

Class A – Larger Homes Extension

Application Number:	25/00085/HH42
Location:	13 Chadwick Lane, Heywood, OL10 1QL
Proposal:	Prior approval for a proposed single storey rear extension measuring 3.80m from the original dwelling (with a maximum height of 3.80m and height to eaves to 2.80m)
Applicant:	Scott Wilson
Case Officer:	Bob Melling
Recommendation:	Refuse

CHECKED AND SIGNED OFF BY: **TH** **DATE: 05.03.2025**

Site Description

The application relates to no. 13 Chadwick Lane, a two-storey, mid-terrace property located in Heywood. The application property adjoins no. 11 Chadwick Lane to the north and no. 15 Chadwick Lane to the south.

Neighbours Notified:

11 Chadwick Lane, Heywood, OL10 1QL
15 Chadwick Lane, Heywood, OL10 1QL

Is the proposed development wholly within the curtilage of the dwellinghouse?	Yes
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History - Permitted Development Rights removed?	No (pre-1947)
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Publicity	Neighbour letters expired?	Y	Responses received?	Y
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Number of representations received: The LPA received one representation in response to the proposed development which raised the following concerns:

- Loss of natural light to bay window

Officer's response: This is a material consideration and is assessed under the 'Amenity' section of the report.

- Disturbance of gas pipe
- Damage to boundary wall
- Additional Council Tax

Officer's response: These matters are not material considerations which are relevant to the assessment of prior approval.

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 3.8m 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**

The plans show an eaves height of 2.8m within 2m of the boundary.

- 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**

- l) Is the dwellinghouse on Article 2(3) land or on a Site of Special Scientific Interest?

☒ **Complies**

☐ **Does Not Comply**

- m) 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;

☒ **Complies**

☐ **Does Not Comply**

- b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse shall be -
- (i) obscure-glazed, and
 - (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed;

☒ **Complies**

☐ **Does Not Comply**

- ☐ 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**

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 impacts on the amenity of adjoining premises have been considered taking into account the requirements of the National Planning Policy Framework (NPPF), the Places for Everyone Joint Development Plan (PfE), the Council’s adopted Core Strategy (CS) and the Supplementary Planning Document *‘Guidelines and Standards for Residential Development’* (SPD).

Impact on Residential Amenity

- ❑ Paragraph 135 of the NPPF states planning decisions should *'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.'*
- ❑ The GPDO does not require regard to be had to the development plan, but policies may be material considerations where relevant to matters of amenity. CS policy DM1 requires development proposals to ensure they *'do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.'* PfE policy JP-P1 also requires new development to offer a high level of amenity and address microclimate issues such as sunlight and shade (inter alia). The SPD has been produced to assess the matters relevant to residential amenity. As CS policy DM1, PfE policy JP-P1 and the SPD are concerned with high standards of residential amenity in all developments, they are relevant to considerations of this application.
- ❑ Section 5.5 of the SPD states *'it is important that single storey extensions are not overbearing and do not result in undue loss of light or privacy for neighbouring occupiers.'*
- ❑ In particular, Section 5.6 of the SPD states the following maximum standard 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);*
- ❑ Section 5.7 of the SPD states:
 - *The distances referred to above will be measured externally from the rear elevation of the adjoining or adjacent property and will be taken from the rear of any extension if one exists close to the common boundary. 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 extension would exceed the above guidance by approximately 0.57m in relation to no. 11 Chadwick Lane and 0.52m in relation to no. 15 Chadwick Lane. No. 11 has not been extended and no. 15 benefits from only a small uPVC framed extension which is set away from the common boundary with the application property.
- ❑ The available evidence indicates that nos. 11 and 15 are typical two-up two-downs with a living room to the front and a kitchen-dining room to the rear. Therefore, the windows affected by the proposed development are deemed to serve habitable rooms. The SPD stipulates that *'kitchen-dining rooms are likely to be considered as habitable rooms' depending on their function within the household.'*
- ❑ On this basis, it is considered that the proposed extension would result in an overbearing impact and an undue loss of light and outlook for the rear habitable room windows and outdoor amenity spaces of nos. 11 and 15 Chadwick Lane, contrary to CS policy DM1, PfE policy JP-P1, the SPD and

the NPPF. It is therefore recommended that prior approval is required and refused.

Decision: Refuse

By virtue of its siting, size and design, the proposed extension would result in an undue loss of amenity for the occupiers of nos. 11 and 15 Chadwick Lane due to a loss of light and outlook to the rear ground-floor windows and an overbearing impact on the rear outdoor amenity spaces. As such, the proposed development would fail to accord with policy DM1 of the adopted Rochdale Core Strategy, policy JP-P1 of Places for Everyone, 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:-

- Location Plan
- Drawing SLW/SW/01. Existing Plans
- Drawing SLW/SW/02. Proposed Plans
- Site photographs submitted on 06/02/2025

Report Author Bob Melling