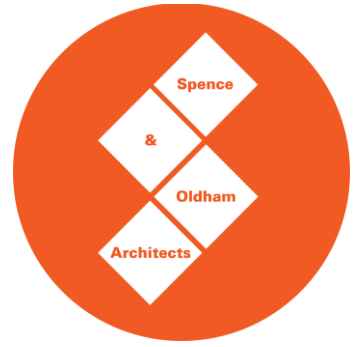




Ref: 0052/01/JR.01

08<sup>th</sup> May 2025  
Planning and Development  
Number One Riverside  
Smith Street  
Rochdale  
OL16 1XU

**RE: Planning Statement in support of proposed single storey front extension, two storey side extension and two storey rear extension at 8 Phyllis Street Middleton Rochdale M24 2AQ.**

The planning statement has been prepared in support of the submitted retrospective application following the outcome of an enforcement investigation carried out by Rochdale Council.

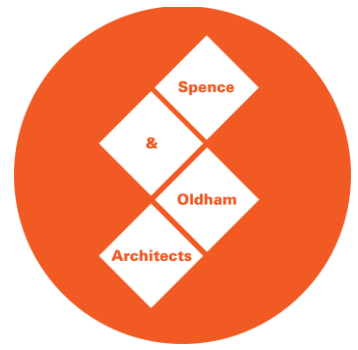
## Planning Statement

### Site

48 Phyllis Street is located in a residential area. The street consists of a mix of semi-detached houses and terraced houses. Number 48 is a semi-detached house. To the south of the site the ground slopes down to lower semi-detached bungalow properties on Easton Close. These houses have been extended and benefited from attic dormer conversions over the years.



Site Location



### Planning History

There have been a number of relevant planning applications made on the site Please see below:

23/00305/HOUS - Two storey side extension, front elevation bay window and canopy. Status – Approved

23/00595/CPL - Application for a certificate of lawfulness for a proposed two storey rear extension including alterations to the soil and vent pipe and an addition to the roof. Status – Grant

24/00742/ANM - Non-material amendment to planning permission 23/00305/HOUS for enlargement of proposed front extension to enclose the full width of the canopy over the front door. Status – Approved

The above applications are currently in the process of being implemented. A planning enforcement application has recently been carried out and has noted the following:

- 1. The extension to the rear of the property has not been constructed within the measurements specified in the approved plans. This constitutes a deviation from what is allowed under the permitted development, resulting in the development requiring planning permission.*

Regarding point 1, the deviation referred to is understood to be because the rear two storey extension (confirmed to be permitted development under application 23/00595/CPL) has been constructed 150mm too close to the side boundary. An extension where the eaves are higher than 3m built under Permitted Development should be at least 2m from any side boundary.

- 2. The approved plans clearly state that the external materials of the extension must be in matching brick to the existing property. However, it is my understanding that the intention is to render areas of the front, side and rear extensions that have been constructed with breeze block. This does not comply with the condition of the planning permission, which was imposed to ensure visual harmony with the original building.*

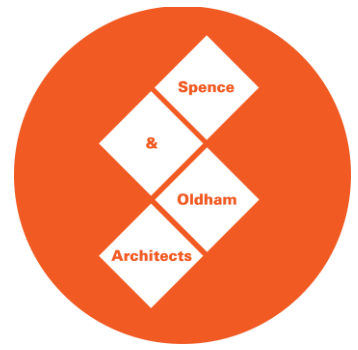
Regarding point 2, the deviation from the approved planning application and certificate of lawfulness is that parts of the extension have been constructed to allow the application of a render finish. This contravenes the planning conditions of 23/00305/HOUS which state that the materials should match the main dwelling. The approval under 23/00595/CPL requires that the proposals meet the conditions of Class A permitted development. This requires that the extension should be constructed from materials similar to that of the original dwellinghouse.

The rear extension meets the requirements of Class A permitted in all other respects. It is built 2925mm from the rear of the original dwellinghouse, the eaves are no higher than the eaves of the original dwellinghouse, the distance between the proposed rear of the extension is not closer than 7m from the opposite boundary.

