

Class A – Larger Homes Extension

Application Number:	24/00344/HH42
Location:	18 Taylor Street, Rochdale, OL12 0HX
Proposal:	Prior approval for a proposed single storey rear extension measuring 6m from the original dwelling (with a maximum height of 2.85m and height to eaves to 2.50m)
Applicant:	Mr Irfan Begum
Case Officer:	Hamish Rigg
Recommendation:	Refuse

CHECKED AND SIGNED OFF BY: RK

DATE: 23/05/2024

Site Description

The application relates to 18 Taylor Street, a two-storey, terraced property in the suburbs of Rochdale. The area is typically urban in nature with a mix of residential, commercial and industrial properties.

The applicant property faces north-west, overlooking the public highway and 17-21 Taylor Street. It is adjoined by no. 16 and no. 20 Taylor Street to the south-west and north-east respectively. The rear boundary of the property faces south-east, and can be accessed from the service road on Folly Walk. The rear garden includes a garage which faces out onto Folly Walk.

Neighbours Notified: 20 & 16 Taylor Street

Is the proposed development wholly within the curtilage of the dwellinghouse?	Yes
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History - Permitted Development Rights removed?

Publicity	Neighbour letters expired?	Yes	Responses received?	Yes
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One objection was received relating to the size of the extension appearing out of character with the adjoining properties, and causing an unacceptable amount of overshadowing towards the rear garden of no. 20. This will be addressed later in the 'Prior Approval Assessment' of the report.

The other points are not considered to be material planning considerations. They relate to whether the applicant is allowed to carry out the works in terms of the ownership of the land, and interference with the party wall between no. 18 and no. 20. The permitted development right is only available within the curtilage of the dwellinghouse and the Council is satisfied from the proposed plans that the whole of the development takes place within the curtilage of the applicant property.

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:

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 terraced property and therefore eligible for a 6m extension. The plans indicate a projection of 6m and a maximum height of 2.74m

- 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 not 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**

Prior approval assessment

Under Class A of the General Permitted Development Order, permission is granted subject to condition A.4 (7) which reads:

“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”.

The Council’s adopted Core Strategy policy DM1 states that proposals need to demonstrate that they do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy. Additionally, paragraph 135 (f) of the National Planning Policy Framework (NPPF) advises that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

Regarding the objection relating to the size of the extension appearing out of character with the adjoining properties, and causing an unacceptable amount of overshadowing towards the rear of no. 20, the proposed development will be assessed against the Council’s Guidelines & Standards for Residential Development SPD (2015) to evaluate the impact on the amenity of any adjoining premises.

Paragraph 5.6 of the SPD states that single-storey rear extensions to an attached property should project no more than 3m when measured from the rear elevation of the adjoining property. The proposed extension would project 6m along the common boundary with no. 20. The parameters set out under paragraph 5.6 are intended to protect the amenity of neighbouring residents by preventing “an undue loss of light or privacy”. Due to a lack of compliance with the SPD, the proposed extension would be considered to adversely and negatively impact no. 25’s privacy and exposure to natural light.

Decision:

Refuse

1. By reason of its size, scale and proximity to the rear garden area and rear facing window of no.20 Taylor Street, the proposed extension would result in undue overshadowing and an unacceptable overbearing impact to the detriment of the amenity of the occupiers of this neighbouring property. The development therefore fails to comply with the requirements of the Guidelines and Standards for Residential Development Supplementary Planning Document, Policy DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework and Prior Approval is refused.

Informative:

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

- Proposed floor plan, roof plan, site plan, and elevations: TAY-02-20
- Location plan: 100047474