

APPLICATION NUMBER: 24/00122/HOUS

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Location:	48 Mentmore Road, Rochdale, OL16 3AE
Proposal:	Part two storey, part single storey rear extension with alterations to fenestration on the side elevation
Applicant:	Mr Boshir Ahmed
Case Officer:	Sam Yuen
DETERMINATION DATE 26.04.2024	EXT OF TIME
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?	Y

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

Location

The application relates to no. 48 Mentmore Road, a two-storey end terrace dwelling located in Firgrove. The dwelling is adjoined by no. 46 Mentmore Road to the south, adjacent to no. 50 Mentmore Road to the north, and faces the highway to the west. The rear boundary of the curtilage backs onto the Rochdale Canal. The property comprises an outbuilding shared with adjoining no. 46 which is sited in the rear curtilage space.

Description of Proposal

Planning permission is sought for a part-single storey, part-two storey rear extension which projects 5.3m on the ground floor and 4.8m on the first floor, following the partial demolition of the existing outbuilding. The ground floor extension occupies the full width of the host dwelling and is characterised by a flat roof form with a ridge height of 2.85m. The first-floor extension is characterised by a gable end roof which is set down 0.75m from the ridge line with matching height to eaves.

The proposed plans also indicate the addition of windows to the ground floor and first floor side elevation of the dwelling to serve the dining room and bedroom space respectively.

The proposal would be constructed from materials matching the host dwelling.

Relevant History

23/00880/HH42 – Prior approval for a proposed single storey rear extension measuring 5.30m from the original dwelling (with a maximum height of 2.85m and height to eaves to 2.50m) – Prior Approval Not Required

Township/Member comments

N/A

Consultee responses

Highways and Engineering

Highways have no comment for this application as it is unlikely to impact upon the highway.

Canal and River Trust

The main issues relevant to the Trust as statutory consultee on this application concern:

- a. The impact on the structural integrity of the cutting slope to the east of the site; and
- b. Details of surface water discharge from the extension.

Based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) is to advise that suitably worded conditions are necessary to address these matters. Our advice and comments follow:

The impact on the structural integrity of the cutting slope to the east of the site

The rear garden of the application site backs onto a cutting slope which supports the site above the canal. It is important to ensure that the extension design does not impose adverse loading onto the cutting slope which could otherwise increase the risk of its collapse towards the canal.

Construction works in proximity to the top of the cutting have the potential to overload the cutting slope, which could result in localised land instability. In line with the aims of paragraphs 180 (part e) and 189 (parts a and c) of the National Planning Policy Framework (NPPF), planning decisions should ensure that a site is suitable for its proposed use, taking account of ground conditions, any risks from land

instability. This is further reinforced by the Planning Practice Guidance (PPG), which confirms the important role of the planning system in considering land stability by minimising the risk and effects of land stability on property, infrastructure and the public (Paragraph 001; reference ID: 45-001-20190722).

It is therefore important to ensure that the extension is designed to limit the risk of loading onto the cutting slope. To ensure this, we request that information on foundation details and the relationship of the extension to the cutting should be provided prior to the commencement of development. Details could be reserved via the use of appropriately worded condition(s).

Details of surface water discharge from the extension

Water discharge from the extension should be directed away from the cutting slope in order to limit the risk of erosion on the slope or the saturation of soils that could otherwise impact the structural stability of the cutting slope.

We therefore require that details of surface water disposal from the extension should be provided prior to the commencement of development. Details could be reserved via the use of appropriately worded condition(s).

Representations

Neighbour notifications via letters were sent to surrounding properties. One objection letter was received with the following comments:

- ☐ Issues relating to overshadowing and overlooking impacts to neighbouring property;
- ☐ Issues relating to potential damage to neighbouring fence from construction;
- ☐ Issues relating to potential drainage issues.

Officer's Comments:

- ☐ Concerns relating to overshadowing and overlooking impacts are addressed under the 'Amenity' heading of the report.
- ☐ Concerns over damages to the neighbouring property relate to the provisions under The Party Wall etc. Act 1996 and are not material considerations in the determination of planning applications.
- ☐ Concerns relating to drainage impacts are addressed under the 'Other Considerations – Land Instability and Drainage' heading of the report.

