

APPLICATION NUMBER: 24/00840/HOUS

Application Number:	24/00840/HOUS
Location:	8 Dingle Road, Middleton, M24 1NH
Proposal:	Erection of roof terrace to first floor rear elevation
Applicant:	Mr N LOWREY
Case Officer:	Bob Melling
DETERMINATION DATE 20.12.2024	EXT OF TIME N/A
RECOMMENDATION:	Refuse

DELEGATION	Applicant a Council Member or officer?	N
	Contrary to previous decision?	N
	Called in or Planning Panel objection?	N

COMMENTS	Planning Panel comments received?	N
	Neighbour comments received?	N

CONDITIONS	Pre-commencement conditions proposed?	N
	Pre-commencement conditions agreed (or notification period expired)?	N/A

Location

This application refers to no. 8 Dingle Road, a two storey detached house located in Middleton. The property faces northwest towards the highway, is adjacent to no. 10 Dingle Road to the northeast and no. 6 Dingle Road to the southwest. The rear garden extends some 25m to the rear boundary of the curtilage, which is shared by nos. 13 and 15 Parkside.

The host dwelling has recently been extended pursuant to applications 22/00958/HOUS and 23/00762/HOUS. However, the site photography submitted by the applicant indicates that the extensions and alterations have not been built in accordance with the approved plans. As a result, the plans submitted under the current application are not accurate. A separate planning application will be required to regularise the unauthorised works.

The discrepancies include the lack of setback to the first floor extension above the garage, the size of the double height box bay window to the front elevation, the window detailing and the use of composite vertical cladding rather than render or brickwork. The failure to setback the first floor extension above the garage has resulted in this extension appearing much larger than shown on the plans.

The following report will consider the merits of the proposed first floor terrace with the caveat that the submitted plans do not reflect the as-built structure.

Description of Proposal

Permission is sought for the installation of glazed guarding atop the flat roof of the existing single-storey rear extension to form a rooftop terrace. The terrace would occupy the entirety of the flat roof and the glazed guarding would start at a height of 1.8 metres before sloping down to a height of 1.1 metres. The side panels would be obscurely glazed.

Relevant History

- | | |
|---------------|---|
| 23/00762/HOUS | First floor side extension with Juliet balcony to rear elevation, single storey rear extension, alteration to ground floor bay window and addition of first floor bay window to front elevation and construction of raised decking to rear.
Decision: Grant subject to conditions |
| 22/00958/HOUS | First floor side extension with Juliette balcony to rear elevation and single storey rear extension.
Decision: Grant subject to conditions |

Township/Member comments

N/A

Consultee responses

N/A

Representations

Letters of notification were sent to surrounding neighbours and no representations were received in response to the proposed development.

Policy

National

National Planning Policy Framework (NPPF) – December 2024
National Planning Practice Guidance (NPPG)

Sub-Regional

Places for Everyone Joint Development Plan (PfE)

The Places for Everyone Joint Development Plan was adopted and became part of the statutory development plan for each of the 9 authorities covered by the plan on 21st March 2024. The following policies are relevant:

JP-P1 Sustainable Places

Local

Saved Rochdale Unitary Development Plan (UDP) 2006:

Adopted Rochdale Core Strategy (CS) 2016:

P3 Improving design of new development
DM1 General development requirements

Supplementary Planning Documents (SPD): Supplementary Planning Document 'Guidelines and Standards for Residential Development' (2016).

Amendments

N/A

Assessment

Design: DM1, P3 and JP-P1

CS Policies DM1 and P3 require development proposals to be 'of high quality design and take the opportunity to enhance the quality of the area' and to 'enhance the borough's identity and sense of place, by respecting context where it is positive and having regard to the scale, density, massing, height, layout, landscape, materials and access of surrounding buildings and areas in general.' These design principles are reflected in both PfE Policy JP-P1 and the NPPF.

