

DELEGATED REPORT

Report by Jane Langan	Date of report: 05/09/2022	Ref: 68512/FUL
Registration: 06/07/2022	LDFC: 29/07/2022	Expiry Date: 31/08/2022
Site Visit: 09/03/2022	Site Notice: N/A	Press Date: N/A
Objections: 1	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey extension at front; loft conversion including 2 no. dormers and loft window at front and dormer extension at rear; garage conversion and various external alterations

Location: 29 Ferndale Avenue, Whitefield, Manchester, M45 7GP

Description

The property is a dormer bungalow located along a road comprising of other bungalows of different design and some of which have been extended to provide accommodation in the roof space. The site has a drive and garden to the front and the drive extends to part of the side where there is a single storey attached building noted as a store and which extends into the rear garden. The garden is fenced and borders the rear garden to 42 Hillingdon Road, a two storey detached house. No.31 to the south side is a bungalow with accommodation in the roof space. To the opposite side No.27 is also a bungalow and is extended single storey at the rear up to the boundary to the site and around level with its rear elevation.

The application includes extending the property at the front to add two bay windows and at first floor two pitched roof dormers. To the rear a flat roofed dormer would run the full width of the roof slope and include a Juliette balcony. The increased roof space would add 3 bedrooms an ensuite and bathroom. The existing single storey to the side/rear would be converted to a pantry, utility and lounge. The agent took up pre application advice following the refusal of a previous scheme (68049).

Relevant Planning History

68049 - Single storey rear extension; Two storey side extension; First floor front extension; Loft conversion with roof extension - Refused 19/05/2022.

Publicity

Surrounding neighbours were notified by letter and one response has been received from a nearby neighbour their concerns in summary are:-

- Overlooking and loss of privacy
- Loss of light to back yard
- House value effected due to loss of privacy
- Noise and disturbance caused by the new building when it is finished
- Over development of the site

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

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 and design - 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 side of the street the site is located on is characterised by bungalows some of which have accommodation in the roof space. The proposal would see the ground floor extended with two bay windows and linked by a flat roof across. As an infill to the south corner it would bring the frontage level to that as existing. To the front roof slope would be two dual pitched roof dormers. They would fit well positioned above the ground floor windows. To the rear the dormer would be flat roofed and extend the full width of the slope however it would have limited view from the main street. The dormer walls would be in light render. New walls and existing brick would also be finished in light render. The main roof would be retained and re clad in slate or similar and the dormer roof tiles to match. To the rear the existing flat roofed single storey would have a roof lantern.

In terms of the design and materials the proposal is considered acceptable and would not have a detrimental impact on the visual amenity of the area.

Ecology - The previous refused scheme involved substantial demolition and it was considered a bat survey would be required with an application for a replacement dwelling. In this application, whilst there would be works to the roof, the existing roof would be retained and as existing the internal space is utilised. As such an informative regarding bats is added.

Parking - The proposal would increase the number of bedrooms from 2 to 4 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered. This can then require the proposal to provide a maximum of 3 parking spaces. The site as existing has a drive at the front for parking two vehicles and which would be retained. There is also drive area along the side of the house which could provide further parking and garden area available should the applicant require it. The area also has on street parking and public transport available. The parking arrangements are then considered sufficient.

Residential amenity - To the south side to No.31 the existing single storey would be retained with the addition of a lantern roof light. No.27 to the opposite side is extended single storey and the site rear elevation extends to be around level as existing. The side walls to both the front and rear dormers would be blank and therefore there would be no over looking to these neighbouring properties.

There would be a distance of 8.5m-8.9m from the proposed habitable room window to the rear dormer to the rear boundary of the site and a separation distance in excess of 13m from the rear of the site to the property 42 Hillingdon Road at the rear. The distances would be sufficient in order to comply with SPD6 Aspect Standards set out in order that the proposals do not result in significant loss of light, privacy or be overbearing developments.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

Response to objection - The issues regarding loss of light and privacy are addressed in the above report. Rear dormers can also be constructed under permitted development and this is a material consideration.

Property value is not a planning matter.

Noise issues during construction or after would be dealt with via Environmental legislation where appropriate.

The site could accommodate the proposed extensions whilst retaining adequate outside amenity space therefore it is not considered to be overdevelopment.

Statement in accordance with Article 35(2) Town and Country Planning (Development

Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during pre-application discussions to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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. Rev 1, 002. Rev 1, 003. Rev 7, 204. Rev 3, 205. Rev 4, 206. Rev 3 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	05/09/22		