

Application Number:	25/00425/HOUS
Location:	33 Stanley Street, Heywood, OL10 1BH
Proposal:	Two storey/first floor rear extension, single storey rear extension and rear dormer.
Applicant:	Sutor
Case Officer:	Bob Melling
DETERMINATION DATE 14.07.2025	EXT OF TIME 04.08.2025
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?	Y

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

Location

The application relates to no. 33 Stanley Street, an end-terrace property located in a residential area to the south of Heywood Town Centre. The application property is constructed in a mixture of materials including stone, red brick and render with slate roof coverings. It is attached to no. 35 Stanley Street to the south and adjacent to no. 29 Stanley Street to the north. The 1936 OS map indicates that there was previously a dwelling attached to the application property to the north (no. 31 Stanley Street), however this dwelling was demolished, and the space has been used to extend the residential curtilage of the application property. The property has a gable feature to the front and a two-storey outrigger to the rear with the roof of the outrigger forming a continuation of the rear roof slope. To the rear, on a strip of previously undeveloped land fronting Hornby Street, the construction of a two-storey terraced block is underway, pursuant to application ref: 23/01382/FUL.

Description of Proposal

Permission is sought for a part two-storey, part first floor rear extension, a single-storey rear extension and a rear dormer extension. The part two-storey, part first floor rear extension would infill the southeast corner of the dwelling with a mono-pitched roof that would match the roof line of the original outrigger. The L-shape rear dormer

would be characterised by a flat roof and would extend above the original outrigger. It would have an overall volume of approximately 34m³ and be clad in hung natural slate tiles to match the existing roof. The single-storey rear extension would extend up to the rear boundary wall and occupy around half of the existing rear yard. The development would be constructed in materials to match those used in the exterior of the existing property.

Relevant History

N/A

Township/Member comments

N/A

Consultee responses

N/A

Representations

Letters of notification were sent to surrounding properties and three objections were submitted by the same person. The letters raised the following concerns:

Impact of attaching extension to party wall.

Officer's response: The proposals will require a Party Wall Agreement prior to works taking place.

The house is intended to become a HMO.

Officer's response: Planning permission is not usually required to change the use of a C3 dwellinghouse to a C4 HMO (up to 6 residents). However, planning permission would be required for a large HMO with more than 6 residents.

Policy

National

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Sub-Regional

Places for Everyone Joint Development Plan (PfE)

The Places for Everyone Joint Development Plan was adopted and became part of the statutory development plan for each of the 9 authorities covered by the plan on 21st March 2024. The following policies are relevant:

JP-P1 Sustainable Places

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

Amendments were sought to reverse the proposed changes to the window detailing to the front elevation in order to protect the character of the street scene and obscurely glaze the dormer windows in order to protect the privacy of the dwellings under construction to the east of the application site.

Assessment

Design: JP-P1, DM1 and P3

Policy JP-P1 of the Places for Everyone Joint Development Plan (PfE) requires new development to be distinctive with a clear identity that: "Respects and acknowledges the character and identity of the locality in terms of design, siting, size, scale and materials used."

Policies 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."

Section 5.16 of the SPD notes “dormer extensions can be visually prominent, particularly where they can be seen from the public highway, and therefore it is important they are carefully designed and sited ... Rear dormers should be modest in size and not occupy a disproportionately large portion of the roof.” Section 5.17 expands on this with the following principles:

- (i) *“They should not exceed the height of the ridge and where possible, should be sited below the ridge line of dwelling;*
- (ii) *They should be set back from the eaves line;*
- (iii) *They should be set in from the party/side walls of the house;*
- (iv) *Dormers with flat roofs should be avoided, unless they are considered to better respect the design of the host building and character of the area;*
- (v) *Dormers which wrap around the side of a hipped roof are not acceptable;*
- (vi) *Dormer windows should normally line up vertically with existing windows and/or be smaller than existing openings and the window design should match the existing window style;*
- (vii) *The materials used in the construction of dormers should match those of the existing roof; and*
- (viii) *Dormer extensions should protect the amenity of neighbouring occupants and should achieve the minimum space standards set out in Section 4. Side facing windows should be obscurely glazed.”*

Whilst the proposed dormer would generally conflict with the guidance outlined above, it is important to be mindful of what can be constructed under permitted development. Following an assessment of the proposed rear dormer against Class B of the GDPO, it was determined that the proposal would comply with the limits and conditions of Class B, including the choice of materials. The proposed dormer has a volume of approximately 34m³, which is below the 40m³ allowed for a terraced house under Class B.

