

Application Number:	23/01075/HOUS
Location:	137 Starring Way, Littleborough, Rochdale, OL15 8RE
Proposal:	Two storey side, single storey rear extensions, application of new render to the front elevation and erection of new timber fencing to side and rear elevations following demolition of existing conservatory (Part Retrospective)
Applicant:	Mr Ben Gratton
Case Officer:	Sam Yuen
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?	Y

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

Location

The application relates to no. 137 Starring Way, a two-storey semi-detached dwelling located in a residential area in Littleborough. The dwelling occupies a corner plot on a bend in the highway and is adjoined by no. 139 Starring Way to the south and faces the highway to the west. The rear boundary of the curtilage backs onto Featherstall Brook to the east, which has been identified as a designated 'main river' by the Environmental Agency. A public right of way runs adjacent to the brook.

The immediate locality is characterised by a mixed street scene and comprises modestly-sized semi-detached and detached dwellings and bungalows of brick construction. As it stands, the host property benefits from two attached garages, a front driveway and considerable side and rear curtilage space.

Description of Proposal

Part-retrospective planning permission is sought for the enlargement of the host dwelling and exterior works to the dwelling and boundary treatment.

Amongst the constructed works, retrospective planning permission is sought for the following:

- ② Erection of 2m-high timber fencing around the northern and eastern perimeter of the side and rear curtilage and adjoining the highway, spanning a total length of 38.62m;
- ② Application of white render to the front elevation and the ground floor side elevation of the dwelling; and
- ② Alteration to the fenestration and roof form of the front porch from hipped roof to gable-fronted roof (Based on available evidence, the amended front porch was recently constructed but has been represented on the existing plans)

The application also seeks to construct a part-first floor, part-two storey side extension which projects 2.68m from the side elevation of the dwelling, above the existing attached garage. The side extension is set back 0.9m from the front main wall and set down 0.24m from the ridge line of the host dwelling with matching height to eaves. It is characterised by a dual-pitched roof form and is constructed in white render to the front and side elevation, and brickwork to the rear elevation.

Further, a single-storey rear extension is proposed to project 3.82m from the rear elevation of the dwelling, following the demolition of the existing rear conservatory. It is characterised by a flat roof form and brick construction and has a ridge height of 2.75m. It comprises a set of bi-folding doors and two roof lights.

Lastly, a 2m-high timber fence is proposed on the southern side curtilage boundary, along the common boundary with adjoining no. 139.

Relevant History

05/D45386 - Two Storey And Single Storey Side Extension And Single Storey Front Extension To Dwelling - Grant subject to conditions

Township/Member comments

N/A

Consultee responses

Highways and Engineering

The proposed extension would seem to have no impact on current parking provision and arrangements for this property, which are in line with Council parking standards.

The current servicing arrangements for this dwelling would be unaffected by the proposed extensions.

If approved the development should not have any impact on road safety or highways capacity.

In conclusion, Highways would raise no objection to this application, and request no specific planning conditions.

Rights Of Way Officer

No comments received at the time of writing.

Environment Agency

The Environmental Agency raises no objection in principle the proposed development.

Regarding the retrospective element of the application and the boundary fencing. It is noted that part of this adjoins Featherstall Brook which is a designated "main river". A flood risk activity permit for erection of structures within 8m of the bank should have been applied for before commencing these works. However, no application was made to the Environment Agency.

The Environmental Agency's Asset Enforcement Officers have visited the site and observed that the applicant appears to have removed all the Leylandii trees that were along the bank top and then constructed the new fence closer to the brook. This appears to be extending slightly into the bank of the brook. Whilst this is not ideal and leaves hardly any natural vegetation buffer between the brook channel and the fence, the Enforcement Officer does not believe the fence position would affect flood flows within the channel.

Representations

Neighbour notifications via letters were sent to surrounding properties. One supporting letter was received.

Policy

National

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

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

N/A

Assessment

Design: DM1 and P3

- ❑ Paragraph 130 of the NPPF requires new development to be *“visually attractive as a result of good architecture, layout and appropriate and effective landscaping”* in addition to ensuring they are *“sympathetic to local character.”*
- ❑ Paragraph 134 states *“development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.”*
- ❑ Policy DM1 and P3 of the adopted Rochdale Core Strategy require development proposals to be *“of high quality design and take the opportunity to enhance the quality of the area”* and to *“enhance the borough’s identity and sense of place, 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.”* 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 applicant has constructed 2m-high timber fencing around the side and rear curtilage boundary of the dwelling and extended the area of enclosure of the boundary treatments, which previously bounded a smaller garden space to the rear of the dwelling. By virtue of its excessive height and width and its siting directly adjoining the public footway, the timber fencing has eroded the open space between the host property and the highway, resulting in an imposing and oppressive feature of an unfortunately poor quality finish which is unduly harmful to the character and appearance of the street scene.
- ❑ It is noted that a number of *Leylandii* trees have been removed from the eastern boundary to Featherstall Brook and replaced with a 2m high close boarded timber fence set adjacent to the watercourse and the Public Right of Way LitFp91. The loss of the trees, which contributed significantly to the character of Featherstall Brook and the PROW is regrettable, however does

not fall under the remit of planning control. Notwithstanding, as assessed above, the replacement fence is a poor quality, dominant feature which by reason of its appearance is a harmful contrast to the verdant character along the right of way.

