

Application Number:	22/01227/HOUS
Location:	847 Rochdale Road Middleton M24 2RA
Proposal:	Construction of raised balcony area to the rear ground floor level with solid/glass balustrade and alteration to existing single storey flat roof with lean to pitched roof
Applicant:	Andrew Maudsley
Case Officer:	Bob Melling
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?	N

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

Location

The application refers to no.847 Rochdale Road, a two storey semi-detached dwelling located in Castleton, Middleton. The dwelling faces east onto the highway, with a garden centre situated directly opposite. The dwelling is adjoining to no.845 Rochdale Road to the south and adjacent to no.849 Rochdale Road to the north.

The dwelling is located within the Green Belt, with open land being situated to the rear boundary of the curtilage. The property benefits from off street parking to the rear of the dwelling, which is accessed via a shared vehicular access point, and a large rear garden with an outbuilding by the rear boundary of curtilage.

Description of Proposal

Permission is sought for the alteration to the existing single storey flat roof with a lean to pitched roof and the construction of a raised balcony area to the rear ground floor level with solid and glass balustrades.

The proposed raised balcony area extends the width of the dwelling at 5.82m and then projects 4.5m from the rear of the single storey rear extension. The proposed raised balcony is 0.8m high at its tallest point and has one set of stairs of

approximately 1.17m width which provide access to the rear garden area. The raised balcony is surrounded by a glazed balustrade which is approximately 1.1m in height (above the balcony). To the south side elevation of the balustrade, the height has been increased to 1.6m (above the balcony) and the screen is solid with a section of trellis to the top. The maximum height of the fencing above ground level is 2.4m.

The proposed pitched roof will be constructed using matching materials to the host dwelling.

Relevant History

82/D13884

Formation Of Vehicular Access To A Classified Road.

Decision: Grant subject to conditions.

Township/Member comments

Not applicable.

Consultee responses

Not applicable.

Representations

Letters of notification were sent to all surrounding neighbours. No representations were received.

Policy

National

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

Local

Saved Rochdale Unitary Development Plan (UDP) 2006:

G/D/2 Green Belt

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

Following discussions, the plans were amended to provide a reduction in height of 0.3m to the proposed solid balustrade in order to ameliorate concerns with regards to

the potential oppressive impact of the combined height of the screening and balcony on the adjoining neighbour.

Assessment

Principle of Development – Green Belt: G/D/2, G4 and the NPPF

The application site is allocated as Green Belt under saved Policy G/D/2 of the Rochdale Unitary Development Plan (2006). Policy G/D/2 is therefore relevant to any applications on the site and in the supporting text to this policy it is established that the Green Belt will be protected from inappropriate development in order to maintain the framework of open land separating and surrounding the urban areas of the borough. Core Strategy policy G4 seeks to restrict development within the Green Belt to the limited types of development which are deemed appropriate by national planning policies unless very special circumstances can be demonstrated.

Paragraph 147 of the NPPF establishes that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 that continues in stating that Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 149 of the NPPF establishes that Local Planning Authorities should regard the construction of new buildings as inappropriate in the Green Belt. There are however listed exceptions to this which are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building; [officer's emphasis]**
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Therefore, the main consideration in assessing the principle of development is whether the proposed scheme would constitute inappropriate development within the Green Belt and, if so, whether very special circumstances have been demonstrated which may outweigh the presumption against development.

Given that the alteration of the existing single storey flat roof with a lean to pitched roof and the construction of a raised balcony area are not considered to result in disproportionate additions over and above the size of the original building, it is therefore considered that the proposed extension would meet the exception requirements of sub-section (c).

Whilst the scale of the proposal falls within the exception under paragraph 149c and very special circumstances are not required to be demonstrated, paragraph 148 requires that substantial weight is given to any harm to the Green Belt by reference to any inappropriateness and any other harm. Later sections of this report consider any other harm that exists through the proposals.

Design: DM1 and P3

The proposed alteration of the existing single storey flat roof with a lean to pitched roof is considered to better reflect the design language of the host dwelling and would be considered an improvement.

