

DELEGATED REPORT

Report by Amanda

Date of report: 24/01/2023

Ref:69131/FUL

Uhunmwagho

Registration: 20/12/2022

LDfC: 18/01/2023

Expiry Date: 14/02/2023

Site Visit: 29/12/2022

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area:

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Basement extension at rear; single storey / two storey extension at rear; juliette balcony at rear; Hip to gable roof extensions; 2 no. dormers at front and 1 no. dormer at rear; raised decking with handrail and steps to rear garden and external alterations including new 2nd floor window to right hand side elevation

Location: 142-144 Albert Avenue, Prestwich, Manchester, M25 0HE

Description

Planning permission was previously granted at 142/144 Albert Avenue for a similar development. The main difference between the current proposal and the one previously approved is the proposed basement area and a single storey rear extension.

The application relates to a detached house that was previously converted from two semi's into one detached property. As viewed from the front there are still two entrance doors and they have the appearance of two semi-detached dwellings. The front of the site is hardstanding and there is a fence along the front boundary. There are two vehicular access gates at the front of the property, one to each side of the site.

Access to the rear garden is via a path to either side of the property. There is an area of decking directly to the rear of the property with steps leading down to a large garden which has a much lower land level to the dwelling on site. There are fences to all boundaries and beyond the rear elevation are allotments.

The neighbour at no.140 Albert Avenue has a small single storey extension at the rear and the neighbour at no.146 has a two-storey rear extension. Both neighbours have gable roofs.

The proposal is to raise the existing ridge and add a pitched roof. There would be two pitched roof dormers to the front of the roof and a larger flat roof dormer to the rear. Also to the rear there would be a single/two storey rear extension, Juliet balcony to the first floor, Basement extension, raised decking and also external alterations including the addition of a 2nd floor bathroom window to the side elevation.

The roof would be raised by 826mm and a new pitched roof would be erected. There would be two pitched roof dormers to the front of the property measuring 2.35m wide and they would be set back from the front elevation by around 580mm. To the rear the flat roof dormer would extend across the whole building. It would measure 11.81m wide and would be set in from the west side elevation by 341mm and in by 293mm on the east side. It would be set back in from the rear elevation by around 200mm.

The proposed rear extension would project 4.3m from the existing rear elevation on the east side of the dwelling and it would measure 6.75m wide. Most of the rear extension

would be single storey and the roof would be flat with a Succah roof lantern installed. There would be a kitchen window and living room window to the rear elevation with doors to the west elevation opening up on to the proposed raised decking. There would be steps installed to the west side of the decking for access down to the rear garden.

The proposed two storey extension would also be to the east side of the dwelling. It would project 3m from the existing rear elevation and would be flush with the existing gable elevation. At the rear it would measure 2.63m wide and then it would step back towards the original dwelling by 1.86m. The remaining part of the two storey extension would measure 3.27m wide and would project from the existing rear elevation by 1m. The roof would be hipped and there would be a Juliet balcony to the rear elevation.

The basement would measure 12.1m in length by 4.76m wide. It would provide a guest bedroom and en-suite along with a games room. Access to the basement would be via a staircase from the dining room and there would also be an external door to the rear elevation for access to the garden. There would be three windows to the rear elevation.

Directly outside the basement would be an area of hardstanding with steps leading up to the garden level. At 2nd storey level there would be one new bathroom window to the west side elevation.

Relevant Planning History

58804 - Single storey extension at front/side; Two storey extension at side/rear; Single storey extension at rear; Loft conversion with roof extension and dormers at front/rear; Raised area at rear with handrail and steps to garden level - Approve with Conditions 28/07/2015

68330 - Hip to gable roof extensions; 2no. dormer extensions at front and 1no. dormer extension at rear - Approve with Conditions 20/07/2022

Publicity

Neighbours notified on 22/12/2022 - No comments or objections received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

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.

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 proposed development would be constructed using materials and a design that would be considered in keeping with the existing building as well as remaining similar to neighbouring properties. When viewed from the front the majority of the building would appear similar in design to how it is currently. The main difference would be the new pitched roof which would be 826mm higher than the existing building, along with the two pitched roof dormers. The resulting building would not be excessively higher than the two adjacent dwellings and the gaps between the properties would be retained. As such there would not be any significant detrimental impact on the character of the existing street scene.

The extension, raised decking and the rear dormer would all be constructed using materials and a design that would be considered to be in keeping with the existing building. In addition all of the development to the rear of the property would not be readily visible in the public realm.

The basement extension would not be visible from off the site and as such would not have any detrimental impact on visual amenity in this area.

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 -

- There are no residential properties directly to the rear of the site.
- Properties to the front of the site would be a sufficient distance from the proposed front dormers not be significantly detrimentally affected in terms of residential amenity.
- The proposed second floor bathroom window to the west side elevation would be obscurely glazed and would face directly on to the gable wall of the property next door. As such it would not have any significant detrimental effect on residential amenity at that property.
- No.146 Albert Avenue to the west of site has a two storey rear extension around 1.6m away from the shared boundary. As the two storey extension would project around 1.5m beyond the rear elevation of the neighbour's extension and it would be around 1.8m from the shared boundary the 45° degree rule would be satisfied with regards to relevant windows on the rear of no.146 next door.
- The decking to the east side of the rear elevation would project around 1.3m past the rear of the neighbouring single storey extension at no.140 next door and it would be around 1.5m away from the shared boundary. With this in mind it is considered that there would be no significantly detrimental impact on residential amenity at no.140 next door.
- The basement conversion would not have any significant detrimental effect on residential amenity.
- There would be no impact on existing parking arrangements to the front of the site.

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.

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 a drive at the front for the parking for two vehicles and the area has on street parking to the front. The site is also close to public transport routed. With the two existing spaces and available on street parking it is considered that the parking arrangements are sufficient in this instance.

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 DA220110991 and DA22011.002 received on 30/11/2022, DA22011.001.1 received on 22/12/2022 and drawings numbered DA22011.003 Revision 4, DA22011.004 Revision 3 and DA22011.011 received on 19/01/2023 as modified by the emails from Debtal Architecture dated 22/10/2022 and 19/01/2023. 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 - 24/01.2023			