

Class A – Larger Homes Extension

Application Number:	22/01458/HH42
Location:	8 Farm Walk, Rochdale, OL16 2TN
Proposal:	Prior approval for a larger home extension measuring 6m from the rear of the original dwelling (with a maximum height of 2.9m and height to eaves 2.9m)
Applicant:	Mr Tahseen Akhtar
Case Officer:	Sam Yuen
Recommendation:	Refuse

CHECKED AND SIGNED OFF BY: L.Ashworth

DATE: 21/12/22

Site Description

The application relates to no. 8 Farm Walk, a two-storey semi-detached dwelling located in the area of Belfield. The dwelling is adjoined by no. 10 Farm Walk to the north-west, adjacent to no. 6 Farm Walk to the south-west, and faces the highway to the north-west. The rear curtilage of the dwelling borders the rear curtilage of no. 15 and 17 Beal Crescent.

Publicity	Neighbour letters expired?	Y	Responses received?	Y
------------------	-----------------------------------	----------	----------------------------	----------

Neighbours Notified:

10 Farmwalk, Belfield, Rochdale, OL16 2TN
15 Beal Crescent, Rochdale, OL16 2TL
17 Beal Crescent, Rochdale, OL16 2TL
6 Farm Walk, Rochdale, OL16 2TN
10 Farm Walk, Rochdale, OL16 2TN

Number of representations received: 1 objection

Summary:

- ☐ Concerns over loss of light into neighbouring property;
- ☐ Concerns over construction noise;
- ☐ Concerns over asbestos in outbuilding of application property;
- ☐ Concerns over encroachment to party fence of neighbouring property.

Relevant History:

22/01150/HH42 - Prior notification for a single storey extension measuring 6m from the rear of the original dwelling (with a maximum height of 3.50m and height to eaves 2.90m) – Refuse

Officer's Comment:

1. By virtue of its siting, size and design, the proposed extension would result in an undue loss of amenity for the occupiers of no.6 and no.10 Farm Walk due to a loss of light and outlook to the rear ground floor windows and an overbearing impact on the rear outdoor amenity space. As such, the proposed development would fail to accord with 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.

Permitted Development Rights removed?	Property has not had permitted development rights removed.
--	--

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:

Is the proposal wholly within the curtilage of the dwellinghouse?	Yes
--	-----

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 6m and a maximum height of 2.9m.

- 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 do not include a balcony or raised platform that would exceed 0.3m from ground level.
- ☒ The plans do not include the alteration of a microwave antenna.
- ☒ The plans do not include the alteration or installation of a soil and vent pipe.
- ☒ The plans do not include the alteration to any part of the roof of the dwellinghouse.

☒ 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 application has been considered as if it was a householder planning application and therefore 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 130 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.*" The 'Guideline and Standard for Residential Development' SPD has been produced to assess the matters relevant to residential amenity. As policy DM1 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:
 - ☐ "*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 is set away from the common boundary of adjoining no. 10 and does not project beyond a 45 degree line measured from the point 3m along the common boundary, in accordance with section 5.7 of the SPD. As such, it is considered the proposed development would not significantly impact the amenity of adjoining no. 10.
- ☐ The proposed rear extension projects beyond a 45 degree line measured from the point 4m along the common boundary measured from the rear elevation of adjacent no. 6 and would not accord with section 5.7 of the SPD. Therefore, it is considered the proposed development would result in unacceptable levels of overbearing and overshadowing impacts on adjacent no. 6.
- ☐ The proposal would unduly impact on the amenity of the occupants of neighbouring properties, contrary to the requirements of policies DM1, the SPD and the NPPF.

Other Concerns

- ☐ With regards to the concerns raised from representations, issues relating to construction noise, asbestos, and encroachment are not material considerations which are relevant to the assessment of prior approval.

Decision: Refuse

- ☐ By virtue of its siting, size and design, the proposed extension would result in an undue loss of amenity for the occupiers of no. 6 Farm Walk due to a loss of light and outlook to the rear ground-floor windows and an overbearing impact on the rear outdoor amenity space. As such, the proposed development would fail to accord with policy DM1 of the adopted Rochdale Core Strategy, the Council's 'Guidelines and Standards for Residential Development' SPD and the National Planning Policy Framework.

Informative:

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

- Location Plan – dated 27/07/2022
- Existing and Proposed Site Plan
- Existing and Proposed Floor Plans and Elevations – dated August 2022

Report Author Sam Yuen