

APPLICATION NUMBER: 24/00863/HOUS

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Location:	19 Birch Road, Wardle, Rochdale, OL12 9QQ
Proposal:	Part two storey, part single storey side extensions together with a single storey rear extension, associated landscaping and boundary treatments including the installation of electric sliding gates to the front elevation and the erection of one self-contained annexe
Applicant:	Ms Misbha Riaz
Case Officer:	Sam Yuen
DETERMINATION DATE 22.01.2025	EXT OF TIME
RECOMMENDATION:	Refuse

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. 19 Birch Road, a two-storey semi-detached dwelling located in Wardle. The dwelling is adjoined by no. 17 Birch Road to the south-east and faces the highway to the north-east. The property benefits from substantial curtilage space to the north-west and is bounded by an adopted footpath and public right of way. To the south-west lies an apartment block, Crofthill Court which is separated by a row of trees under Tree Preservation Order 006. Birch Road is a classified road which serves traffic between Wardle and Halifax Road/A58.

Description of Proposal

Planning permission is sought for a number of enlargements and works to the host dwelling, including the following:

- ② A part-single, part-two storey side and rear wraparound extension which projects a maximum 8.78m from the side elevation and 4m from the rear elevation of the dwelling. The extension comprises three components: a single-storey lean-to rear extension with a ridge height of 3.83m and a height to eaves of 2.71m; a two-storey hipped side extension set down 0.22m from the ridge line and set back 0.7m from the main front wall; and a single-storey hipped side extension with a ridge height of 4.06m and a height to eaves of 3.25m. It would be constructed in materials matching the host dwelling.
- ② A single-storey detached annexe to the northern end of the side garden. It is characterised by a hipped roof form and measures a maximum 9.42m in length, 5.48m in depth and a ridge height of 4m. It would be constructed in materials matching the host dwelling.
- ② The installation of 2m high electrical sliding gate following the partial removal of the existing boundary hedging. It would be constructed in composite dark grey wood grain panelling with metal framing.

Relevant History

N/A

Township/Member comments

N/A

Consultee responses

Highways and Engineering

Highways' only objection to this proposal is to the gates. The gates are flush to the highway boundary meaning vehicles must wait on the highway or across footways whilst gates open; this will either obstruct the highway/footway and create a road safety hazards.

Birch Road is a busy route and Highways do not consent to gates at locations such as this.

If the gates were removed from the application Highways would have no objection to this proposal.

Lead Local Flood Authority/Drainage

No comments received at the time of writing.

Rights Of Way Officer

No comments received at the time of writing.

Tree Officer

No comments received at the time of writing.

Representations

Neighbour notifications via letters were sent to surrounding properties. No comments were received.

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:

Policy 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

N/A

Assessment

Principle of Development

- ❑ Longstanding case law establishes that ancillary accommodation can be viewed as appropriate development, provided it is incidental and used in connection to the main dwelling house. In particular, *Uttlesford DC v Secretary of State for the Environment and White [1992]* determined that even if an accommodation provided facilities for independent day-to-day living, it would not necessarily become a separate planning unit from the main dwelling; it would be a matter of fact and degree whether this constitutes a material change of use.
- ❑ The application proposes a detached annexe which comprises a bedroom, bathroom, kitchen/lounge area. As such, the annexe is considered to be capable of providing independent and self-contained living without reliance on the facilities of the main dwelling.
- ❑ However, it is noted the proposed annexe is sited within the curtilage of the main dwelling and would share the same site access and external amenity space. Given this relationship with the host dwelling, and in the absence of evidence to suggest the annexe would be used outside of its existing single household unit, it is considered that, in line with *Uttlesford DC v Secretary of State for the Environment and White [1992]*, the development can be viewed as incidental to the main dwellinghouse and would be acceptable in principle.

Design: DM1 and P3

- ❑ Achieving good design to achieve sustainable development is a key component of the NPPF, whereby decisions should ensure developments are visually attractive and sympathetic to local character. This is also reflected in Policy JP-P1 of the PfE and Policies DM1 and P3 of the adopted Rochdale Core Strategy, which require development to respect local context with regard to siting, size, scale, massing, height and materials. 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.
- ❑ Paragraph 139 of the NPPF states “*development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.*”
- ❑ The proposal seeks to substantially enlarge the host dwelling, most notably, a part two and part-single storey side extension of 5.18m and 3.6m projection respectively. Notwithstanding the marginal set down from the ridge of the host dwelling, by virtue of its excessive scale and width, the proposed two-storey side extension would give the impression of a new dwelling rather than a house extension and would appear as a non-subservient and disproportionate addition.
- ❑ Taking into account of the proposed side and rear extensions to the dwelling, the proposal would result a 208% increase in floor space over the original

dwelling and would constitute an overdevelopment of the plot, in contrary to the modestly-sized dwellings in the area.

