

APPLICATION NUMBER: 24/00588/HOUS

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Location:	60 Lowry Way, Rochdale, OL11 2BE
Proposal:	Single storey rear extension
Applicant:	Mr M.S. Fakhar & Mrs I. Sobia
Case Officer:	Sam Yuen
DETERMINATION DATE 29.08.2024	EXT OF TIME
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. 60 Lowry Way, a two-storey detached dwelling located in a new build residential development in Kirkholt. The dwelling is adjacent to no. 58 Lowry Way to the west, adjacent to nos. 62 and 64 Lowry Way to the north-east, and faces the highway to the south. The rear curtilage boundary borders the rear curtilage of nos. 66, 68 and 83 Lowry Way. The property is sited within an area designated as Protected Open Land under Policy D/10 of the Unitary Development Plan.

Description of Proposal

Planning permission is sought for a single-storey rear extension which projects 5m from the rear elevation of the dwelling. It is characterised by a front gable form, as amended, with a ridge height of 3.5m and a height to eaves of 2.57m.

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

Relevant History

24/00089/HH42 - Prior approval for a proposed single storey rear extension measuring 6m from the original dwelling (with a maximum height of 2.910m and height to eaves to 2.530m) – Refuse

Officer's Comment:

1. The relevant permitted development rights were removed from the property by condition 5 on the planning permission (ref 15/00826/FUL) which originally approved the dwelling. The proposed extension would therefore not comprise permitted development under Schedule 2, Part 1, Class A of the Town and Country (General Permitted Development) (England) Order 2015 (as amended). The application for a determination as to whether the prior approval of the Local Planning Authority as to the impact of the proposed development on the amenity of any adjoining premises is therefore refused.

Township/Member comments

N/A

Consultee responses

N/A

Representations

Neighbour notifications via letters were sent to surrounding properties. One neutral letter was received with the following representation:

- ☐ No concerns so long as water discharge is directed away from and guttering does not overhang onto the neighbouring property;
- ☐ Potential overshadowing impacts;
- ☐ Loss of property value.

Officer's Comments:

- ☐ The submitted plans do not indicate any of the proposed works to encroach neighbouring boundaries. Notwithstanding, concerns over access to and/or damages to the neighbouring property relate to the provisions under The Party Wall etc. Act 1996 and are not material considerations in the determination of planning applications.
- ☐ Concerns relating to overshadowing impacts are addressed under the 'Amenity' heading of the report.
- ☐ Devaluation of properties is not a material consideration in the determination of planning applications to which the LPA shall have no regard.

Policy

National

National Planning Policy Framework (NPPF)

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

Policy JP-G9 The Green Belt

Local

Saved Rochdale Unitary Development Plan (UDP) 2006:

G/D/1 Define Urban Area

D/10 Protected Open Land

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

G5 Managing Protected Open Land

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

Following comments from the Planning Officer, amendments were made to alter the roof of the proposed rear extension from a flat roof to a gable-fronted roof form.

Assessment

Principle of Development

- The application site is located within an area designated as Protected Open Land and formed part of an approved residential development (ref: 15/00826/FUL). As established in 15/00826/FUL, the policies relating to the management of housing land and protection of open land contained within the UDP are out of date in the absence of a five year housing land supply and the principle of the release of the land for residential development was

accepted. The area in question has since been subject to substantial urban development and has materially changed from its previous designation as Protected Open Land which is now no longer considered relevant. In light of the extensive urbanisation of the site and its surroundings, saved UDP Policy G/D/1 is considered to be more appropriate to the consideration of this application and thus the principle of development is acceptable.

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 Policy 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.
- ☐ Notwithstanding the scale of the projection, the proposed rear extension is of a single-storey form which would be subservient to the host dwelling. The use of a front gable roof form, as amended, would also be in keeping and raises no concerns.
- ☐ 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, 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.”*
- ☐ Taking into account of Section 5.6 and 5.7 of the SPD, the proposed rear extension projects 3m from the rear elevation along the common boundary of adjacent no. 58 which would comply with the space requirements set out. The extension would also be sited in excess of 15m from the rear elevation of no. 64. As such, it is considered the proposal would not result in adverse amenity impacts 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. The proposed parking arrangements are therefore 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 – received 19/06/2024
- ☐ Existing Site Plan, Ground Floor Plan and Elevations – Drawing No. A2098/1 received 19/06/2024
- ☐ Proposed Site Plan, Ground Floor Plan and Elevations – Drawing No. A2098/2 received 28/08/2024

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, 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.

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, 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	28/08/2024	Signed: SY
Authorisation	29/08/2024	Signed: RK

Report Author Sam Yuen