



Appeal Decision

Site visit made on 27 January 2025

by Chris Couper BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th February 2025

Appeal Ref: APP/P4225/D/24/3353487

3 Gorton Street, Heywood, Rochdale OL10 4EA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Majid Hussain against the decision of Rochdale Borough Council.
 - The application Ref is 24/00537/HOUS.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 3 Gorton Street, Heywood, Rochdale OL10 4EA in accordance with the terms of the application, Ref 24/00537/HOUS, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: pln061.01 Rev A, pln061.02 and pln061.03.
 - 3) The materials to be used in the construction of the external surfaces of the development shall match those used in the existing building.

Procedural Matter

2. The latest version of the National Planning Policy Framework was published in December 2024 ('the Framework'). I have had regard to it in my decision.

Main Issue

3. The main issue is the effect of the proposal on the living conditions at 169 Adelaide Street East, with particular regard to overbearance; and whether the scheme would provide appropriate living conditions for the occupants of the host property, with regard to the amount of useable outdoor amenity space.

Reasons

4. The appeal site comprises an end of terrace property which sits on the corner of Gorton Street and Adelaide Street East. It has a single storey rear extension which fills the space between the host's two storey outrigger and the boundary with 169 Adelaide Street East ('No 169'). The proposal would project from that extension to the plot's rear boundary and, as a result, the property's side wall would abut the full length of the boundary with No 169.

5. However, as evidenced by Figures 6 to 8 in the appeal statement, and as I observed on my visit, there is a tall wall on that side boundary, and No 169 has a shed in its garden broadly in line with the location of the proposed extension. Additionally, whilst the host's existing single storey extension has a roof which slopes down to the rear, as part of this scheme it would be replaced with a hipped roof which would slope down to the side boundary, thus helping to limit the scheme's bulk when viewed from No 169.
6. For all these reasons, the outlook from the rear windows of No 169, and from its small amenity area, would not become significantly more enclosed as a result of this scheme, and there would not be a harmfully overbearing impact on its occupiers.
7. Turning to the impact on the host property, the Council calculates that, as a result of this scheme, its outdoor amenity space would be roughly halved, leaving it with around 8.9 sqm. Whilst that space would be small, it would be a convenient rectangular shape, and it would provide an adequate area for the occupants to sit outside, hang washing, and to perform basic domestic tasks.
8. Moreover, as illustrated by drawing number pln061.01 Rev A and Figures 2 to 4 in the appeal statement, many nearby properties have small rear gardens, some of which are further restricted by the presence of sheds or outbuildings. Consequently, the resultant amenity space at this property would not be significantly at odds with the area's prevailing context.
9. The scheme would not therefore conflict with those parts of Policy DM1 of the Rochdale Core Strategy (2016) and Policy JP-P1 of the Places for Everyone Joint Development Plan Document 2022-2039 (2024) which set out that development should offer a high level of indoor and outdoor amenity, having regard to matters such as overbearing impacts.
10. Neither would it conflict with the Council's guidance¹ that, having regard to their individual merits, single storey extensions should not be overbearing, and that sufficient garden space should be retained to meet the reasonable needs of existing and future occupiers. For similar reasons, it would not conflict with the Framework's more general requirement to create places with a high standard of amenity for existing and future users.
11. I have considered the Council's suggested conditions against the Framework's tests. As well as the standard time limit, in the interests of certainty, a condition is necessary requiring that the development be carried out in accordance with the approved plans. Finally, in the interests of good design, I have imposed a condition requiring that the scheme be faced in materials to match the host.
12. Summing up, the scheme would not harmfully impact the adjacent occupiers' living conditions, and it would provide satisfactory living conditions for the occupants of the host property. Having regard to all other matters raised, the appeal is therefore allowed.

Chris Couper

INSPECTOR

¹ Guidelines and Standards for Residential Development Supplementary Planning Document 2016