

Application Number:	23/00765/HOUS
Location:	95 Kirkway, Middleton, M24 1EP
Proposal:	Single storey rear extension following demolition of existing detached garage - Resubmission of 23/00191/HOUS
Applicant:	Mr and Mrs Mike and Carolyn Walsh
Case Officer:	Bob Melling
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?	N

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

Location

The application relates to no. 95 Kirkway, a two storey, semi-detached dwelling located in Alkrington. The property is orientated east towards the highway, adjoining no. 93 Kirkway to the north and adjacent to no. 97 Kirkway to the south. It is faced to the front by no. 106 Kirkway and to the rear, there is a large private garden which extends approximately 20m to the rear boundary of the curtilage. The application property benefits from an existing single storey rear extension and a detached garage within the rear garden.

Description of Proposal

Permission is sought for a single storey rear extension that would project approximately 5.1m from the rear elevation of the original build with a width of approximately 4.71m. The proposed extension would have a flat roof with a maximum height of 2.89m and a roof lantern above. Fenestration for the development is proposed as a set of patio doors with glazed side panels to the rear elevation and a large, obscurely glazed window to the south-facing side elevation with two fanlights.

Relevant History

23/00191/HOUS

Part two, part single storey rear extension following demolition of existing single storey rear extension and detached garage -

Withdrawn

Township/Member comments

N/A

Consultee responses

N/A

Representations

Letters of notification were sent to surrounding properties. No representations were received in response to the proposed development.

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

Policy P3 of the Rochdale Core Strategy states that proposals should 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 whilst also ensuring that buildings contribute positively to the townscape and are well proportioned.

The proposed single storey rear extension would be of an acceptable height and scale. It would incorporate materials to match existing and appropriate window detailing.

Although flat roof rear extensions are not typical within the area, there are several conservatories which have shallow steeped roofs which appear almost flat. In addition, the extension is located to the rear, with limited visibility from the public realm.

Therefore, the scale and design of the proposal is acceptable and accords with policies DM1 and P3 of the adopted Rochdale Core Strategy, the SPD and the NPPF.

Amenity: DM1 and SPD

Policy DM1 of the Council's adopted Core Strategy requires development proposals to demonstrate that they will not have a negative impact upon the amenities of future residents and occupiers. The NPPF advises that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

Paragraph 5.6 of the SPD provides the following maximum projection standards for single storey rear extensions: "for attached properties, a point 3 metres along the common boundary measured from the rear elevation of the adjoining or adjacent dwelling(s)." Paragraph 5.7 states that if the new extension is set away from the boundary, the projection can be increased by the amount equal to the extra distance from the side boundary providing the extension does not project beyond a 45 degree line measured from the point along the common boundary.

The attached dwelling, no. 93 Kirkway, benefits from an existing single storey rear extension and the plans confirm that the proposed extension to the applicant dwelling would project approximately 2.15m beyond this extension. This is in accordance with the above guidance and, therefore, it is not considered that the proposed development would result in an undue loss of light or outlook to no. 93.

The proposed extension would be set approximately 2m from the shared boundary with no. 97 Kirkway and this would ensure that the extension complies with the 45 degree rule contained within paragraph 5.7 of the SPD. Therefore, it is not considered that the proposed development would result in an undue loss of light or outlook to no. 97.

The proposed fenestration to the rear would measure approximately 17.5m to the rear boundary of the curtilage and is not considered to result in an undue loss of privacy to nearby dwellings.

The proposed window to the south-facing side elevation would face the shared boundary with no. 97 Kirkway at a distance of approximately 2m. However, in order to prevent an undue loss of privacy to the occupiers of no. 97, the submitted plans confirm that the proposed window would be obscurely glazed with two high level obscurely glazed fanlights. This is considered acceptable, with a condition attached to ensure that the obscure glazing is retained in perpetuity.

The plans confirm the provision of light to all habitable rooms and that sufficient garden space of a functional layout would be retained. As such, the proposed works would ensure acceptable standard of living for existing and future occupants.

In view of the above assessment, 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.

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:

- Existing Plans. Drg no. CM323 EX 01
- Existing Elevations. Drg no. CM323 EX 02
- Proposed Plan. Drg no. CM323 PL 01f
- Proposed Elevations. Drg no. CM323 PL 02f
- Proposed Site and Location Plan. Drg no. CM323 PL 03a

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 and the National Planning Policy Framework.

3. The materials used in the construction of the exterior of the development hereby permitted shall, except for the flat roof shown on drawing no. CM323 PL 01f, 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 and the National Planning Policy Framework.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) prior to first occupation of the extension hereby permitted the window in the ground floor on the side elevation facing south shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.

Reason: In the interest of amenity and in compliance with policy DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Article 35 Statement

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively to issue the decision without delay.

	Date	Officer
Report Completed	24/08/2023	Signed: BM
Authorisation	12/09/2023	Signed: RC

Report Author Bob Melling