

Application Number:	24/00408/HOUS
Location:	163 Leander Drive, Rochdale, OL11 2XE
Proposal:	Alterations to existing roof including increase in ridge height and hip-to-gable roof conversion, erection of 2no pitched roof rear dormers and single-storey rear extension.
Applicant:	Awat Abdullahi
Case Officer:	Bob Melling
DETERMINATION DATE 05.07.2024	EXT OF TIME 10.09.2024
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. 163 Leander Drive, a large detached bungalow located in a residential area of Castleton. The application property faces the highway to the north and is adjacent to no. 165 Leander Drive to the west. There is a densely vegetated area of green space to the east of the property, with a public footpath linking Leander Drive with Trows Lane to the south. The rear garden slopes down steeply towards the rear boundary of the curtilage. The application property is constructed in light brown brickwork, cream render and terracotta roof tiles.

Description of Proposal

Permission is sought for alterations to the existing roof, including an increase in ridge height by approx. 1.61m and the conversion of the main roof from hip to gable. The proposals also include the erection of two pitched roof rear dormers, each with a height of approx. 2.30m, depth of approx. 3.69m and length of approx. 5.25m, and a single-storey rear extension with a flat roof and a depth of approx. 3.56m. Materials for construction include brickwork, roof tiles and UPVC frames to match existing.

Following a site visit to the property, and on the receipt of public representations, it is apparent that works have been undertaken at the property which go beyond the current description of development.

Significant re-profiling works have taken place to the front, side and rear of the host dwelling. These unauthorised works are subject to an ongoing investigation by the Council's Planning Enforcement service. The land levels within the rear garden have been raised substantially with retaining walls erected.

No details have been provided regarding the works to the garden, which would require planning permission. While the applicant has claimed that the works proposed under the current application are not connected with the works to the rear garden, photographic evidence suggests that the works are connected (see below).

The new land level would meet the extension and steps are proposed from the extension onto the re-profiled garden. Therefore, it is the Council's position that the works must be considered together.

Photograph of rear garden – January 2022



Photograph of rear garden – September 2024



Relevant History

24/0158/EXTALT	Works in connection with pending application ref: 24/00408/HOUS. – Pending consideration
22/00105/OUT	Outline application (all matters reserved) for the erection of 3 no. detached dwellings following demolition of existing bungalow – Refuse (Appeal allowed)
86/D18928	Residential Development - One Dwellinghouse - Grant subject to conditions
79/D08784	Residential Development Amended House Types - Grant subject to conditions
77/D05062	Erection of Dwelling and Garage plus Construction of Roads and Sewers - Grant subject to conditions

Township/Member comments

N/A

Consultee responses

None

Representations

Letters of notification were sent to surrounding properties and nine objections from three individuals were received in response to the proposed development.

The objections primarily relate to the unauthorised works within the rear garden which are currently under investigation by the Council's Planning Enforcement service. While issues regarding design, residential amenity and highways are duly considered, a number of the concerns raised are not material planning considerations. This includes the cutting back of trees that are not protected, the condition of the land, unsafe building practices and damage to private property.

Policy

National

National Planning Policy Framework (NPPF) – December 2023
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

Amended plans were sought by the Case Officer prior to the knowledge that there were unauthorised works taking place at the property which would affect the current proposals. Revised plans were sought to amend:

- ☐ The roof design of the rear dormers from flat to dual-pitched;
- ☐ The roof of the existing attached garage to match the pitch of the main roof; and
- ☐ The existing hipped roof feature to the front to match the pitch of the main roof.

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 proposal seeks to remodel the existing bungalow through an increase in overall height, the conversion of the main roof form and the addition of two rear dormers.
- ☐ The surrounding street scene is characterised by two-storey detached dwellings with gable roofs. The host dwelling marks a departure from the

surrounding pattern of built form and is a distinct style. Therefore, it is not considered that the proposed alterations to the existing roof would result in undue harm to the character of either the host property or surrounding street scene.

- ☐ Section 5.16 of the SPD notes *“dormer extensions can be visually prominent, particularly where they can be seen from the public highway, and therefore it is important they are carefully designed and sited. Dormers to the front elevation will not normally be permitted. Rear dormers should be modest in size and not occupy a disproportionately large portion of the roof.”* Section 5.17 expands on this with the following principles:

- (i) *“They should not exceed the height of the ridge and where possible, should be sited below the ridge line of dwelling;*
- (ii) *They should be set back from the eaves line;*
- (iii) *They should be set in from the party/side walls of the house;*
- (iv) *Dormers with flat roofs should be avoided, unless they are considered to better respect the design of the host building and character of the area;*
- (v) *Dormers which wrap around the side of a hipped roof are not acceptable;*
- (vi) *Dormer windows should normally line up vertically with existing windows and/or be smaller than existing openings and the window design should match the existing window style;*
- (vii) *The materials used in the construction of dormers should match those of the existing roof; and*
- (viii) *Dormer extensions should protect the amenity of neighbouring occupants and should achieve the minimum space standards set out in Section 4. Side facing windows should be obscurely glazed.”*

- ☐ The proposed rear dormers are not considered to dominate the rear roof slope and would mostly reflect the guidance outlined above. They would feature dual-pitched roofs and would be modestly-sized and suitably sited on the roof slope to align with the existing and proposed ground-floor fenestration. Therefore, it is considered that the rear dormers would be an acceptable addition to the host dwelling.

- ☐ The proposed single-storey rear extension would be modest in scale with appropriate window detailing. Whilst the use of a flat roof is not considered ideal, it is noted that the use of a pitched roof would likely result in the roof of the single-storey rear extension intersecting the face of the proposed rear dormer. Therefore, in this instance, a flat roof design is considered acceptable.

