

Class A – Larger Homes Extension

Application Number:	23/01316/HH42
Location:	323 Milnrow Road, Rochdale, OL16 5BU
Proposal:	Prior approval for a single storey rear extension measuring 5m from the original dwelling (with a maximum height of 3.30m and height to eaves to 2.80m)
Applicant:	Mr Sameer Khan
Case Officer:	Sam Yuen
Recommendation:	Refuse

CHECKED AND SIGNED OFF BY: RK

DATE: 20/06/2024

Site Description

The application relates to no. 323 Milnrow Road, a two-storey semi-detached dwelling located in Newbold. The dwelling is adjoined by no. 325 Milnrow Road to the east, adjacent to no. 323A Milnrow Road to the west, and faces the highway to the south.

Publicity	Neighbour letters expired?	Yes	Responses received?	No
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Neighbours Notified:

323A Milnrow Road, Rochdale, OL16 5BU
325 Milnrow Road, Rochdale, OL16 5BU

Relevant History:

22/01542/HOUS - Part two, part single-storey rear extension, two storey side extension including hip to gable roof – Refuse

Officer's Comments:

1. By reason of its siting, design and scale, the proposed two-storey side extension would result in a crowded and clustered form of development which, due to its lack of subservience, would appear akin to a terrace and comprise a visually harmful form of development. The development would entirely erode the space between the application dwelling and neighbouring dwelling and would be harmful to the general character and appearance of the area. The application is therefore contrary to the requirements of Policies

DM1 and P3 of the adopted Rochdale Core Strategy, the Supplementary Planning Document 'Guidelines and Standards for Residential Development' (2016) and the National Planning Policy Framework.

2. By reason of its siting, scale and massing, the proposed rear extension would result in undue overbearing and overshadowing impacts on the ground floor rear facing windows of habitable rooms and rear garden area of the adjacent no.323A Milnrow Road. The application therefore fails to comply with the requirements of Policy DM1 of the adopted Rochdale Core Strategy, the Guidelines and Standards for Residential Development Supplementary Planning Document and the National Planning Policy Framework

Permitted Development Rights removed?	Cannot locate original permission.
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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:

Is the proposal wholly within the curtilage of the dwellinghouse?	Yes
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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 semi-detached property and therefore eligible for a 6m extension. The plans indicate a projection of 5m and a maximum height of 3.3m.

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**

Note: The *Technical Guidance for Permitted development rights for* householders states the height to eaves will be measured from the ground level at the base of the external wall of the extension to the point where the external wall would meet the upper surface of the roof slope. On this basis, the height to eaves of the proposed rear extension is taken to be 3.05m and therefore does not comply with Criterion (i).

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 a 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 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 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**

Decision: Refuse

The proposal does not constitute permitted development by virtue of non-compliance with the requirements of Criterion (i) and (k) of Class A, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as the plans indicate that 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. The proposed plans also indicate the alteration of a soil and vent pipe.

Informative:

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

- Location Plan – received 04/12/2023
- Existing Site Plan – received 04/12/2023
- Proposed Site Plan – received 15/05/2024
- Existing Floor Plans, Elevations and Roof Plan – Drawing No. A101 received 15/05/2024
- Proposed Floor Plans, Elevations and Roof Plan – Drawing No. A102 received 15/05/2024

Report Author Sam Yuen