

DELEGATED REPORT

Report by Amanda

Date of report: 02/03/2022

Ref:67905/FUL

Uhunmwagho

Registration: 31/01/2022

LDfC: 22/02/2022

Expiry Date: 28/03/2022

Site Visit: 10/02/2022

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Raise roof ridge height/hip to gable roof extension with loft conversion and dormers at front/rear to form second floor living accommodation; Single storey extension at side/rear and single storey extension at side

Location: 8 Dellcot Close, Prestwich, Manchester, M25 0GX

Description

The application property is a previously extended two storey detached house situated at the head of Dellcot Close which is a small cul-de-sac. The front of the site is paved providing parking to the front of the property for two vehicles. Access to the rear is via the east side of the property where there is a large garden and a detached double garage.

Planning permission was previously granted at this property on 18/06/2021 (ref 66658) for a single and two storey development. The current application appears to cover the same footprint and internal layout at ground floor level as what was previously approved but instead of building a first floor section to the side the applicant now proposes to raise the ridge height of the existing property which would also include a loft conversion with dormers to the front and rear of the new roof. The single storey side extension would have a hipped roof and the extension to the rear/north side would have a flat roof with a Succah roof.

To the south-east side of the property the single storey extension would be set back from the front elevation of the existing dwelling by approximately 2m and would have an overall length of 9m. It would be stepped in at the side due to the angle of the boundary.

To the north and west side the single storey extension would have an overall length of 9m and at the rear it would project 3.5m beyond the existing rear elevation. The roof would be flat and to the rear there would be a Succah roof lantern.

The roof height would be increased from around 8m to around 9.5m (as measured from the plans). There would be two pitched roof dormers to the front and a larger flat roof dormer to the rear.

Relevant Planning History

- 44689 - PArt single/part two storey extension to side and two storey extension to rear - Approve with Conditions 02/08/2005
- 07/0200 - Erection of 2 storey extension - 10/05/2007
- 10/0156 - Height of roof - 16/04/2010
- 66658 - Single storey extension at side/rear; Two storey extension at side - Approve with Conditions 18/06/2021

Publicity

Neighbours notified on 31/01/2022 - 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. 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 existing dwelling is very similar in design both the adjacent properties as well as the other three properties on Dellcot Close. The proposal which was previously approved would also have been considered in-keeping with the existing dwelling and existing streetscape.

Although it is accepted that the applicant could convert the existing hipped roof to a gable under Permitted Development rules the addition of around a 1.5m increase would result in the property towering above the adjacent properties at numbers 6 and 10 Dellcot Close by around 2m. All the properties on Dellcot Close appear to be of a similar height to one another.

This along with the pitched roof front dormers would result in an over dominant, incongruous building within the existing streetscape where the property already has a prominent position at the head of the small cul-de-sac. Therefore the design of the proposal is not considered to be in keeping with the existing building or the existing street scene and as such does not conform to Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of visual amenity.

Residential Amenity -

As the property is positioned at the head of the cul-de-sac there are no properties directly to the front and to the rear properties on Wilton Avenue are over 20m from the existing property. There would also be over 14m from the proposed rear dormer to the rear boundary.

Most of the new windows would be to the front and rear elevations. There would be no new windows to the side elevation facing no.6 Dellcot Close next door.

There would be one new window installed to the side elevation close to the boundary with no.10. Although this window would be close to the boundary with no.10 a kitchen is not classed as a habitable room and the window would be a high level window so users of the room would not have any direct views towards no.10 from the kitchen. As such this would not be considered detrimental in terms of residential amenity. With this in mind it is considered there would not be any seriously detrimental impact on any of the surrounding properties in terms of privacy.

With regards to the impact of the proposed extensions on the two adjacent neighbours no.6 is a significantly extended property built at an angle to the application property. Given the application property is due west of this property and the proposed two storey extension would not extend beyond its rear elevation there would be no detrimental effect on residential amenity at this property.

No.10 to the north side is also extended and upon looking at approved plans from 2008 (ref 49420) there is a first floor bedroom window in the side elevation which would be a repositioned window to an original bedroom due to the property being extended to the rear. The proposed single storey extension would not have any detrimental impact on this particular window.

The single storey extension would have a flat roof and so although close to the shared

boundary with this property and the plans show it would be built within the site boundary. As such there would be no concerns regards this extension overhanging the boundary with no.10 next door.

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 -

Currently the applicant is parking two vehicles directly to the front of the property. It does appear that vehicles could overhang on to the service strip which runs along the front of the site but the plans show that the minimum measurement, within the site, for one space is currently 4.75m to the west side which is just below the minimum of 4.8m which cud be acceptable on this site and the second space to the east side is shown as measuring 4.9m.

Although there is a double garage in the rear garden due of the angle of the site and how the property and no.6 are extended there is no way a vehicle could pass through to the rear garden. The gap at the side of the property measures 1.7m from the front corner of the existing house to the shared boundary (measured on site). With this in mind although the existing parking spaces would be considered sub-standard they are existing and the proposal would not have any impact on this area of the site. As such, in this instance this could not be used as a reason to refuse the current application.

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.

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

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. 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 its size, position and design, be an incongruous, prominent and intrusive feature in the street scene and would therefore, be seriously detrimental to the visual amenities of the area. The proposed development therefore conflicts with the Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in 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 - 02/03/2022			