

DELEGATED REPORT

Report by Mo Warsame	Date of report: 31/10/2022	Ref: 68964/FUL
Registration: 06/10/2022	LDfC: 18/11/2022	Expiry Date: 01/12/2022
Site Visit: 07/09/2022	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Hip to gable roof extension at the side with loft conversion and rear dormer; Raise roof ridge height and new pitched roof to existing front bay window and alterations to first floor windows at the front.

Location: 10 Nursery Road, Prestwich, Manchester, M25 3EN

Description

This is a resubmission of application 68666 with amended design. The property is at No.10 Nursery Road, a semi-detached corner property just outside conservation area. The dwelling is a two-storey red brick semi-detached house with a garden and drive to the front of the property and a fenced garden to the rear. To the opposite side is No.6, a detached property with different design that extends at the rear with a two-storey outrigger. This property is within Poppythorn Conservation Area the border of which runs along the boundary with the site which is outside. To the rear, the proposed site borders the side garden of 2 Elm Grove which is also outside the Conservation Area.

Planning permission is sought for Hip to gable roof extension at the side with loft conversion and rear dormer; Raise roof ridge height. The proposal would accommodate a master-bedroom with ensuite. The development would have a new triple pitched roof instead the amended flat roof and would be constructed using matching materials.

Relevant Planning History

68666 - Hip to gable roof extension at the side with loft conversion and rear dormer along with new pitched roof to existing front bay window and alterations to first floor windows at the front.

Split Decision 07/09/2022

Publicity

Neighbour letter sent 28/10/2022. 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
SPD11	Parking Standards in Bury

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

UDP Policy H2/3 and SPD6 seeks to achieve a high standard of design that compliments the original building, does not have a detrimental impact on the character or appearance of neighbouring properties, and protects the general street scene.

This proposal relates to the hip to gable roof extension at the side, loft conversion and rear dormer extension. The immediate street scene is depicted by a mix of bay fronted detached and semi-detached properties the majority of which have no rear dormers, however there are some gable roof details visible. Any dormers visible on properties are limited to pitched

roof dormers.

Situated to the rear, the development would be visible from the street scene due to its corner location. However, the amended design proposed in this application would have triple pitched roof. This would be a simple and unobtrusive design, which would not detract from the character of the dwelling, unlike the previous design. The amended design would not over dominate the character of the original dwelling and would be similar to that of the adjoining property (No.8 Nursery Road). The proposed extension would be constructed with materials to match the existing dwelling. As such, the proposed development would not be a prominent feature in the street scene and would comply with Policies H2/3 of the Bury Unitary Development Plan and SPD6.

Residential Amenity

UDP policy H2/3 and SPD6 seeks to reduce the impact of proposals on the residential amenity of neighbouring properties.

In terms of overlooking and privacy to the rear; there are sufficient separation distance to the property at No. 2 Elm Grove. The proposed dormer extension would be built entirely on the existing footprint of the property. The proposed dormer would not have windows to the sides. Furthermore, the adjacent neighbours have not objected. In fact, the adjoining neighbour (No. 8 Nursery Road) have a similar development approved. Therefore, the proposed rear dormer extension would be acceptable and comply with UDP Policy H2/3 and associated guidance in SPD6.

Highways

The proposal will result in one additional bedroom and there will be no changes to the parking layout. Therefore, the driveway at its current condition would meet 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 drawing numbers: A100 (REV A), A101 (REV A), A200 (REV A), A201 (REV A), A202 (REV A), A204 (REV A) 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 rendering as outlined in drawings submitted.
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

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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>
MW	31/10/2022		