

DELEGATED REPORT

Report by Amanda Uhunmwagho	Date of report: 22/11/2023	Ref: 69871/FUL
Registration: 02/10/2023	LDfC: 23/10/2023	Expiry Date: 27/11/2023
Site Visit: 16/10/2023	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Raising of roof ridge height with loft conversion and rear dormer

Location: 33 Wingate Drive, Whitefield, Manchester, M45 7GX

Description

The application relates to a previously extended two storey semi-detached house. The whole of the front of the site is paved and is open to the highway in front and to the side. There is fencing to the side and rear boundaries. At the rear there is a small garden area with a shed adjacent to the rear boundary. No.35 Wingate Drive to the rear of site is a bungalow.

The proposal is to raise the existing ridge height by 500mm and then add a flat roof dormer across the whole of the rear of the roof. The roof extension would provide an additional bedroom and en-suite bathroom.

Relevant Planning History

47710 - First floor rear extension; Rear conservatory- Approve with Conditions 23/04/2007

Publicity

9 neighbours notified on 02/10/2023 - No comments or objections received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

SPD6	Supplementary Planning Document 6: Alterations & Extensions
H2/3	Extensions and Alterations

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations, including relevant policies in the emerging Places for Everyone Joint Development Plan.

The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

The main considerations of this application are the impact of the proposal on visual and residential amenity.

Visual Amenity -

SPD 6 and UDP Policy H2/3 seek to achieve a high standard of design that compliments the original building, and does not have a detrimental impact on the character and appearance of neighbouring properties and the general street scene.

The Council will seek to ensure that proposals for dormer/roof extensions preserve the character of the street scene, especially where dormers on existing neighbouring properties are absent. Proposals for dormer/roof extensions will be assessed against the following criteria;

- dormers with pitched roofs should not project above the original ridge line. In all other cases the roof of the dormer should be 0.5 metres or more below the main ridge line;
- dormer windows should seek to line up vertically with existing windows and match their style and proportions;
- any dormer which results in undue overlooking of a neighbouring property will be unacceptable and dormers will be expected to maintain normal aspect standards;

- conversion of existing flat roofs to pitched roofs is generally considered acceptable; and
- proposals to increase the height of a house or bungalow by extending the roof can appear incongruous and will be assessed on its impact on the character of the street scene and amenity of neighbours. In these cases a street scene elevation will be required to show the impact of the increased ridge height on the character of the area.

The proposal would result in the ridge height being higher than the attached property. Had this property been detached the increase in roof height may not have been as much of a concern, but given the dwelling is a semi-detached house the ridge would be 500mm higher than the attached property. This would result in the building appearing incongruous on the pair of semis and in the wider streetscape, and it would therefore be unacceptable in terms of visual amenity and contrary to UDP Policy H2/3 and guidance in SPD6.

Residential Amenity -

- Surrounding properties would be a sufficient distance from the extended property not to have any significant detrimental effect on residential amenity at those properties.
- It would be possible for the applicant to construct a rear dormer under permitted development rules had it been built on the original roof. However, as the proposal includes an increase in roof height there is an issue with its appearance in the streetscene. It was suggested to the agent that if they didn't increase the ridge height then the rear dormer would probably be acceptable. Unfortunately they advised they would be unable to reduce the height. As such the proposal cannot be supported at this time.
- No.35 Wingate Drive to the rear of the site is a bungalow and there would be around 13m from the site of the proposed dormer to the side of this property. However, given the angle of the application property compared to no.35 any views from the dormer would be toward the rear/side of the property which is a pathway to the rear of the site. The main amenity space at no.35 is to the south and east side of the dwelling. As such there would be no significant detrimental impact on residential amenity at this property.

The proposal conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of separation distance to the surrounding properties.

Parking -

The proposal would increase the number of bedrooms from 4 to 5 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered. This can then require the proposal to provide a maximum of 3 parking spaces. The site as existing has a paved frontage providing on site parking for 2 vehicles and this would not change once the development would be complete. The area is also high access in terms of public transport. In this instance then the parking arrangements are considered sufficient.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority offered solutions to the applicant in order to make the development acceptable. The applicant was however unwilling to amend the plans. Without these amendments the development would not improve the economic, social and environmental conditions of the area and therefore does not comprise sustainable development. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Refuse

Conditions and Reasons:

- 1 The proposed development would, by reason of the new ridge height being 500mm higher than the attached property, be a prominent and intrusive feature in the street scene and neither appropriate to, nor sympathetic with the existing structure, or the attached property and therefore, would be significantly detrimental to the visual amenities of the area. The proposed development therefore conflicts with the following policy of the Bury Unitary Development Plan: H2/3 - Alterations and Extensions and associated Supplementary Planning Document 6: Alterations and Extensions to Residential Properties.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 22/11/2023			