

Class A – Larger Homes Extension

Application Number:	24/00500/HH42
Location:	14 Daniel Fold, Rochdale, OL12 7JU
Proposal:	Prior approval for a proposed single storey rear extension measuring 4.00m from the original dwelling (with a maximum height of 4.00m and height to eaves to 2.40
Applicant:	Mr Zahed Ahmed
Case Officer:	Bob Melling
Recommendation:	Prior Approval Granted

CHECKED AND SIGNED OFF BY: RC

DATE: 04/07/2024

Site Description

This application refers to no. 14 Daniel Fold, a two-storey, semi-detached dwelling located in a residential area of Rochdale. The subject property faces the highway to the northwest, is adjoined by no. 12 Daniel Fold to the southwest and is adjacent to no. 10 Dell Gardens to the east.

Publicity	Neighbour letters expired?	Y	Responses received?	Y
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Neighbours Notified:

12 Daniel Fold, Rochdale, OL12 7JU

10 Dell Gardens, Rochdale, OL12 7LB

Number of representations received: The LPA received one objection to the application, however this objection was subsequently withdrawn. Notwithstanding, concerns were still raised regarding the construction of the development. Therefore, the impact of the development on the amenity of neighbouring properties has been assessed.

Is the proposed development wholly within the curtilage of the dwellinghouse?	Y
History - Permitted Development Rights removed?	N

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:

3.89m height shown on plans and 4.0m height indicated on application form.

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 4.00m and a maximum height of 3.89m (application form states maximum height of 4.0m)

- 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 indicate that the existing soil and vent pipe would remain in situ. The plans do include the installation of a flue, however this would comply with the Class G of the GPDO.

☐ 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

Assessment

- ☐ Paragraph (7) of Section 4 within The Town and Country Planning (General Permitted Development) (England) Order 2015 states *“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 adjoining premises.”*
- ☐ Paragraph (9) goes on to state that when considering the impact the LPA shall – *“(a) take into account any representations made as a result of the notice given under subparagraph (5); and (b) Consider the amenity of all adjoining premises, not just adjoining premises which are the subject of representations.”*
- ☐ In view of the above, the impacts on the amenity of adjoining premises has been considered as in conjunction with the requirements of the National Planning Policy Framework, the Council’s Core Strategy and the Supplementary Planning Document ‘*Guidelines and Standards for Residential Development*’.

Amenity: DM1 and SPD

- ☐ Paragraph 135 of the NPPF states planning decisions should *“create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.”*
- ☐ The GPDO does not require regard to be had to the development plan, but policies may be material considerations where relevant to matters of amenity. The adopted development plan for the borough is the Rochdale Core Strategy 2016. Policy DM1 requires development proposals to ensure they *“do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.”* PfE Policy JP-P1 also requires new development to offer a high level of amenity and address microclimate issues such as sunlight and shade (inter alia). The

'Guideline and Standard for Residential Development' SPD has been produced to assess the matters relevant to residential amenity. As CS Policy DM1, PfE Policy JP-P1 and the SPD are concerned with high standards of residential amenity in all developments, they are relevant to considerations of this application.

- ② 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."*
- ② In particular, Section 5.6 of the SPD states the following maximum standard for single storey extensions:
 - o *"For attached properties, a point 3 metres along the common boundary measured from the rear elevation of the adjoining or adjacent dwelling(s);*
 - o *For detached properties, a point 4 metres along the common boundary measured from the rear elevation of the adjoining or adjacent dwelling(s)."*
- ② Section 5.3 of the SPD acknowledges that there may be cases where extensions which exceed the guidance may be acceptable and that each application is to be determined on its own merits.
- ② The proposal seeks to construct a 4m single-storey rear extension to the host dwelling. Adjoining no. 12 comprises a 3.73m single-storey rear extension set against the common boundary of the host dwelling, thus the distance would be taken from the rear of said extension. The proposed extension projects an additional 0.27m along the common boundary from the rear extension of no. 12 which would accord with the requirements of Section 5.6. It is noted that the neighbouring extension is a conservatory, with glazing to the sides and rear. Whilst the proposed extension would potentially result in some loss of light to the conservatory, the side wall of the conservatory which abuts the common boundary is comprised of obscure glazing. Therefore, the affected side elevation is not the main source of light and outlook for the conservatory. On balance, it not considered that the proposal would affect the main source of light and outlook for the conservatory and the additional impact of the proposed development would not be so great as to warrant refusal.
- ② With regard to the amenity impacts on no. 10, the proposed rear extension complies with the SPD guidance set out above.
- ② No concerns are had as to the impact on the amenity of the properties to the rear given that the application relates to a single-storey rear extension and the dwellings to the rear are set a substantial distance away.
- ② Taken as a whole, the proposal would not unduly impact on the amenity of the neighbouring occupants and would accord with the requirements of Policies DM1 of the adopted Rochdale Core Strategy, the SPD and the NPPF and prior approval is therefore not required.

Decision: Grant

Informative:

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

- Existing layout. Dwg no. 2047. Page 1
- Proposed & existing layout. Dwg no. 2047. Page 2

Report Author Bob Melling