- ❑ Moreover, significant concerns are had with the application of white render to the front and side elevation of the dwelling, the use of which has completely altered the appearance of the dwelling in an obtrusive and unsympathetic manner that conflicts with the established use of brickwork in the surrounding area.
- ❑ The proposal also seeks to construct a part-first floor, part-two storey side extension to the dwelling. Whilst it is accepted the extension would be set below the ridge line and set back from the front main wall of the dwelling, which would be subservient in isolation, the cumulative effect of the proposed side extension with the existing enlargements would result in a dwelling that is disproportionately larger against the modestly-sized dwellings along the building line.
- ❑ Notwithstanding its substantial width, no concerns are had regarding the proposed single-storey rear extension, the scale, roof form and materiality of which would be appropriately designed in this context.
- ❑ Taken as a whole, the constructed works and proposed side extension comprise a wholly unsatisfactory standard of design and visual appearance which inflict undue harm to the character and appearance of the host dwelling and wider street scene. The design of the proposal is therefore unacceptable and fails to accord with Policies DM1 and P3 of the adopted Rochdale Core Strategy, the SPD and the NPPF.

Amenity: DM1 and SPD

- ❑ Policy DM1 of the adopted Rochdale Core Strategy 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, Section 4.1 of the SPD states the following minimum space standards for development proposals:
 - (i) *“21m between directly facing principal windows of habitable rooms, at an upper floor level AND 10.5m between a principal window at an upper floor level and a directly facing boundary of the curtilage.”*
- ❑ Section 5.5 of the SPD states *“it is important that single storey extensions are not overbearing and do not result in undue loss of light or privacy for neighbouring occupiers.”* Section 5.6 states the following maximum standard:
 - ❑ *“For attached properties, a point 3 metres along the common boundary measured from the rear elevation of the adjoining or adjacent dwelling(s)”*
- ❑ The proposed side extension does not project beyond the front elevation of the host dwelling and does not directly face any property to the front and rear.

- ☐ Likewise, the proposed single-storey rear extension also does not project beyond a point 3m along the common boundary measured from the rear elevation of the conservatory of adjoined no. 139.
- ☐ Taken as a whole, the proposed extensions are not considered to result in significant amenity impacts to the surrounding occupiers.
- ☐ The submitted plans indicate the provision of natural light to all habitable rooms and that sufficient garden space of a functional layout would be retained. As such, the proposed works would ensure an acceptable standard of living for existing and future occupants.
- ☐ 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 proposed development would not impact on the provision of parking spaces for the host property. The proposed parking arrangements are therefore acceptable in accordance with Policies T2 and DM1.

Recommendation: Refuse

1. By virtue of its siting, excessive scale, materiality and design, the proposed works comprising the erection of timber fencing, application of render and side extension constitute obtrusive and dominant forms of development which would appear out of keeping and result in undue visual harm to the character and appearance of the street scene. The proposed development would not be well-designed and constitutes a wholly unsatisfactory standard of visual amenity, contrary to Policies DM1 and P3 of the adopted Rochdale Core Strategy, the Council's 'Guidelines and Standards for Residential Development' SPD and the National Planning Policy Framework.

Article 35 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.

INFORMATIVES

For the avoidance of doubt, this Decision Notice relates to the following submitted plans:

- ☐ Location Plan – dated 29/09/2023
- ☐ Existing Site Plan – Drawing No. 780-01 dated 14/09/2023
- ☐ Proposed Site Plan – Drawing No. 780-06 dated 14/09/2023

- ☐ Existing and Proposed Site Plan – Drawing No. 780-13 dated 16/10/2023
- ☐ Existing Ground Floor Plan – Drawing No. 780-02 dated 14/09/2023
- ☐ Existing First Floor Plan – Drawing No. 780-03 dated 14/09/2023
- ☐ Existing Elevations – Drawing No. 780-05 dated 14/09/2023
- ☐ Existing Fence Elevations – Drawing No. 780-11 dated 14/09/2023
- ☐ Existing Roof Plan – Drawing No. 780-04 dated 14/09/2023
- ☐ Proposed Ground Floor Plan – Drawing No. 780-07B dated 14/09/2023
- ☐ Proposed First Floor Plan – Drawing No. 780-08A dated 14/09/2023
- ☐ Proposed Elevations – Drawing No. 780-10 dated 14/09/2023
- ☐ Proposed Roof Plan – Drawing No. 780-09 dated 14/09/2023

	Date	Officer
Report Completed	08/12/2023	Signed: SY
Authorisation	11/12/2023	Signed: RK

Report Author Sam Yuen