

APPLICATION NUMBER: 24/00857/HOUS

Application Number:	24/00857/HOUS
Location:	137 Lomax Street Rochdale OL12 0JR
Proposal:	First-floor rear extension
Applicant:	Ifyaz Tariq
Case Officer:	Hamish Rigg
RECOMMENDATION:	Refuse

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/a
	Pre-commencement conditions agreed (or notification period expired)?	n/a

Location

The application relates to 137 Lomax Street, an end of terrace in the outskirts of Rochdale Town Centre. The area is urban in character, comprising a mix of residential, commercial, and industrial buildings and land uses. The surrounding houses are predominantly terraced and follow a corresponding design and material palette.

No. 137 sits on the corner between Lomax Street and Wellington Street, facing south-east, and overlooking a front driveway and the public highway. It is adjoined by no. 135 to the west, and borders the rear gardens of no. 3 & 5 Folly Walk. The rear boundary of the curtilage faces north-west, bordering the public highway on Folly Walk.

Description of Proposal

Permission is sought for a first-floor rear extension atop the existing single-storey rear extension, comprising a gable-end roof and a double window. Proposed materials include red brick, concrete roof tiles, and white UPVC. The extension would measure 4.7m (eaves height) 6m (maximum height) X 3.9m (width) X 3m (depth).

Relevant History

24/00309/HOUS

Single storey front and single storey rear extension following demolition of existing conservatory - **Approved**

20/00820/HOUS (resubmission of 19/00973/HOUS)

Single-storey front and rear extension following removal of conservatory – **Approved.**

19/00973/HOUS

Single storey front extension and two storey rear extension following demolition of existing conservatory– **Refuse**

1. By virtue of its scale and siting, the proposed two storey rear extension would result in an unacceptable overbearing impact and loss of light to the rear garden and rear elevation windows of 135 Lomax Street. Furthermore, the placement of fenestration to the side elevation of the proposed extension would result in an unacceptable loss of privacy and overlooking to the garden and rear elevation windows of 135 Lomax Street, as well as overlooking and loss of privacy to the side elevation windows to the proposed two storey extension. The proposed development would therefore be contrary to the residential amenity aims of 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.

2. By virtue of its scale and siting, the proposed two storey rear extension would constitute an incongruous and overbearing addition to the host property when viewed from the rear elevations of properties along the west side of Folly Walk. In addition, the proposed extension would result in an unacceptable loss of light and outlook to the rear windows of number 7 Folly Walk. The proposed development would therefore be contrary to the residential amenity aims of 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 fenestration detailing, particularly the small rear windows, closely spaced side windows and unsymmetrical and unbalanced front window, the proposed development would constitute poor design and would not improve the character and quality of the area. The proposal is therefore contrary to 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.

Township/Member comments

None

Consultee responses

Not applicable

Representations

Letters of notification were sent to surrounding properties 30/09/2024; no objections were raised.

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

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
T2 Improving Accessibility
Appendix 5 Schedule of Parking Standards

Supplementary Planning Documents (SPD): Supplementary Planning Document 'Guidelines and Standards for Residential Development' (2016).

Amendments

None Applicable

Assessment

Design: DM1 and P3

When read collectively, the NPPF, policies P3 and DM1 of the Core Strategy, and 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.

The proposed first-floor extension is a generally subservient addition to the host dwelling, with a subordinate ridge height. It aligns with the existing single-storey

extension as well as the fenestration on the host dwelling. The proposed materials to match the host dwelling further aid integration with the host dwelling.

However, there is some concern regarding the fact that the extension would increase the expanse of blank brickwork on the property's eastern elevation. Given there are only 11m of separation from the eastern elevation to the rear windows of nos. 3-5 Folly Walk, the blank elevation would have an imposing and incongruous appearance for residents of these properties. Similar concerns were raised under application 19/00973/HOUS, and planning permission was refused for its design. Whilst this is a reduced scheme, increasing the expanse of blank brickwork by 3m would still be considered harmful to views of the surroundings from the rear windows and gardens of nos. 3-5 Folly Walk, particularly given their close proximity. The design of the proposal is therefore unacceptable and does not accord with NPPF, Policy JP-P1 of the Places for Everyone Joint Development Plan, Policies DM1 and P3 of Rochdale Council's Core Strategy, and the SPD.

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 amenity for all existing and future occupants of land and buildings.

