

DELEGATED REPORT

Report by Mark Kilby	Date of report: 16/03/2023	Ref: 68599/LDCE
Registration: 24/06/2022	LDFC:	Expiry Date: 19/08/2022
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: NREQ

Proposal: Lawful development certificate for existing loft conversion and ground floor rear extension

Location: 85 Albert Avenue, Prestwich, Manchester, M25 0LU

Description

Lawful development certificate for for an existing loft conversion comprising a rear dormer and hip-to-gable roof extension and ground floor rear extension.

Relevant Planning History

None

Publicity

None

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - None

Unitary Development Plan and Policies

Issues and Analysis

The dwelling is not listed nor is it in a Conservation Area.

There is no enforcement notice in force and the existing development would be on land wholly owned or controlled by the applicant.

Permitted Development rights have not been removed.

The existing single storey rear extension would not take up more than 50% of the area of the curtilage, not including the area of the dwelling.

Hip to gable loft conversion and rear dormer

There have been no extensions to the main roof of this dwellinghouse. As such there is a full volume allowance of 50m³.

There have been no previous roof extensions and development would not extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway.

The existing roof extensions would not be higher than the highest part of the original roof.

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The volume of the existing roof extension from a hip to a gable would be in total 15.19 m³ (cubic metres).

The volume of the existing rear dormer extension would be 33.43m³, making a total volume of 48.62m³, the total allowable being 50m³.

The existing dormer extension would be set back from the eaves by not less than 200mm.

No side windows proposed.

Having regard to the above the existing roof extensions would be lawful as they would fall within the limitations of Part 1 Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Rear Extension

The existing single storey rear extension would not extend beyond the rear wall of the original dwelling by more than three metres.

The existing single storey rear extension would not extend beyond a wall which forms the principal or a side elevation of the original dwelling and fronts a highway.

The overall height of the proposal would not exceed four metres.

The height to the eaves as a flat roofed extension would exceed three metres at a height of 3.20 metres.

Having regard to the above the existing single storey rear extension would not be lawful as it would exceed the eaves height limit of 3 metres within two metres of the boundary of the curtilage to the dwellinghouse and as such does not fall within the limitations of Part 1 Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015.

The Local Planning Authority does not have the power to issue a split decision. As such, as part of the existing development is not lawful a lawful development certificate cannot be granted.

Recommendation: Refuse

Conditions and Reasons:

- 1 The height to the eaves of the existing single storey rear extension as a flat roofed extension would exceed the 3 metre height limit at a height of 3.20 metres within 2 metres of the boundary of the curtilage as laid out under Part 1 Class A, A1(i) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and as such the existing single storey rear extension is not lawful.

The Local Planning Authority does not have the power to issue a split decision. As such, as part of the existing development for which a lawful development certificate has been applied for is not lawful a lawful development certificate cannot be granted.

<u>Case Officer</u> Mark Kilby	<u>Date</u> 16/3/23	<u>Sign off Officer</u> HL	<u>Date</u> 21/03/23
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