

DELEGATED REPORT

Report by Amanda

Date of report: 15/12/2021

Ref:67633/FUL

Uhunmwagho

Registration: 01/11/2021

LDFC: 26/11/2021

Expiry Date: 27/12/2021

Site Visit: 30/11/2021

Site Notice: N/A

Press Date: N/A

Objections: 1

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 and rear dormer extension to accommodate loft conversion

Location: 19 St Marys Road, Prestwich, Manchester, M25 1AQ

Description

The application relates to a two storey semi-detached house fronting on to St Mary's Road, Prestwich with Branksome Avenue to the west. There are garden areas to three sides with a brick wall and hedging along the boundaries. There is parking on site at the front of the property and an existing flat roof two storey extension to the side of the property.

The proposal is to extend the existing roof and add a pitched roof above the existing flat roof side extension. Additional bedrooms would be created in the loft space and a flat roof dormer erected to the rear.

Relevant Planning History

N/A

Publicity

Neighbours notified on 04/11/21 - One objection received from 20 St Mary's Road and one comment received from 18 St Mary's Road.

Both neighbours have commented that the description of the existing roof tiles is incorrect on the application form which states they are concrete tiles. They advise that they are clay Rosemary tiles and both suggest that the description be amended and that the same tiles should be used for any new proposal in order to maintain the integrity of the streetscape.

The neighbour at no.20 has also states that the character of the street comprises mostly semi-detached houses with a hipped gable to each property. Changing the roof scape of a single dwelling to a vertical gable will not compliment the surrounding properties. The massing of the extension should therefore consider more carefully how an additional volume can be created in the roof space without detriment to the street vernacular using more recognised geometries.

A wider massing study should also be undertaken to give the application more context

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

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.

Issues and Analysis

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 properties along St Mary's Road are detached or semi-detached and most of the properties have hipped roofs, some with cat-slide type roofs to the side. There are also two detached properties with pitched roofs and no.17 St Mary's Road to the west of the site has a roof which is pitched to one side and hipped on the other. No.9 also received planning permission for a pitched roof in May 2021. With this in mind the proposal to add a pitched roof to the building would not be considered out of character in the current streetscape given that there are varying roof types along the road. It is also noted that the applicant could do a hip to gable conversion on the original part of the dwelling under permitted development rules. With this in mind the design of the proposal is considered acceptable in this location.

A condition would be added to the decision advising that the materials used in the construction of the roof extension should match the existing building/roof.

As the property is situated at the junction with Branksome Avenue at the side the rear of the property would also be visible from the west. The dormer would be set well down from the ridge and in from the side and it would be over 10m from the side boundary with Branksome Avenue. Taking this in to account and that the applicant could build a slightly smaller rear dormer as permitted development the dormer would be considered acceptable in this location.

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 -

- Properties to the front are over 30m away from the existing dwelling. As the only change to the front of the property would be the roof style there would be no detrimental impact on residential amenity at homes opposite the front of the site.
- At the rear there would be around 10m minimum from the west side of the proposed dormer to the rear boundary and the two windows to this side would be to a bathroom and dressing room which would be classed as non-habitable rooms. The proposed bedroom window to the east side would be just over 14m to the rear boundary. These aspect standard distances would be acceptable in terms of SPD 6 and there would not be any significant detrimental effect on privacy at the property directly to the rear.
- There is approximately 10.4m from the side elevation of the house to the west boundary. A smaller landing window is to be replaced with a much larger window. As this would be to a stairwell only and it would be over 10m from the boundary this would be acceptable in terms of SPD 6.
- The dormer would be set in from the party wall with no.21 next door by approximately 536mm. This would ensure there would be no encroachment on to this neighbour's roof.

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 7 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 to the front which can accommodate up to three vehicles. The proposed extension would be to the roof only. The dwelling itself is not going to be extended. As such the existing parking arrangements on the site would not be affected by the proposed development. Three parking spaces within the site would be acceptable in terms of SPD 6 and SPD 11 and there are also no parking restrictions to the highway in front. In this instance the parking arrangements are considered sufficient.

Response to neighbour comment/objection -

The concerns of the neighbours have been addressed in the report above.

The agent was contacted on 14/12/2021 regards the comments that the description of the existing tiles on the property are incorrect. They provided an updated application form on 15/12/2021 stating that the existing roof tiles are in fact clay Rosemary tiles and the new tiles used would be the same.

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 drawings numbered CM287 EX 01, CM287 EX 02, CM287 PL 01a, CM287 PL 02c and CM287 PL 03a 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 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 - 15/12/2021		DM	15/12/2021