

APPLICATION REPORT - HOU/352729/24
Planning Committee 17th July 2024

Registration Date: 19th April 2024
Ward: Chadderton North

Application Reference: HOU/352729/24
Type of Application: Householder

Proposal: Erection of a single storey rear extension.
Location: 42 Parkfield, Chadderton, OL9 0AS

Case Officer: Martyn Leigh
Applicant: Mr. Shajanur Raja
Agent: Mr Syed Helal Uddin

1. INTRODUCTION

- 1.1 The application has been referred to Planning Committee for transparency reasons in accordance with the requirements of the Council's Constitution and Scheme of Delegation because the Owner of the property (not the Applicant) is related to Councillor Abdul Jabbar.

2. RECOMMENDATION

- 2.1 It is recommended that the application be approved subject to the conditions set out in this report and that the Assistant Director of Planning, Transport and Housing Delivery shall be authorised to issue the decision.

3. SITE DESCRIPTION

- 3.1 The application relates to a two-storey semi-detached property located on Parkfield, Chadderton. The area is residential in character and the property benefits from off road parking to the front and a private garden at the rear.

4. THE PROPOSAL

- 4.1 Planning permission is sought for the erection of a single storey rear extension spanning the full width of the existing property (5.8m). When originally submitted the proposed plans showed a 10m projection from the existing rear elevation which was considered unacceptable. As such, amendments were made to these plans, and the proposal is now for the extension to project 6m.
- 4.2 The proposed extension would be faced in brick to match the main house and constructed with a tiled hipped roof attaining a ridge height of approximately 3.8m (2.5m eaves height). It would accommodate an open plan dining/kitchen area which would be served by a single window in the side (east) elevation facing towards the boundary with no. 40 Parkfield and a glazed pedestrian door in the rear elevation facing the garden.

5. PLANNING HISTORY

None

6. RELEVANT PLANNING POLICIES

6.1 The Places for Everyone (PfE) Plan and related documentation took effect and became part of the statutory development plan on 21 March 2024.

6.2 The PfE Plan must now be considered in the determination of planning applications, alongside Oldham's Joint Core Strategy and Development Management Development Plan Document (Joint DPD), adopted November 2011, in accordance with the National Planning Policy Framework (NPPF).

6.3 As such, the following policies are considered relevant to the determination of this application:

- Places for Everyone Policy JP-P1 (Sustainable Places); and
- Local Plan Development Management Policy 9 (Local Environment)

7. CONSULTATIONS

7.1 N/A

8. PUBLICITY AND THIRD-PARTY REPRESENTATIONS

8.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's adopted Statement of Community Involvement, the application has been advertised by means of neighbour notification letters.

8.2 In response to the originally proposed plans (which showed a 10m rear extension) four representations were received raising objections to the proposals on the following (summarised) grounds:

- Disproportionately large, and large than permitted development maximum;
- Should not be more than 3m in height if within 2m of a boundary;
- Both adjoining properties (no. 44 and no.40) would be overshadowed;
- The proposal would destroy the garden of the property;
- Concerns about surface water run off and associated flood risks;
- Noise nuisances;
- Loss of privacy;
- Out of keeping with the area and represents over-development;
- Increase in traffic; and,
- Development is too high.

8.3 Following the receipt of amended plans (reducing the extension from 10m to 6m in length) the Local Planning Authority renotified residents and received 1 representation in response raising objections on the following (summarised) grounds:

- Close to adjoining properties;
- Increased flood risk;

- Loss of light and privacy;
- More open space required;
- Out of keeping with area;
- Represents over development; and,
- Places a strain on community facilities.

ASSESSMENT OF THE PROPOSAL

9 VISUAL AMENITY AND DESIGN

- 9.1 Places for Everyone (2024) Policy JP-P1 (Sustainable Places) recognises the contribution that high-quality design can make to regeneration and sustainable development. The NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve, and that permission should be refused for development that is not well designed.
- 9.2 The proposed single storey extension, although large, will be sited to the rear of the property and will be a subservient addition. All external materials and windows will match the existing property and the design of the extension is considered acceptable against the requirements of Policy JP-P1.

