APPLICATION NUMBER: 21/00332/HH42

Class A – Larger Homes Extension

Application Number:	**21/00332/HH42**
Location:	14 Verdun Crescent, Rochdale, OL11 5DT
Proposal:	Prior notification for a single storey rear extension measuring 5m from the rear of the original dwelling (with a maximum height of 3.8m and height to eaves 2.7m)
Applicant:	Mr Shaihzad Khan
Case Officer:	Emily Sykes
Recommendation:	**Refused**

CHECKED AND SIGNED OFF BY: AT **DATE: 09.04.2021**

Site Description

The application refers to no.14 Verdun Crescent, a two storey semi-detached dwelling located on an architecturally similar street in Spotland and Fallinge. The dwelling faces south-east on to the highway, adjoining to no.16 to the north and adjacent to the south. The rear boundary of curtilage borders the rear of the dwellings on Sandy Lane.

Neighbours Notified:

12 Verdun Crescent, Rochdale, OL11 5DT

16 Verdun Crescent, Rochdale, OL11 5DT

139 Sandy Lane, Rochdale, OL11 5DR

141 Sandy Lane, Rochdale, OL11 5DR

Is the proposed development wholly within the curtilage of the dwellinghouse?	Yes

History - Permitted Development Rights removed?	No

Publicity	**Neighbour letters expired?**	**Y**	**Responses received?**	**Y**

Number of representations received: 1

Summary:

- Over-dominance – loss of enjoyment to property and garden
- Loss of daylight and sunlight
- Work has already began with removal of original fencing and reducing of levels of over 1m, concern that the proposed development overhangs the neighbouring dwelling

Consideration of the following conditions listed in the GPDO 2015:

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: 5m

What will be the maximum height of the proposed extension measured externally from the natural ground level: 3.8m

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)

☑ **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 5m and a maximum height of 3.8m.

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 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

[✓] **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 application has been considered as if it was a householder planning application and therefore 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'*.

Impact upon Neighbour amenity and living conditions

Protection of residential amenity is considered under Policy DM1 of the Council's adopted Core Strategy, which requires that development should not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.

Rochdale's Supplementary Planning Document, 'Guidelines & Standards for Residential Development 2016 (SPD), contains the following standards and guidelines for single storey rear extensions:

It is important that single storey extensions are not overbearing and do not result in undue loss of light or privacy for neighbouring occupiers, bearing in mind that detached properties normally have more space around the property than attached properties, such as terraced and semi-detached dwellings.

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)

The proposed single storey rear extension projects 5m from the rear of the neighbouring dwelling at no.16 Verdun Crescent. This exceeds the maximum standard outlined in the SPD by 2m. The adjacent property at no.12 Verdun Crescent is positioned at an angle to the applicant property due to the two dwellings being situated on the bend on the road. As a result, the proposed development projects 5.6m from the rear of the neighbouring property at no.12 Verdun Crescent.

Paragraph 5.7 of the Guidelines and Standards for Residential Development SPD states that 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 beyond a 45 degree line measured from the point along the common boundary. The proposed development is set away 0.3m from the shared boundary of curtilage with no.16 Verdun Crescent and 0.74m from the shared boundary of curtilage at its nearest point from no.12 Verdun Crescent. For this reason, the proposed development is considered to not be in accordance with the guidance for single storey rear extensions in the SPD.

Furthermore, due to the angle of the plots at the neighbouring dwelling and no.12 Verdun Crescent, the addition of the proposed rear enlargement will be particularly harmful to the neighbouring occupiers at no.12. It is considered that the proposed development will result in an undue loss of light and outlook to the rear of the property and also have an overbearing impact on the rear outdoor amenity space.

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.12 and 16 Verdun Crescent due to a loss of light and outlook 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:-

- Existing Plans and Elevations (Sheet 1)
- Proposed Plans and Elevations (Sheet 2)
- Proposed Sections (Sheet 3)
- Site Plan Scale 1:200
- Location Plan

Report Author Emily Sykes