

DELEGATED REPORT

Report by Mo Warsame	Date of report: 22/05/2023	Ref: 69461/FUL
Registration: 30/03/2023	LDFC: 24/04/2023	Expiry Date: 25/05/2023
Site Visit: 06/04/2023	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: Loft conversion with rear dormer/roof extension including existing outrigger

Location: 8 The Crescent, Prestwich, Manchester, M25 1FL

Description

Mid terrace property with road to the rear which provides vehicular access to the properties on Brookfield Close. There is on street parking to the properties in the area. The terrace houses are characterised by 2 storey outriggers at the rear with a s/s element projecting from this.

Planning permission is sought for a loft conversion with rear dormer/roof extension including existing outrigger. The extension would project approximately 5 metres to the rear and would be constructed entirely over the existing roof. The proposal would accommodate two additional bedrooms and a bathroom. The dormer would have a flat roof and would be constructed with some matching materials.

Relevant Planning History

46030 - REAR DORMER EXTENSION. - Refused 28/04/2006

Publicity

Neighbour letters sent on 30/03/2023. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Unitary Development Plan and Policies

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

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.

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 dormer at the rear would be simple in design and modest in scale in contrast to the original dwelling. The development would also not project beyond the footprint of the main roof nor extend above the existing ridge height.

Overall, the proposed development would be appropriate in terms of scale and design and not have any detrimental impacts on the immediate locale. Therefore, the proposal would comply with the following policy of the Bury Unitary Development Plan: H2/3 and the Supplementary Planning Document 6.

Residential Amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

- The development would be built on the rear and would not be visible from the front of the property. Therefore, the rear dormers would have no detrimental impact on residential amenity of the properties in front.

- The development would have no proposed habitable side windows. The only proposed side window would be a bathroom window and it would be conditioned to be obscure glazed up to 1.7 metres.
- The proposed dormer would project approximately 5 metres to the rear. However, it would be entirely built over the existing footprint of the existing roof. Additionally, there would be sufficient distance to any property to the rear. In terms of the general prominence and impact on daylight the proposed extension is slightly set off from the shared side boundary and would be to the north of No. and any overshadowing would not be seriously excessive above and beyond the existing situation.
- In terms of the general prominence and impact on daylight the proposed dormer extension would be set off from the shared side boundary with No.10 The Crescent. Furthermore, the development would be to north-west of this adjacent property. Therefore, any overshadowing would not be seriously excessive above and beyond the existing situation.

Overall, there would be no serious impact on the amenity of any adjacent neighbouring properties. The proposal therefore conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

Parking

The proposal will result in two additional bedroom, however there will be no changes to site access, or parking. The driveway at its current condition meets the maximum parking requirements

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 the drawings received on 30/03/2023 and the development shall not be carried out except in accordance with the drawings 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 proposed side window subject to this application shall remain obscure glazed up to 1.7 metres.
Reason: To protect privacy pursuant to policy: H2/3 and SPD 6

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<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	22/05/2023	DM	22/05/23