

DELEGATED REPORT

Report by Steven Gunn
Russell

Date of report: 25/03/2022

Ref:67902/FUL

Registration: 11/01/2022

LDfC: 01/02/2022

Expiry Date: 08/03/2022

Site Visit: 21/02/2022

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Raising of roof ridge height with hip to gable roof extension, loft conversion and dormers at front/rear

Location: 6 & 8 Mowbray Avenue, Prestwich, Manchester, M25 0LP

Description

This is a joint application that relates to a pair of two-storey semi-detached houses on a residential of generally similar properties. The rear boundary has shrubbery with trees beyond.

Planning permission is sought for two separate properties accommodating separate households, but with the same agent.

No.6 is corner property, double sided over two public highways with a sizable outrigger that appears as a secondary elevation overlooking Richmond Avenue. There is an extremely small rear yard and a modest sized garden at the front. The proposal is seeking to raise the roof ridge height with hip to gable roof extension carried over from the existing roof, accommodating a loft conversion and large L-shaped rear dormer at the rear plus three smaller dormers at the front and side. The proposals affect the second floor only.

No.8 directly adjoining, has a similar front elevation plus side garage and a good size garden to the rear. The proposal is seeking to raise the roof ridge height with hip to gable roof extension carried over from the existing roof, accommodating a loft conversion and large rear dormers at the rear plus one small dormer at the front. The proposals affect the second floor only.

There would be a separation of approximately 6m to the rear boundary, and 7.5m to the neighbours blank gable wall. Materials would match existing. There is limited tree and shrub planting on the rear boundary.

Relevant Planning History

02657/E - Loft conversion and front and rear dormers - Enquiry completed 12/10/2021

12/0440 - Breach of Condition - No obscure glazing first floor window (s) south elevation - 01/11/2012

53872 - Single storey/two storey extension at rear - Approved 2011

Publicity

Immediate neighbours notified by letter dated 11/01/2022 sent to 17 neighbours. One letter of support was received, raising the following points:

- This project will enhance the street and create a refreshing look as well add produce

- some very much needed space to resolve the current cramped living-space.
- Enable the residents to remain within their close-knit supportive community and very friendly neighbourhood.
- The proposed plans really look like a piece of art.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
HT2/4	Car Parking and New Development
SPD11	Parking Standards in Bury

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.

In terms of design and appearance the proposed extensions are generally in-keeping with the existing houses. Situated at the side and rear, the extensions would be readily visible from the public arena. Both dwellings would have the roof ridge raised from approximately 8.10m to 9.58m and materials would match existing. The agent has submitted a streetcene showing that the raise roof would be similar in height to 66 Richmond Avenue. Also the agent has submitted revised plans that show improvements to the design including setting back the dormer windows from the eaves and reducing the visual prominence of the one remaining box shaped dormer window overlooking the highway, while benefiting from an improved internal reconfiguration.

At No.6 (a corner property) the proposed hip to side and rear gable roof extension extends across from the main roof over the outrigger roof including dormers at rear plus side dormers which is not a true dormer as it has a clear side elevation overlooking the public highway. Nevertheless, the small side dormers have been set in to reduce their prominence and impact on the public arena. Additionally, the design of the rear hip to gable extension would provide a traditional gable roof shape, while the window alignment is generally acceptable.

At No.8 (attached semi) the proposed hip to side gable roof extension extends across from the main roof including large dormer at rear plus one small dormer at front. Additionally, the design of the rear hip to gable extension would provide a traditional gable roof shape, while the window alignment is generally acceptable.

In this respect the extension complies with UDP Policy H2/3 and associated guidance in SPD6.

Residential amenity - UDP policy H2/3 and SPD6 seeks to reduce the impact of proposals on the residential amenity of neighbouring properties.

At No.6 (a corner property):

- The agent has submitted revised plans providing an additional bedroom window to ensure adequate natural lighting, alongside an improved internal reconfiguration.
- There would be no rear habitable windows and therefore the rear separation distance is not applicable.
- There is limited tree and shrubbery along the rear boundary that helps to further reduce the impact.
- The extension is acceptable in relation to both neighbours as it complies with the '45-degree rule' within SPD6.
- In terms of the general prominence and impact on daylight the proposed extensions are to the north-east of 66 Richmond Avenue. As such any overshadowing would not be seriously excessive above and beyond the existing situation.

At No.8 (attached semi):

- There would be a separation of approximately 6m to the rear boundary. Although this is less than the 10m normally required to prevent overlooking it is considered acceptable given the distance of 7.5m to the neighbours blank gable wall and ground floor kitchen extension with no direct overlooking of that neighbours rear garden.
- There is limited tree and shrubbery along the rear boundary that helps to further reduce the impact.
- The extension is acceptable in relation to both neighbours as it complies with the '45-degree rule' within SPD6.
- In terms of the general prominence and impact on daylight the proposed extensions are set off the shared side boundary and to the east of 66 Richmond Avenue alongside that neighbours side elevation. As such any overshadowing would not be seriously excessive above and beyond the existing situation.

It is considered that the extension would be acceptable and comply with UDP Policy H2/3 and associated guidance in SPD6.

Highways – Both driveways are too short for current parking standards. However, as no changes are proposed at ground level this issue has low weight.

Conclusion – In consideration of the above, it is considered that the proposed development would be acceptable in terms of the design, and sitting, of this development, providing additional space for family living. As such, the proposed development is therefore considered to be acceptable and complies with UDP Policy H2/3 and associated guidance in SPD6.

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 GSS21072.4 002 Rev4, GSS21072.4 004 Rev4, GSS21072.4 005 Rev2, GSS21072.4 006 – Site, GSS21058 003 Rev3, and GSS21072 003 Rev4 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 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.

- 4 Before the first occupation of the extension hereby permitted the windows at the front and rear bathrooms 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>
SGR	25/03/2022		