

Application Number:	23/01053/HOUS
Location:	59 Mountain Ash Rochdale OL12 7JD
Proposal:	Part single / part two storey rear extension following demolition of existing conservatory and outbuilding
Applicant:	MICK HERNON
Case Officer:	Chelsea Petrillo
Recommendation:	Grant subject to conditions

DELEGATION	Applicant a Council Member or officer?	NO
	Contrary to previous decision?	NO
	Called in or Planning Panel objection?	NO

COMMENTS	Planning Panel comments received?	NO
	Neighbour comments received?	NO

CONDITIONS	Pre-commencement conditions proposed?	NO
	Pre-commencement conditions agreed (or notification period expired)?	N/A

Location

59 Mountain Ash is a two storey end-terrace property located in the Spotland and Falinge ward of Rochdale benefitting from off-road parking by virtue of a driveway to the properties frontage, a rear conservatory and a detached outbuilding to the rear curtilage boundary. The rear of the property borders an alleyway and sits directly opposite the rear elevation of another row of terraced dwellings along Mountain Ash.

Description of Proposal

Permission is sought for a part single / part two storey rear extension projecting 3m at ground floor and 2.4m at first floor and spanning the full width of the dwelling, constructed with matching materials and a pitched roof. Development will be following demolition of existing conservatory.

There has previously been two applications to extend the property at the rear, both of which were refused on the shortfall of the separation distance between the upper floor rear principal window of the host property and the principal window directly adjacent at no.23 Mountain Ash as well as the lack of adequate private garden space remaining in reference to occupier amenity. The use of the upper floor rear room is now proposed as a bathroom and not a bedroom and the outbuilding to the rear is to be demolished to provide additional amenity space.

Relevant History

22/01303/HOUS

Part two/part single storey rear extension following demolition of existing rear conservatory together with front and rear dormers

Refuse December 2022

1. By virtue of siting, scale and design, the proposed front and rear dormer would constitute an incongruous and disproportionate addition to the host dwelling, to the detriment of its character and amenity of surrounding neighbours. The proposed development therefore constitutes poor design, contrary to policies DM1 and P3 of the adopted Rochdale Core Strategy, the Council's adopted Supplementary Planning Document "Guidelines and Standards for Residential Development" and the National Planning Policy Framework.
2. By virtue of siting, scale and design, the proposed two-storey rear extension would compromise the amenity of No.23 Mountain Ash and would not comply with SPD space standards. This would result in an unacceptable loss of privacy on the adjacent neighbouring windows to the rear and will result in inadequate private rear garden space for the occupier of the host dwelling, due to the presence of the existing outbuilding. The application therefore fails to adhere to Policy DM1 of the Rochdale Core Strategy, the Council's 'Guidelines and Standards for Residential Development' SPD and the National Planning Policy Framework.

23/00243/HOUS

Part single / part two-storey rear extension following demolition of existing conservatory.

Refuse May 2023

1. By virtue of siting, scale and design, the proposed two-storey rear extension would compromise the amenity of No.23 Mountain Ash, resulting from a harmful loss of privacy, and would not comply with SPD space standards. The extension would also result in inadequate private rear garden space remaining for the occupiers of the host dwelling. The application therefore fails to adhere to Policy DM1 of the Rochdale Core Strategy, the Council's 'Guidelines and Standards for Residential Development' SPD and the National Planning Policy Framework.

23/00249/CPL

Certificate of lawfulness for a proposed rear dormer

Grant August 2023

Township/Member comments

None Applicable

Consultee responses

None Applicable

Representations

Letters of notification were sent to surrounding properties. No letters of representation were received.

Policy

National

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

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

Policy P3 of the CS requires new developments to “enhance the boroughs identity and sense of place, 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”.

As per the previous application, the design of the proposal remains acceptable given it would be visually sympathetic to the existing form, massing and scale of dwellings along Mountain Ash. The design of the proposal remains visually subservient to the host dwelling by virtue of a 1.7m set down from the existing roof ridge and both the matching materials and roof form are considered sympathetic to the design of the existing build therefore remains acceptable.

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

Policy DM1 of the Rochdale Core Strategy states that developments must demonstrate that they “do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing and loss of privacy”.

As per the previous application, the extension would remain SPD compliant in terms of projection distances from the host dwelling and in relation to surrounding neighbours. The amenity impact to the two adjoining neighbours, no.57 and no.61 would remain unchanged and not pose any unacceptable impact.

Aforementioned above, the previous two applications were refused on the shortfall of the separation distance between the upper floor habitable room window of the extension and the directly adjacent habitable room window at no.23 Mountain Ash (17m). Given this upper floor rear room of the extension has now been changed to a bathroom and not a bedroom, point (ii) of paragraph 4.1 is therefore applicable:

“14m between a principal window and any directly facing two storey elevation which does not contain a principal window to a habitable room”

The distance between the upper floor rear principal window at no.23 and the upper floor rear elevation of the proposed extension is 17m therefore in excess of the required 14m therefore acceptable. As a result of the shortfall, it is considered necessary to impose two conditions to the decision notice in order to retain an acceptable standard of neighbour amenity post development and thereafter in relation to no.23. The first condition is to obscurely glaze the upper floor rear window and the second would be to ensure the use of the room is not changed to a habitable room at any point in the future as this is considered to impact upon both occupier and neighbour amenity.

Paragraph 5.4 of the SPD states *“An amount of garden area should be retained to meet the reasonable needs of existing and future occupiers. An extension that does not leave sufficient private garden space is unlikely to be acceptable”*. The current application proposes the demolition of the existing outbuilding therefore once built, the distance from the ground floor rear elevation to the rear curtilage would be 5m whereas the previous application proposed a 2.1m distance by virtue of the presence of the existing outbuilding taking up a large portion of the rear garden space that would remain. This is considered to be an acceptable improvement to the scheme in relation to occupier amenity.

Further to the above, the ground floor proposes a relatively open layout to which the kitchen is considered to receive sufficient light from the bi-folding doors on the rear extension. The rooms on the upper floor labelled as a ‘dressing area’ and ‘bathroom’ do not host any windows however this would not be a requirement given neither are habitable rooms.

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 not impact the existing provision of off road parking available at the property. It is therefore considered that the parking arrangements at the site would be acceptable and in accordance with policies T2 and DM1 of the Core Strategy.

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;
 - Location Plan
 - 22.2914.24B Existing and Proposed Block Plans
 - 22.2914.23B Proposed Elevations and Section
 - 22.2914.22A Proposed Floor PlansAnd the development must be carried out in accordance with the drawings hereby approved unless otherwise required by the conditions below.

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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) prior to first occupation of the extension / building hereby permitted the window on the first floor on the rear elevation facing south shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such 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.

5. In accordance with the submitted floor plans (ref: 22.2914.22A) the upper floor rear room labelled as an 'en-suite' shall not at any point be changed to a habitable room following implementation of the development.

Reason: In order to ensure a satisfactory standard of amenity for both occupiers and surrounding neighbours and in compliance with the SPD, policy DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

6. The extension hereby approved shall not be occupied until the existing rear outbuilding has been demolished and cleared from the site in accordance with drawing 22.2914.24B Existing and Proposed Block Plans. Notwithstanding the provisions of the Town and Country Planning (General Permitted

Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) no further outbuildings shall be constructed without first obtaining planning permission.

Reason: In order to ensure a satisfactory standard of amenity space for occupiers and in compliance with the SPD, policy DM1 of the adopted Rochdale Core Strategy 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	24.10.2023	Signed: CP
Authorisation	20.11.2023	Signed: LA