APPLICATION NUMBER: 21/00105/CAA

Class AA – Upwards Extension

Application Number:	**21/00105/CAA**
Location:	Hesketh Villa, Whittle Lane, Heywood, OL10 2RN
Proposal:	Prior approval for the upwards extension through addition of 1 no. storeys, increasing maximum height by 2.0m to 7.15m
Applicant:	Mr Joe Sedgley
Case Officer:	Emily Sykes
Recommendation:	**Refused**

CHECKED AND SIGNED OFF BY: AT **DATE: 05.03.2021**

Site Description

The application refers to Hesketh Villa, Whittle Lane which is a single storey bungalow located within an area of Green Belt north of the M62 but southwest of Birch Services. The dwelling is south-west facing and accessed via an un-adopted road, which branches off Whittle Lane near Whittle Cottage. The property is set well away from the neighbouring properties at Whittle Cottage, Whittle Croft Cottage and Whittle Fold Farm. The property is a 1970s style bungalow consisting of a mix of pitched roof designs.

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

Neighbours Notified:

Whittle Cottage, Whittle Lane, Heywood, OL10 2RD

Whittle Croft Cottage, Whittle Lane, Heywood, OL10 2RD

Whittle Fold Farm, Whittle Lane, Heywood, OL10 2RD

The Dairy, Whittle Fold Farm, Whittle Lane, Heywood, OL10 2RD

2 Whittle Fold Farm, Whittle Lane, Heywood, OL10 2RD

Relevant History:

77/D05401 – Outline application for 1 bungalow – **Granted**

87/D20792 – Continued use of dwelling without complying with agricultural occupancy condition - **Granted**

18/00180/CPE – Application for a certificate of lawfulness for an existing use of land as forming the planning unit of Hesketh Villa and the siting of a caravan for use ancillary to the main dwellinghouse - **Granted**

20/01172/HOUS – First floor addition to single storey property including two storey front and two storey rear extension, with alteration to fenestration of all elevations and Juliet balcony - **Refused**

Permitted Development Rights removed?	No

Description of Proposed Development

The Host Dwelling is: Detached [X] Other [ ]

How many additional storeys are proposed? 1

What will be the additional increase in maximum height? 5.15m

What will be the maximum height of the resultant dwelling measured externally from the natural ground level: 7.15m

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

Prior Notification of a Proposed Larger Home Extension – Town and Country Planning (General Permitted Development) Order 2020 (as amended) Schedule 2, Part 1 (Class AA).

Assessment (Class AA)

Class AA of Part 1 of Schedule 2 of the GPDO allows for the enlargement of a dwellinghouse by construction of:

(a) up to two additional storeys, where the existing dwellinghouse consists of two or more storeys;

or

(b) one additional storey, where the existing dwellinghouse consists of one storey,

Subject to the following criteria:

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

☑ **Complies**

☐ **Does Not Comply**

(b) the dwellinghouse is located on—

a. article 2(3) land; or

b. a site of special scientific interest;

☑ **Complies**

☐ **Does Not Comply**

(c) the dwellinghouse was constructed before 1st July 1948 or after 28th October 2018;

☑ **Complies**

☐ **Does Not Comply**

(d) the existing dwellinghouse has been enlarged by the addition of one or more storeys above the original dwellinghouse, whether in reliance on the permission granted by Class AA or otherwise;

☑ **Complies**

☐ **Does Not Comply**

(e) following the development the height of the highest part of the roof of the dwellinghouse would exceed 18 metres;

☑ **Complies**

☐ **Does Not Comply**

(f) following the development the height of the highest part of the roof of the dwellinghouse would exceed the height of the highest part of the roof of the existing dwellinghouse by more than—

a. 3.5 metres, where the existing dwellinghouse consists of one storey;
b. 7 metres, where the existing dwellinghouse consists of more than one storey

[✓] **Complies**

[ ] **Does Not Comply**

(g) the dwellinghouse is not detached and following the development the height of the highest part of its roof would exceed by more than 3.5 metres—

(i) in the case of a semi-detached house, the height of the highest part of the roof of the building with which it shares a party wall (or, as the case may be, which has a main wall adjoining its main wall); or
(ii) in the case of a terrace house, the height of the highest part of the roof of every other building in the row in which it is situated;

[✓] **Complies**

[ ] **Does Not Comply**

(h) the floor to ceiling height of any additional storey, measured internally, would exceed the lower of—

(i) 3 metres; or
(ii) the floor to ceiling height, measured internally, of any storey of the principal part of the existing dwellinghouse;

[✓] **Complies**

[ ] **Does Not Comply**

(i) any additional storey is constructed other than on the principal part of the dwellinghouse;

[✓] **Complies**

[ ] **Does Not Comply**

(j) the development would include the provision of visible support structures on or attached to the exterior of the dwellinghouse upon completion of the development;

[✓] **Complies**

☐ **Does Not Comply**

(k) the development would include any engineering operations other than works within the curtilage of the dwellinghouse to strengthen its existing walls or existing foundations.

