

APPLICATION NUMBER: 25/00233/HOUS

Application Number:	25/00233/HOUS
Location:	26 Chamber House Drive Rochdale OL11 3LS
Proposal:	Two storey rear extension and first floor side extension
Applicant:	Mr Ahmed Ali
Case Officer:	Hamish Rigg
RECOMMENDATION:	Refuse

DELEGATION	Applicant a Council Member or officer?	N
	Contrary to previous decision?	N
	Called in or Planning Panel objection?	N

COMMENTS	Planning Panel comments received?	N
	Neighbour comments received?	N

CONDITIONS	Pre-commencement conditions proposed?	n/a
	Pre-commencement conditions agreed (or notification period expired)?	n/a

Location

The application relates to no. 26 Chamber House Drive; a two-storey detached property in Marland, Rochdale. Chamber House Drive forms part of a residential estate comprising medium density housing of a similar design and material palette. The character of the area is typically suburban, with soft landscaping and quiet streets. The site falls within the defined urban area.

No. 26 faces north-east, overlooking a front driveway and the adopted highway. It is flanked by no. 24 to the north-west and no. 28 to the south-east. The rear boundary of the curtilage faces south-west, bordering open Green Belt land, as per UDP policy G/D/2.

Description of Proposal

The application seeks a two-storey rear extension and a first-floor side extension.

The proposed rear extension comprises adjoining gable and dual-pitched roof forms and spans the entire width of the dwelling. It includes three first-floor rear windows, one ground floor rear window and rear bi-folding doors. Proposed materials include red brick, concrete interlocking tiles, UPVC windows and aluminum doors. The rear

extension would project 4m from the original dwelling, measuring 8.4m (width) X 5m (eaves height) X 7m (maximum height).

The proposed first-floor side extension would sit atop the existing single-storey form at the front of the dwelling, comprising a gable roof form and a single front window. Proposed materials include red brick, concrete interlocking tiles, and a UPVC window. The extension would sit flush with the front elevation of the host dwelling, measuring 2.7m (width) X 3.6m (depth) X 5m (eaves height) X 6.3m (maximum height).

Relevant History

24/00671/HOUS – Approved

First-floor side extension and single-storey rear extension.

Township/Member comments

None

Consultee responses

Not applicable

Representations

Letters of notification were sent to neighbouring properties 27/03/2025; no objections were raised.

Policy

National

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Sub-Regional

Places for Everyone Joint Development Plan (PfE)

The Places for Everyone Joint Development Plan was adopted and became part of the statutory development plan for each of the 9 authorities covered by the plan on 21st March 2024. The following policies are relevant:

JP-P1 Sustainable places

Local

Saved Rochdale Unitary Development Plan (UDP) 2006:

G/D/1 Defined Urban Area

Adopted Rochdale Core Strategy (CS) 2016:

The Rochdale Core Strategy was adopted on 19th October 2016. The following policies are relevant:

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).

Amendments

None Applicable

Assessment

Amenity: DM1 and SPD

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. Paragraph 5.1 of the SPD states that extensions 'should be carefully designed to protect the amenity of the occupants of adjoining properties.' Additionally, the National Planning Policy Framework (NPPF) advises that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

The main concern with this application is the scale of the proposed two-storey rear extension and the potential harm that this may cause to the amenity of neighbouring occupiers. Rochdale Council's Guidelines and Standards for Residential Development SPD recognises that two-storey rear extensions can impact on the amenity of neighbouring occupiers through overshadowing, reduced outlook and oppressiveness. As such, paragraph 5.9 establishes a maximum standard for two-storey rear extensions, stating that planning permission will not normally be granted if they project beyond a 30 degree line drawn from a point 2.4m along the common boundary from the rear elevation of the adjacent dwelling(s).

The proposed rear extension projects 4m from the original dwellinghouse, and in doing so exceeds the 30 degree line by 1.2m adjacent to the common boundary with no. 24, and 1.3m adjacent to the common boundary with no. 28. To comply with paragraph 5.9, the rear projection would need to be reduced to 2.7m from the original dwelling. By virtue of its non-compliance with the SPD, and the extent to which it exceeds the recommended standards, the proposed rear extension would be considered harmful to the amenity of occupants at no. 24 and no. 28 Chamber House Drive.