In view of the above, the SPD states that first-floor rear extensions can have a greater impact on the amenity of neighbouring occupiers than single-storey extensions. As such paragraph 5.6 states that planning permission will not be granted for first-floor extensions to adjoining properties which project beyond a 30 degree line drawn from a point 2.4m along the common boundary from the rear elevation of the adjoining dwelling.

The proposed extension measures 3m along the common boundary with 135 Lomax Street. However, as it is set away from the common boundary by 2m, there is scope to for a 3m projection without having an unacceptable impact on the amenity of neighbouring occupants at 135 Lomax Street.

Notwithstanding, paragraph 4.1 of the SPD states that *all new developments should avoid causing a significant loss of privacy and/or light for occupiers of new neighbouring dwellings and existing dwellings. As such, following minimum space standards will be applied to all new residential developments and developments which affect existing residential properties:*

- ii. 14m between a principal window and any directly facing two storey elevation which does not contain a principal window to a habitable room.*

The proposed first-floor extension would result in a two-storey elevation with no windows, with only 11m of separation from the principal rear windows of no. 5 Folly Walk. As such, the proposed first-floor extension does not comply with the separation distances set under paragraph 4.1 of the SPD.

However, paragraph 4.3 of the SPD states that exceptions to these minimum space standards may be acceptable in some circumstances, for example where new development would not detract from the general levels of privacy and amenity typical

in the area. It is appreciated that there is similarly only 11m of separation from the principle rear windows of nos. 3&5 Folly Walk and the existing two-storey eastern elevation of the applicant property. Nevertheless, the existing reduced distances are mitigated by the pitched roof on the host dwelling, which allows for sufficient outlook from both these properties and a lesser overbearing impact.

Furthermore, rather than adhering to the general levels of amenity typical to the area, the introduction of additional built-form would only create further harm in a tight urban grain with already limited standards of amenity. The proposed first-floor extension would result in an unacceptable loss of outlook for no. 5 Folly Walk, and would result in an adverse overbearing and overshadowing impact towards the rear of the property, especially towards the garden.

It is noted that application 19/00973/HOUS was refused for its adverse impact on the occupants of nos. 3, 5, and 7 Folly Walk, owing to a lack of compliance with the separation distances under paragraph 4.1 of the SPD. Whilst this application has a reduced projection, it does not sufficiently address the negative amenity impact on occupants of no. 5 Folly Walk in particular.

Ultimately, there is limited scope for a first-floor or two-storey extension adjacent to the rear gardens of properties along Folly Walk. As such, the proposed first-floor extension would unduly impact on the amenity of the occupants of no. 5 Folly Walk through reduced outlook, overshadowing, and overbearing impact. The proposal therefore fails to accord with the NPPF, Policy JP-P1 of the Places for Everyone Joint Development Plan, Policy DM1 of Rochdale Council's Core Strategy, and the SPD.

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:

Refuse for the following reasons:

1. By virtue of its lack of compliance with the separation distances established in Rochdale Council's Guidelines and Standards for Residential Development SPD, the proposed first-floor extension would result in unacceptable overbearing impact and loss of outlook to the rear garden and windows of no. 5 Folly Walk. As such, the proposed development would unduly impact on the amenity of neighbouring occupants, contradictory to the NPPF, Policy JP-P1 of the Places for Everyone Joint Development Plan, Policy DM1 of Rochdale Council's Core Strategy, and the SPD.
2. By virtue of its unacceptable design, the proposed first-floor extension would be harmful to views of the surrounding area from the rear gardens and windows of nos. 3-5 Folly Walk, as it would increase the expanse of blank brickwork on the property's eastern elevation. The expanse of blank brickwork would have an imposing and incongruous appearance, particularly given its close proximity to the adjacent properties. The design of the proposal is therefore unacceptable and does not accord with NPPF, Policy JP-P1 of the Places for Everyone Joint Development Plan, Policies DM1 and P3 of Rochdale Council's Core Strategy, and the SPD.

Procedure statement

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.

Notes for the applicant

For the avoidance of doubt, this decision relates to the following plans:

- Proposed elevations and site plan: A2120/3
- Proposed floor plan A2120/2
- Location plan

	Date	Officer
Report Completed	04/12/2024	Signed: Hamish Rigg
Authorisation	05/12/2024	Signed: Ryan Killeen

Report Author Hamish Rigg