☑ **Complies**

☐ **Does Not Comply**

Development is permitted by Class AA subject to the following conditions:

(a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

(b) the development must not include a window in any wall or roof slope forming a side elevation of the dwelling house;

(c) the roof pitch of the principal part of the dwellinghouse following the development must be the same as the roof pitch of the existing dwellinghouse

(d) following the development, the dwellinghouse must be used as a dwellinghouse within the meaning of Class C3 of the Schedule to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as a dwellinghouse.

Note – Parts of the existing roof pitch are different to the pitch on the roof design in the proposal, meaning that condition (c) is not met. Whilst the proposed front and rear roof pitches match that on the existing host dwelling, the pitched roof designs found on the side elevation of the host dwelling are not replicated on the proposed development.

Paragraph AA.2(3) states that before beginning the development, the developer must apply to the local planning authority for prior approval as to—

(i) impact on the amenity of any adjoining premises including overlooking, privacy and the loss of light;

(ii) the external appearance of the dwellinghouse, including the design and architectural features of—

(a) the principal elevation of the dwellinghouse, and

(b) any side elevation of the dwellinghouse that fronts a highway;

(iii) air traffic and defence asset impacts of the development; and

(iv) whether, as a result of the siting of the dwellinghouse, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15th March 2012(a) issued by the Secretary of State;

Prior Approval Matters

As required by paragraph AA.2(3), the local authority are required to give regard to a number of matters in the determination of an application made under Class AA of part 1 of Schedule 2. Included in this are points (iii) *air traffic and defence asset impacts of the development* and (iv) *whether, as a result of the siting of the dwellinghouse, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15th March 2012(a) issued by the Secretary of State.* No land contained within the borough of Rochdale benefits from the statutory designation of a Protected Vista. Further to this, the borough is absent of air traffic and defence assets.

Amenity

In assessing the impacts on the residential amenity on surrounding occupiers, Policy DM1 of the Council's 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. Further to this are the considerations of paragraph 127 of the National Planning Policy Framework, which promote a high standard of amenity for existing and future users.

Paragraph 5.1 of the Guidelines and Standards for Residential Development SPD states that extensions and alterations to existing properties should be carefully designed to protect the amenity of the occupants of adjoining properties.

Due to the positioning of the host dwelling being set well away from the neighbouring properties, it is considered that the proposed development will not unduly impact of the occupants of neighbouring properties in accordance with policies DM1, the SPD and the NPPF. The proposed development will not be overbearing, overshadowing or result in a loss of privacy for the surrounding neighbouring occupiers. Furthermore the occupiers' amenity would also be retained, as there would be sufficient garden space with adequate supply of natural light to all habitable rooms.

In light of the above, it is considered that the proposed additional storey would not cause undue harm to the amenity of the neighbouring occupiers and is therefore in accordance with policies DM1, the SPD and the NPPF.

Design

Policy DM1 of the Council's Core Strategy requires all development proposals, including changes of use of land and buildings, extensions and alterations, to demonstrate that they are of a high quality design and take the opportunity to enhance the quality of the area.

Similarly, paragraph 127 of the Framework states that planning decisions should ensure that developments are sympathetic to local character and visually attractive as a result of good architecture, layout and effective landscaping.

It is considered that the proposed development uses an acceptable level of design. The existing dwelling is awkwardly shaped with a mix of pitched roof designs. The proposed development would be considered to improve the visual amenity of the property, moving away from its current mismatched design to a more enhanced design. It is considered that due to the poor design of the host dwelling, the proposed development is more visually attractive than the existing host dwelling.

The proposed development is therefore considered to be accord with the requirements of the SPD, Policy P3 and DM1 of the adopted Rochdale Core Strategy and Paragraph 127 of the National Planning Policy Framework.

Recommendation:

Prior Approval Refused

1. The proposed development is not permitted by Class AA of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as the roof pitch of the principal part of the dwellinghouse following the development would not be the same as the roof pitch of the existing dwellinghouse, contrary to condition 2(c).

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

- Existing and Proposed Floor Plans and Elevations (2258.01)
- Location Plan – 1:1250 (2258.02a)

Report Author Emily Sykes