



Town and Country Planning Act 1990

PLANNING PERMISSION REFUSED

APPLICATION REFERENCE: 24/00457/VRCON

Name and address for correspondence:	Applicant name:
Dr Kanadi Jagafa Mason and Marlowe Ltd Colony, 5 Piccadilly Place MANCHESTER M1 3BR United Kingdom	Mr Barry Shirtcliffe

Part 1 - Particulars of Application

Date of Application: 13 May 2024

Proposal:	Section 73 application vary condition 2 (Plans) of planning permission 23/00886/HOUS (First floor side and front extension including garage conversion and hip-to-gable roof extension, single storey rear extension including Juliet balcony following demolition of existing conservatory and extension to front porch - Retrospective) to include a first floor balcony , ,
Location:	24 Juniper Drive, Milnrow, Rochdale, OL16 3BE

Part II - Particulars of decision

The Rochdale Metropolitan Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that planning permission has been **Refuse** for the carrying out of the development referred to in Part 1 hereof for the following reason(s).

Reasons:

- 1 The proposed amendments would constitute a material change to the development which would seek to obtain a permission that requires a variation to the terms of the operative part of the original planning permission. As such, the proposed amendments fall beyond the scope of what is possible through an application made under Section 73 of the Town and Country Planning Act 1990 (as amended).
- 2 By virtue of its siting, scale, width and height, the proposed addition of the first-floor balcony would result in unacceptable levels of overlooking to the rear amenity space of the adjoining properties, to the detriment of the residential amenity of the neighbouring occupiers. The proposed development therefore fails 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.

- 3 By virtue of its irregular built form, roof forms and design, the proposed changes constitutes an incongruous addition to the dwelling, to the detriment of the character and appearance of the street scene. The proposal would not be well-designed and fails to accord with Policies DM1 and P3 of the adopted Rochdale Core Strategy, the Council's adopted Supplementary Planning Document 'Guidelines and Standards for Residential Development', the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

Statement under Article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended):

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 Decision Issued 8 July 2024

Melanie Hale
Head of Planning Services

IMPORTANT

PLEASE ENSURE THAT YOU HAVE READ AND FULLY UNDERSTOOD THE CONTENTS OF THIS DECISION NOTICE.

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

INFORMATIVE:

The Local Planning Authority's reasons for its decision are set out in the accompanying officer's report.

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

- o Proposed First Floor Plan - Drawing No. A3 received 16/05/2024
- o Proposed Elevations - Drawing No. A3 received 16/05/2024
- o Proposed Site Plan Scale 1:100 - Drawing No. A3 received 16/05/2024
- o Proposed Site Plan Scale 1:50 - Drawing No. A3 received 16/05/2024