

**APPLICATION NUMBER: 24/00765/HOUS**

|                                         |                                                                                                                                                                                  |
|-----------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application Number:</b>              | 24/00765/HOUS                                                                                                                                                                    |
| <b>Location:</b>                        | 7 Heald Close, Rochdale, OL12 7HJ                                                                                                                                                |
| <b>Proposal:</b>                        | Two storey rear/single storey side and rear extension together with levelling of front garden and rear raised platform and steps following partial demolition of existing garage |
| <b>Applicant:</b>                       | Mr Khurram Habib                                                                                                                                                                 |
| <b>Case Officer:</b>                    | Sam Yuen                                                                                                                                                                         |
| <b>DETERMINATION DATE</b><br>23.10.2024 | <b>EXT OF TIME</b><br><b>06.11.2024</b>                                                                                                                                          |
| <b>RECOMMENDATION:</b>                  | <b>Grant subject to conditions</b>                                                                                                                                               |

|                   |                                               |          |
|-------------------|-----------------------------------------------|----------|
| <b>DELEGATION</b> | <b>Applicant a Council Member or officer?</b> | <b>N</b> |
|                   | <b>Contrary to previous decision?</b>         | <b>N</b> |
|                   | <b>Called in or Planning Panel objection?</b> | <b>N</b> |

|                 |                                          |          |
|-----------------|------------------------------------------|----------|
| <b>COMMENTS</b> | <b>Planning Panel comments received?</b> | <b>N</b> |
|                 | <b>Neighbour comments received?</b>      | <b>Y</b> |

|                   |                                                                             |            |
|-------------------|-----------------------------------------------------------------------------|------------|
| <b>CONDITIONS</b> | <b>Pre-commencement conditions proposed?</b>                                | <b>N</b>   |
|                   | <b>Pre-commencement conditions agreed (or notification period expired)?</b> | <b>N/A</b> |

**Location**

The application relates to no. 7 Heald Close, a two-storey detached dwelling located in Shawclough. The dwelling is adjacent to no. 5 Heald Close to the east, adjacent to no. 9 Heald Close to the west, and faces the highway to the north. The property comprises a large rear curtilage which falls away towards the south and borders the rear curtilages of nos. 11, 13 and 15 Shawclough Way.

**Description of Proposal**

Planning permission is sought for a number of enlargements to the host dwelling, including the following:

- A two-storey rear extension which projects 4.57m from the rear elevation of the dwelling. The extension extends the gable-end roof form of the existing dwelling with matching ridge and eaves height.

- ☐ A single-storey wraparound extension which projects a maximum 6.07m from the rear elevation and 1.35m from the side elevation of the host dwelling, following the partial demolition of the existing attached garage. It is predominantly characterised by a flat roof form which meets the gable-end roof of the garage with a ridge height of 3.08m from the ground finished floor level.

The proposal would be constructed from materials matching the host dwelling.

In addition, the proposal seeks to extend the existing rear raised platform a further 1.9m from the proposed single-storey rear extension. The raised platform would measure a 0.85m in height and is accompanied by step access. Lastly, the front garden space would be raised and levelled to a height of 0.96m.

### **Relevant History**

21/01808/HOUS – Part two-storey/part single-storey rear extension with 2No windows to side elevation including alterations to existing roof – Grant subject to conditions s

### **Township/Member comments**

N/A

### **Consultee responses**

N/A

### **Representations**

Neighbour notifications via letters were sent to surrounding properties. Six objection letters were received with the following representations:

- ☐ The proposed extension is out of character with the existing property and surrounding area.
- ☐ The site would appear to be overdeveloped.
- ☐ The proposed extension would create an oppressive environment.
- ☐ The proposal would create space for more individuals than is originally designed.
- ☐ The proposed extension would overlook onto of neighbouring gardens and windows.
- ☐ The proposed extension would result in loss of light to neighbouring properties.
- ☐ Additional vehicles would impact limited on-street parking and highway safety.
- ☐ Concerns relating to the impact of the proposal on the existing trees.
- ☐ Development would cause noise and disturbance to the neighbourhood.
- ☐ Reduction in privacy would devalue neighbouring property.
- ☐ The proposal would impinge on neighbouring Right to Light.

