

DELEGATED REPORT

Report by Mo Warsame	Date of report: 25/07/2024	Ref: 70488/FUL
Registration: 05/02/2024	LDfC: 01/03/2024	Expiry Date: 01/04/2024
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 1	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Hip to gable roof extension at side; Loft conversion with front and rear dormers;
First floor rear extension

Location: 78 Albert Avenue, Prestwich, Manchester, M25 0LU

Description

The property is a two storey brick semi detached house. It has a paved area to the rear leading to a lengthy rear garden containing a number of trees. The adjoining property, No.80, has a short length of block-work wall along part of the shared boundary and a single storey mono-pitch extension approximately 1.5m deep. To the opposite side is No.76 also a semi detached house with similar size. The properties to the front and rear are over metres away.

Planning permission is sought for a hip to gable roof extension at the side, loft conversion with front and rear dormers and first floor rear extension.

The proposed hip to gable extension would increase the roof's ridge height to match the height of the adjoining property. The existing roof is currently lower than that of the adjoining property and this extension would align the roofs of the pair of semi-detached dwellings. The proposed development would also include a front dormer with pitched roof along with a flat roofed L-shaped rear dormer to facilitate the proposed loft conversion. Other proposed work include, the erection of a first floor rear extension with a pitched roof that would project 4.2m to the rear and run 3.55m to the rear. The proposal would accommodate 3 additional bedrooms, 1 with en suite bathroom and another separate bathroom on the proposed loft area. There would be a utility area and a new bathroom on the proposed section of the first floor. The development would be constructed with some matching materials.

Relevant Planning History

48598 - SINGLE STOREY EXTENSION AT REAR; SINGLE STOREY EXTENSION AT FRONT AND SIDE (NO 80 ONLY) - Approve with Conditions 22/10/2007

55832 - Single storey extension at rear - Approve with Conditions 03/01/2013

Publicity

Neighbour letters sent. One objection received.

Comments

The concerns relate to the height of the proposed development, and in particular the proposed rear dormer and its proximity to the shared side boundary. There is also a concern of whether the development would lead to loss of privacy and outlook and cause other implications such as over shadowing via the proposed windows to the side due its position.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Unitary Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions

H2/3 Extensions and Alterations

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, including relevant policies in the emerging Places for Everyone Joint Development Plan.

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

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 located at the rear of the property. In relation to raised in ridge height SPD 6 states that proposals to increase the height of a house can appear incongruous and will be assessed on its impact on the character on the street scene. In this instance, the increase in ridge height and hip to gable extension would not extend beyond the attached dwelling. The extension would align the roof of the application property with the attached property, balancing the pair of semi-detached properties. The proposed increase in ridge height would in this case lead to a more appropriate relationship with the attached property and street scene.

The first-floor rear extension would not project beyond the existing footprint of the host property. Moreover, it would have a pitched roof forming a rear gable with the existing single storey. As such, it would be a modest structure that would appear subservient to the existing dwelling. The development would also be constructed with matching materials and therefore would be considered acceptable.

Front dormer are common features within this area. The front dormer would have a pitched roof, replicating the shape of the existing dwelling. Additionally, it would be a modest structure that would be setback from the eaves and the ridge of the main roof.

The proposed flat roof dormer to the rear would be a modest structure that would be constructed within the footprint of the existing roof. This would be acceptable and could in fact now be built under Permitted Development rules. As such, the proposed development would comply with Policies H2/3 of the Bury Unitary Development Plan and SPD6.

Overall, the proposed roof alterations would give the dwelling a more balanced appearance, which would be acceptable.

It is considered that the proposal would not have a detrimental impact on the character of the dwelling, street scene or neighbouring properties and would therefore comply with UDP Policy H2/3 and SPD 6.

Residential Amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

- The first-floor rear extension and the dormer to the rear would have proposed side windows facing No.76, two on the first floor and one on the rear dormer. However, none of these windows would be from habitable rooms. Furthermore, they would all be condition to be obscure glazed up to 1.7m.
- The First floor extension would be located over 20m from the shared rear site boundary.
- Following the application of the 45-degree rule, the first-floor extension would have no detrimental impacts on the outlook and privacy of the adjacent neighbours (No. 76 and No.80).
- The proposed rear dormer would not project beyond the foot-print of the main roof and there would remain a sufficient distance to the rear site boundary.

- There would be over 20m from the proposed front dormer to the properties in front. Moreover, this would not be from a habitable room.
- There would be an acceptable amount of private outdoor amenity space remaining.

The proposed extension would be acceptable and comply with UDP Policy H2/3 and associated guidance in SPD6.

Highways

The proposal will result in two additional bedrooms. However, there will be no changes to the parking layout. Therefore, the driveway at its current condition would meet the maximum parking requirements.

Response to Objection

The report have addressed the main concerns of the objecting party. There would not be any significant detrimental impact on the neighbouring properties, following the amendment of the proposed rear dormer. Furthermore, the proposed increase in ridge height would not extend beyond the existing height of the attached property and the proposed side windows would be conditioned to be obscure glazed. Additionally, the new proposed rear dormer would not project beyond the main roof and as such could be built under Permitted Development rules. Therefore, any impact would not be excessively above and beyond the existing situation.

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 dwg no.002, dwg no.003 rev 1, dwg no.002, dwg no. 502, dwg no. 503 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 Before the first occupation of the extension hereby permitted the proposed side windows on the first floor and rear dormer 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	25/7/24	DM	25/7/24