

Statement of Case

The application Ref 22/01464/HOUS was submitted to Rochdale Borough Council on the 2nd March 2023 this was a resubmission of a previously refused application 22/01161 /HOUS which was duly amended to comply with council guidelines.

The application was approved on the 29th March 2023 subject to 5 conditions, conditions 1 and 5 we intend to comply with and a further application has been submitted to comply with condition 4, relating to drainage.

The conditions we are proposing to appeal against are condition 2, which refers to the plans that we have to build the extension in accordance with (I attach amended drawings with the elevational changes) and condition 3 which states that the materials used in the extension should match the materials used in the existing property.

The existing property is constructed of facing brickwork and the proposal is to render the existing house and then to construct the new extension in render to match the existing property.

The council would not accept this proposal as their requirements are that the new extension should be built in brickwork to match the existing property and the adjacent property.

Whilst we understand that the adjacent property has already had the benefit of extensions, all of which have been built in brickwork over 15 years ago, however it is now becoming problematic in obtaining a good brick match due to the rigors of time on the existing brickwork.

I understand the council's statement that the property is in a prominent elevated position however there are several examples of similarly rendered properties in close proximity, also in prominent positions.

The first two photos which I have attached are for properties on Heap Brow which is the continuation of Moss Hall Road after the junction with Bury Old Road marked 3 on the attached layout plan.

The next two photographs are of properties on Bury Old Road partially rendered and completely rendered marked 2 on the attached plan.

The final two photographs are of a recently approved rendered extension (not in as prominent position) but situated on Parth St, with my client's property in the foreground and marked 1 on the attached plan.

All these properties are situated within 600 metres of my client's property.

We have explored the possibility of tinting the new and existing brickwork, however the feedback I have received is that in certain situations brick tinting is not a good long-term solution.

The intention to render the whole property is not cost based, rendering the existing property as well as the extension is considerably more expensive than just using brickwork on the extension.

However, the reason for the request to remove the conditions, are purely based on "aesthetics" it is our belief that a completely rendered property would be more aesthetically pleasing than an extension built of badly matched brickwork.

We believe that rendering can brighten and freshen the external appearances of dwellings and now forms part of the character of the area. There is no reason to prevent it in this single case, especially as the neighbour could render the external elevations of their dwelling without the need for planning approval.

It is unreasonable and unnecessary to require existing brickwork to be

retained and matched in the extension to no 13 when all around can be and is being rendered at will.

Paragraph 55 of the National Planning Framework policy makes clear that planning conditions should be kept to a minimum and should only be used where they satisfy the following tests

1. Necessary;
2. Relevant to planning;
3. Relevant to the development to be permitted;
4. Enforceable;
5. Precise; and
6. Reasonable in all other aspects

In the guidance these are referred to as the 6 tests and need to be satisfied in every condition which an authority intends to apply.

I suggest that the conditions conflict with tests 1 and 6 in this particular case for the reasons previously mentioned and I respectfully request that you grant the appeal and allow the whole property to be rendered as per existing properties in the locality.