

Class A – Larger Homes Extension

Application Number:	24/00123/HH42
Location:	9 Thames Street, Rochdale, OL16 5NY
Proposal:	Prior approval for a proposed single storey rear extension measuring 6m from the original dwelling (with a maximum height of 3.7m and height to eaves to 2.7m)
Applicant:	Mr Abdul Haq
Case Officer:	Sam Yuen
Recommendation:	Prior Approval Granted

CHECKED AND SIGNED OFF BY: RK

DATE: 26/03/2024

Site Description

The application relates to no. 9 Thames Street, a two-storey semi-detached dwelling located in Kingsway. The dwelling is adjoined by no. 11 Thames Street to the east, adjacent to no. 7 Thames Street to the west, and faces the highway to the south. The rear boundary of the curtilage borders the rear curtilages of nos. 37 and 39 Channing Street to the north. The rear curtilage comprises an attached shared outbuilding with no. 7.

Publicity	Neighbour letters expired?	Yes	Responses received?	Yes

Neighbours Notified:

7 Thames Street, Rochdale, OL16 5NY
 11 Thames Street, Rochdale, OL16 5NY
 37 Channing Street, Rochdale, OL16 5PY
 39 Channing Street, Rochdale, OL16 5PY

Number of representations received: 1 objection

Summary:

- ☐ The proposal would result in loss of natural light to the adjacent property window.

Relevant History:

N/A

Permitted Development Rights	Cannot locate original permission.
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removed?	
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Prior Notification of a Proposed Larger Home Extension – Town and Country Planning (General Permitted Development) Order 2015 (as amended) Schedule 2, Part 1 (Class A.1).

Description of Proposed Development

The Host Dwelling is: Detached ☐ Other ☒

How far will the proposed extension extend beyond the rear wall of the original dwelling house measured externally:

What will be the maximum height of the proposed extension measured externally from the natural ground level:

Is the proposal wholly within the curtilage of the dwellinghouse?	Yes
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Assessment

- ☐ The proposal would require the partial demolition of an existing shared outbuilding and the excavation of the rear raised garden to accommodate a 0.58m dwarf wall which would be set back 0.7m from the existing retaining wall. The level of earth to be removed would comprise approx. 3.02 cubic metres, which would not be of a scale that could be characterised as a separate activity falling within the remit of an engineering operation on its own merits. Having assessed the present site and having regard to the appeal decision at 18 View Road, Rochester, ME3 8UA (ref: APP/A2280/D/18/3201375), the Council is satisfied that the proposed works would be ancillary to the construction of the proposed rear extension and as such, for the purposes of this assessment, it would not be considered an independent engineering operation requiring planning permission.

Class A

Class A of Part 1 of Schedule 2 of the GPDO allows for the enlargement, improvement or other alteration of a house subject to it not being contrary to any of the following criteria:

- a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use)

☒ **Complies**

☐ **Does Not Comply**

- b) As a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse).

☒ **Complies**

☐ **Does Not Comply**

- c) The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

☒ **Complies**

☐ **Does Not Comply**

- d) The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

☒ **Complies**

☐ **Does Not Comply**

- e) The enlarged part of the dwellinghouse would extend beyond a wall which—
(i) forms the principal elevation of the original dwellinghouse; or
(ii) fronts a highway and forms a side elevation of the original dwellinghouse;

☒ **Complies**

☐ **Does Not Comply**

- g) For a dwellinghouse not on article 2(3) land or a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and –
a. extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, **or**
b. exceed 4 metres in height;

☒ **Complies**

☐ Does Not Comply

The host dwelling is a semi-detached property and therefore eligible for a 6m extension. The plans indicate a projection of 6m and a maximum height of 3.7m.

h) the enlarged part of the dwellinghouse would have more than one storey and—

- i. extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or
- ii. be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;

☒ **Complies**

☐ Does Not Comply

i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres:

☒ **Complies**

☐ Does Not Comply

j) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse and would:

- i. Exceed 4 metres in height;
- ii. Have more than a single storey, or
- iii. Have a width greater than half the width of the original dwellinghouse

☒ **Complies**

☐ Does Not Comply

ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j)

☒ **Complies**

☐ Does Not Comply

The proposal would not be joined to an existing enlargement.

k) It would consist of or include-

- i) The construction or provision of a verandah, balcony or raised platform
- ii) The installation, alteration or replacement of microwave antenna
- iii) The installation, alteration or replacement of a chimney, flue, soil and vent pipe

iv) An alteration to any part of the roof of a dwellinghouse

☒ **Complies**

☐ **Does Not Comply**

- ☒ **The plans do not include a balcony or raised platform that would exceed 0.3m from ground level**
- ☒ **The plans do not include the alteration of a microwave antenna**
- ☒ **The plans do not include the alteration or installation of a soil and vent pipe**
- ☒ **The plans do not include the alteration to any part of the roof of the dwellinghouse**

- ☒ Is the dwellinghouse on Article 2(3) land or on a Site of Special Scientific Interest?

