APPLICATION NUMBER: 19/00429/HOUS

Application Number:	19/00429/HOUS
Location:	1 Cedar Road Middleton M24 2FS
Proposal:	Single storey rear extension, construction of off road parking space and erection of boundary wall up to 1.84m high
Applicant:	Mr Wajid Hussain
Case Officer:	David Allen
Recommendation:	**Refuse**

DELEGATION	**Applicant a Council Member or officer?**	**N**
	Contrary to previous decision?	**N**
	Called in or Planning Panel objection?	**N**

COMMENTS	**Planning Panel comments received?**	**Y**
	Neighbour comments received?	**Y**

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

Location

The application relates to a two storey semi-detached dwellinghouse with a large front and side garden area at the junction of Cedar Road and Kenyon Lane. The dwelling is adjoined to no. 3 Cedar Road and shares a side boundary with no. 103 Kenyon Lane, which stands to the northwest. Nos. 8-10 Birchwood Road stand to the rear and the rear boundary of no. 101 Kenyon Lane forms part of the side boundary of the rear garden at the application property. No. 2 Cedar Road stands directly facing at a 45-degree angle and nos. 92-98 Kenyon Lane look directly towards the front boundary of the property on Kenyon Lane itself. At the time of the Case Officer's site visit on 14th June 2019, the front garden level had been raised with imported material and an unfinished concrete block boundary/retaining wall had been erected.

Description of Proposal

Planning permission is sought for the erection of a single-storey rear extension projecting 16.5m from the rear elevation of the existing rear elevation with a height of 2.5m to the eaves and 3.5m to the ridge. Construction materials would be smooth clay facing brick to match the existing and grey Marley Modern concrete roof tiles.

In addition, planning permission is sought for a rendered concrete block boundary/retaining wall around the western and south western section of the front boundary. An off-street parking space for one vehicle would additionally be provided to the west of the front garden area adjacent to no. 103 Kenyon Lane.

Relevant History

17/01125/HOUS	Reduce level to front garden to accommodate for off road parking together with brick enclosure and loop top railing with a maximum height of 1.8m – part retrospective. Granted STC March 2018
94/D31438	Erection of a 5ft high boundary fence. Granted STC January 1995

Township/Member comments

The application was discussed at the meeting of the Middleton Township Planning Panel on 3rd June 2019. Ward Councillors raised the matter of land ownership (which is not a material planning consideration) and noted that complaints had been received from local residents about previous developments at the property.

Consultee responses

Highways and Engineering - We have no objection to this proposal subject to the following conditions. Any dropped crossing should be constructed with Rochdale BC Design and Construction Team approvals. No gates should be affixed in a manner that could overhang the highway.

Representations

Letters of notification were sent to surrounding properties and one letter of objection was received citing the following concerns:

- Conditions to the previous planning permission for the driveway were not adhered to.
  - *Not a material planning consideration in the determination of this application.*
- The rendered boundary wall will not correspond with the brickwork materials finish of the wall around the car parking area and will affect the character and appearance of the area.
  - *Discussed in the Assessment section below.*
- Ongoing construction disturbance
  - *An element of noise/disturbance is inevitable in respect of any development activity; in particular with respect of householder development this does not constitute a reason to refuse planning permission.*
- There is no need for second driveway.
  - *The desire or perceived need for a second driveway is not relevant to its acceptability in planning terms.*

Policy

National

National Planning Policy Framework (NPPF) February 2019
National Planning Practice Guidance (NPPG)

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): Guidelines and Standards for Residential Development (2016).

Amendments

N/A

Assessment

Design: DM1 and P3

- The proposed boundary wall would be constructed to a similar height (1.8m) as the approved boundary wall to a front car parking area (as approved under 17/01125/HOUS). However, it is noted that this approved boundary treatment extended away from the street scene towards the house and the section of brick wall which has been constructed along the boundary with Cedar Road (as of June 2019) does not benefit from planning permission. No precedent has therefore been set for a boundary treatment of such height immediately behind the footway.

  The submitted plans detail that the boundary wall would be finished in render atop concrete blockwork, with piers and infill panels set above the main body of the wall. The boundary wall as proposed would be an imposing feature within the street scene and as a result of its scale, design and proposed finishing materials would jar when read alongside the other front boundary treatments within the street scene, which whilst comprised of varying materials and designs, all sit comfortably against the backdrop of the post-war housing by virtue of their materials and limited height.

  As a result, it is considered that the proposed development would fail to comply with Policies P3 and DM1 of the Core Strategy which seek, amongst other things, to promote a high standard of design & visual appearance and ensure that developments contribute positively to the townscape.
- The proposed single-storey rear extension would project some 16.5m from the rear elevation of the host property and its footprint would occupy the near total length of the rear garden. Accordingly, it is not considered that the rear extension would represent a subordinate or proportionate addition to the host dwelling. It is noted that the extension is located to the rear of the property and, despite the fact that the host property is set at a raised level to surrounding land to the south and south-west, the existing side conservatory extension would shield views of the proposed extension from the junction of Cedar Road and Kenyon Lane and when heading north on Kenyon Lane itself. Accordingly, it is not considered that the extension would result in injury to the character of the host dwelling or the street scene to the extent that would warrant a refusal of permission on this basis.