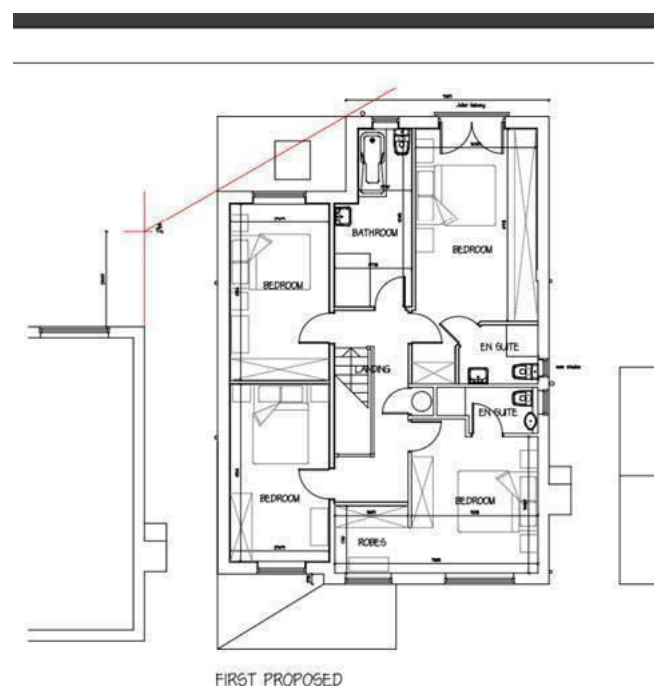
The scale of the proposed rear extension would appear oppressive and overbearing, when viewed from the rear gardens of nos. 24 and 26, thus negatively impacting on the enjoyment of their outdoor amenity space. Furthermore, the extension is likely to result in an unacceptable level of overshadowing towards the rear windows and gardens of the adjacent neighbours. For occupants of no. 28, the overshadowing impact would be especially harmful in the late afternoon and evening, when they are most likely to be using their garden, due to their position to the south-east of the application site.

The application is supported by a planning statement (AJ Cocker Associates, dated April 2025) which challenges the view that the current rear projection would need to be reduced to ensure an acceptable impact on the amenity of neighbouring occupants. The statement cites several examples of two-storey rear extensions on Chamber House Drive where paragraph 5.9 has not been strictly adhered to: no. 30, no. 35 and no. 41. Regarding nos. 35 and 41, both these examples pre-date the current Council's Guidelines and Standards for Residential Development SPD (2016) and therefore should not be used as justification for non-compliance under this application. However, the extension at no. 30 was approved in 2022 (22/00869/HOUS).

Prior to the submission of application 22/00869/HOUS, a subsequent pre-application enquiry was submitted under reference PREAPP/00006/22 in relation to the proposed two-storey rear extension at no.30 Chamber House Drive. The pre-application response noted that the proposed two-storey rear extension exceeded the 30 degree line along the common boundaries with both adjacent neighbours, nos. 28 and 32. The officer determined that the impact on no. 28 would be acceptable as *"the rear windows on the neighbouring property are sited some distance away from the shared boundary"*. However, the officer recommended that in relation to the common boundary with no. 32, the first-floor projection should be reduced in accordance with paragraph 5.9. For the avoidance of doubt, paragraph 5.9 states:

"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)."

Under application 22/00869/HOUS, the applicant successfully argued that the 2.4m offset should be taken from the rear corner of no. 32 rather than measured *"along the common boundary"*, thus allowing for a greater projection (see diagram below). The planning statement for this application (April 2025) asserts that the same principles should be applied.



Application 22/00869/HOUS was approved, having taken the measurement from the rear corner of no. 32, rather than along the common boundary. In the officer's report there appears to be no reference to the relationship between the approved extension and no. 32, and therefore no justification as to why paragraph 5.9 was not adhered to. It can only be assumed that this may have been an oversight.

Given the officer's report offered no material reason as to why paragraph 5.9 wasn't strictly adhered to under application 22/00869/HOUS, it follows that there is no material justification for non-compliance under this application. It is accepted that the differing interpretations may seem unjust, however the wording of paragraph 5.9 is explicit in that the 30 degree line is drawn from a point 2.4m *"along the common boundary"*. To open this up for interpretation, and set a precedent for future applications to exceed the standards of the SPD, would undermine the Council's position in ensuring that future development does not harm residential amenity.

It is accepted that paragraph 5.9 includes the word "normally" and that there may be instances where a greater projection could be acceptable, e.g, where there is a difference in levels or if the dwellings are substantially separated. However, the guidance also specifically refers to detached dwellings, not just those that are attached, i.e. attached semi-detached houses and terraced houses, thus demonstrating that the guidance should still be applied where there is physical separation between the dwellings.

