

APPLICATION NUMBER: 24/00995/HOUS

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Location:	5 Hillkirk Drive Rochdale OL12 7HD
Proposal:	Two storey front and rear extensions following demolition of existing conservatory and extension, and works to boundary treatment
Applicant:	ATIF MOHAMMED
Case Officer:	Hamish Rigg
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?	Y
	Pre-commencement conditions agreed (or notification period expired)?	Y

Location

The application relates to no. 5 Hillkirk Drive; a detached two-storey property in Healey, Rochdale. Hillkirk Drive comprises a cul-de-sac of large detached houses of a similar design and material palette. The wider area is typically suburban with medium density housing, quiet streets, and vegetation. On this latter, the northern and eastern curtilage of the site is bound by Tree Preservation Order 139. TPO 139 covers a group of mature trees spanning the gardens of Hillkirk Drive, Heald Close, and Judith Street, providing a natural barrier for privacy.

No. 5 faces south towards a shared boundary with no. 7 Hillkirk Drive. To the east, the site borders no. 25 Heald Close and no. 1 Heald Cottages, and to the west it borders no. 3 Hillkirk Drive. The rear boundary of the curtilage faces north, bordering the public highway on Judith Street.

Description of Proposal

Permission is sought for the following works:

- A two-storey rear extension spanning the full width of the rear elevation, comprising a hipped roof above the principle rear elevation, and a flat roof where the extension is adjacent to the boundary with no. 3 Hillkirk Drive. The first floor would be set back by 1.7m where the extension is adjacent to the boundary with no. 3. Additional fenestration is proposed, including a set of bi-folding doors on the ground floor.

The rear extension would measure 15.8m (width) X 2.7m (depth) X 5m (eaves height) X 7.2m (maximum height).

- A two-storey front extension infilling the existing porch canopy with floor-to-ceiling glass panes, set within a metal frame, and including a flat roof and new entrance door.

The front extension would measure 1.5m (depth) X 2.6m width X 5m (height).

- The erection of a timber boundary fence along the eastern boundary with no. 1 Heald Cottages and the northern boundary along Judith Street. The fence would measure 1.5m in height, however due to the sloped topography in the rear garden, it would be set lower than the ground level of Judith Street.
- The demolition of the existing conservatory.

Relevant History

24/01134/WTTPO – pending decision

T5 Elderberry: Fell to ground level and grind out the remaining stump.

T8 Elderberry: Fell to ground level and grind out the remaining stump.

T9, T10 & T13 Alders: Fell to ground level and grind out the remaining stumps.

T11 & T12 Sycamores: Crown lift the southern side of the trees to obtain a branch height clearance above ground level of approximately 4 metres.

Township/Member comments

None

Consultee responses

Tree officer, Greater Manchester Ecology Unit – 16/12/2024:

A Tree Protection Plan is required to take full account of the proposed works, including the boundary fence line. Some tree protection measures have already been proposed, but these measures need to be amended to take account of the proposed fence line.

New tree/shrub planting should take place to strengthen the vegetation line at the rear boundary and as compensation for lost trees.

Representations

Letters of notification were sent to surrounding properties 23/10/2024, and again 05/12/2024, following the submission of amended plans.

6 objection letters were received relating to the following issues:

- The proximity of the proposed rear extension to the boundary with no. 3 Hillkirk Drive.

Officer's response: this will be discussed in the amenity section of this report.

- Harm to the character and appearance of the area as a result of the proposed boundary fence.

Officer's response: this will be addressed in the design section of this report.

- Harm to the character and appearance of the area as a result of the scale and form of the two-storey rear extension.

Officer's response: this will be addressed in the design section of this report.

Other matters

- Multiple objections have been made relating to the unauthorised destruction of trees and hedgerows protected by TPO 139, in particular, along the boundary with Judith Street and Heald Cottages. Objectors referred to the harm inflicted on the character and appearance of the area; the reduction in privacy and screening; the destruction of wildlife; and the disregard for planning regulations established by the TPO.

Officer's response: The unauthorised removal of protected trees is unfortunate. However, unauthorised works are a separate matter to be investigated and resolved by the Council's Enforcement team, and are not assessed as part of this application.