- ☐ Whilst the single storey extension as depicted on the submitted plans would be appropriately designed, it is clear that the re-grading works around the site have directly altered the levels immediately around the proposed extension and it is not apparent what implication these regrading works would have on the extension and how the extension would integrate with the new levels. This is particularly pertinent as the extension proposes two sets of external steps. These would lead out of

the extension onto the regraded land, which is not shown on the proposed plans.

- ② In addition to the above, it is clear from site observations and photographs that there are visual amenity concerns over the regrading works. The re-profiling of the garden is significant and in part exceeds the height of the neighbours boundary fence. Insufficient information has been provided at this stage to fully assess the impact of these works. Nonetheless, from the information currently available, it appears that the regrading would be visually intrusive and fail to respect the existing layout and appearance of the site and the surrounding land. Furthermore, to make the re-grading works at the site acceptable, it likely that significant alterations to the unauthorised works would be required and it is not clear, at this stage, what impact this may have on the levels around the proposed rear extension or on the extension itself.
- ② On this basis, there is insufficient information submitted with the application to allow for the LPA to determine whether the proposal would accord with the relevant policies contained within the CS, PfE, the SPD and the NPPF – all of which advance high-quality design.

Amenity: DM1 and SPD

- ② Protection of residential amenity is considered under Policy DM1 of the adopted Rochdale Core Strategy, which 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.”*
- ② PfE Policy JP-P1 requires new development to offer a high level of amenity and address microclimate issues such as sunlight and shade (inter alia).
- ② There are no residential properties located to the rear of the application property, the facing properties on the opposite side of Leander Drive measure some 25m away and the nearest property to the east is approximately 65m away. No. 165 Leander Drive is adjacent to the west and measures approx. 1.5m away at the closest point.
- ② Whilst the proposals included on the submitted plans would appear to have an acceptable impact on neighbouring properties when considered in isolation, it should be noted that insufficient information has been provided to assess the impact of the re-graded land, which as detailed above, includes alterations to the levels around the rear extension.
- ② Through site observations and photographs it is noted that the re-grading works are significant and include new levels that sit partly above the shared boundary fence with no. 165 Leander Drive. As referenced in the design section of the report, insufficient information has been provided at this stage to fully assess the impact of these works. Nonetheless, from the information currently available, there are significant concerns over the impact on the residential amenity of no. 165 Leander Drive by virtue of a potential loss of privacy and overbearing impact. Furthermore, as referenced above, to make the re-grading works at the site acceptable, it likely that significant alterations to the unauthorised works would be

required and it is not clear, at this stage, what impact this may have on the levels around the proposed rear extension or on the extension itself.

- ❑ On this basis, there is insufficient information submitted with the application to allow for the LPA to determine whether the proposal would accord with the relevant policies contained within the CS, PFE, 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 four to five and would require a maximum standard of two parking spaces (not including a garage), as stated in Appendix 5 of the adopted Rochdale Core Strategy.
- ❑ The submitted plans included no alterations to the existing vehicular access and parking layout. However, it was noted during a recent site visit that land has been excavated to the front and side of the host dwelling, including possible excavation of part of the highway. No information has currently been provided as to the purpose of these works, which would potentially result in the loss of off-street parking.
- ❑ On this basis, there is insufficient information for the LPA to determine whether the proposal would accord with CS policies T2 and DM1.

Other considerations

The primary concerns raised by neighbours relate to the unauthorised works to the garden and these include the structural integrity of these works. Whilst the detailed structural details of a development would not normally be considered under a planning application, policy G9 of the Core Strategy requires that any risks arising from land instability and any required actions are identified prior to any development taking place and that the identified actions are taken.

As referenced above, significant regrading works have been undertaken around the site, including substantial works against the boundary fence with no. 165 Leander Drive and works against/into the highway. Representations indicate that no foundations have been constructed adjacent the boundary with no. 165 Leander Drive and no information has been submitted with the application to demonstrate that the regrading and excavation works undertaken around the site would not result in matters of land instability at or adjacent to the site. Based on the above, the application therefore fails to accord with the requirements of policy G9 of the Core Strategy.

Recommendation: Refuse for the following reason:

1. The application has failed to demonstrate the full extent of works required to implement the proposed extensions, specifically the single storey rear extension. Significant regrading works to the property's curtilage have not

been included on the submitted plans and have taken place without planning permission. These include a substantial change in levels around the immediate area of the rear extension. It has not been demonstrated how the regrading works would impact on the proposed rear extension. Additionally, there are concerns over the impact on visual and residential amenity and off street parking provision from the regrading works, as well as the structural integrity of said works. It has not been demonstrated how these concerns will be overcome or how the regrading works impact on the design of the rear extension and its subsequent impact on visual and residential amenity. The application has therefore failed to demonstrate it complies with the requirements of policies P1, P2, P3, G9 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of Places for Everyone Joint Development Plan 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

1. For the avoidance of doubt, this Decision Notice relates to the following submitted plans:
 - Location Plan
 - Existing Ground Floor Plan and Site Plan. Dwg no. 2145/1
 - Existing Elevations. Dwg no. 2145/2
 - Proposed Ground Floor Plan and Site Plan. Dwg no. 2145/3. Submitted on 18/06/2024
 - Proposed First Floor Plan. Dwg no. 2145/4. Submitted on 18/06/2024
 - Proposed Elevations. Dwg no. 2145/5. Submitted on 25/06/2024

	Date	Officer
Report Completed	10/09/2024	Signed: BM
Authorisation	10/09/2024	Signed: RC

Report Author Bob Melling