

APPLICATION NUMBER: 24/00234/HOUS

Application Number:	24/00234/HOUS
Location:	16 Fallowfield Drive Rochdale OL12 6LZ
Proposal:	First floor side extension and garage conversion.
Applicant:	JENNIFER KERSHAW
Case Officer:	Hamish Rigg
RECOMMENDATION:	Grant subject to conditions

DELEGATION	Applicant a Council Member or officer?	NO
	Contrary to previous decision?	NO
	Called in or Planning Panel objection?	NO

COMMENTS	Planning Panel comments received?	NO
	Neighbour comments received?	YES

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

Location

The application relates to 16 Fallowfield Drive, a two-storey semi-detached property in Shawclough. Fallowfield Drive forms part of a modern housing estate comprising various house types of a similar design and material palette. Whilst the immediate vicinity is residential, there are several industrial warehouses within 0.5km to the north and south-west.

The applicant property faces south, overlooking a large driveway and the public highway. It is flanked by no. 18 to the west, and no. 14 to the east, though the latter is angled away. No. 16 and no. 14 have adjoining garages, yet the host dwelling of no.14 is separated from its garage. The rear boundary of the curtilage lies north and borders the adopted highway on Turnpike Close.

Description of Proposal

Permission is sought for a first-floor side extension above the existing garage and to convert the garage into a habitable room. The proposed extension would include a pitched roof with a staggered roof line that integrates with the host dwelling. Also proposed are a ground floor window to the front and rear and a first-floor window to the front. Proposed materials include concrete roof tiles, off white render at first floor level and red brick at ground floor level.

The extension would measure approx. 4.8m in depth, 2.7m in width, 1.8m in height to eaves, and 4.2 in maximum height.

Relevant History

None

Township/Member comments

None

Consultee responses

Not applicable

Representations

Letters of notification were sent to surrounding properties 19/03/2024.

One objection was raised in relation to the following details:

We were not consulted prior to the application being submitted. Initially the applicants and architects signed Ownership Certificate A which indicates that they own the entire property the planning application relates to and we were not made aware of the application. This has now been corrected and an Ownership B certificate has been submitted.

We have now reviewed the plans as initially submitted (as at 19th March) and have the following comments:

The garage on the right belongs to us (number 14)

There is an internal wall between the two garages which is a party wall.

The plans show the extension being added above their garage utilising the full width of the party wall, with the roof overhang protruding further and onto the area above our garage.

We have asked the architects a number of questions and from their response we believe that the middle wall which is single skin blockwork will not be load bearing and that there will be additional foundations required together with a new steel beam. As the middle wall does not provide any support for the new building we do not see any requirement to build onto our side of the party wall, and it should be possible to keep the new building to the left of the boundary (ie entirely on the side of number 16).

If the extension is built astride the boundary line this will make our garage look strange and more like part of their house. We feel strongly that the extension should not cross the boundary line to maintain the appearance of our garage, and protect any future owners of our house. They may wish to build above our garage or even knock it down to provide space for a bigger extension at the side of our house. This would be more difficult if the owners of number 16 have already built across the party wall.

Had we been consulted prior to the application being submitted we would have requested that the plans bear this in mind. A Party wall agreement and surveyor will be needed and this has not yet been put in place.

Officer's response:

Prior to validation, Certificate B was signed that part of the development would take place outside the boundary of the applicant's property on an existing party wall. I am therefore satisfied that the correct planning procedures have been followed for the purposes of this assessment. Whilst I acknowledge the above concerns, Party Wall arrangements/ agreements are not a planning consideration and are instead a separate civil agreement which can be entered between private parties. The objector has been referred to relevant government guidance on the Act and the decision notice is to include an informative reminding the applicant of the provisions of the Act.

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:

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 19th October 2016. The following policies are relevant:

P3 Improving Design of New Development

DM1 General Development Requirements

T2 Improving Accessibility

Appendix 5 Schedule of Parking Standards

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

Amendments

None Applicable

Assessment

Design: DM1 and P3

Policies P1, P3 and DM1 of the Council's adopted Core Strategy requires development proposals to adhere to high quality design and enhance the borough's identity and sense of place, by respecting context where it is positive and having regard to the scale, density, massing, height, layout, landscape, materials and access of surrounding buildings and areas in general. In addition, paragraphs 126 of the National Planning Policy Framework (NPPF) state that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 130 goes on to state that planning policies and decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change. Paragraph 134 states that development that is not well designed should be refused.

The proposed extension follows a uniform and modest design and is acceptable based on the following principles:

- It would be subservient to the host property as it would not exceed the ridge line or party walls of the house;
- The windows are well proportioned and align between floor levels;
- It uses matching materials including off-white render, concrete roof tiles, and UPVC windows;
- The roof form integrates with the host dwelling.

The design of the proposal is therefore acceptable and accords with policies DM1 and P3 of the adopted Rochdale Core Strategy, the SPD and the NPPF.

Amenity: DM1 and SPD

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. Furthermore, policy DM1 of the Core Strategy requires development proposals to demonstrate that they will not have a negative impact upon the amenities of future residents and occupiers. Paragraph 5.1 of the SPD states that extensions 'should be carefully designed to protect the amenity of the occupants of adjoining properties.' Additionally, 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.

The proposed extension would comply with the minimum space standards set out in paragraph 4.1 of the SPD as there are no directly facing two-storey elevations. Regardless there would be 22m of separation towards no. 17 Fallowfield Drive which sits opposite the applicant property. By virtue of its compliance, the proposed extension would not result in an unacceptable loss of privacy or outlook.

However, it is noted that the proposed extension would reduce the amount of sunlight received by the rear garden of no. 14. Due to the orientation of no. 14's rear garden to the north, it receives sunlight from above the adjoining garages of no.16 and no.14. The proposed extension will reduce this gap and therefore the sunlight to no. 14. Notwithstanding, the proposals would clearly accord with the relevant two-storey extension guidance within section 5.9 of the SPD and there would still be a significant proportion of habitable garden space which would not be affected by the

extension and therefore any overshadowing impact would not be substantial enough to warrant refusal.

Overall, 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.

The proposed development would have no impact on the current parking arrangements and is 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. This permission relates to the following plans:

- Existing elevations: 24.3289.2
- Proposed elevations: 24.3289.SC4.2B
- Site location plan
- Proposed floor plans: 24.3289.SC4.1A
- Existing and proposed block plans: 24.3289.3

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 saved Rochdale Unitary Development Plan, the adopted Rochdale Core Strategy 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 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.

	Date	Officer
Report Completed	15/04/2024	Signed: Hamish Rigg
Authorisation	26/04/2024	Signed: Ryan Killeen

Report Author Hamish Rigg