

Application Number:	22/01402/HOUS
Location:	4 Gipsy Lane, Rochdale, OL11 3HA
Proposal:	Part single, part two-storey rear extension with Juliet balcony and alterations to fenestration on front and side elevations following demolition of existing single storey rear extension
Applicant:	Mrs Jackson
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?	Y

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

Location

The application refers to no.4 Gipsy Lane, a two-storey detached dwelling located in Castleton. The dwelling faces north-east on to the highway, adjacent to no.2 Gipsy Lane to the north-west. There are many trees within the boundary of curtilage of the application property, with many of them being protected under Tree Preservation Order TPO094.



Description of Proposal

Permission is sought for a part two storey, part single storey rear extension including alterations to the existing fenestration on the front and side elevations. The existing single storey extension to the rear of the dwelling will be demolished to accommodate the proposed enlargement. The extension will project a maximum of 5m from the rear elevation of the host dwelling. The part single storey will be constructed with a flat roof and the part two storey will be constructed with a hipped roof. The proposed development will be constructed in matching brickwork and roof tiles to the host dwelling.

Relevant History

13/00320/WTTPPO	Crown lift of 2.5 metres and a 15% crown thin of Lime tree T1 subject to Tree Preservation Order 094 <i>Grant subject to Conditions</i>
21/00336/HOUS	Two storey rear extension with juliet balcony <i>Grant subject to Conditions</i>
21/00308/FUL	Erection of 1 no. two-storey dwelling <i>Grant subject to Conditions</i>

Township/Member comments

N/A

Consultee responses

Tree Officer

The application included the submission of an arboricultural report.

The Tree Officer stated that the most valuable trees on the site are those fronting Gipsy Lane. Since the proposed extension is to the rear of the property it ought to be possible to allow the extension without affecting any significant trees, although it is accepted that some younger trees and shrubs may be affected by the works. I would not therefore raise any objections to the application on Arboriculture grounds.

If at any time during the course of any permitted works it is considered necessary to remove trees or carry out any works which may affect mature trees, particularly those to the road frontage, the Council must be consulted on these works before proceeding.

Network Rail

Network Rail raised no comments.

Representations

Letters of notification were sent to all surrounding neighbours. 1 neutral representation was received.

The letter raised several questions about the development which the Council responded to on 30th November 2022.

Policy

National

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
G6	Enhancing Green Infrastructure
G7	Increasing the Value of Biodiversity and Geodiversity
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 concerns raised with regards to the first floor terrace area and potential overlooking from the terrace towards the neighbouring garden, amended plans were submitted showing the removal of the terrace area and addition of a rear-facing Juliet balcony.

Assessment

Design: DM1 and P3

- Paragraph 124 of the NPPF states that good design is a key aspect of sustainable development. Paragraph 127 of the NPPF states that planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, in addition to being sympathetic to local character and history, including the surrounding built environment and landscape setting and maintaining a strong sense of place. Core Strategy policy P3 requires all new developments to enhance the borough's identity and sense of place and ensure that buildings contribute positively to the townscape.
- The proposed extension is appropriately designed and would broadly adhere to the design principles of the host dwelling. Whilst the proposed extension would be a significant volumetric addition to the host dwelling, it should be noted that the immediate street scene comprises a mixture of built form and scale with a low degree of uniformity. Therefore, the substantial scale and massing of the proposed rear extension would not appear incongruous when viewed in the context of the street scene. Furthermore, given the extensive curtilage surrounding the dwelling, a development of the scale proposed would not be overbearing on the host dwelling and street scene and would appear conspicuous within its context.

- ☐ The plans also propose new black crittall style aluminium windows to the property with bifold patio doors proposed for garden access to the rear. This alteration is considered to enhance the visual amenity of the property through a considered contemporary intervention.
- ☐ In light of the above assessment, the design of the proposal is acceptable and therefore in accordance with policies DM1 and P3 of the adopted Rochdale Core Strategy, the SPD and the NPPF.

Amenity: DM1 and SPD

- ☐ Policy DM1 of the Council's adopted Core Strategy states that all development proposals must not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.