It should also be noted that even if the 2.4m offset was taken from the rear corner of the adjacent dwellings, the proposed 4m projection would still exceed the 30 degree line by approximately 0.5m. Not only does this proposal exceed the standards of paragraph 5.9, but also the interpretation applied under application 22/00869/HOUS. In fact, the rear projection under this application exceeds the standards of paragraph 5.9 by 1.2m, double that of application 22/00869/HOUS, therefore creating further harm to the amenity of neighbouring occupiers, by comparison.

For the avoidance of doubt, there are on issues relating to the impact of the proposed first-floor side extension on the amenity of neighbouring occupiers.

In light of the above assessment, it is considered that the proposal would have an unacceptable impact on the amenity of neighbouring occupiers through overshadowing and oppressiveness, particularly towards adjacent rear gardens, by virtue of non-compliance with paragraph 5.9 of the SPD. Despite the examples cited in the supporting planning statement, most notably application 22/00869/HOUS, there appears to be no material justification for an alternate interpretation of the SPD, allowing for greater flexibility. The proposed rear projection substantially exceeds paragraph 5.9 by 1.2m and would therefore unduly impact on the amenity of the occupants of neighbouring properties, contrary to CS Policy DM1, the SPD and the NPPF.

Design: DM1 and P3

When read collectively, the NPPF, policies P3 and DM1 of the Core Strategy, and policy JP-P1 of Places for Everyone seek to achieve development of high quality design, by respecting context where it is positive and having regard to the scale, density, massing, height, layout, landscape, materials and access of surrounding buildings and areas in general. Development should function well and add to the overall quality of an area by being visually attractive as a result of effective architecture, layout and landscaping. Paragraph 5.1 of the SPD also states that

housing extensions should be in keeping with the host property and generally should be subservient to it.

There are no issues relating to the design of the proposed development. Both the side and rear extensions include materials and windows which match the host dwelling, and feature gable ends which correspond with the existing front and rear gables. The proposed development would have minimal impact on the character and appearance of the street scene and would suitably integrate with the surrounding context. Overall, it therefore accords with CS policies DM1 and P3, PfE policy JP-P1, the SPD and the NPPF.

Highways and Parking: DM1 and T2, Appendix 5

There would be no bearing on the existing parking arrangements, in accordance with policies T2 and DM1.

Other matters: personal circumstances

Section 5.22 of the SPD states:

Personal circumstances, such as a disability, may make it difficult to provide necessary facilities within the standards set out in this document. The Council may interpret these standards flexibly in such circumstances, but proposals that significantly exceed the standards set out in this document are unlikely to be appropriate. The more general planning considerations, such as the impact of a development on the character of an area and its impact on the amenity of neighbouring occupiers, are still the principal considerations by which the planning application will be judged; the needs of a person may exist for only a few years whereas built development is likely to last for decades.

The applicant has provided medical evidence that they have a relative with additional needs and therefore require a larger space. While the Council does not dispute this and has a duty of care towards its residents, it has not been demonstrated how these facilities cannot be provided in a way which does not significantly harm the amenity of neighbouring occupiers. The proposed first-floor rear extension significantly exceeds the standards set by the Council and it has not been demonstrated that this would be the only viable option.

As such, the personal circumstances identified in the supporting evidence are not considered to sufficiently outweigh the harm caused by the development in respect of its impact on the amenity of neighbouring occupiers at nos. 24 and 28 Chamber House Drive.

Recommendation:

Refuse

1. By virtue of its non-compliance with paragraph 5.9 of the SPD, the proposed two-storey rear extension would be considered harmful to the amenity of neighbouring occupiers of nos. 24 and 28 Chamber House Road, through overshadowing and visual intrusion. Such harm would be especially apparent from the rear gardens of the adjacent neighbours. In particular, occupants of no. 28 would experience a significant loss of light in the later afternoon and evening, being situated to the south-east of the proposed rear extension. The proposal does not therefore accord with policy DM1 of the adopted Rochdale

Core Strategy, policy JP-P1 of the Places for Everyone Joint Development Plan, the Council's 'Guidelines and Standards for Residential Development' Supplementary Planning Document and the National Planning Policy Framework.

Procedure statement

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application.

Informative

For the avoidance of doubt, this decision relates to the following plans:

- Proposed elevations: A327-sk-04
- Proposed first floor plan: A327-sk-02
- Proposed ground floor plan: A327-sk-01
- Proposed block plan: A327-sk-07/a
- Proposed schematics: A327-sk-03/a
- Location plan: A327-sk-05

	Date	Officer
Report Completed	12/05/2025	Signed: Hamish Rigg
Authorisation	22/05/2025	Signed: RC

Report Author Hamish Rigg