

APPLICATION NUMBER: 24/00654/HOUS

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Location:	5 Hartley Lane, Rochdale, OL11 2NF
Proposal:	Two storey side and rear extension with single storey front extension and porch and conversion of existing conservatory into a single storey rear extension
Applicant:	Mr Raza Muneer
Case Officer:	Sam Yuen
DETERMINATION DATE 03.09.2024	EXT OF TIME 13.09.2024
RECOMMENDATION:	Grant subject to conditions

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?	Y

CONDITIONS	Pre-commencement conditions proposed?	N
	Pre-commencement conditions agreed (or notification period expired)?	N/A

Location

The application relates to no. 5 Hartley Lane, a two-storey semi-detached dwelling located in Kirkholt. The property is sited on a corner plot at an intersection with Lowther Road and Dunlop Avenue. It is adjoined by no. 7 Hartley Lane to the south, adjacent to no. 10 Hartley Lane to the south-west, no. 2 Dunlop Avenue to the north-west, nos. 49 and 51 Lowther Road to the north, and no. 32 Lowther Road to the east. The dwelling faces the highway to the west. The property benefits from garden space which surround the dwelling, as well as a detached single garage with associated hardstanding to the rear.

Description of Proposal

Planning permission is sought for a number of enlargements to the host dwelling:

- ② A two-storey side and rear extension which projects, as amended, 2.84m from the side elevation of the existing outrigger and 3.28m from the rear elevation of the dwelling, flush with the existing outrigger. It is set back 1.5m from the front main wall of the dwelling and set down 0.5m from the ridge line with matching height to eaves and is characterised by a cross-hipped roof form.
- ② A single-storey front extension which projects, as amended, 1m from the front elevation of the dwelling. It is characterised by a lean-to roof form and has a ridge height of 3.69m and a height to eaves of 2.62m.
- ② A replacement single-storey rear extension following the demolition of the existing 4.5m conservatory projection. It is characterised by a flat roof form with a central roof lantern and has a ridge height of 3.05m.

The proposals would be constructed from materials matching the host dwelling.

Relevant History

N/A

Township/Member comments

N/A

Consultee responses

Highways and Engineering

Highways have raised no objections to the proposed plans.

Representations

Neighbour notifications via letters were sent to surrounding properties. Two objection letters, including one petition letter signed by five households, and one neutral representation were received, with the following comments:

- ② Potential overlooking impacts from the proposed windows.
- ② The proposed front extension would reduce access to natural light for neighbouring property and block view of nearby footbridge.
- ② Concerns over potential impacts of additional on-street parking to an already congested highway and to highway safety.
- ② Potential noise impacts from construction.
- ② Concerns over damages to cars from construction dirt and debris.
- ② The proposed roofs do not have proper protection lining and would affect neighbouring property.
- ② The proposed rear extension would affect neighbouring boundary fencing.
- ② Concerns on why application has been submitted whilst owner is still residing in the property.

Officer's Comments

- ❑ Issues relating to overlooking and overshadowing impacts are addressed under the 'Amenity' heading of the report.
- ❑ Loss of view is not a material planning consideration.
- ❑ Issues relating to parking provisions and highway safety are addressed under the 'Highways and Parking' heading of the report.
- ❑ Construction works are expected to result in a level of noise and disturbance and should not be a reason to prevent development. Noise and disturbance generated in excess of what is 'acceptable' would be controlled via separate legislation through the Council's Public Protection Service.
- ❑ Matters regarding compliance with building regulations relate to Building Control and are not material planning considerations.
- ❑ Concerns over damages to the neighbouring property relate to the provisions under The Party Wall etc. Act 1996 and are not material considerations in the determination of planning applications.
- ❑ Household occupation status is not a material planning consideration.

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:

Policy 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

Amendments

Amendments were made to the following after design concerns from the Planning Officer:

- ☐ Reduction of the proposed side projection by 0.7m;
- ☐ Reduction of the proposed front projection by 1m;
- ☐ Alteration of the previously proposed gable-end roof to hipped roofs, and
- ☐ Removal of the front extension roof lights.

Assessment

Design: DM1 and P3

- ☐ Achieving good design to achieve sustainable development is a key component of the NPPF, whereby decisions should ensure developments are visually attractive and sympathetic to local character. This is also reflected in Policy JP-P1 of the PfE and Policy DM1 and P3 of the adopted Rochdale Core Strategy, which require development to respect local context with regard to siting, size, scale, massing, height and materials. In addition, Section 5.1 of the SPD states development proposals should be in keeping with the host property and generally should be subservient to it.
- ☐ The proposal seeks to enlarge the dwelling through substantial extensions to the front, side and rear. The scale of the enlargements notwithstanding, it is noted the applicant has accepted amendments to reduce the side projection to such an extent that it would not project significantly beyond the building line along nos. 26-32 Lowther Road. The extension would also comprise a hipped roof form as amended and retain a minimum 3.24m separation distance from the side curtilage boundary. Given this spatial relationship, it is considered the proposal would retain sufficient space from Lowther Road and would not result in unacceptable visual impact to the surrounding street scene.
- ☐ By virtue of the reduction in side projection and set down below the ridge line, the proposed side and rear extension would read as subservient additions to the host dwelling.
- ☐ The proposed front extension comprises a width of 6.37m and projects, as amended, 0.4m beyond the existing front bay windows which would read as a prominent addition. Notwithstanding, regards have been had to the front porch extensions of nos. 7 and 9 Hartley Lane which, while do not appear to benefit from planning permission, have been extant in excess of 16 years. Given this site context, it is considered the proposed front extension would not appear overly obtrusive or out of keeping with the existing projections which would be acceptable on balance.
- ☐ Materials of the proposed development would match the host dwelling, and would be designed appropriately for this context.
- ☐ It is considered the proposed fenestration are sized and positioned appropriately with the existing fenestration.