Privacy

- ☐ The application property does not face any residential dwellings to the rear.
- ☐ The application property and adjacent property to the south east are separated by approximately 30m and a dense line of vegetation.
- ☐ No. 2 Gipsy Lane is situated in close proximity to the common boundary with the application property, albeit is set slightly forward of no. 4 Gipsy Lane.
- ☐ The proposed Juliet balcony is not considered to have any additional impact than a first floor rear window. Given the position of the balcony on the rear elevation, the line of sight from the proposed balcony would be at least approximately 12m from the shared boundaries.
- ☐ Furthermore, the bottom of the neighbouring garden is not considered to be the most intensively used area of outdoor amenity space. As such, the balcony would not cause an undue loss of privacy for no. 2 Gipsy Lane.
- ☐ The proposed two storey rear extension would feature a bedroom window on the side elevation facing no. 2 Gipsy Lane. Whilst there would be a direct line of sight into the neighbouring rear garden, it is considered that this window is set 10m away the common boundary and would not have a direct viewpoint into the neighbouring rear windows. Furthermore, it is reasonable to suggest that this window is not the principal window to the bedroom, given that the proposed Juliet balcony would be the main source of light and outlook for the bedroom owing to its south-facing outlook towards the extensive rear garden.
- ☐ Therefore the proposal adheres to the separation distances and the proposal is not considered to result in an unacceptable loss of privacy for surrounding occupiers.

Overshadowing and Overbearing Impact

- ☐ Section 5.9 of the SPD outlines that permission is not normally granted for two storey extensions that project beyond a 30 degree line drawn from point 2.4m along the common boundary or 3m if the neighbour benefits from a single storey rear extension.
- ☐ The proposed part two storey extension does not exceed a 30 degree line when taken from 2.4m along the shared boundary with no. 2 Gipsy Lane. Therefore the two storey rear extension is not considered to cause undue harm to the amenity of occupiers of no. 2.

- ☐ The part single storey rear extension is sited 4.3m from the shared boundary with no.2 Gipsy Lane. It should be noted that the application property benefits from a detached garage which is set against the common boundary and projects 5.4m beyond the rear elevation of the adjacent dwelling.
- ☐ Therefore, given that there would be a reasonable separation distance between the proposed extension and the neighbour's rear habitable room windows, the extension is not considered to result in an undue loss of light or outlook to the occupiers of no.2 Gipsy Lane, who would continue to have an open aspect to the south west.

Occupier Amenity

- ☐ The submitted floor plans indicate the provision of adequate natural light to all habitable rooms in addition to the retention of a suitably sized rear garden with a functional layout.

Summary

- ☐ In light of the above assessment, the proposal would not unduly impact the residential amenity of surrounding occupiers and would provide a satisfactory standard of occupier amenity for all existing and future occupiers in accordance with policies DM1, the SPD and the NPPF.

Highways and Parking: DM1 and T2, Appendix 5

- ☐ The provision of two off-street parking spaces would accord with the maximum parking standard contained within Appendix 5 of the adopted Core Strategy.
- ☐ The proposed parking arrangements are therefore acceptable in accordance with policies T2 and DM1

Trees: G6 and G7

- ☐ Policy G7 of the Council's Adopted Core Strategy states that within urban areas the priority is to protect and enhance existing urban biodiversity. Policy G7 states that it is expected that development proposals protect and enhance existing features such as peatland, ponds, wetlands, reservoirs, mill lodges, trees, hedges, wooded areas, meadows, flora and fauna.
- ☐ This is supported in Policy G6 of the Council's Adopted Core Strategy which states that development proposals should avoid the loss of existing urban greenspace or features e.g. trees unless suitable alternative provision is made, it has limited value, and its development or change of use will help to meet other sustainability or local regeneration objectives.
- ☐ A Tree Preservation Order (TPO 094) is in place on the site, covering primarily the trees fronting Gipsy Lane and some individual trees to the rear garden. It is considered that the proposed development will not result in the loss of any protected trees, although it is accepted that some younger trees and shrubs may be affected by the works.

- 2 An Informative is proposed stating that if at any time during the course of any permitted works it is considered necessary to remove trees or carry out any works which may affect trees, the Council must be consulted on these works before proceeding.

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 and reports:

- Tree Protection Plan. Drg no. RTS/17102022/TPP 003
- Tree Constraints Plan. Drg no. RTS/17102022/TCP 003
- Site Tree Appraisal. Ref. RTS/17102022 Rev 003
- Design & Access Statement
- Existing Elevations. Drg no. al(02)0020. Rev. P01
- Existing Floor Plans. Drg no. al(02)0010. Rev. P01
- Existing Site and Location Plan. Drg no. al(02)0001. Rev. P01
- Proposed Site Plan. Drg no. al(05)0001. Rev. P02
- Proposed Floor Plans. Drg no. al(02)0010. Rev. P02
- Proposed Elevations. Drg no. al(02)0020. Rev. P02

And the development shall be carried out in accordance with these drawings and report 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 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

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.

Informative

No works to trees subject to Tree Preservation Order no.094 are hereby permitted. Consent must be sought separately for any works to protected trees that are subsequently proposed.

	Date	Officer
Report Completed	09/12/2022	Signed: BM
Authorisation	21/12/2022	Signed: SS

Report Author Bob Melling