- An objection was made claiming that the Council's consultation process had not been carried out correctly and that not all affected parties had been consulted.

Officer's response: Part 3, Article 15 of the Town and Country Planning Act requires that, as a minimum, adjoining owners/occupiers are served notice in relation to householder applications. The Council's records show that all properties which border the application site were consulted, via a letter of notification, on 23/10/2024 and 05/12/2024. In addition, the Council wrote to additional properties on Judith Street and Hillkirk Drive, which do not border the site on 23/10/2024 and 05/12/2024.

- An objection was made regarding a discrepancy over the site boundary, indicated by the red edge on the submitted location plan, title number GN815667.

Officer's response: the site boundary has subsequently been amended to indicate that the full extent of works are being carried out on land owned by the applicant.

5 support letters were received, offering non-specific comments of a neutral and/or favorable standpoint.

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
JP-G7	Trees and Woodland

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
G6	Enhancing Green Infrastructure
G7	Increasing the value of biodiversity and geodiversity
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

Inclusion of the boundary fence and set back for first-floor on rear extension.

Assessment

Design and landscaping: DM1, P3, and G6

When read collectively, the NPPF, policies P3 and DM1 of the Core Strategy, and policy JP-P1 of Places for Everyone seek to achieve development of high quality design, 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. Development should function well and add to the overall quality of an area by being visually attractive as a result of effective architecture, layout and landscaping. Paragraph 5.1 of the SPD also states that housing extensions should be in keeping with the host property and generally should be subservient to it.

Permission is sought for a two-storey rear extension spanning the full width of the property. The proposed rear extension is considered to be a sizeable addition to the host dwelling. However, it would appear generally subservient to the host dwelling, owing to: its subordinate roof form; it being set within the existing party walls; and the ample space retained around the property. In addition, due to its position at the rear of the property, it would be predominantly hidden from public view.

Noteworthy however, and with reference to a number of objections received, is that the rear of the property is visible from Judith Street, and therefore the visual impact of the proposed extension is a material planning consideration. The potential visual impact of the rear extension has been brought into sharper focus due to the removal of trees and hedgerow along the rear boundary of the site. However, despite the loss of vegetation, the proposed extension would be sufficiently screened by the remaining vegetation, the topography of the garden, and the proposed boundary fence. As such, the proposed rear extension would not adversely impact on the character and appearance of the area.

Regarding the front extension, this would be relatively more exposed to public view. Permission is sought to infill the existing ground floor and first floor recess with metal framework and glazing, and to install a new entrance door.

The houses on Hillkirk Drive correspond in design and material palette, and as such, the proposed front extension would be a unique feature on the street. However, as the prevalent material would be glass, its appearance would be less stark, and the property would retain its primary form and features. In addition, no. 5 Hillkirk is angled away, and set back, from the pavement and therefore the front extension would be relatively obscured from key vantage points. Overall, the proposed front extension would not have an adverse impact on the character and appearance of the street scene, and is therefore acceptable.

Lastly, permission is sought for a 1.5m timber boundary fence in the rear garden, along the eastern boundary with 1 Heald Cottages, and the northern boundary on Judith Street. The proposed fence would be located behind the trees, when viewed from Judith Street, and would be lower than 1.5m above ground level on Judith Street, owing to the topography of the garden. As such, it would be sufficiently screened, and would not appear incongruous or detrimental to the character of the area. It would appear much in the same way as the existing boundary fence in the rear garden of no. 3 Hillkirk Drive, and certainly less conspicuous than the fence along the rear boundary of no. 1 Hillkirk Drive.

Notwithstanding the acceptable design of the proposed rear extension and boundary fence, the TPO along the site's rear and eastern boundaries make an invaluable contribution to verdant character of the area, and should therefore be enhanced and protected on account of any new development. Core Strategy policy G6 expects development proposals affecting green infrastructure to have regard to local landscape character, and to contribute to its conservation or enhancement. Similarly, Places for Everyone policy JP-G7 aims to protect and enhance woodland, and to increase the provision of street trees within urban areas.

