

APPLICATION NUMBER: 23/01263/HOUS

Application Number:	23/01263/HOUS
Location:	44 Penistone Avenue, Rochdale, OL16 4AL
Proposal:	Single storey side/rear extension
Applicant:	Itezaz Zafar
Case Officer:	Sam Yuen
DETERMINATION DATE 26.01.2024	EXT OF TIME 09.04.2024
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 relates to no. 44 Penistone Avenue, a two-storey semi-detached dwelling located in a residential area in Kingsway. The dwelling is adjoined by no. 42 Penistone Avenue to the south-east, adjacent to no. 46 Penistone Avenue to the north-west, and faces the highway to the south. The rear curtilage boundary borders railway tracks for the Metrolink which is raised above street level. The property benefits from a detached garage sited in the rear curtilage space.

Description of Proposal

Planning permission is sought for a single-storey wraparound extension which projects 2.35m from the side elevation of the dwelling and a maximum 4m from the rear elevation of the dwelling. It is characterised by a hipped roof with a ridge height of 3.68m and a height to eaves of 2.68m.

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

Relevant History

N/A

Township/Member comments

N/A

Consultee responses

Highways and Engineering

No comments received at the time of writing.

Representations

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

- ☐ Concerns relating to encroachment of the proposed extension into the neighbouring curtilage;
- ☐ Concerns relating to the impact of the proposal on the right of light of the adjacent property
- ☐ The proposed extension is out of context with the surrounding area;
- ☐ The proposal will result in the devaluation of the adjacent property.

Officer's Comments:

- ☐ Concerns over damages to the neighbouring property relates to the provisions under The Party Wall etc. Act 1996 and are not material considerations in the determination of planning applications.
- ☐ Concerns relating to right of light is a matter of property law and are not material planning considerations.
- ☐ The impacts of the proposal on the surrounding area are assessed under the 'Design' heading of the report.
- ☐ Loss of property value is not a material planning consideration.

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:

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

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.”*
- ❑ 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 proposed wraparound extension is of a single-storey form which would be subservient to the host dwelling. The use of a hipped roof form would also appear in keeping.

- ☐ It is noted the proposed rear extension comprises a chamfered wall along the common boundary of adjoining no. 42. Whilst this irregular feature does not constitute exceptional standard of design, owing to its siting to the rear of the property, this element would not be readily visible from the highway. On this basis, the proposed extension is not considered to inflict undue visual harm to the appearance of the street scene and would be acceptable on balance.
- ☐ Materials of the proposed development would match the host dwelling, and would be designed appropriately for this context.
- ☐ It is considered the proposed fenestration are sized and positioned appropriately with the existing fenestration.
- ☐ The proposed side extension would remove access for refuse bins to be stored away from public view. Notwithstanding, it is noted existing arrangements in neighbouring properties already comprises refuse bins stored in conspicuous positions to the side of dwellings. With this in mind, it is considered the visual harm of refuse bins stored to the front of the host dwelling would not be so significant as to warrant refusal.
- ☐ The design of the proposal is therefore acceptable and accords 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 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).”*
- ☐ The proposed single-storey rear extension projects a maximum 4m along the common boundary from the rear elevation of adjoining no. 42. However, owing to its chamfered corner, the extension does not project beyond a 45 degree line which would accord with Section 5.7 of the SPD. Given this, and considering the rear habitable room windows of no. 42 would retain unrestricted access to natural light to the east, it is considered the overshadowing impacts would be acceptable in this regard.
- ☐ The proposed extension projects a marginal 0.5m from the rear elevation of the existing rear extension of no. 46 and is not considered to result in adverse amenity impacts to the neighbouring occupants.
- ☐ It is noted the proposed rear extension would result in an enlarged living room of 8.2m depth, which is likely to restrict its access to natural light.

Notwithstanding, the proposed plans indicate an additional lounge area with sufficient natural light provision which would serve as additional living room space. With this in mind, it is considered the proposal as a whole would not prejudice the residential amenity of the occupants and would be acceptable.

- ☐ The submitted plans indicate that sufficient garden space of a functional layout would be retained. As such, the proposed works would ensure an acceptable standard of living for existing and future occupants.
- ☐ 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

- ☐ 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 proposed extension would sever the existing hardstanding, resulting in one off-street parking space for the property, which would fall short of the requirements of Appendix 5 of the adopted Core Strategy. Notwithstanding, Penistone Avenue is a low-trafficked, residential road with existing on-street parking arrangements. Given this context, it is considered the addition of one vehicle to the highway would not constitute harm that would be significant enough to recommend refusal and thus, the proposed arrangements would be acceptable on balance.
- ☐ The proposed parking arrangements are 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. The permission relates to the following plans:

- ☐ Location Plan – received 20/11/2023
- ☐ Existing Site Plan, Ground Floor Plan and Elevations – Drawing No. 2078/1 received 20/11/2023
- ☐ Proposed Site Plan, Ground Floor Plan and Elevations – Drawing No. 2078/2 received 13/12/2023

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 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 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	08/04/2024	Signed: SY
Authorisation	09/04/2024	Signed: RK

Report Author Sam Yuen