While the proposed glazed guardrail would not enhance the appearance of the property or add to the overall quality of the area, it is important to note that it would be a relatively lightweight addition that would be located to the rear with limited public exposure. Therefore, it is not considered that the guardrail would result in undue visual harm.

The proposed installation of a glazed guardrail is therefore in accordance with CS Policies DM1 and P3, PfE Policy JP-P1, the SPD and the NPPF.

Residential Amenity: DM1, JP-P1 and SPD

PfE Policy JP-P1 requires all development to offer a high level of amenity. CS Policy DM1 states that proposals need to demonstrate that they do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy. Additionally, the NPPF advises that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

Section 4.4 of the SPD sets out the following:

'Balconies and elevated terraces can result in adverse overlooking of neighbouring private garden areas or habitable room windows if they are located in close proximity to the boundary of the curtilage. They should be carefully designed to prevent unreasonable overlooking of neighbouring properties.'

The main consideration with regards to the above is whether the proposed first floor terrace would result in an undue loss of privacy for the occupants of nos. 6 and 10 Dingle Road.

While the properties are detached, it is notable that they are tightly packed with limited gaps between the side walls and the shared boundaries. Given that the raised

terrace would occupy the full width of the host dwelling, it would be invariably close to the private rear gardens of nos. 6 and 10 Dingle Road. Furthermore, it should be noted that nos. 6 and 10 Dingle Road have large first floor habitable room windows to the rear which are close to the shared boundaries.

While no objections have been received in response to the current application, it should be noted that an objection was received to a previous application, citing concerns over privacy as a result of the proposed raised terrace. These concerns were shared by the local planning authority and amended plans were submitted with the raised terrace removed. The raised terrace removed from the previous plans is identical to that proposed under the current application.

The proposed privacy screen would start at a height of 1.8 metres before sloping down to a height of 1.1 metres. Therefore, it would allow for wide-ranging and unrestricted views towards the first floor windows and private gardens of nos. 6 and 10 Dingle Road.

Although it is noted that the existing hedging would provide some mitigation, this can be afforded limited weight in the determination of the current application. The hedging is not protected and permission would not be required to either remove it or reduce its height.

Given the size of the proposed terrace and its proximity to the habitable room windows and private garden areas of nos. 6 and 10 Dingle Road, it is considered that the proposed terrace would result in an unreasonable level of overlooking, to the detriment of the living conditions of the neighbouring occupants. Moreover, it is not considered that the proposed privacy screen would sufficiently prevent the harm described above.

On this basis, the proposal would fail to comply with CS Policy DM1, PfE Policy JP-P1, the SPD and the NPPF.

Other Matters

Unauthorised works - The existing extensions and alterations have not been built in accordance with the approved plans (planning application references 22/00958/HOUS and 23/00762/HOUS.). This matter has been passed to the Council's Planning Enforcement service.

Recommendation: Refuse

1. By virtue of its scale and design, the proposed raised terrace would result in an undue loss of privacy for the occupants of nos. 6 and 10 Dingle Road. The proposed development therefore fails to provide a high level of amenity for neighbouring properties, contrary to policy DM1 of the adopted Rochdale Core Strategy, policy JP-P1 of the Places for Everyone Joint Development Plan, the Council's adopted Supplementary Planning Document 'Guidelines and Standards for Residential Development' and the National Planning Policy Framework.

Article 35 Statement

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.

INFORMATIVES

1. For the avoidance of doubt, this Decision Notice relates to the following submitted plans:
 - Location Plan. Dwg no. 0.02
 - Site Plan. Dwg no. 0.03
 - Proposed Addition of Balcony / Terrace. Dwg no. 0.1b
2. The existing extensions and alterations have not been built in accordance with the approved plans (planning application references 22/00958/HOUS and 23/00762/HOUS). You are advised to contact the Council's Planning Enforcement Team at dme@rochdale.gov.uk to discuss.

	Date	Officer
Report Completed	17/12/2024	Signed: BM
Authorisation	18/12/2024	Signed: RC

Report Author Bob Melling