☒ **Complies**

☐ **Does Not Comply**

- ☒ A.3 Development is permitted by Class A subject to the following conditions—
 - a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
- ☒ The development has begun on site prior to -
 - a) the receipt by the developer from the local planning authority of a written notice that their prior approval is not required;
 - b) the receipt by the developer from the local planning authority of a written notice giving their prior approval; or
 - c) the expiry of 42 days following the date on which the information referred to in paragraph (2) was received by the local planning authority without the local planning authority notifying the developer as to whether prior approval is given or refused.

☒ **Complies**

☐ **Does Not Comply**

Assessment

- ☒ Paragraph (7) of Section 4 within The Town and Country Planning (General Permitted Development) (England) Order 2015 states “*where any owner or occupier of any adjoining premises objects to the proposed development, the*

prior approval of the local planning authority is required as to the impact of the proposed development on the amenity of adjoining premises.”

- ❑ Paragraph (9) goes on to state that when considering the impact the LPA shall – *“(a) take into account any representations made as a result of the notice given under subparagraph (5); and (b) Consider the amenity of all adjoining premises, not just adjoining premises which are the subject of representations.”*
- ❑ In view of the above, the impacts on the amenity of adjoining premises has been considered as in conjunction with the requirements of the National Planning Policy Framework, the Council’s Core Strategy and the Supplementary Planning Document ‘*Guidelines and Standards for Residential Development*’.

Amenity: DM1 and SPD

- ❑ Paragraph 135 of the NPPF states planning decisions should *“create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.”*
- ❑ The GPDO does not require regard to be had to the development plan, but policies may be material considerations where relevant to matters of amenity. The adopted development plan for the borough is the Rochdale Core Strategy 2016. Policy DM1 requires development proposals to ensure they *“do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.”* PfE Policy JP-P1 also requires new development to offer a high level of amenity and address microclimate issues such as sunlight and shade (inter alia). The ‘*Guideline and Standard for Residential Development*’ SPD has been produced to assess the matters relevant to residential amenity. As CS Policy DM1, PfE Policy JP-P1 and the SPD are concerned with high standards of residential amenity in all developments, they are relevant to considerations of this application.
- ❑ 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.”*
- ❑ In particular, Section 5.6 of the SPD states the following maximum standard for single storey extensions:
 - ❑ *“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 5.3 of the SPD acknowledges that there may be cases where extensions which exceed the guidance may be acceptable and that each application is to be determined on its own merits.

- ☐ The proposal seeks to construct a 6m single-storey rear extension to the host dwelling. Adjoining no. 11 comprises a 4.83m single-storey rear extension set 1.57m away from the common boundary of the host dwelling, thus the distance would be taken from the rear of said extension. The proposed extension projects an additional 1.17m along the common boundary from the rear extension of no. 11 which would accord with the requirements of Section 5.6. It is noted a window serving what is understood to be the kitchen of no. 11 is sited on the ground floor rear elevation close to the proposed extension. However, as defined in Appendix 2 of the SPD, kitchens do not constitute habitable rooms and as such, occupants are not expected to spend prolonged periods of time in the room. Notwithstanding, this window is already significantly overshadowed by the existing rear extension of no. 11 and given that the proposed extension is also of a single-storey form and sited to the north-west of the adjacent rear window, the window would maintain current access to natural light. With this in mind, the overshadowing impacts to the occupiers of no. 11 would be acceptable. The existing boundary treatment arrangement together with the rear extension has already created a substantial tunnelling impact on this fenestration arrangement and therefore the additional impact of the proposed development would not be so great as to warrant refusal.
- ☐ With regard to the amenity impacts on no. 7, the proposed rear extension exceeds a 45 degree line measured from the point 4m along the common boundary from the rear elevation of no. 7 which would fail to accord with Section 5.7 of the SPD. However, it is noted a single-storey outbuilding currently sits across the rear curtilages of nos. 7 and 9 which would effectively screen the proposed extension. Taking into account of the existing impacts of the outbuilding by means of loss of outlook and light, it is considered the additional impacts from proposed rear extension would not be so significant as to inflict undue harm to the occupiers of no. 7 and would be acceptable on balance.
- ☐ No concerns are had as to the impact on the amenity of the adjoining properties to the rear given that the application relates to a single-storey rear extension and the dwellings to the rear are set away with rear gardens and boundary treatments separating the two.
- ☐ Taken as a whole, the proposal would not unduly impact on the amenity of the neighbouring occupants and would accord with the requirements of Policies DM1 of the adopted Rochdale Core Strategy, the SPD and the NPPF and prior approval is therefore not required.

Decision: Grant

Informative:

For the avoidance of doubt, the decision relates to the following drawings:-

- Location Plan – received 06/02/2024
- Existing Site Plan, Ground Floor Plan and Elevations – Drawing No. 2002/1 received 25/03/2024
- Proposed Site Plan, Ground Floor Plan and Elevations – Drawing No. 2002/2 received 25/03/2024

Report Author Sam Yuen