

Application Number:	23/00037/HOUS
Location:	13 Whalley Gardens Rochdale Rochdale OL12 7NQ
Proposal:	Single storey rear extension following demolition of existing conservatory
Applicant:	CHRIS WATSON
Case Officer:	Sam Yuen
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. 13 Whalley Gardens, a two-storey semi-detached dwelling located in Spotland. The dwelling is adjoined by no. 15 Whalley Gardens to the west, adjacent to no. 11 Whalley Gardens to the east, and faces the highway to the north. The rear boundary of the curtilage borders the rear curtilages of nos. 354 and 356 Whalley Gardens. The side curtilage boundary of the host property protrudes by approx. 0.38m towards the rear curtilage of no. 11.

Description of Proposal

Planning permission is sought for a single-storey extension which projects a maximum 3m from the rear elevation of host dwelling, following the demolition of the existing conservatory. Along the common boundary with adjacent no. 11, the rear extensions projects approx. 1.6m and comprises a chamfer corner. It is characterised by a lean-to roof and has a ridge height of 3.3m and an eaves height of 2.5m.

The proposals would be constructed from materials matching the host dwelling.

Relevant History

N/A

Township/Member comments

N/A

Consultee responses

N/A

Representations

Neighbour notifications via letters were sent to surrounding properties. One neutral representation and one objection letter were received with the following concerns:

- The proposed development would be built onto the party wall and the foundation of the adjacent property and would need to be set back away from the common boundary.

Officer's Comment:

- Issues relating to encroachment to neighbouring properties relate to the provisions under The Party Wall etc. Act 1996 and are not material considerations in the determination of planning applications.

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

Amendments

N/A

Assessment

Design: DM1 and P3

- ☐ 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 proposed rear extension is of a single storey form which would appear subservient to the host dwelling. The use of a lean-to roof would also be in keeping and raises no concern.
- ☐ It is noted the proposed rear extension would be built along the common boundary of adjacent no. 11 and thus project beyond the side elevation of the host dwelling. However, given the approx. 17m setback from the highway and the presence of an existing side gate which would mostly obscure the projection, it is considered the visual impact to the street scene would be acceptable.
- ☐ Materials of the proposed development would match the host dwelling, and would be designed appropriately for this context.
- ☐ It is considered the proposed fenestration are sized and positioned appropriately with the existing fenestration.
- ☐ The design of the proposal is therefore 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 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.”*
- ☐ 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:

- ☐ *“For attached properties, a point 3 metres along the common boundary measured from the rear elevation of the adjoining or adjacent dwelling(s);*
- ☐ *For detached properties, a point 4 metres along the common boundary measured from the rear elevation of the adjoining or adjacent dwelling(s).”*
- ☐ The proposed rear extension projects 3m along the common boundary measured from the rear elevation of adjoining no. 15.
- ☐ It is noted the side elevation of the proposed rear extension project approx. 0.38m past the common boundary of adjacent no. 11. However, given the minimal additional projection, and the fact the extension does not project beyond a 45 degree line measured from the point 4m along the common boundary, the amenity impacts would be acceptable.
- ☐ For these reasons above, it is considered the proposed development would not result in significant amenity harm to the neighbouring 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, therefore the proposed parking arrangements are acceptable in accordance with policies T2 and DM1.

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:

- ☐ Location Plan
- ☐ Existing and Proposed Site Plan – Drawing No. 22.2881.4
- ☐ Existing Floor Plans and Elevations – Drawing No. 22.2881.1
- ☐ Proposed Floor Plans and Section Plan – Drawing No. 22.2881.2
- ☐ Proposed Elevations – Drawing No. 22.2881.3A

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 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.

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	11/04/2023	Signed: SY
Authorisation	11/04/2023	Signed: RK

Report Author Sam Yuen