### Proposals

The proposed development closely reflects that of the approved planning and permitted development applications. The main deviations from the approvals are noted above. There are a couple of other minor changes from the approved planning that have also been identified and updated on the drawings. These are:

- The side extension has been constructed with the addition of 1no rooflight to the front.
- The rear extension has been constructed with the addition of 1no rooflight on the side elevation (as part of the roof facing no. 46 Phyllis Street).
- The cill to the rear extension has been constructed lower and the width of the opening is smaller.



- The width of the side extension is less than was approved.

Please refer to the drawings included as part of this application for more details.

### Planning Policy

Both extensions look to meet the requirements of both national and local planning policies. The Rochdale local plan 2016 refers to the Guidelines and standards for residential developments SPD. This an important guidance document setting out what is acceptable in principle for extensions to existing dwelling regarding their design and impact on other neighbours and the wider streetscene.

Planning practice guidance states that:

*“To the extent that development plan policies are material to an application for planning permission the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise”*

Section 38 of Town and Country Planning Act 1990 state that:

*“If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”*

The Local development plan is the Rochdale Local Plan (core strategy) 2016. Other material considerations include the National Planning Policy Framework NPPF (2024), Rochdale’s Guidelines & Standards for Residential Development SPD (2016). Also, a material consideration in this case is the Town and Country Planning (General Permitted Development) (England) Order 2015 which outlines the requirements for permitted development.

Relevant policies from the Rochdale Local Plan (core strategy) 2016 are:

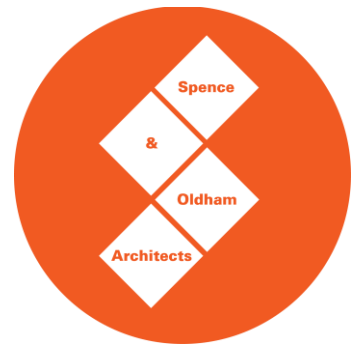
|            |                                     |
|------------|-------------------------------------|
| P3         | Improving Design of New Development |
| DM1        | General Development Requirements    |
| T2         | Improving Accessibility             |
| Appendix 5 | Schedule of Parking Standards       |

Relevant sections from NPPF (2024) include:

|     |                                     |
|-----|-------------------------------------|
| 4.  | Decision making (paragraph 39 & 48) |
| 11. | Making effective use of land        |
| 12. | Achieving well-designed places      |

Relevant sections from Rochdale’s Guidelines & Standards for Residential Development SPD (2016) include:

|             |                       |
|-------------|-----------------------|
| 4.1         | Space Standards       |
| 5.8 - 5.10  | Two Storey Extensions |
| 5.11 – 5.13 | Side Extensions       |



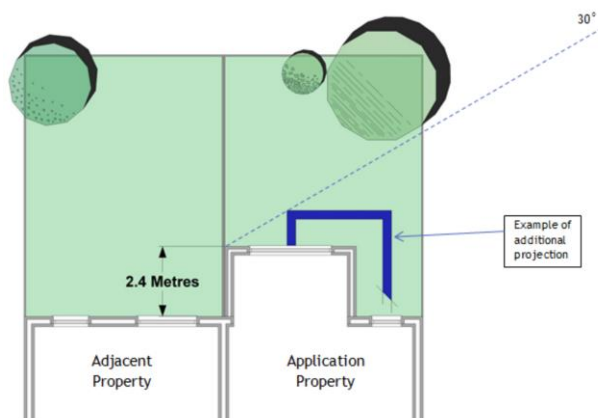
Relevant sections from the Town and Country Planning (General Permitted Development) (England) Order 2015 (GDPO) includes:

Schedule 2, Part 1 Development within the curtilage of a dwellinghouse  
Class A – enlargement, improvement or other alteration of a dwellinghouse

