

DELEGATED REPORT**Report by** Amanda**Date of report:** 30/10/2023**Ref:**70022/FUL

Uhunmwagho

Registration: 06/09/2023**LDFC:** 28/09/2023**Expiry Date:** 01/11/2023**Site Visit:** 28/09/2023**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: First floor rear extension and loft conversion with rear dormer and extension to roof at side; 3 no. loft windows at front and removal of 2 no. first floor windows at rear and addition of 1 no. larger window

Location: 3 Parkway, Prestwich, Manchester, M25 0JE

Description

The application relates to a two storey previously extended semi-detached house. It has a hipped roof two storey extension to the side and a flat roof single storey extension to the rear. There is currently parking on site to the front of the house and in the garage.

The proposal is to build a first floor rear extension as well as loft conversion with rear dormer and the hipped roof would be converted to a pitched roof. At the front there would be three rooflights.

At the rear the first floor extension would be built directly above part of the existing flat roof single storey extension. It would project 4.95m adjacent to the shared boundary with no.1, attached to the east and it would measure 4.35m wide. The roof would be hipped. There would be one window to the rear and a high level window to the west side.

The dormer would provide two extra bedrooms, an office, a bathroom and a shower room. It would be set in from the rear and both side elevations and the roof would be flat. It would tile hung to match the existing roof.

Relevant Planning History

62068 - Prior notification for proposed single storey rear extension - Prior Approval

Required Refused - Ext Prior Approval Required Refused - Ext 23/10/2017

62096 - Prior notification of proposed single storey rear extension - Prior Approval Not

Required - Extension 06/12/2017

Publicity

5 neighbours notified on 07/09/2023 - 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 majority of the extensions would be to the rear of the dwelling with the exception of the

hip to gable roof extension. Given that there are many different roof types in the immediate area and the attached neighbour also have a pitched roof this would not appear out of keeping in the existing streetscene.

The rooflights to the front could be installed under permitted development rules and some other properties in the area also have rooflights to the front.

The extension to the rear and dormer would be built with a design and materials that would be considered to be in keeping with the existing building. As such the development would not have any significant detrimental impact on the character of the existing streetscene.

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 -

- The proposed first floor extension would be over 7m away from the rear boundary and the dormer would be over 10m from the rear boundary. Both these distances would be acceptable in terms of aspect standard distances set out in SPD 6.
- The first floor rear extension would be a sufficient distance from the shared boundary with no.5 Parkway not to have any significant detrimental effect on residential amenity at that property.
- The first floor extension would project just under 5m adjacent to the shared boundary with no.1 Parkway. No.1 is has an existing single storey extension with Succah roof to the rear, which would project beyond the rear elevation of the first floor extension and the closest first floor window to the shared boundary is a bathroom. As the nearest bedroom window is positioned almost central to the rear of no.1 the 45° rule would be satisfied with regards to this window and the first floor extension would be considered acceptable in terms of SPD 6.
- The dormer would be built in a similar position on the rear of the roof to the dormer at no.1 next door. It would have direct views over the applicant's garden. As such it is considered that it would not have a significant detrimental impact on residential amenity at both adjacent properties/gardens.
- The rooflights to the front would be installed at a height that the occupants of the rooms could not freely view out of. However, they overlook a highway to the front and so would not cause any significant harm in terms of residential amenity.

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 and the 45° angle with regards to the nearest first floor habitable room window to the rear of no.1 Parkway next door.

Parking -

The proposal would increase the number of bedrooms from 4 to 8 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 an area at the front for parking two vehicles, plus a third space in the garage. This would remain following the extension and dormer being built. The area is high access in terms of public transport and there are no parking restrictions to the highway in front. 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 Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised

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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 drawing numbered 301 received on 07/09/2023, drawing numbered 003 Rev 3 received on 18/10/2023, drawing numbered 002 received on 19/10/2023 and drawing numbered 001 received on 30/10/2023 as modified by the emails from Melia Architects dated 18/10/2023, 19/10/2023 and 30/10/2023. 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 UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties.
- 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 - 30/10/2023		DM 01/11/23	