- ❑ Additional concerns are had regarding the proposed boundary treatment, which would see part of the existing hedging replaced with a 2m-high metal and composite electric sliding gate. The proposed material and colour palette is a stark contrast against the established use of soft landscaping and natural materials, and would appear obtrusive and unsympathetic to the leafy appearance of the street scene.
- ❑ It is also noted the submitted plans have not sufficiently demonstrated the functionality of the sliding gate which would be obstructed by the existing hedging and does not appear to be a well thought-out feature.
- ❑ Taken as a whole, the proposed extension and boundary treatments fails to comprise a satisfactory standard of design and would result in undue visual harm to the host dwelling and surrounding street scene.
- ❑ The design of the proposal is therefore unacceptable and fails to accord with Policies DM1 and P3 of the Core Strategy, the SPD, Policy JP-P1 of the PfE and the NPPF.

Amenity: DM1 and SPD

- ❑ Protection of residential amenity is considered under Policy DM1 of the adopted Rochdale Core Strategy, which 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.”*
- ❑ The proposed single-storey rear extension does not project beyond the rear extension of adjoining no. 17 and raises no amenity concerns.
- ❑ The proposed two-storey side extension does not directly face any habitable room windows to the rear and would be sited in excess of 28m from the first-floor windows of no. 42 Birch Road. As such, the proposed development is not considered to result in significant amenity impacts to neighbouring occupants.
- ❑ Whilst the submitted plans indicate the provision of natural light to all habitable rooms, given the proposal seeks to accommodate five bedrooms, the proposed extensions and annexe would substantially reduce the outdoor functional amenity space and would not ensure sufficient levels of residential amenity for its occupants.
- ❑ Owing to the inadequate residual outdoor amenity space, the proposal would unduly impact on the amenity of the host occupants and would fail to accord with Policy DM1 of the Core Strategy, 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 electric sliding gate would be flush with the edge of a classified road which is a high-trafficked route in Wardle. In order to allow time for the gate to open, vehicles entering the property would likely remain stationary on

the highway and footway for prolonged periods of time and would become an obstruction and safety hazard for road users and pedestrians.

- 2 The proposed works would therefore be detrimental to highway safety and would fail to accord with Policies T2 and DM1 of the Core Strategy.

Recommendation: Refuse

1. By virtue of its excessive scale and width, massing and design, the sum of the proposed extensions constitutes non-subservient and disproportionate additions which would dominate the host dwelling and would be an overdevelopment of the plot. Additional concerns are had with the dark grey metal and composite sliding gate which represents an obtrusive and unsympathetic feature. The proposed development would not be well-designed and would inflict undue visual harm to the character and appearance of the host property and the wider street scene. It therefore fails to accord with Policies P3 and DM1 of the adopted Rochdale Core Strategy, the Council's adopted Supplementary Planning Document 'Guidelines and Standards for Residential Development', Policy JP-P1 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.
2. By virtue of its scale and projection, the proposed development would substantially reduce the occupant's outdoor amenity space. It would result in insufficient garden space of a functional layout for a development of the size proposed, and would have an unacceptable impact on the standard of amenity for existing and future occupants. Therefore, the proposal fails to comply with Policy DM1 of the Rochdale Core Strategy, the 'Guidelines & Standards for Residential Development' SPD, and the National Planning Policy Framework.
3. By virtue of its siting by a busy classified road, the proposed electric sliding gate would result in vehicles obstructing the adopted highway upon entry into the property and would pose as a hazard to road users and pedestrians. The proposal is therefore considered to be detrimental to the safety of both pedestrians and highway users, contrary to Policies T2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Article 35 Statement

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application.

	Date	Officer
Report Completed	20/01/2025	Signed: SY
Authorisation	22/01/2025	Signed: RK

INFORMATIVES

For the avoidance of doubt, this Decision Notice relates to the following submitted plans:

- Location Plan – Drawing no. A100 Rev. P1 received 07/10/2024
- Existing Site Plan – Drawing no. A101 Rev. P1 received 07/10/2024
- Proposed Site Plan – Drawing no. A102 Rev. P1 received 07/10/2024
- Existing Floor Plans – Drawing no. A102 Rev. P1 received 02/09/2024
- Existing Elevations – Drawing no. A103 Rev. P1 received 02/09/2024
- Proposed Floor Plans – Drawing no. A104 Rev. P1 received 02/09/2024
- Proposed Elevations – Drawing no. A107 Rev. P1 received 07/10/2024
- Proposed Annexe Floor Plans and Elevations – Drawing no. A109 Rev. P1 received 02/09/2024
- Proposed Street Scene Drawing – Drawing no. A103 Rev. P1 received 07/10/2024
- Proposed 3D Floor Plans – Drawing no. A108 Rev. P1 received 07/10/2024

Report Author Sam Yuen