

DELEGATED REPORT

Report by Amanda

Date of report: 29/07/2022

Ref:68522/FUL

Uhunmwagho

Registration: 01/06/2022

LDfC: 21/07/2022

Expiry Date: 27/07/2022

Site Visit: 25/07/2022

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: Two storey extension at front; first floor extension at rear above existing dining room and new window to side elevation

Location: 30 Dovedale Avenue, Prestwich, Manchester, M25 0BU

Description

The application relates to a two storey semi-detached house which has a porch to the front and single/two storey extension on the rear. There is on site parking to the front for one/two vehicles and most of the front of the site is paved. Along the front boundary is a brick wall with railings along the top and wrought iron railing gates for access.

To the rear of the property there is a patio area and then the rest of the garden is slightly raised in level with a detached outbuilding along the rear boundary. No.32 to the east has a single storey rear extension adjacent to the shared boundary and the attached property (no.28) has not been extended to the rear.

The proposal is to build a two storey extension at front providing an extension to the hall at ground floor level and a new bedroom to the first floor. It would project 1.56m forward of the main front elevation and it would measure 3.2m wide. The roof would be hipped. The existing bathroom would be repositioned to the side of the property and the stair well window would be repositioned slightly forward of its current position.

There would also be a first floor extension at the rear above existing dining room. It would project 1.15m from the main rear elevation and it would measure 2.1m wide. The west side elevation would be built off the shared boundary with no.28 and the roof would be flat.

Relevant Planning History

47354 - Two storey/single storey extension at rear - Approve with Conditions 18/01/2007

47671 - Two storey/single storey rear extension - Approve with Conditions 05/04/2007

Publicity

Neighbours notified on 30/06/2022 - 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 front extension would be built with materials and a design which would be considered to be in keeping with the existing building. Most properties along Dovedale

Avenue appear to be of two different styles and there doesn't appear to be any that have two storey extensions to the front. However, many properties along this road do have ground floor porches and so the difference to be considered is the proposed first floor element.

The overall projection of the two storey extension would be 1.56m forward of the main elevation of the dwelling. This would be around 560mm more than the existing porch at the property. Given that no.32 to the east projects slightly forward of the application dwelling and is at an angle, due to the curve in the road, it would not project very far beyond the 'building line' along the road and as such would not have any significant detrimental effect on the character of the existing streetscape and as it would be built well away from the east boundary there would be no concerns regards terracing with the next door neighbour.

The first floor extension to the rear would have a flat roof but as it would not be visible in the public realm and it would be a relatively small extension it would not have any significant detrimental effect on visual amenity in this area. The design of the proposal is 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 and rear of the site would be a sufficient distance from the extended property not to have any significant detrimental effect on residential amenity at these properties.
- The two storey front extension would be built away from the shared boundary with both adjacent neighbours so that it would not have any significant detrimental effect on residential amenity at these properties.
- The repositioning of the stairwell window to the side elevation would still service the stair well, which is classed as non-habitable and it would only face on to obscurely windows at no.32 next door. As such there would be no significant detrimental effect on residential amenity due to the new position of this window.
- At the rear no.28 Dovedale Avenue, attached, does not have any extensions to the rear elevation and there are patio doors at ground floor level directly adjacent to the shared boundary. SPD 6 states that where there are no extensions on an adjacent property a first floor extension should have no more than a 1m projection from the original rear elevation. The plans show that the first floor extension would project 1.15m from the original rear elevation and it would be around 158mm off the shared boundary with this property. With this in mind the 45° rule would be satisfied with regards to its impact on the ground floor patio doors at no.28 Dovedale Avenue.
- The distance from the new first floor bedroom window to the rear boundary would be acceptable in terms of SPD 6.

With the above in mind 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 residential amenity.

Parking -

The proposal would increase the number of bedrooms from 3 to 4 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 an area at the front for parking one to two vehicles and this would remain following the two storey front extension being built.

The front of the site is mostly paved for parking with some planting and currently the applicant could park up to two vehicles within the site boundary if need be. It is noted that given the boundary wall at the front it could be difficult to manoeuvre a second vehicle on

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the site but the area is high access in terms of public transport and there is plenty of on street parking available in front.

It is noted that if the applicant needed to create easier access to further parking on site they would be able remove the existing gate post without the need for planning permission and it appears that the existing dropped kerb in front would be wide enough without needing to extend this. In this instance then the parking arrangements are considered sufficient.

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 P01, P02, P03, P04, P05 and P06 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 - 29/07/2022			