shall be maintained thereafter. REASON - Prior approval of such details is necessary since they are fundamental to the initial site preparation works and to ensure that the site is satisfactorily drained having regard to Policy JP-G4 of the Places for Everyone Plan (2024).
5. In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied during the watching brief, then development shall cease and/or the development shall not be occupied until a report detailing what measures, if any, are required to remediate the land (the Remediation Strategy), is submitted to and approved in writing by the Council as local planning authority and the development shall be carried out in accordance with the agreed Remediation Strategy. If no contamination is found, then a post-completion report shall be submitted to evidence this. REASON - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety having regard to Policy 9 of the Oldham Local Plan.

6. The development hereby approved shall be built to the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations unless specific site conditions make this impracticable. REASON – To comply with Policy JP-H3 of the Places for Everyone Plan (2024).

SITE LOCATION PLAN (NOT TO SCALE):