In view of the potential impact on TPO 139, and on account of the proposed boundary fence, the Tree Officer from Greater Manchester Ecology Unit has provided comments. The officer has recommended that the applicant provide a Tree Protection Plan. On account of the proposed boundary fence, and its proximity to protected trees, a suitably worded condition will be attached to this decision requiring a Tree Protection Plan to be submitted to, and approved in writing by the LPA.

However, and for the avoidance of doubt, the proposed works do not require the removal of any trees or vegetation, and as such, a replacement planting scheme is not required. Nonetheless, a separate application has been made for works to trees on this site, ref. 24/01134/WTTP0, and if approved a replacement planting scheme will be required by condition.

Overall, and subject to conditions, the design of the proposal is therefore acceptable, in accordance with policies DM1, P3, and G6 of the adopted Rochdale Core Strategy, the SPD and the NPPF.

Amenity: DM1 and SPD

The Council's adopted Core Strategy policy DM1 states that proposals need to demonstrate that they do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy. Paragraph 5.1 of the SPD states that extensions 'should be carefully designed to protect the amenity of the occupants of adjoining properties.' Additionally, the National Planning Policy Framework (NPPF) advises that planning should always seek to secure a good standard of internal amenity for all existing and future occupants of land and buildings.

In view of the above, the main consideration relates to the impact of the proposed rear extension on the amenity of neighbouring occupants. Policies 5.5 - 5.10 of the SPD set maximum standards for scale of single-storey rear extensions and two-storey rear extensions, to ensure that they are not overbearing and do not result in undue loss of light or privacy for neighbouring occupiers.

For detached properties, paragraph 5.6 sets a maximum standard for single-storey extensions of a point 4 metres along the common boundary, measured from the rear elevation of the adjacent dwelling. Paragraph 5.7 goes on to state that the projection can be increased, providing the extension does not project beyond a 45 degree line measured from the 4m point along the common boundary. The plans indicate that the single-storey rear extension projects 4.4m along the common boundary with no. 3 Hillkirk Drive, when measured from the furthest set back on their rear elevation. However, the extension would not project beyond the 45 degree line, and therefore complies with paragraphs 5.6 and 5.7 of the SPD.

Similarly, paragraph 5.9 sets a maximum standard for two-storey rear extensions of a points 2.4m along the common boundary, measured from the rear elevation of the adjacent dwelling. Paragraph 5.9 goes on to state that the projection can be increased, providing the extension does not project beyond a 30 degree line measured from the 2.4m point along the common boundary. The plans indicate that the two-storey rear extension projects 2.7m where it is adjacent to the boundary with no. 3, and 4.4m where it is set further away. However, both projections do not exceed the 30 degree line, and therefore complies with paragraph 5.9 of the SPD.

By virtue of the proposed rear extension's compliance with the SPD, would not be considered to adversely impact on the amenity of neighbouring occupants and is therefore acceptable.

In addition, due to the siting and modest scale of the proposed front extension and boundary fence, they would have a neutral impact on the amenity of neighbouring occupants.

Overall, 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

The proposed development would have no bearing on the existing parking arrangements, and is 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. This permission relates to the following plans:

- Site location plan
- Existing and proposed site plan and boundary treatments: 24.3430.4C
- Proposed elevations and floor plans: 24.3430.SC1.1A
- Additional site plan: RTS/11112024/TPP 002

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. No works to install the boundary treatments hereby approved shall take place (including any demolition, site clearance or preparation works) until such time as a Tree Protection Plan and Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority.

Any measures identified within the Plan or Statement shall be installed in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction' prior to any works taking place.

The necessary protection measures shall be retained throughout the construction phase of the development and no work, excavation, tipping, or stacking/storage of materials shall take place beyond such protective fencing during the construction period.

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area and in accordance with Policies P3, G1, G6 and G7 of the adopted Rochdale Core Strategy Policies JP-P1, JP-G6 and JP-G7 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Article 35 Statement

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively to issue the decision without delay.

	Date	Officer
Report Completed	15/01/2025	Signed: Hamish Rigg
Authorisation	16/01/2025	Signed: Ryan Killeen

Report Author Hamish Rigg