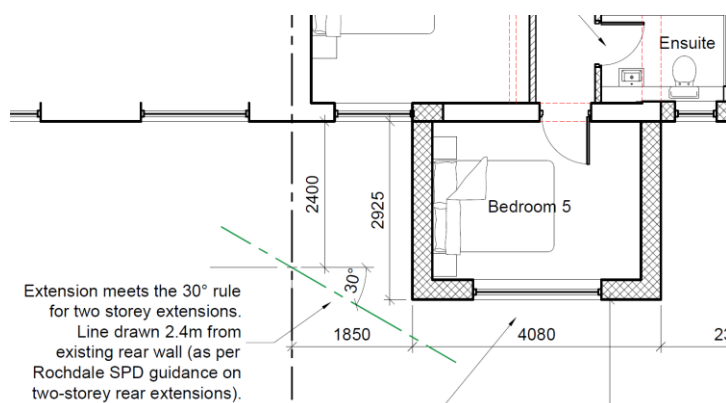
The front and side extensions are understood to be in accordance with both the policies of the local plan and SPD guidance. The principle of this development has been examined by the local authority and established by the previous planning approval. The matter material to this application would be the addition of a render finish to the proposed external walls. Render is considered a modern high quality finish commonly used on extensions and refurbishments of existing dwellings. In this case, the majority of the original dwelling will remain unrendered. This will create a clear hierarchy from the view of the streetscene between the front and side extensions from the original dwelling. The same is true of the rear extension, however this is not visible from a public highway so has less impact on the overall design.

The rear extension meets the requirements of Rochdale's local plan, and meets the requirements of most of the requirements for two storey rear extensions within the SPD. These are shown below for convenience.

*"5.9 - Planning permission will not normally be granted for two storey or first floor extensions to detached, semi-detached or terraced dwellings that project beyond a 30 degree line drawn from a point 2.4m along the common boundary from the rear elevation of the adjoining or adjacent dwelling(s) (Figure 7 below)"*



The above requirement is met. Please see below:



*“4.1 - Although it is expected that most new development will have some impact on neighbours, it is important to ensure that the impact is not so significant that it results in unacceptable harm. All new developments should avoid causing a significant loss of privacy and/or light for occupiers of new neighbouring dwellings and existing dwellings. The following minimum space standards will be applied to all new residential developments and developments which affect existing residential properties:*

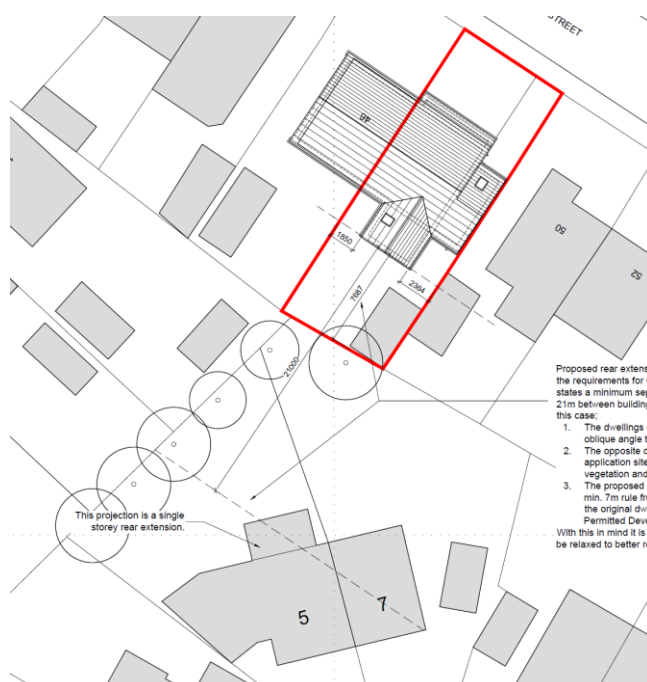
*21m between directly facing principal windows of habitable rooms, at an upper floor level AND 10.5m between a principal window at an upper floor level and a directly facing boundary of the curtilage (Figure 2);”*

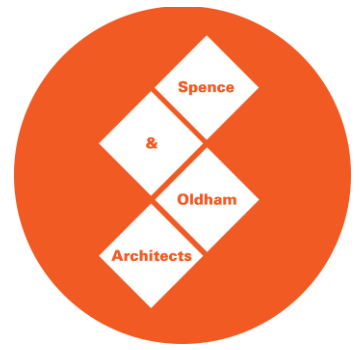
Figure 2 Directly facing principal windows and principal window / boundary