It is considered that the raised balcony is quite large within its massing, extending 4.5m from the rear of the existing single storey rear extension. However, it is noted that many of the dwellings on the row of houses have similarly designed raised balcony/decking to the rear of their properties, including the adjacent property at no.849 Rochdale Road. For this reason, it is considered that the proposed raised balcony will not have a negative impact on the local character and retains a similar design language to the surrounding dwellings.

The proposed balcony is enclosed by glass balustrades. Whilst these additions are not considered to be in keeping with the design language of the host dwelling and surrounding properties, they are located on the rear of the property and are therefore not widely visible from public viewpoint. The additions are therefore not considered to cause undue harm to the visual amenity of the property.

The design of the proposal is therefore acceptable and accords with policies DM1 and P3 of the adopted Rochdale Core Strategy, the SPD and the NPPF

Amenity: DM1 and SPD

Paragraph 4.4 of the SPD sets out the following guidance for balconies and elevated terraces, *'Balconies and elevated terraces can result in adverse overlooking of neighbouring private garden areas or habitable room windows if they are located in close proximity to the boundary of the curtilage. They should be carefully designed to prevent unreasonable overlooking of neighbouring properties.'*

No. 849 Rochdale Road is separated from the proposed development by a distance of approximately 3.0m. No. 349 also has a very similar extension and raised terrace area which includes fencing of approximately 1.8m in height. Given this existing

similar development to the neighbours, and the separation distance between the two, it is considered that the proposed balcony/terrace to no. 347 would not result in any excessive overlooking or other losses to amenity for the residents of no.849. The application is therefore acceptable in this regard.

When considering the impact of the proposed balcony on the adjoining neighbour, no.845 Rochdale Road, it should be acknowledged that the proposed balcony has been designed with 1.6m solid balustrade side panels which would sit on top of the 0.8m high decking. This is considered to reduce the amount of harm caused to the privacy of the adjoining occupiers and ensures there will not be undue overlooking into the part of their garden which is considered to be the most used. A condition is recommended to ensure that these screens are constructed prior to the balcony being brought into use and to ensure they are maintained in perpetuity.

In addition to the above, given the resultant height of the boundary fencing with no. 845 (approx. 2.4m in total) it is important to ensure that this would not appear overbearing to the neighbours or result in excessive overshadowing. This is particularly important given that boundary treatment between dwellings is normally limited to 2.0m in height. In respect of this amendments were sought to the original submitted plans and these reduced the fence height from 1.9m (so 2.8m in total). The amended plans also introduced trellis type fencing to the top 0.3m of the fencing.

With these amendments, although it is accepted that the fence still exceeds 2.0m height, it is considered that the additional 0.4m height would not be unduly harmful. The additional 0.4m height, which would predominantly comprise a trellis panel (for the top 0.3m) would not result in any harmful overshadowing and the trellis would also reduce the prominence of the fencing. Additionally, the development would be sited to the north of the adjoining dwelling, further reducing its impacts. No.845 would also still enjoy unobstructed open aspect views to the west and in light of the above it is not considered that the additional height against the common boundary would result in undue harm to the amenity of no.845.

In light of the above assessment, 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.

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. This permission relates to the following plans:

- Existing and Proposed Elevations. Drg no. 220105/A1/2.000C
- Existing & proposed Block Plans. Drg no. 220105/A3/1.002
- Existing & Proposed Plans. Drg no. 220105/A1/2.001
- Location & Site Plans. Drg no. 220105/A3/1.001

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 saved Rochdale Unitary Development Plan, the adopted Rochdale Core Strategy 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 and the National Planning Policy Framework.

4. The raised balcony hereby permitted shall not be brought into first use until the screen walls to its southern side has been constructed in full accordance with the details shown on the approved drawings. The screen walls shall be retained as such at all times thereafter.

Reason: In the interest of amenity and in compliance with policy DM1 of the adopted Rochdale Core Strategy 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	02/12/2022	Signed: BM
Authorisation	05/12/2022	Signed: RC

Report Author Bob Melling