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:

Policy 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
G9	Reducing the Impact of Pollution, Contamination and Land Instability
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

N/A

Assessment

Design: DM1 and P3

- ❑ Paragraph 135 of the NPPF requires new development to be “*visually attractive as a result of good architecture, layout and appropriate and effective landscaping*” in addition to ensuring they are “*sympathetic to local character.*”
- ❑ Paragraph 139 states “*development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.*”
- ❑ Policy JP-P1 of the Places for Everyone Joint Development Plan states development should, wherever appropriate, be consistent with distinctive places with a clear identity that respects and acknowledges the character and identity of the locality in terms of design, siting, size, scale and materials used.

- ❑ Policy DM1 and P3 of the adopted Rochdale Core Strategy require development proposals to be *“of high quality design and take the opportunity to enhance the quality of the area”* and to *“enhance the borough’s 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.”* In addition, Section 5.1 of the SPD states development proposals should be *“in keeping with the host property and generally should be subservient to it.”*
- ❑ The proposal seeks to construct a part-single, part-two storey rear extension to the dwelling. The single-storey element is identical to the single-storey extension granted under a previous application for Prior Approval (ref: 23/00880/HH42). However, this extension is only indicated in the proposed plans for the current application and at the time of the Officer’s site visit, the approved works has yet to be implemented. Therefore, for the purposes of this assessment, the single-storey and two-storey rear extension would both be treated as a fresh proposal subject to the material planning considerations for householder applications.
- ❑ Whilst the proposed two-storey extension would be set down from the ridge line and appear somewhat subservient to the host dwelling, by virtue of its excessive projection and footprint, the cumulative impacts of the single-storey and two-storey projections would result in additions which would appear dominant, disproportionate and out of keeping with the host dwelling.
- ❑ Concerns are also had with the flat roof form of the proposed single-storey extension, which, owing its substantial depth, would relate poorly with the existing roof forms and constitute an irregular and unresolved form of development that is at odds with the host dwelling.
- ❑ Whilst it is acknowledged that the proposed development would be to the rear of the host dwelling, as a result of its sheer scale, the proposed extensions would nonetheless be prominent from the rear curtilage space of adjoining properties along the building line and would constitute an unacceptable relationship with the host dwelling.
- ❑ Taken as a whole, the proposed development would not be well-designed and would result in undue harm to the character and appearance of the host dwelling and surrounding area.
- ❑ The design of the proposal is therefore acceptable and fails to accord with Policies DM1 and P3 of the adopted Rochdale Core Strategy, the SPD, the PfE and the NPPF.

Amenity: DM1 and SPD

- ❑ Policy DM1 of the adopted Rochdale Core Strategy states development proposals should ensure they *“do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.”*
- ❑ In particular, Section 4.1 of the SPD states the following minimum space standards for development proposals:
 - (i) *“21m between directly facing principal windows of habitable rooms, at an upper floor level AND 10.5m between a principal*

window at an upper floor level and a directly facing boundary of the curtilage;

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

☐ Section 5.5 of the SPD states *“it is important that single storey extensions are not overbearing and do not result in undue loss of light or privacy for neighbouring occupiers.”* Section 5.6 states the following maximum standard:

☐ *“For attached properties, a point 3 metres along the common boundary measured from the rear elevation of the adjoining or adjacent dwelling(s);*

☐ *For detached properties, a point 4 metres along the common boundary measured from the rear elevation of the adjoining or adjacent dwelling(s).”*

☐ Section 5.9 of the SPD states two storey or first-floor rear extensions projecting *“beyond a 30 degree line drawn from a point 2.4m along the common boundary from the rear elevation of the adjoining or adjacent dwelling(s)”* would not normally be granted planning permission.

☐ The proposed first-floor rear window would retain 32.2m of separation distance from rear-facing no. 25 Coppy Bridge Drive. As such, the amenity impacts of this feature is not considered to result in significant amenity impacts in this regard.

☐ The proposed single-storey rear extension projects 5.3m along the common boundary of adjoining no. 46, exceeding the maximum standard stated in Section 5.6. However, it is noted an outbuilding currently sits across the rear curtilages of nos. 46 and 48, 2.9m from the rear elevation of the dwellings and as such, unrestricted access to sunlight into the rear garden and rear-facing habitable room windows of no. 46 would be retained due to its open aspect towards the south-east. The proposed rear extension also does not project beyond a 45 degree line drawn 4m along the common boundary of adjacent no. 50 and thus in isolation, the single-storey element is not considered to result in significant amenity impacts in this respect.