The SPD allows that there may be circumstances in which this requirement should be reduced if there are other considerations:

*“Exceptions to these minimum space standards may be acceptable in some circumstances and applications will be considered on their individual merits. For example, where the character and density of the surrounding area would be best preserved by reduced distances and this would not detract from the general levels of privacy and amenity typical in the area, then exceptions may be made.”*



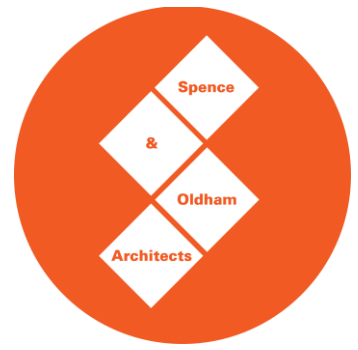


The above image shows that the extension is within 10.5m of the existing rear boundary. However, the rear elevation is 21m from most of the rear elevation of No. 5 Easton Close.

As mentioned above, the SPD guidance notes that in certain circumstances, the separation distances could be changed to suit the requirements of the site. It is believed this should be the case for the following reasons:

- The application site is substantially higher than the rear properties of Easton Close, this means that the view from the rear window does not directly overlook and has a significantly reduced impact on privacy.
- The rear aspect of No.5 Easton Close is angled at approximately 45 degrees from facing directly at the rear extension. This has a moderate effect of reducing the impact on the impact of privacy on No.5.
- There is a large amount of vegetation and trees long the rear boundary between No. 48 Phyllis Street and No.7 Easton Close. These screen any views out over properties on Easton Close. Furthermore, No.7 benefits from a vast rear garden. The existing garage at 48 Phyllis Street further limits any harm from overlooking. These obstructions significantly reduce the impact on their privacy. The photograph below, taken from the first floor window within the two-storey rear extension, further demonstrates that the impact on these properties is minimal:





It is believed that these reasons should be sufficient to relax the separation distances recommended in the council's guidance document. However as stated above there is another consideration that is material. The GDPO allows for the construction of two storey rear extension without planning permission.

A certificate of lawful development was granted on this basis, however during construction there has been two contraventions of Class A permitted development:

- The distance from the side boundary is less than 2m (Class A1 - i).
- The rear extension has been constructed from blockwork which is to receive a render finish (Condition A3 - a).

Neither of these two matters are contrary to the Rochdale Local Plan, nor are they contrary to the NPPF nor Rochdale's Housing SPD Guidance. Therefore, it is believed that the proposed two storey rear extension should be accepted because in normal circumstances, SPD section 4.1 would not withstand the permitted development rights given to most other homeowners.

### Conclusion

The application submitted is for a retrospective planning permission following an enforcement investigation carried out by Rochdale Council. The development was under construction following a previous planning approval for a single storey front extension and a two-storey side extension as well as a grant of a lawful development certificate for a permitted development two storey rear extension.

The implemented development has contravened the approved planning and the rules for permitted development. The two deviations are that the rear extension has been constructed too close to the side boundary and the front, side and rear extension have all been constructed using blockwork that is to receive a render finish.

The above statement regarding planning policy confirms that while the two-storey rear extension does not meet the stated guidance within Rochdale's SPD, there are other material considerations that overcome this. These considerations are the demonstrated level difference between the proposed extension and the opposite neighbour, their angled aspect relative to the proposed extension, and the screening along the rear boundary that obscures views of the opposite neighbour (this is demonstrated by the included photo). Finally, the division from the SPD is overcome by the application of class A Permitted Development rights, which whilst the extension as built is in breach of the Permitted Development limits, these deviations are not contrary to local planning policy, national planning policy and the SPD.

It is hoped that in this case the local authority can support the submitted application.

Yours Sincerely

Joseph Spence-Ealham RIBA

For and on behalf of Spence & Oldham Architects Ltd