

**DELEGATED REPORT**

**Report by** Amanda

**Date of report:** 17/08/2022

**Ref:**68293/FUL

Uhunmwagho

**Registration:** 27/06/2022

**LDFC:** 22/07/2022

**Expiry Date:** 22/08/2022

**Site Visit:** 25/07/2022

**Site Notice:** N/A

**Press Date:** N/A

**Objections:** 0

**Con Area:** N/A

**Adv Type:** NONE

**Reason for Delay:**

**EIA:** NA

N/A

**Dec Level:** DEL

**Stat Class:** HOUS

**Proposal:** Alterations to fenestration, two houses being converted in to one dwelling; Raised rear decking; Hip to gable roof extension; Raise flat roof on rear single storey extension

**Location:** 158 & 160 Albert Avenue, Prestwich, Manchester, M25 0HE

**Description**

The application relates to numbers 158 and 160 Albert Avenue, a pair of two storey semi-detached houses with a hipped roof and bay windows to the front elevations. Both properties have parking on site to the front for one vehicle. There is an access road to the side of no.160 leading to allotments beyond the rear of the site.

No.158 Albert Avenue has an existing extension on the rear which is shown on the plans as a rear entrance to the property and storage area. The dwellings are considerably raised in comparison to the rear gardens. To the side there is a raised decked area accessed from the dining room. There are steps leading down to the garden below at the rear which is currently extremely overgrown. The property has a basement which has external access underneath the raised decked area to the rear.

No.160 next door has an existing single storey side and rear extension with a basement which can be accessed from the rear garden.

The proposal is to refurbish the two properties and convert them in to a single dwelling. Changes to the front elevation would include removing the existing front entrance from the no.160 Albert Avenue and repositioning the main front entrance door to the front of what is currently 158 Albert Avenue. As there would be internal changes there would be other changes to the openings on the front elevation.

To the rear a ground floor rear extension would be removed from the rear of no.158 and the existing raised decked area would be replaced with a new raised decked area at the same height with steps to the rear leading down the garden below.

A larger Succah roof lantern would be installed to the rear elevation and there would be three full length windows installed to the ground floor level on the rear elevation. The existing single storey rear extension would also be raised in height

The height of the roof would be increase by 651mm and the hipped roof would be replaced with a pitched roof.

**Relevant Planning History**

61002 - Rear extension to ground floor and basement and loft conversion with dormers to front and rear - Approve with Conditions 24/02/2017

**Publicity**

Neighbours notified on 01/07/2022 - 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 proposed development would be constructed using materials and a design that would be considered in keeping with the existing building and neighbouring properties along Albert Avenue. The increase in roof height would result in the property being a similar height to no.162 Albert Avenue to the east of the site and it would be around 1m higher than no.156 to the west. With this in mind the increase in ridge height would not have any significant detrimental impact on the character of the existing street scene. The design of the proposal is considered acceptable in this location.

Given the above the proposal conforms 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 -**

- There would be just over 13m from the rear elevation of the dwelling to the rear boundary and there are allotments on the land beyond the rear boundary. As such there would be no concerns regards residential amenity to the rear of the site.
- There would be no extensions forward of the existing front elevation. As such the existing separation distance to properties opposite would remain the same.
- On the side elevation adjacent to no.156 Albert Avenue there would not be any new ground floor windows installed and an existing stairwell window would be removed. As such there would be any significant detrimental effect on privacy levels between the application property and no.156 next door.
- To the opposite side a new Pesach kitchen window would be installed at ground floor level along with a small secondary window to the dining/lounge area. There would be a bathroom window at first floor level. Given the distance from these windows to the side elevation of no.162 Albert Avenue and that there is an access road separating the two dwellings there would be no significant detrimental effect 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 residential amenity.

**Parking -**

The proposal would decrease the number of bedrooms at the property from 6 to 3 plus a utility room at first floor level, therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing on site and there is parking to the highway in front as well. 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 proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in

Paragraph 38 of the National Planning Policy Framework.

**Recommendation:** Approve with Conditions

**Conditions and Reasons:**

- 1      The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2      This decision relates to drawings numbered 001, 002 and 003 rev 2 received on 04/04/2022, drawings numbered 004 and 006 received on 10/05/2022 and drawing numbered 005 Rev 2 received on 17/08/2022 as modified by the emails from Gold Sketch Studios Ltd. The development shall not be carried out except in accordance with the details hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
- 3      The external finishing materials for the proposal hereby approved shall match those of the existing building.  
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and 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 -17/08/2022      |             |                         |             |