

DELEGATED REPORT

Report by Mo Warsame	Date of report: 16/02/2023	Ref: 69060/FUL
Registration: 30/12/2022	LDfC: 27/01/2023	Expiry Date: 24/02/2023
Site Visit: 16/12/2022	Site Notice: N/A	Press Date: N/A
09:00:00		
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: 10 & 12 - Raise roof ridge height
12 - Loft conversion with dormer at rear

Location: 10 & 12 Harrogate Avenue, Prestwich, Manchester, M25 0LT

Description

The application relates to a pair of semi-detached dwellings located on Harrogate Avenue. The properties have paved frontages located behind a low-level red brick wall, with gardens located to the rear. Both dwellings have been extended to the rear.

Planning permission is sought to raise the ridge height of No. 10 and No. 12 Harrogate Avenue by 2.4 metres, loft conversion and dormer extensions to the rear. The proposed dormers would have flat roofs and would be constructed using matching materials. The proposal would accommodate two bedrooms, toilet, and utility room.

Relevant Planning History

61452 - Prior notification for proposed single storey rear extension. - Prior Approval Not Required - Extension 09/06/2017

Publicity

Neighbour letters sent on 23/11/2022. No objections received.
1. One comment of support received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Unitary Development Plan and Policies

EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
H2/3	Extensions and Alterations
HT2/4	Car Parking and New Development
SPD6	Supplementary Planning Document 6: Alterations & Extensions
NPPF	National Planning Policy Framework

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.

Situated in the rear, the rear dormer extensions of No.12 Harrogate Avenue would not be visible from the street scene. This extension would have a rectangular, simple, and unobtrusive design, which would not detract from the character of the dwelling.

It is noted that SPD 6 states that flat roof dormers should be avoided. However, the flat roof dormers would be located entirely to the rear of the dwelling and as such would not impact on the character of the street scene. There are also several flat roof dormers constructed under PD within this street, most notably at No. 9, No 15, No. 17 and No. 21 Harrogate Avenue. As such in this instance the construction of a rear flat roof dormer would be considered acceptable.

However, given the proposed hip to gable extension for the pair of semi-detached dwellings (No.10 and No.12 Harrogate Avenue) would have an increase of 2.4 metres to the roof's ridge height. This part of the proposal would be excessive and considered to be unduly overbearing in terms of the street scene as the property would not align with the neighbouring properties. Therefore, it would cause detrimental adverse impact on the street scene and the character of the property.

In this instance the proposal would over dominate the design and character of the original property whilst being visible from the public arena. This proposal would be considered incongruous and would conflict with the character of the area. Overall, the excessive increase of the roof's ridge height would be seriously detrimental to the visual amenity and the street scene of the area and would therefore not comply with UDP Policy H2/3 and SPD 6.

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; the rear dormers of No.12 Harrogate Avenue would be built entirely within the building's existing footprint and there would be a sufficient distance to the shared rear boundary. Therefore, the existing outdoor private amenity space would be unaffected. Furthermore, the proposed dormers would have no new side windows facing towards adjacent neighbours and the furthest window of the proposed dormers facing towards the rear would be from un-habitable window (utility room).

Overall, there would not be any seriously detrimental effect on the residential amenity of the adjacent neighbouring properties. The proposal therefore conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

Parking

The dormer extension will result in 2 additional bedrooms on the loft, however there will be no changes to site access, or parking. The driveway at its current condition meets the maximum parking requirements.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Refuse

Conditions and Reasons:

- 1 The proposed development would, by reason of its size, design and character, would be a prominent and intrusive feature in the street scene and would therefore, be seriously detrimental to the visual amenities of the area. The proposed development therefore conflicts with the following policy of the Bury Unitary Development Plan: H2/3 – Alterations and Extensions and associated Supplementary Planning

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Document 6: Alterations and Extensions to Residential Properties.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	16/02/2023		