

Class A – Larger Homes Extension

Application Number:	23/00901/HH42
Location:	11 Daventry Road Rochdale OL11 2LN
Proposal:	Prior approval for a proposed single storey rear extension measuring 6m from the original dwelling (with a maximum height of 3m and height to eaves to 3m)
Applicant:	Mr Muzafar
Case Officer:	Chelsea Petrillo
Recommendation:	Refuse

CHECKED AND SIGNED OFF BY: TH

DATE: 26.09.2023

Site Description

11 Daventry Road is a two-storey semi-detached property located in the Balderstone and Kirkholt ward of Rochdale. The property adjoins to 9 Daventry Road and benefits from substantial rear garden space to which is shares common boundaries with nos. 11 and 13 Daventry Road and nos. 6 and 8 Dacre Road.

Neighbours Notified:

9 Daventry Road
13 Daventry Road
6 Dacre Road
8 Dacre Road

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

Cannot locate original permission

Publicity	Neighbour letters expired?	Y	Responses received?	N
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Number of representations received: 1 Objection

Summary of Objection

- Maximum projection distances for extensions under permitted development
- Loss of light to surrounding properties by virtue of extension close to boundary

Officers Response: Projection distances under Permitted Development can be increased providing they meet the criteria set out below under a HH42 legislation. The concerns to the loss of light is assessed under the 'amenity' section of the report.

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 semi-detached property and therefore eligible for a 6m extension. The plans indicate a projection of 6m and a maximum height of 2.80m

- 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 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 application has been considered as if it was a householder planning application and therefore in conjunction with the requirements of the National Planning Policy Framework, the Council's Core Strategy and the Supplementary Planning Document 'Guidelines and Standards for Residential Development'.

Impact upon Neighbour amenity and living conditions

Protection of residential amenity is considered under Policy DM1 of the Council's adopted Core Strategy, which requires that development should not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.

Paragraph 127 of the National Planning Policy Framework advises that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. Further to the above are the considerations of the Council's Supplementary Planning Document (SPD) 'Guidelines and Standards for Residential Development' which contains the following standards and guidelines for single storey rear extensions:

It is important that single storey extensions are not overbearing and do not result in undue loss of light or privacy for neighbouring occupiers, bearing in mind that detached properties normally have more space around the property than attached properties, such as terraced and semi-detached dwellings.

5.6 The following maximum standard will apply for single storey extensions:

- ② *For attached properties, a point 3 metres along the common boundary measured from the rear elevation of the adjoining or adjacent dwelling(s)*
- ② *For detached properties, a point 4 metres along the common boundary measured from the rear elevation of the adjoining or adjacent dwelling(s)*

The proposed single storey rear extension projects approx. 6m along the common boundary when measured from the rear elevation of the adjoining dwelling, no.9 Daventry Road, 3m over the permitted projection for attached properties. Similarly to that at the adjacent dwelling, no.13 Daventry Road, the development projects approx. 5.8m along the common boundary when measured from the rear elevation due to the slight marginal forward of the siting of the adjacent dwelling, 1.8m over the permitted projection for detached properties. By virtue of the above assessment, the development is not constructed in accordance with Paragraph 5.6 of the SPD.

In assessing the application, the proposed extension would project 6m from the rear of the host dwelling, and occupy the entire width of the host dwelling. The exceedance of the above standards in relation to no.9 Daventry Road would result in an undue loss of light and outlook from the rear windows and the significant presence of a large brick wall forming a large part of the view from the rear window of the neighbouring property therefore posing an overbearing impact to the rear amenity space.

Section 4 Space Standards outlines the below minimum separation distance for principal windows;

- ② *10m between a principal window and any directly facing single storey elevation which does not contain a principal window to a habitable room*

The newly proposed window directly facing the side elevation at no.13 hosting the dining room is considered to be a principal window hosting a habitable room therefore would not accord to the above distance due to the 2.5m separation distance which would pose minimal light to this room. The window located on the south-side elevation of the extension would directly face the rear garden of no.13 Daventry Road which is considered to pose an unacceptable degree of overlooking and impact on the amenity of the neighbouring occupiers.

There is not considered to be any unacceptable impact to the two dwellings at the rear which share boundaries with the curtilage at no.11 due to the sufficient distance away of the siting of the extension therefore minimum distances are not of concern.

In view of the above assessment, it is considered that the proposed extension would not be constructed in accordance with Paragraph 5.6 of the SPD and would pose an overbearing impact and loss of light and outlook to the adjoining property, no.9 Daventry Road.

Decision: Refuse

1. By virtue of its siting, scale and design, the single storey rear extension would result in an undue loss of amenity for the occupiers at no.9 Daventry Road and would not be constructed in accordance with Paragraph 5.6 of the SPD in terms of projection distances in relation to both nos.9 and 13 Daventry Road. As such, the proposed development would fail to accord with policy DM1 of the adopted Rochdale Core Strategy, the Council's 'Guidelines and Standards for Residential Development' SPD and the National Planning Policy Framework.
2. By virtue of its siting, the proposed ground floor window on the south side elevation is considered to not accord to Section 4 Space Standards for principal windows. In addition to this, the ground floor window located on the south-side elevation of the extension is considered to pose an unacceptable overlooking impact to the rear garden at no.13 Daventry Road. As such, the proposed development would fail to accord with policy DM1 of the adopted Rochdale Core Strategy, 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**
- **A1510(02)AP001 Rev P2 Proposed Site Plan**
- **A1510(02)AP002 Rev P2 Proposed Floor Plan**
- **A1510(02)AP003 Rev P2 Proposed Elevations**

Report Author Chelsea Petrillo