- ❑ Concerns regarding a raised platform in the rear garden of the host dwelling which does not benefit from planning permission.
- ❑ The constructed works set a precedent and undermine the integrity of the planning process.

**Officer's Comments:**

- ❑ Concerns relating to the visual amenity of the proposed development are addressed under the 'Design' heading of the report.
- ❑ Concerns relating to overlooking and overshadowing impacts are addressed under the 'Amenity' heading of the report.
- ❑ Concerns relating parking provisions and highway safety are addressed under the 'Highways and Parking' heading of the report.
- ❑ The proposed plans do not indicate the removal of existing trees.
- ❑ Construction works are expected to result in a level of noise and disturbance and should not be a reason to prevent development. Noise and disturbance generated in excess of what is 'acceptable' would be controlled via separate legislation through the Council's Public Protection Service.
- ❑ Devaluation of properties is not a material consideration in the determination of planning applications to which the LPA shall have no regard.
- ❑ The Right to Light is a matter of property law and do not form a material consideration in the determination of planning applications.
- ❑ The constructed works in question do not form part of the proposed works under this application and would not form a material consideration. Unauthorised development are managed via a separate process through the Council's Planning Control service.

**Policy**

**National**

National Planning Policy Framework (NPPF)  
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:

**Policy 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 19<sup>th</sup> October 2016. The following policies are relevant:

|                   |                                     |
|-------------------|-------------------------------------|
| <b>P3</b>         | Improving Design of New Development |
| <b>DM1</b>        | General Development Requirements    |
| <b>T2</b>         | Improving Accessibility             |
| <b>Appendix 5</b> | Schedule of Parking Standards       |

Supplementary Planning Documents (SPD): Supplementary Planning Document 'Guidelines and Standards for Residential Development' (2016)

### Amendments

N/A

### Assessment

**Design:** DM1 and P3

- ☐ Achieving good design to achieve sustainable development is a key component of the NPPF, whereby decisions should ensure developments are visually attractive and sympathetic to local character. This is also reflected in Policy JP-P1 of the PfE and Policy DM1 and P3 of the adopted Rochdale Core Strategy, which require development to respect local context with regard to siting, size, scale, massing, height and materials. 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 construct, amongst other things, a two-storey extension which projects 4.57m from the rear of the dwelling. Whilst it is acknowledged the sum of the proposed enlargements would result in a considerably larger building than the existing, the two-storey element would nonetheless retain the gable-fronted roof and built form of the original dwelling which would not appear dominant when viewed as a whole. Further, owing to its rear siting, the proposed extension would not be readily visible from public vantage points along the highway and thus its visual impact on the surrounding street scene is limited.
- ☐ No concerns are had with the design of the single-storey wraparound extension, which would be a subservient addition. The use of a flat roof, whilst not in line with existing roof forms, would not appear obtrusive given its rear siting and would be acceptable.
- ☐ Materials of the proposed development would match the host dwelling, and would be designed appropriately for this context.
- ☐ It is considered the proposed fenestration are sized and positioned appropriately with the existing fenestration.
- ☐ The design of the proposal is therefore acceptable and accords with policies DM1 and P3 of the adopted Rochdale Core Strategy, the SPD, Policy JP-P1 of the adopted PfE and the NPPF.

