

Officer Report

Case Reference: PL/2025/1266
Location: 71 ROCH VALLEY WAY, ROCHDALE, OL11 4QL
Proposal: Proposed 2 storey rear extension.
Recommendation: Refuse
Officer: Luke Rigby

SITE

The application site consists of a two-storey semi-detached residential dwelling located to the west of Roch Valley Way in a predominantly residential area of Rochdale. The existing dwelling is constructed of facing brick with a pitched roof. A hardstanding drive is found to the side elevation of the dwelling.

PROPOSAL

The application seeks planning permission for the construction of a part single, part two-storey rear extension.

RELEVANT PLANNING AND ENFORCEMENT HISTORY

None recorded.

RECOMMENDATION: REFUSE

RELEVANT PLANNING POLICIES

National Guidance

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Sub-Regional Guidance
Places for Everyone Joint Development Plan (PfE)

JP-P1 Sustainable Places

Local Guidance

Saved Rochdale Unitary Development Plan (UDP) 2006:
G/D/1 Defined Urban Area
Adopted Rochdale Core Strategy (CS) 2016:
P3 Improving Design of New Development
DM1 General Development Requirements
T2 Improving Accessibility
Appendix 5 Schedule of Parking Standards

Supplementary Planning Documents (SPD):

Supplementary Planning Document 'Guidelines and Standards for Residential Development' (2016)

PUBLICITY

Site Notice: N/A

Press Notice: N/A

Neighbour notification letters: In accordance with the Council's adopted Statement of Community Involvement, notification letters were sent to immediate neighbours.

ASSESSMENT

Design, character and appearance

The proposed development is in keeping with the character and appearance of, and is subordinate to, the original dwelling and surrounding properties, and the wider setting. As such it is considered that the proposed extension and alterations would be acceptable, in accordance with CS policies DM1 and P3, the SPD, PfE policy JP-P1 and the NPPF.

Residential amenity

Policy DM1 of the Council's adopted Core Strategy states that developments should not adversely affect the amenity of neighbouring dwellings by virtue of visual intrusion, overbearing impact, overshadowing, or loss of light. This is consistent with Paragraph 135(f) which states that developments should create places that are well designed, safe, and offer a high standard of amenity for future occupiers.

At Paragraph 5.9, the Housing SPD states that a two-storey rear extension should not intrude into a 30-degree visibility zone drawn 2.4m along the common boundary with a neighbouring dwelling. Similarly, Paragraphs 5.6-5.7 of the SPD state that for attached properties, a projection of 3m at ground floor is generally acceptable, or where the development would not intrude into a 45 degree visibility zone when measured at 3m along the boundary. In this instance, the proposed single storey portion would extend approximately 4.35m from the rear elevation along the common boundary with No. 73, whilst at first floor the projection would amount to some 3m – exceeding the guidance of the SPD in both cases. Furthermore, the proposal would intrude both at 30-degrees at first floor and 45-degrees at ground floor. The proposal is therefore considered to appear overbearing and overshadowing for No. 73 which is sited to the north of the application site. This impact would be exacerbated by the relatively small amenity space to the rear elevations of the dwellings along Roch Valley Way.

Having regard to the above, the proposed development therefore falls contrary to Policy DM1 of the adopted Rochdale Core Strategy, the design guidance of the housing SPD, and Paragraph 135 of the NPPF. The Case Officer worker proactively and offered the opportunity for the applicant to reduce the projection of the development in line with the Council's adopted guidance, however no amendments were received.

Highways and parking

The proposed development would not impact on the parking availability at the dwelling, which would remain as is. There is sufficient space to the side elevation to accommodate 2No. vehicles. It is considered that there would be no unacceptable impacts upon highway safety in accordance with CS Policy T2 and CS Appendix 5.

Conclusion

Having regard to the above, by virtue of its siting, massing, and close proximity to the common boundary with No. 73 Roch Valley Way, the proposed extension would appear as an overbearing and overshadowing addition to the existing dwelling which would be detrimental to the amenity that No. 73 can reasonably expect to enjoy. The proposal therefore falls contrary to Policy DM1

of the Core Strategy, and Paragraph 135 of the NPPF. It is recommended that permission be refused.

SUMMARY OF THIRD-PARTY REPRESENTATIONS

None received.

SUMMARY OF CONSULTATION RESPONSES

None received.

Human Rights and Public Sector Equality Duty

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report. In particular, Article 6 (1), of the European Convention on Human Rights in relation civil rights and a fair hearing; Article 8 of the ECHR in relation to the right to respect for private and family life and Article 1 Protocol 1 of the ECHR in relation to the protection of property have all been taken into account.

In addition, the Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics namely: age, disability, gender reassignment, pregnancy and maternity, race, religion, or beliefs and sex and sexual orientation. It places the Local Planning Authority under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. Officers have taken this into account in the assessment of the application. In particular due regard has been afforded to the need to:

eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act;

advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and

foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers are satisfied that the application material and Officers' assessment has taken into account these issues.

The application has been considered in accordance with the Rochdale Equity, Diversity and Inclusion policy – Embracing All Voices (2024-2026), which seeks to promote a culture of equity, diversity and inclusion that benefit the community as a whole.

Recommendation: Refuse

Refusal(s) (2)

- 1 The Local Planning Authority offered solutions to the applicant in order to make the development acceptable. The applicant was however unwilling to amend the plans. Without these amendments the development would not improve the economic, social and environmental conditions of the area and therefore does not comprise sustainable development.
- 2 By virtue of its siting, massing, and close proximity to the common boundary with No. 73 Roch Valley Way, the proposed extension would appear as an overbearing and overshadowing addition to the existing dwelling which would be detrimental to the amenity that No. 73 can reasonably expect to enjoy. The proposal therefore falls

contrary to Policy DM1 and P3 of the Core Strategy, the Councils 'Guidelines and Standards for Residential Development' SPD, and Paragraph 135 of the National Planning Policy Framework.