

Report to Planning and Licensing Committee



Date of Meeting	5 August 2021
Portfolio	Councillor John Blundell, Cabinet Member for a Thriving Economy
Report Author	Emily Sykes
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<b>Application:</b> 20/01271/HOUS	<b>Township:</b> Middleton	<b>Ward:</b> South Middleton
<b>Appeal Reference:</b> APP/P4225/D/21/3268593		<b>Decision level:</b> Delegated
<b>Site Address:</b> 35 Walsingham Avenue, Middleton, M24 1SR		
<b>Proposal:</b> First floor side extension		
<b>Applicant:</b> Thomas Sefa-Sarpong		<b>Agent:</b> Mr Barry Binns
<b>Planning Inspectorate Decision:</b> Appeal Dismissed – 21 June 2021		
<ul style="list-style-type: none"> <li>– The main issue with the proposed development was the effect of the proposal on the living conditions of occupiers at nos. 37 Walsingham Avenue and 2 Brackley Drive, with regard to privacy, outlook and light.</li> <li>– The inspector found that the proposed transparent first floor side elevation window served a habitable room and would be in very close proximity to the shared boundary of no.37 Walsingham Avenue. This is not in accordance with the minimum space standards within paragraph 4.1 of the Guidelines and Standards for Residential Development SPD. Furthermore, it was considered that it would provide the occupiers the opportunity to directly overlook the neighbouring rear garden and lead to an invasive loss of privacy.</li> <li>– Due to the staggered relationship of the properties with no.2 Brackley Drive being set forward from the applicant property, the inspector found that the proposal would result in a two storey elevation of substantial length close to the shared boundary. This is considered to be an oppressive addition which will lead to a sense of enclosure for the occupiers of no.2.</li> <li>– The inspector noted that there is an existing degree of overshadowing to the rear windows and garden of no.2. It was found that the proposed development would not result in substantial overshadowing above the existing relationship, as the proposal would only result in marginal overshadowing for a limited time during the day and in certain months of the year.</li> <li>– However, overall the inspector concluded that the proposal would harm the living conditions of occupiers at nos. 37 Walsingham Avenue and 2 Brackley Drive, conflicting with Policy DM1 of the Rochdale Adopted Core Strategy and the Guidelines and Standards for Residential Development SPD.</li> <li>– The inspector noted that there are no material considerations that indicate that the decision should be made other than in accordance with the development plan. It was noted that the absence of objections by neighbours is a neutral matter which does not alter this conclusion. The appeal was therefore dismissed.</li> </ul>		