

Class A – Larger Homes Extension

Application Number:	25/00548/HH42
Location:	10 Mayfield Terrace Rochdale OL16 2NQ
Proposal:	Prior approval for a proposed single storey rear extension measuring 5m from the original dwelling (with a maximum height of 2.9m and height to eaves to 2.9m)
Applicant:	Mr Jamil Ul Rehman
Case Officer:	Hamish Rigg
Recommendation:	Refuse

CHECKED AND SIGNED OFF BY:

DATE:

Site Description

The application relates to no. 10 Mayfield Terrace; a two-storey terraced property on the outskirts of Rochdale town. Mayfield Terrace is in a residential setting, comprising a variety of housing types and an urban character.

No. 10 faces west, overlooking a front yard and a shared pedestrian access. It adjoins no. 12 to the north and no. 8 to the south. The rear boundary of the curtilage faces east, bordering a small side road off Cook Street.

Neighbours Notified: 12 & 8 Mayfield Terrace

One objection was received relating to an undue loss of light for neighbouring occupiers, as a result of the proposed development.

Is the proposed development wholly within the curtilage of the dwellinghouse?	Yes
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History - Permitted Development Rights removed?	No
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Publicity	Neighbour letters expired?	Y	Responses received?	Y
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Prior Notification of a Proposed Larger Home Extension – Town and Country Planning (General Permitted Development) Order 2015 (as amended) Schedule 2, Part 1 (Class A.1).

Description of Proposed Development

The Host Dwelling is:

Detached ☐

Other ☒

How far will the proposed extension extend beyond the rear wall of the original dwelling house measured externally:

What will be the maximum height of the proposed extension measured externally from the natural ground level:

Assessment (Class A)

Class A of Part 1 of Schedule 2 of the GPDO allows for the enlargement, improvement or other alteration of a house subject to it not being contrary to any of the following criteria:

- a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use)

☒ **Complies**

☐ **Does Not Comply**

- b) As a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse).

☒ **Complies**

☐ **Does Not Comply**

- c) The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

☒ **Complies**

☐ **Does Not Comply**

- d) The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

☒ **Complies**

☐ **Does Not Comply**

- e) The enlarged part of the dwellinghouse would extend beyond a wall which—

(i) forms the principal elevation of the original dwellinghouse; or

- (ii) fronts a highway and forms a side elevation of the original dwellinghouse;

☒ **Complies**

☐ **Does Not Comply**

- g) For a dwellinghouse not on article 2(3) land or a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and –
- a. extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, **or**
 - b. exceed 4 metres in height;

☒ **Complies**

☐ **Does Not Comply**

The host dwelling is a terraced property and therefore eligible for a 6m extension. The plans indicate a projection of 5m and a maximum height of 2.9m

- h) the enlarged part of the dwellinghouse would have more than one storey and—
- i. extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or
 - ii. be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;

☒ **Complies**

☐ **Does Not Comply**

- i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres:

☒ **Complies**

☐ **Does Not Comply**

- j) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse and would:
- i. Exceed 4 metres in height;
 - ii. Have more than a single storey, or
 - iii. Have a width greater than half the width of the original dwellinghouse

☒ **Complies**

☐ **Does Not Comply**

- ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j)

☒ **Complies**

☐ **Does Not Comply**

The proposal would not be joined to an existing enlargement.

- k) It would consist of or include-

- i) The construction or provision of a verandah, balcony or raised platform
- ii) The installation, alteration or replacement of microwave antenna
- iii) The installation, alteration or replacement of a chimney, flue, soil and vent pipe
- iv) An alteration to any part of the roof of a dwellinghouse

☒ **Complies**

☐ **Does Not Comply**

- **The plans do not include a balcony or raised platform that would exceed 0.3m from ground level**
- **The plans do not include the alteration of a microwave antenna**
- **The plans do not include the alteration or installation of a soil and vent pipe**
- **The plans do not include the alteration to any part of the roof of the dwellinghouse**

Is the dwellinghouse on Article 2(3) land or on a Site of Special Scientific Interest?

☒ **Complies**

☐ **Does Not Comply**

A.3 Development is permitted by Class A subject to the following conditions—

- a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

The development has not begun on site prior to -

- a) the receipt by the developer from the local planning authority of a written notice that their prior approval is not required;
- b) the receipt by the developer from the local planning authority of a written notice giving their prior approval; or
- c) the expiry of 42 days following the date on which the information referred to in paragraph (2) was received by the local planning authority without the local

planning authority notifying the developer as to whether prior approval is given or refused.

☒ **Complies**

☐ **Does Not Comply**

Prior approval assessment

Under Class A of the General Permitted Development Order, permission is granted subject to condition A.4 (7) which reads:

“Where any owner or occupier of any adjoining premises objects to the proposed development, the prior approval of the local planning authority is required as to the impact of the proposed development on the amenity of any adjoining premises”.

One objection was received relating to a potential undue loss of light for neighbouring occupiers.

The provisions of Schedule 2, Part 1, Class A of the GPDO do not require Local Planning Authorities to have regard to the development plan, however regard is to be had to the development plan and the NPPF only insofar as they are a material consideration relevant to the matters of assessing the impact on the amenity of adjoining premises.

The Council's adopted Core Strategy policy DM1 states that proposals need to demonstrate that they do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy. Furthermore, policy DM1 of the Core Strategy requires development proposals to demonstrate that they will not have a negative impact upon the amenities of future residents and occupiers.

To support an assessment of the impact of residential development on the amenity of neighbouring properties, the Council's has adopted the Guidelines & Standards for Residential Development SPD. Paragraph 5.1 of the SPD states that extensions 'should be carefully designed to protect the amenity of the occupants of adjoining properties.' As such, for single storey rear extensions to an attached property, paragraph 5.6 of the SPD applies a maximum projection of 3m, measured from the rear elevation of the adjoining property, along the common boundary. Paragraph 5.7 goes on to state that the distances referred to (under paragraph 5.6) will be measured externally from the rear elevation of the adjoining or adjacent property and will be taken from the rear of any extension if one exists close to the common boundary.

The proposed extension would project 5m from the host dwelling, therefore exceeding the limits set out in the SPD by 2m in the context of no. 8 Mayfield Terrace. The proposed extension would, however, comply in the context of no. 12 Mayfield Terrace due to no. 12's existing rear extension which lies adjacent to the common boundary.

Notwithstanding, by virtue of non-compliance with paragraph 5.6 of the SPD, the proposed extension would be considered unduly overbearing and have unacceptable overshadowing impacts on no. 8 Mayfield Terrace. This is exacerbated by no. 8's orientation to the south of the applicant property. The proposed extension therefore fails to comply with Paragraph 130 of the National Planning Policy Framework and Policy DM1 of the adopted Core Strategy.

Decision:

Refuse:

By virtue of failure to comply with condition 4 (7) which subjects the application to prior approval by the local planning authority should occupants of an adjoining property raise an objection regarding the impact on amenity. In this instance, the proposed development did not satisfy paragraphs 5.5 and 5.6 of the council's SPD and would therefore result in an undue loss of light and privacy, as well as having an overbearing impact.

Informative:

For the avoidance of doubt, the decision relates to the following drawings:-

- Sheet 2: proposed plans and elevations
- Location plan: 460670