- ☐ Taken as a whole, the design of the proposal would be acceptable on balance and would accord with Policies DM1 and P3 of the adopted Rochdale Core Strategy, the SPD, Policy JP-P1 of the adopted PpE and the NPPF.

Amenity: DM1 and SPD

- ☐ Protection of residential amenity is considered under Policy DM1 of the adopted Rochdale Core Strategy, 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.*” In particular, the SPD for residential development sets out space requirements for new development.
- ☐ As it stands, the dwelling comprises a rear conservatory of a 4.5m projection which exceeds the maximum standard set out in Section 5.6 of the SPD. This extension does not have any associated planning history, however, considering the extension has been extant in excess of 18 years, the addition would constitute lawful development, with the associated impact well-established. The proposed replacement single-storey rear extension is a fully enclosed building which is likely to result in greater overshadowing harm than the existing lightweight conservatory. However, taking into account of the adjoining 3.28m two-storey rear extension and the siting of the projections to the north of no. 7 which would not restrict access to natural light, on balance, it is considered the additional amenity impact to the neighbouring rear habitable room windows would not amount to unacceptable harm.
- ☐ The proposed side extension would retain a 22m separation distance from the habitable room windows of no. 51 Lowther Road.
- ☐ The proposed front facing bedroom window does not directly face any properties. Likewise, the application does not propose any habitable room windows to the rear.
- ☐ Taken as a whole, it is considered the proposal would not result in significant amenity impacts to neighbouring occupiers.
- ☐ The submitted plans indicate provision of natural light to all habitable rooms.
- ☐ Notwithstanding the proposed side extension projecting towards the side garden space, sufficient residual amenity space of a functional use would be retained within the curtilage.
- ☐ The proposal would not unduly impact on the amenity of the occupants of neighbouring properties in accordance with Policies DM1, the SPD and the NPPF.

Highways and Parking: DM1 and T2, Appendix 5

- ☐ Policy DM1 of the adopted Rochdale Core Strategy requires development proposals to “*provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements taking into account of the proposed use and location.*”
- ☐ The proposal would increase the number of bedrooms from three to four and would require a maximum standard of two parking spaces, as stated in Appendix 5 of the adopted Rochdale Core Strategy. As it stands, the current parking arrangements comprise one off-street parking space in the existing

driveway which would be retained under the proposed plans. It is likely the property also utilises on-street parking on Hartley Lane and Lowther Road.

- ☐ Regards have been had to the existing congestion issue and impact to highway safety. Whilst it is noted the proposal may add vehicles to the highway, the road network comprising Hartley Lane, Lowther Road and Dunlop Avenue are not classified roads and are regarded as low-trafficked highways. Given the maximum parking standard is limited to two parking spaces, it is considered the potential addition of one vehicle to the highway would not result in unacceptable levels of harm to highway safety. The Council's Highways Officer has also raised no objections to the proposal. On this basis, it is considered a refusal on highway grounds could not be reasonably substantiated.
- ☐ The proposed parking arrangements are therefore acceptable in accordance with Policies T2 and DM1.

Recommendation: Grant subject to the following conditions

1. The development must be begun not later than three years beginning with the date of this permission.

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:

- ☐ Location Plan – Drawing No. 1 received 08/07/2024
- ☐ Existing and Proposed Site Plan – Drawing No. 7 received 06/09/2024
- ☐ Existing Floor Plans – Drawing No. 2 received 08/07/2024
- ☐ Existing Elevations – Drawing No. 4 received 08/07/2024
- ☐ Existing Roof Plan – Drawing No. 3 received 08/07/2024
- ☐ Proposed Floor Plans – Drawing No. 5 received 06/09/2024
- ☐ Proposed Elevations – Drawing No. 6 received 06/09/2024

and the development shall be carried out in accordance with these drawings hereby approved.

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, the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

3. The materials used in the construction of the exterior of the development hereby permitted shall match those used in the construction of the exterior of the existing building in colour, form, type, size and texture.

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, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Article 35 Statement

The Local Planning Authority worked proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition.

	Date	Officer
Report Completed	11/09/2024	Signed: SY
Authorisation	12/09/2024	Signed: RK

Report Author Sam Yuen