☐ Notwithstanding, the proposed two-storey rear extension projects 4.8m from the rear elevation of the dwelling and significantly exceeds the 30 degree lines drawn from the points 2.4m along the common boundaries from the rear elevations of adjacent nos. 46 and 50, and would result in unacceptable overbearing impacts and loss of outlook to both properties, as well as undue loss of light to the rear habitable windows of no. 50.

☐ The proposal also seeks to alter the existing rear bedroom window to the side elevation, resulting in a 3.37m separation distance from the side elevation wall of no. 50 which would restrict access to natural light and outlook to the host occupants. Moreover, the reduction of the internal floor area of the bedroom to one of 5.2m² and 2m width falls short of the minimum standards stated in the *Technical housing standards – nationally described space standard*. For the reasons set out, the proposal would not comprise a

satisfactory standard of residential amenity for its occupants and would not be acceptable.

- ☐ The proposal would unduly impact on the amenity of the occupants of neighbouring properties and would fail to accord with Policies DM1, the SPD and the NPPF.

Highways and Parking: DM1 and T2, Appendix 5

- ☐ Policy DM1 of the adopted Rochdale Core Strategy requires development proposals to *“provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements taking into account of the proposed use and location.”*
- ☐ The proposal would increase the number of bedrooms from two to three and would require a maximum standard of two parking spaces, as stated in Appendix 5 of the adopted Rochdale Core Strategy, the provision of which would be retained in the existing front driveway.
- ☐ The proposed parking arrangements are therefore acceptable in accordance with Policies T2 and DM1.

Other Considerations – Land Instability and Drainage

- ☐ Paragraph 189 of the NPPF states that planning decisions should ensure that a site is suitable for its proposed use taking into account of ground conditions and any risks arising from land instability. Policy G9 of the adopted Rochdale Core Strategy states that the Council will ensure that any risks arising from land instability are identified, and that any appropriate actions to address these risks are taken, prior to development taking place.
- ☐ The rear curtilage space of the property backs onto a cutting slope which supports the site above the Rochdale Canal. The Canal and River Trust has been consulted and advised that a suitable pre-commencement condition should be agreed with the applicant to ensure the load of the proposed development does not adversely impact on the structural integrity of the cutting slope. The Trust has also noted that any water discharge from the proposed extensions should be directed away from the cutting slope to limit the risk of erosion on the slope or the saturation of soils that could otherwise impact the structural stability of the cutting slope, the details of which may also be secured via condition. Should the proposed development be acceptable, appropriate details such as cross-section plans would have been requested from the applicant prior to determination.
- ☐ Subject to the relevant pre-commencement conditions, the proposed development would be acceptable and would not conflict with Policy G9 and the NPPF.

Recommendation: Refuse

1. By virtue of its excessive scale, massing, roof forms and design, the proposed part-single, part-two storey extension constitutes an overly dominant, incongruous and disproportionate addition to the host dwelling which would result in adverse visual harm to the character and appearance of the host dwelling and the surrounding area. The proposed development

would not be well-designed and therefore fails to accord with Policies DM1 and P3 of the adopted Rochdale Core Strategy, the Council's adopted Supplementary Planning Document 'Guidelines and Standards for Residential Development', the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

2. By virtue of its siting and excessive scale, the proposed two-storey rear extension would result in undue amenity harm to the neighbouring occupiers by means of unacceptable overbearing and loss of outlook to nos. 46 and 50 Mentmore Road and undue loss of light to no. 50 Mentmore Road. The proposed development therefore fails to accord with 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. The proposals would result in undue amenity harm to the occupants of the host dwelling by means of an inadequate provision of natural light and outlook and insufficient internal floor areas to the first-floor north-facing side bedroom. As such, the proposed development does not comprise a satisfactory standard of residential amenity and would fail to accord with Policy DM1 of the adopted Rochdale Core Strategy, the Council's 'Guidelines and Standards for Residential Development' SPD and the National Planning Policy Framework.

Article 35 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.

INFORMATIVES

For the avoidance of doubt, this Decision Notice relates to the following submitted plans:

- ☐ Location Plan – received 07/02/2024
- ☐ Existing Site Plan – received 01/03/2024
- ☐ Proposed Site Plan – received 07/02/2024
- ☐ Existing Floor Plans, Elevations and Roof Plan – Drawing No. MEN-01-20 received 05/02/2024
- ☐ Proposed Floor Plans, Elevations and Roof Plan – Drawing No. MEN-02-20 received 05/02/2024

	Date	Officer
Report Completed	25/04/2024	Signed: SY
Authorisation	26/04/2024	Signed: RK

Report Author Sam Yuen