While the L-shaped dormer would extend over the original two-storey outrigger, it is made clear in the ‘Permitted Development Rights for Householders Technical Guidance’ (2019) that:

The enlarged part of the roof may join the original roof to the roof of a rear or side extension (generally referred to as an ‘L-shaped dormer’ on a main roof and ‘outrigger’ or ‘back addition’ roof), whether the part of the house being extended forms part of the original house or is an enlargement, or the shape or level of the pitch of the roofs are different in relation to each other

Case law establishes that permitted development rights can form a material consideration in the determination of a planning application where it can be shown that there is a reasonable likelihood of the fallback development being built if permission is denied, as demonstrated in Stoke-on-Trent 21/09/2020 DCS No 400-

027-719. Given that the proposals could be constructed under the terms of the GPDO, it must be accepted that there is a credible and realistic fallback position.

The proposed rear dormer would result in a poor standard of design in terms of scale and massing, however the use of natural slate for the face and cheeks of the dormer would result in a high-quality finish and this material can be secured via a condition. Notwithstanding, it is a well-established¹ principle that the provisions of the GPDO may provide a fallback position. In the specific circumstances of this case, there is a real prospect of a development under the GPDO taking place that would lead to a similar outcome. It is considered that a strong justification in the context of Paragraph 38(6) of the Planning and Compulsory Purchase Act 2004 exists and provides clear justification for departing from the development plan in this case.

For the avoidance of doubt, no concerns are had regarding the other aspects of the proposal. The rear extensions would have an appropriate scale and design and would not unduly harm the character of the host property or street scene. These aspects of the proposal would be in accordance with the development plan.

Amenity: DM1 and SPD

Protection of residential amenity is considered under Policy DM1 of the adopted Rochdale Core Strategy, which requires that development proposals should not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.

The proposed single-storey rear extension would comply with the projection limit for single-storey rear extensions set out in Section 5.6 of the SPD.

Similarly, the proposed two-storey rear extension would comply with the relevant projection limit set out in Section 5.9 of the SPD.

It is important to note that to the rear of the application site on a strip of previously undeveloped land fronting Hornby Street, the construction of a two-storey terraced block is underway, pursuant to application ref: 23/01382/FUL. Therefore, the impact of the development on these dwellings should be taken into consideration.

The proposed first floor rear extension would effectively bring the existing rear bedroom window approximately 2m closer to the rear boundary. The proposed window would measure approximately 7.7m to the rear yards of two of the new dwellings although it would not directly face the windows of the new dwellings.

The SPD requires a minimum separation distance of 10.5m between a principal window at an upper floor level and a directly facing boundary of the curtilage. While the proposed first floor window would not meet this distance, it is also noted that the existing window does not meet this distance. Furthermore, the proposed window would be smaller than the existing window, and this would help to reduce the perception of being overlooked.

¹ Mansell v Tonbridge and Malling BC & others [2017] EWCA Civ 1314

Additionally, it is noted that nos. 41 and 43 Stanley Street have constructed similar rear extensions that have brought the rear bedroom windows approximately 1m closer to the rear boundary and this relationship, although not directly comparable, was deemed acceptable under 23/01382/FUL.

Given the existing site conditions and the design of the proposed window, it is not considered that there would be a detrimental impact on the general levels of privacy of the dwellings under construction to the rear.

The submitted plans indicate the provision of natural light to all habitable rooms within the application property. While the existing rear yard would be reduced in size to approximately 6.5m², it was noted during a site visit that occupiers of the application property also have access to an existing lawned area to the side of the property. As such, the proposed works would ensure an acceptable standard of living for existing and future occupants.

The proposal is therefore acceptable on balance in terms of residential amenity and accords with policy DM1 of the adopted Rochdale Core Strategy, the SPD, PfE 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 development hereby approved shall be carried out in accordance with the following drawings and documents hereby approved unless otherwise required by the conditions below:

- Location Plan dated 12/05/2025
- Existing Plans and Elevations. Dwg no. 002. Rev 1
- Proposed Plans and Elevations. Dwg no. 003. Rev 6
- Site – Existing & Proposed. Dwg no. 502

Reason for the avoidance of doubt and to ensure a satisfactory development in accordance with the policies within the adopted Rochdale Core Strategy, the saved Rochdale Unitary Development Plan, the adopted Places for Everyone Joint Development Plan 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 - this includes a

requirement for natural slate hung tiles to match the main roof tiles for the proposed rear dormer extension.

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, the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent Order following the amendment, re-enactment or revocation thereof, prior to first occupation of extension hereby approved the bathroom window in the rear elevation facing east shall be fitted with textured glass, which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent), and shall be non-opening below 1.7m from the internal floor level. The window shall be retained as such thereafter:

Reason: In the interest of amenity and in compliance with Policy DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Article 35 Statement

The Local Planning Authority worked proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition.

	Date	Officer
Report Completed	31/07/2025	Signed: BM
Authorisation	04/08/2025	Signed: LA