

DELEGATED REPORT

Report by Steven Gunn
Russell

Date of report: 17/11/2021

Ref:67646/FUL

Registration: 11/10/2021

LDfC: 17/11/2021

Expiry Date: 06/12/2021

Site Visit: 27/10/2021

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: Hip to gable roof extension; Dormer extensions to front to form loft conversion

Location: 10 Chandos Road, Prestwich, Manchester, M25 9WW

Description

The application relates to a two-storey semi-detached house on a residential street with a synagogue to the rear. Within this street there are no dwellings with dormers.

Planning permission is sought for a hip to gable roof extension to form a loft conversion with two matching front dormer windows which would be clad in grey vertical hung tile to match the existing roof while windows would be white UPVC to match existing.

There would be a separation distance of at least 19m between the existing front building line and the building line of dwellings opposite.

It should be noted that the applicant has withdrawn the original design which included a single storey side extension and large rear dormer.

Relevant Planning History

None

Publicity

Immediate neighbours notified by letter dated 26/10/2021 sent to 9 (nine) 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 broadly in-keeping with the existing house. Situated at the front, the extension would be readily visible from the public arena although the pitch to gable roof extension would remain as the existing roof height. Additionally, it is considered that the proposed two front dormer windows are of a consistent matching design and of a scale and style appropriate to the existing dwelling house while lined up with existing windows directly below. In this respect the extension complies with UDP Policy H2/3 and associated guidance in SPD6.

Residential amenity - In terms of overlooking and privacy, the proposed dormer windows do not directly overlook any private amenity space and the 19m separation distance across

the street between the proposed dormer windows and the building line opposite is considered to be acceptable and complies with adopted guidance in SPD6.

With regards to the '45-degree rule' there is no impact on neighbours. In terms of the general prominence and impact on daylight the south-east facing extension is of a small scale and it is considered that any overshadowing would not be seriously excessive above and beyond the existing situation.

Highways – There are no proposed changes to existing site access or parking arrangements.

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 A1.2A and A2.A as submitted on 17/11/2021 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.
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.
- 4 Before the first occupation of the extension hereby permitted the bathroom dormer window shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

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<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Steven Gunn-Russell	17/11/2021	DM	25/11/2021