## **Amenity: DM1 and SPD**

- ☐ 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.”*
- ☐ Taking into account of Section 5.6 and 5.7, the proposed single-storey extension does not exceed the maximum standard outlined in Section 5.6 and 5.7 of the SPD. The proposed two-storey extension also does not exceed the requirements of Section 5.9 and 5.10 and would be sited in excess of 6m from the boundaries of no. 5 and no. 9. Given this spatial relationship, the proposed extensions are not considered to give rise to undue overshadowing and overbearing impacts to its neighbouring occupiers and would be acceptable in this regard.
- ☐ The host dwelling is sited on an elevated position to dwellings along Shawclough Way, The proposed single-storey and two-storey rear extension would be sited a minimum 17.08m and 19.54m respectively from the directly facing curtilage boundaries of no. 13. In addition, the first-floor rear-facing windows would be sited circa 40m from the rear habitable room windows of no. 11. All of the proposed rear separation distances are well in excess of minimum space standards set out in Section 4.1 of the SPD. Given this, and the substantial screening from existing trees, it is considered the proposal would not result in significant levels of overlooking to the rear-facing properties.
- ☐ With regard to the proposed raised platform, submitted topographic drawings indicate the proposed paving with a level difference of circa 0.43m relative to the immediately adjoining rear curtilage of no. 5. Taking into account of the existing boundary fencing, it is considered the proposed works would not give rise to unacceptable levels of overlooking.
- ☐ Given the difference in levels, the proposed raising of the garden would not be visible from the street scene and is not considered to result in significant amenity impacts.
- ☐ The submitted plans indicate the provision of natural light to all habitable rooms and that ample garden space of a functional layout would be retained. As such, the proposed works would ensure an acceptable standard of living for existing and future occupants.
- ☐ The proposal would not unduly impact on the amenity of the occupants of neighbouring properties in accordance with Policies DM1, 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 proposed development would not result in an increase in bedrooms for the property and would retain two off-street parking spaces to the front

driveway, which complies with the standard of Appendix 5 of the adopted Core Strategy.

- ☐ The proposed parking arrangements are therefore acceptable in accordance with Policies T2 and DM1.

**Recommendation: Grant subject to the following conditions**

1. The development must be begun not later than three years beginning with the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The permission relates to the following plans:

- ☐ Location Plan and Existing Site Plan – Drawing No. A130\_L(00)001 Rev. B received 28/08/2024
- ☐ Proposed Site Plan – Drawing No. A130\_L(00)007 Rev. A received 28/08/2024
- ☐ Existing Floor Plans – Drawing No. A130\_L(00)004 received 08/08/2024
- ☐ Existing Floor Plans and Roof Plan – Drawing No. A130\_L(00)006 received 08/08/2024
- ☐ Existing Roof Plan – Drawing No. A130\_L(00)005 received 08/08/2024
- ☐ Existing Front and Rear Elevation – Drawing No. A130\_L(00)002 Rev. A received 28/08/2024
- ☐ Existing Side Elevations – Drawing No. A130\_L(00)003 Rev. A received 28/08/2024
- ☐ Existing Topographic Plan – Drawing No. A130\_L(00)014 received 21/10/2024
- ☐ Proposed Floor Plans – Drawing No. A130\_L(00)010 Rev. C received 08/08/2024
- ☐ Proposed Floor Plans and Roof Plan – Drawing No. A130\_L(00)012 Rev. C received 08/08/2024
- ☐ Proposed Roof Plan – Drawing No. A130\_L(00)011 Rev. B received 08/08/2024
- ☐ Proposed Front and Rear Elevation – Drawing No. A130\_L(00)008 Rev. D received 28/08/2024
- ☐ Proposed Side Elevations – Drawing No. A130\_L(00)009 Rev. D received 28/08/2024
- ☐ Proposed Section Plan – Drawing No. A130\_L(00)013 received 08/08/2024
- ☐ Proposed Topographic Plan – Drawing No. A130\_L(00)015 received 21/10/2024

and the development shall be carried out in accordance with these drawings hereby approved.

Reason: For the avoidance of doubt, and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted

Rochdale Core Strategy, the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

3. The materials used in the construction of the exterior of the development hereby permitted shall match those used in the construction of the exterior of the existing building in colour, form, type, size and texture.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

### **Article 35 Statement**

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively to issue the decision without delay.

|                         | <b>Date</b> | <b>Officer</b> |
|-------------------------|-------------|----------------|
| <b>Report Completed</b> | 25/10/2024  | Signed: SY     |
| <b>Authorisation</b>    | 05/11/2024  | Signed: RK     |

Report Author Sam Yuen