- The northern gable of the proposed rear extension would be set in close proximity to an existing mature tree at the southern-end of the garden associated with no. 8 Birchwood Road. The application is accompanied by insufficient information to appropriately demonstrate the potential impact of the extension on the tree – the extension would likely sit within the root protection area and therefore have an adverse impact on the health, vitality and viability of the tree. Accordingly, it is considered that the proposal is contrary to Policies P3 and G6 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Amenity: DM1 and SPD

- It is noted that the additional off-road parking would be constructed in close proximity to the boundary with no. 103 Kenyon Lane. However, given that it would sit adjacent to an existing parking area at this neighbouring property, separated by a solid fence boundary treatment, and would be subject of domestic use, it is not considered that it would give rise to any undue impact on amenity. Similarly, the proposed front boundary wall to Kenyon Lane and Cedar Road would be sufficiently distances from surrounding dwellings such that it would not adversely impact on the amenity of neighbouring occupiers.
- The proposed rear extension would project from the rear of the host property a distance of 16.5m into the rear garden space. The extension would be constructed immediately adjacent to the eastern rear-garden boundary with no. 3 Cedar Road, reaching a height of 2.5m to the eaves and 3.5m to the ridge. The Council's *Guidelines & Standards for Residential Development* SPD (June 2016) contains guidance in respect of assessing single-storey rear extensions at sections 5.5 to 5.7. The SPD notes that a maximum projection standard of 3m along the common boundary, measured from the rear elevation of the adjoining dwelling, applies for semi-detached properties.
  The proposed rear extension would significantly exceed this guidance, with a footprint occupying near the full-length of the rear garden area. As a result, it is considered that the extension would have an overbearing impact on the occupiers of the adjoining property at no. 3 Cedar Road. In particular, it would result in a tunnel-effect, in collaboration with the conservatory extension at no. 3, with respect to the ground floor window in the rear elevation of the adjoining property and would also have an oppressive impact on the rear garden space at no. 3, given the projection along the near full-length of the garden boundary and the height of the extension above the existing boundary treatment.
  Accordingly, the proposed rear extension would be contrary to the guidance contained within the residential development SPD, Policy DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.
- In respect of nos. 101 and 103 Kenyon Lane, the proposed rear extension would be sufficiently off-set from the shared boundary such that it would not give rise to an unacceptable impact on the amenity of the neighbouring occupiers. Similarly, it is not considered that the northern gable end of the extension would adversely impact on the amenity of the occupiers of nos. 8 and 10 Birchwood Road.

Highways and Parking: DM1 and T2, Appendix 5

- The application proposal includes for the formation of a new vehicular access from Kenyon Lane and formation of a gravel-base driveway, set on a gentle slope leading up to the house. The proposal has been subject of consultation with the Highway Authority, which has raised no objection to the proposal, subject to the dropped crossing being constructed with Rochdale BC Design and Construction Team approvals and no gates being affixed in a manner that could overhang the highway – these are matters subject of control by separate legislation involving land outside the site boundary and the proposals do not include for the installation of any gates. The proposed parking arrangement is therefore considered acceptable and in accordance with policies T2 and DM1

Recommendation:

Refuse for the following reasons:

1. The proposed rear extension would project 16.5m from the rear elevation of the host property and would be set immediately adjacent to the shared boundary with no. 3 Cedar Road. As a result, it is considered that the extension would have an overbearing impact on the occupiers of the adjoining property. In particular, it would result in a tunnel-effect, in collaboration with the conservatory extension at no. 3, with respect to the ground floor window in the rear elevation of the adjoining property and would also have an oppressive impact on the rear garden space at no. 3, given the projection along the near full-length of the garden boundary and the height of the extension above the existing boundary treatment. The proposed rear extension would therefore be contrary to the residential amenity objectives of the 'Guidelines and Standards for Residential Development' SPD, Policy DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

2. The proposed boundary wall would constitute an imposing feature within the street scene and as a result of its scale, design and proposed finishing materials would jar when read alongside existing front boundary treatments along Kenyon Lane and Cedar Road. As a result, the proposed development would fail to meet expected high standards of design and visual appearance or contribute positively to the townscape; accordingly it is considered that the proposed development would fail to comply with Policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

3. The application is accompanied by insufficient information to demonstrate that the proposed rear extension would not adversely impact on the health, condition and life-span of the existing mature tree within the rear garden of no. 8 Birchwood Road immediately adjacent the shared boundary. The proximity of the proposed extension to the tree would be likely to impact on the root system of the tree and result in its decline. Accordingly, the proposed development is considered to be contrary to Policies P3 and G6 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Article 35 Statement

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application.

Notes for Applicant

INFORMATIVE:

For the avoidance of doubt, this decision notice relates to the following list of submitted plans / drawings:

- WH10419 Elevations and Floor Plans Revision A (including Location Plan)

	Date	**Officer**
Report Completed	28/06/2019	Signed: DA
Authorisation	01/07/2019	Signed: AT

Report Author David Allen