APPLICATION NUMBER: 20/01426/HH42

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
20/01426/HH42	**Richard Whittaker**	**09/12/2020**

PUBLICITY	**Call up expired?**	N/A	**Site notice expired?**	N/A
	Neighbour letters expired?	N/A	**Press Notice expired?**	N/A

INTERESTS	**Officer dealing with planning matters / Councillor app?**	No	**More than 4 representations in opposition to the recommendation?**	No
	Decision maker management interest in site?	No	**Called up?**	NA

HUMAN RIGHTS ACT	**Account has been taken of the Act's provisions.**
ENFORCEMENT?	**No**

RECOMMENDATION	**Refuse**

CHECKED AND SIGNED OFF BY: AT DATE: 17.12.2020

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 [x]

How far will the proposed extension extend beyond the rear wall of the original dwelling house measured externally: 6.0 metres

What will be the maximum height of the proposed extension measured externally from the natural ground level: 3.9 metres

Neighbours Notified

4 Further Pits
Rochdale
OL11 5DF

8 Further Pits
Rochdale
OL11 5DF

Number of representations received: 1

The objection raised the following issues.

- Development of an overbearing nature
- Loss of light
- Emergency vehicle access during construction

Site History

N/A

Assessment (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)

[X] **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).

[X] **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;

[X] **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;

[X] **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;

[X] **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;

[X] **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 6.0m and a maximum height of 3.9m

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;

[X] **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:

[X] **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

[N/A] **Complies**

[N/A] **Does Not Comply**

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 or microwave antenna
iii) The installation, alteration or replacement or a chimney, flue, soil and vent pipe
iv) An alteration to any part of the roof of a dwellinghouse

[X] **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?

[X] **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.

[X] **Complies**

[ ] **Does Not Comply**

Sub-Paragraph 7 (Class A.4)

Sub-paragraph 7 of Class A.4 of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) states the following.

(7) 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 any adjoining premises.

1no objection has been received highlighting the following issues.

- Development of an overbearing nature
- Loss of light
- Emergency vehicle access during construction

As per sub-paragraph 7 of Class A.4 of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 the proposal must be assessed upon its merits in terms of amenity impact upon neighbouring properties.

Associated Policy:

- NPPF
- DM1 (Rochdale Core Strategy)
- SPD

Amenity

Policy DM1 of the Councils adopted Core Strategy requires all development proposals, including extensions and alterations, to demonstrate that they will not have a negative impact upon the amenities of future residents and occupiers.

Paragraph 127 of the NPPF states that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users. Further to the above are the considerations of the Councils Supplementary Planning Document (SPD) 'Guidelines and Standards for Residential Development'.

Paragraphs 5.6 and 5.7 of the SPD sets out parameters for single storey rear extensions in order to reduce amenity impact to neighbouring properties. These are set out below.

5.6 The following maximum standard will apply 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).*

5.7 The distances referred to above will be measured externall from the rear elevation of the adjoining or adjacent property and will be taken from the rear of any extension if one exists close to the common boundary. If the new extension is set away from the boundary, the projection can be increased by the amount equal to the extra distance from the side boundary providing the extension does not project beyod a 45 degree line measured from the point along the common boundary.

With the application dwelling sharing a rear elevation with its attached neighbour and proposing a 6 metre rear extension, the proposed works are considered to impact negatively on neighbouring amenity in terms of loss of natural light and outlook to a significant level and as such is not in accordance with relevant policy. Whilst the neighbouring property (no.4) currently exhibits a rear conservatory, this conservatory projects 2.5 metres resulting in the proposed extension projecting a further 3.5 metres beyond the rearmost elevation.

Whilst the shared boundary between the application dwelling and the unattached neighbour (no.8) is set 1.6 metres awa,y the shared uniform rear building line would allow for a rear projection of 4.6 metres before no.8 was affected as per paragraph 5.7 of the SPD. With the proposed works projecting 6 metres the development is considered to amount to a significant negative impact upon the neighbouring property in terms of loss of natural light and outlook.

The works would also result in a significant brick wall forming a large part of the view from the rear of the neighbouring properties, and have an overbearing impact on the rear amenity space.

The proposed extension would cause an undue loss of amenity and therefore fail to accord with policy DM1 of Rochdale's Core Strategy regarding protecting the amenity of residents and is therefore unacceptable.

Other Matters

With regard to emergency vehicle access during construction proposed works of this type are not considered to amount to any loss of access for the locality.

Decision: Refuse

1. By virtue of its siting, size and design, the proposed extension would result in an undue loss of amenity for the occupiers of no.4 and no.8 Further Pits due to a loss of light to the rear ground floor windows and an overbearing impact on the rear outdoor amenity space. As such, the proposed development would fail 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.

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

- Location Plan
- Existing Site Plan
- Existing Plans and Elevations – Drawing No. 1

- Proposed Site Plan
- Proposed Plans and Elevations – Drawing No. 2
- Proposed Section – Drawing No. 3

Report Author Richard Whittaker