

Officer Report

Case Reference: PL/2026/0075
Location: 24 AUGUSTA CLOSE, ROCHDALE, OL12 6HT
Proposal: Section 73 application to vary condition 2 of planning permission 25/00790/HOUS
Recommendation: Approve with Conditions
Officer: Bob Melling

SITE DESCRIPTION AND CONTEXT

The application relates to no. 24 Augusta Close, a two storey, semi-detached dwelling located in a residential area of Rochdale. The property adjoins no. 22 Augusta Close to the west and is adjacent to no. 26 Augusta Close to the east. The rear boundary of the curtilage borders the rear garden of no. 11 Further Heights Road to the south. The host dwelling benefits from an existing link garage within the rear garden which is accessed via the driveway along the side elevation. The ground levels fall steadily in a southeasterly direction, with no. 11 Further Heights Road set on lower ground than the application property.

PROPOSAL

Permission is sought to vary condition 2 of planning permission 25/00790/HOUS. The proposed changes comprise an increase in the scale of the rear extension at ground floor level only with the depth of the extension increased by 0.497m. The raised platform to the rear of the extension would be removed and replaced by a Juliet balcony.

The application form confirms that development has not commenced on site.

RELEVANT PLANNING AND ENFORCEMENT HISTORY

25/00790/HOUS: Two storey side and rear extension with rear balcony. Granted STC, September 2025.

RELEVANT PLANNING POLICIES

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Regional Guidance

Places for Everyone Joint Development Plan (PfE) 2024:

JP-P1 Sustainable Places

Saved Rochdale Unitary Development Plan (UDP) 2006:

G/D/1 Defined Urban Area

Adopted Rochdale Core Strategy (CS):

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 Guidance note 'Guidelines and Standards for Residential Development' (2016)

PUBLICITY

Site Notice: 12/03/2026

Press Notice: N/A

Neighbour notification letters: 04/03/2026

ASSESSMENT

Design and Appearance

The NPPF states achieving good design is a key aspect of sustainable development, and decisions should ensure developments are visually attractive and sympathetic to local character. This is reflected in PfE Policy JP-P1 and CS Policies DM1 and P3, which require development to respect local context with regard to siting, size, scale, massing, height and materials.

The proposed alterations would result in a minor increase in scale and the removal of the approved balcony. It is not considered that either of these amendments would change the effect of the extension on the character of the locality. While objections have been raised regarding the amended design, it is considered that the proposed extension would be of a standard design that would not appear out of keeping within a residential context.

The design of the proposal is therefore acceptable and accords with CS Policies DM1 and P3, PfE Policy JP-P1, the SPD and the NPPF.

Residential Amenity

Protection of residential amenity is considered under CS Policy DM1, which states development proposals should ensure they do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.

Although the depth of the extension would increase at ground floor level by approximately 0.5m, it would still comply with the projection limits outlined in the SPD. Therefore, it is not considered that the increased scale would have a materially different impact on the neighbouring properties compared with the approved scheme.

Moreover, it should be noted that the proposed balcony has been amended to a Juliet balcony, which would be considered to improve the impact on the neighbouring occupiers by way of any potential overlooking.

In light of the above, it is considered that the amended design would accord with CS Policy DM1, PfE Policy JP-P1, the SPD and the NPPF.

RECOMMENDATION - Grant subject to the following conditions:

SUMMARY OF THIRD-PARTY REPRESENTATIONS

- It will be used as an HMO and there have previously been noisy tenants in the property.

Officer's response: The current application does not seek planning permission for use as an HMO. Converting a dwellinghouse (Use Class C3) to a small HMO (Use Class C4) for up to 6 people is permitted development unless an Article 4 direction applies. If it is believed that the property has been converted to a large HMO (Sui Generis) for 7 or more people, then a planning breach should be reported to the Council's Planning Enforcement service.

- I was not allowed a double storey extension on my property.

Officer's Response: It is unclear which planning application is being referred to, however each application is determined on its individual merits based on site specific facts and circumstances.

- The revised design will be an eyesore.
- It will be visually detrimental to the style and type of houses on Augusta Close.

Officer's Response: This will be assessed under the 'Design and Appearance' section of the report.

- The location of the bin store will inconvenience neighbours.

Officer's Response: The bin store would be within the curtilage of the application property and it would not be possible to substantiate a reason for refusal on this basis.

- Concerns raised with the publicity of the application.

Officer's Response: The application has been publicised by neighbour letters and a site notice.

- Loss of views and light.
- Loss of privacy.

Officer's Response: *This will be assessed under the 'Residential Amenity' section of the report. For the avoidance of doubt, it should be noted that the potential impacts of a proposed development on private views is not a planning consideration. Private individuals do not have a right to a view and even if a new development significantly changes a view from a private property, this is not normally a legal ground on which planning approval can be refused.*

- Loss of parking on the street.

Officer's Response: *The proposed site plan indicates the provision of two off-street parking spaces, which is in accordance with the Council's parking standards. No concerns are had regarding parking provision.*

SUMMARY OF CONSULTATION RESPONSES

N/A

PROCEDURAL STATEMENT

Article 35 Declaration

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively to issue the decision without delay.

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: Approve with Conditions

Condition(s) (6)

- 1 The development must be begun not later than 23 September 2028.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The permission relates to the following plans:

Existing. Dwg no. A336-01

Proposed. Dwg no. A336-02/D

and the development shall be carried out in accordance with these drawings hereby approved unless otherwise required by the conditions below.

Reason: For the avoidance of doubt, and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 3 The materials used in the construction of the exterior of the development hereby permitted shall be in accordance with drawing number A336-02/D unless otherwise approved in writing by the Local Planning Authority. This includes a requirement for the extension to be constructed in brickwork to match the existing brickwork.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policies P3 and DM1 of the adopted Rochdale Core Strategy, the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent Order following the amendment, re-enactment or revocation thereof, prior to first occupation of the extension hereby approved all windows to the side elevation facing east shall be fitted with textured glass, which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent), and shall be non-opening below 1.7m from the internal floor level. The windows shall be retained as such thereafter:

Reason: In the interest of amenity and in compliance with Policy DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 5 The extension hereby approved shall not be occupied until such time as the bin store as shown on drawing number A336-02/D has been made available for its intended purpose. The bin store shall be retained for its intended purpose thereafter.

Reason: In the interests of ensuring a satisfactory visual appearance to the development and in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

- 6 The proposed driveway shown on drawing number A336-02/D shall be first surfaced solely in permeable materials and retained as such thereafter.

Reason: To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface water from the site in accordance with Policy G8 of the adopted Rochdale Core Strategy, saved Policy EM/7 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.