

Class A – Larger Homes Extension

Application Number:	24/00554/HH42
Location:	11 Lincoln Walk, Heywood, OL10 3JB
Proposal:	Prior approval for a proposed single-storey rear extension measuring 4.875m from the original dwelling (with a maximum height of 3.6m and a maximum height to eaves to 2.95m)
Applicant:	Mr Mehrdad Madahi
Case Officer:	Bob Melling
Recommendation:	Prior Approval Granted

CHECKED AND SIGNED OFF BY:

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DATE: 29/07/2024

Site Description

The application relates to no. 11 Lincoln Walk, a two-storey, mid-terrace property located in Heywood. The application property faces northwest towards Lincoln Walk and is adjoined by no. 13 Lincoln Walk to the southwest and no. 9 Lincoln Walk to the northeast. The building line is staggered, with the application property set approximately 5 metres forward of no. 13 Lincoln Walk. The rear boundary of the curtilage borders an unnamed parking area which forms part of the adopted highway network. The application property benefits from an existing single-storey extension and an attached garage to the rear.

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

13 Lincoln Walk, Heywood, OL10 3JB

9 Lincoln Walk, Heywood, OL10 3JB

Number of representations received: 2 objections.

The objections relate to highways safety, parking and the extent of the red line boundary. This type of planning application does not require the applicant to provide details about the ownership of the application site. Notwithstanding, the granting of this application does not permit the construction of development outside the land owned by the applicant.

The submitted plans confirm that the extension would infill the area to the side of the existing garage. It would not project further than the existing garage and would not encroach upon the adopted highway to the rear.

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

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 4.875m and a maximum height of 3.6m

- 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**

- 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 applicant has confirmed that the existing garage roof will remain in situ.

- ☐ 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 not 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.

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Complies

☐

Does Not Comply

The applicant has confirmed the use of materials to match existing.

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 ‘Guidelines and Standards 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.
- ❑ 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.”*

- ☐ 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).”*
- ☐ 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.
- ☐ The proposal seeks to construct a 4.875m single-storey rear extension to the host dwelling. The proposed extension would not project beyond the rear garage wall of no. 9 Lincoln Walk and, given the staggered building line, would project beyond the rear elevation of no. 14 Lincoln Walk by approximately 0.5m. Therefore, the proposed rear extension complies with the SPD guidance set out above and is not considered to 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:-

- Location Plan. Drawing no. ROH-001. Rev A.
- Existing And Proposed Site Plan. Drawing no. ROH-001. Rev C.

Report Author Bob Melling