10 RESIDENTIAL AMENITY

- 10.1 In terms of safeguarding existing amenity levels, amongst other criteria, Development Management Policy 9 stipulates that proposed development should not cause significant harm to the amenity of the occupants and future occupants of the development or to existing and future neighbouring occupants or users through impacts on loss of privacy, safety and security, noise, pollution, the visual appearance of an area and access to daylight or other nuisances.
- 10.2 The main impacts would be on the properties either side of the application site which are considered in turn below. Given the location of the proposed extension and interface distances with other neighbouring properties no other property is considered to be directly affected by the proposed extension to such a degree that would justify a refusal of planning permission.

Impact on 40 Parkfield:

- 10.3 This property is part of a separate pair of semi-detached properties to the east of the application site. This property has a window at the ground floor in the side elevation towards the rear of the property serving a kitchen. This window currently faces the existing 1.8m high (approx.) boundary fence and side elevation of the applicant's storage building. Views from this window to the north are obscured by a fence/gate at the bottom of the driveway of no.40.
- 10.4 The proposed extension would be single storey and located a sufficient distance from this neighbouring property. The presence of the proposed extension would be screened in part by the existing fence and the applicant's storage building. The proposed window in the east elevation of the proposed extension would face towards this property but no overlooking or loss of privacy would arise due to the screening provided by the boundary fence. Furthermore, it must be recognised that a single storey extension up to 3m could

be erected without planning permission, which could also include a side facing window. As such, it is considered that the impact of the proposed extension on the occupiers of no.40 would be acceptable against the requirements of Policy 9.

Impact on 44 Parkfield:

- 10.5 This property is the physically adjoining semi-detached property to the west of the application site. The proposed extension would be positioned adjacent to the common boundary with this neighbouring property alongside the existing 1.8m (approx.) fence. A habitable room to no. 44 is served by a window is located adjacent to the boundary with no.42.
- 10.6 Given the orientation of the properties whose rear elevations face a northerly direction, and the single storey height of the extension, it is not considered that the impacts arising from the proposed extension would justify a refusal of planning permission when taking Policy 9 into consideration. Furthermore, it must be recognised that a 3m extension in the same location could be constructed without planning permission under the provisions made by permitted development rights.

Responses to objections received:

- 10.7 The majority of the representations received were in respect of the proposals that had been originally submitted which was for a rear extension projecting 10m in length. Following the receipt of amended plans neighbours were renotified and resulted in one additional representation being made. Nevertheless, none of the original representations have been withdrawn, and so a response to the comments raised is provided below unless already covered above.
- 10.8 The extension (as amended) is not considered overly large. It is possible to erect a single storey extension up to 3m in length without planning permission, and in this case it is considered that any additional impacts associated with a further 3m projection would not justify a refusal of planning permission.
- 10.9 The scale of the proposed extension would not give cause for drainage concerns or result in materially greater flood risk to the surrounding area, nor would it result in materially different levels of traffic in the area, nor would it place a materially greater pressure on community facilities in the area. The main impacts arising from the proposed extension would be on the adjoining properties either side of the site and these impacts have already been discussed in this report. Any impacts arising from noise, either from the construction of the proposed extension, or arising from the subsequent occupation, would not justify refusal of the application or imposition of appropriate planning conditions given the small scale of the development. However, if noise from the property gives surrounding residents cause for concern this can be reported to the Council as a noise nuisance if it occurs, and it can be investigated as a separate matter at that time.

11 CONCLUSION AND RECOMMENDATION

- 11.1 The proposal accords with the objectives of both the Local Plan and the NPPF and as such is recommended for approval, subject to the following conditions.

12 CONDITIONS:

1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission. REASON - To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice. REASON - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.
3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be consistent in terms of colour, size and texture with those used in the existing building. REASON - To ensure that the appearance of the existing building is acceptable having regard to Policy JP-P1 of the Places for Everyone Plan (2024).

SITE LOCATION PLAN (NOT TO SCALE):

