

DELEGATED REPORT

Report by Steven Gunn
Russell

Date of report: 28/01/2022

Ref:67631/FUL

Registration: 15/11/2021

LDfC: 07/12/2021

Expiry Date: 10/01/2022

Site Visit: 19/11/2021

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: First floor side extension; Loft conversion with front/rear dormers; Raising ridge height

Location: 31 Meade Hill Road, Prestwich, Manchester, M25 0DH

Description

The application relates to a two-storey detached house on a residential street. The existing roof is relatively unusual in that it has a monopitch roof on the west side sloping down from the pitch to just above the ground floor. The unattached neighbour on the westside has a single storey extension at the rear and the neighbour has an original rear building line. The neighbours to the rear have trees and shrubs on the boundary.

Planning permission is sought for:

- Raising the ridge height from 7.30m to 8.30m with gables at each end,
- First-floor extension above the westside ground floor,
- Second floor extension including small dormers at the front with pitched roof and a large dormer at the rear with flat roof.

The existing ground floor footprint would remain unchanged. Materials would match existing with the exception of silicone render at the front, plus hanging tiles at sides and rear. There are no new side windows proposed. There would be a separation of 12.1m from the second-floor dormer to the rear boundary.

Relevant Planning History

67234 - First floor side extension; Loft Conversion with rear flat roof dormer and front dormer - Withdrawn 05/10/2021

34134 - First floor and single storey extensions at side; new dormer at the front - Approved 1998.

Publicity

Immediate neighbours notified by letter dated 16/11/2021, 15/12/2021, and 21/12/2021 to 10 (ten) neighbours. No representations were received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Unitary Development Plan and Policies

NPPF National Planning Policy Framework

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 - In terms of design and appearance the extension is generally in-keeping with the existing house. Situated partly at the side, the extension would be readily visible

from the public arena. However, it is considered that it's overall design and scale is acceptable in this location. Additionally it is considered that the small front dormers proposed are of an acceptable design and appropriate scale in relation to the main house.

Residential amenity - In terms of overlooking and privacy to the rear, the 12.1m separation distance to the rear boundary from the second-floor dormer extension is greater than the 10m requirement and is thus considered to be acceptable and complies with adopted guidance in SPD6. The existing tree and shrub planting along the rear boundary would further reduce the impact on the residents to the rear.

The extension is acceptable in relation to the attached neighbour as it complies with the '45-degree rule' within SPD6. There is no direct overlooking of neighbours properties.

In terms of the general prominence and impact on daylight the first floor and second floor extensions (including raising the ridge height) are directly to the south of the applicants own rear garden. The extension would have an impact on part of their rear garden particularly around midday, but any overshadowing of neighbours would not be seriously excessive above and beyond the existing situation. The extension would be acceptable and comply with UDP Policy H2/3 and associated guidance in SPD6.

Highways - The proposal would not affect the existing site access or parking arrangements above and beyond the current situation.

Conclusion – In consideration of the above, it is considered that the proposed development would be acceptable in terms of the design, and sitting, of this development. As such, the proposed development is therefore considered to be acceptable and complies with UDP Policy H2/3 and associated guidance in SPD6.

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 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 DA21025. 003. Rev3 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 external finishing materials for the proposal hereby approved shall match those of the existing building plus for the dormers: silicone render at the front, plus hanging tiles at sides and rear.

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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>
Steven Gunn-Russell	28/01/2022		