

## **DELEGATED REPORT**

**Report by** Amanda

**Date of report:** 22/11/2024

**Ref:**71122/FUL

Uhunmwagho

**Registration:** 30/08/2024

**LDfC:** 02/10/2024

**Expiry Date:** 25/10/2024

**Site Visit:** 30/09/2024

**Site Notice:** N/A

**Press Date:** N/A

**Objections:** 0

**Con Area:** N/A

**Adv Type:** N/A

**Reason for Delay:**

**EIA:** NA

N/A

**Dec Level:** DEL

**Stat Class:** HOUS

**Proposal:** Hip to gable loft conversion with front and rear dormers; Demoition of garage.

**Location:** 2 Wilton Avenue, Prestwich, Manchester, M25 0HD

### **Description**

The application relates to a two storey, previously extended semi-detached house located on the corner of Wilton Avenue at the junction with Kings Road, Prestwich. There are bay windows to the front and side of the property, as well as to the front corner which form a turret section with pitched roof. The main roof as existing is hipped. There is a single/two storey rear extension on the property. The site has a fence along the front boundary and red brick wall along the side. To the rear there are fences. Pedestrian access to the site is via gates to the front corner and side boundaries and there is parking to a garage at the rear.

The proposal is to convert the existing roof from a fully hipped to a partial hipped roof with a pitched roof front dormer and a flat roof dormer to the rear. They would also be demolishing the existing detached garage to the rear of the site. The plans also show that an existing first floor store at the rear of the house would be removed and the existing roof to the single storey rear extension would be replaces with a flat roof and Succah rooflight.

The front dormer would measure 2108mm wide x 3417mm projection. It would be set in from the outer side of the building by around 1585mm and in from the attached neighbours side by around 4972mm. It would have a pitched roof and would be set down from the ridge by 200mm. At the rear the flat roof dormer would measure 5680mm wide x 4833mm projection. It would be set in from the party wall with the attached property by around 200mm and set in from the outer side elevation by around 2139mm. The dormer would be set back from the rear elevation by around 300mm and set down from the ridge just under 200mm.

### **Relevant Planning History**

N/A

### **Publicity**

7 neighbours notified on 10/09/2024 - No comments or objections received.

### **Statutory/Non-Statutory Consultations**

None

**Pre-start Conditions** - Not relevant

### **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), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within 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 and PfE Policies 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 original drawings submitted showed that the roof would be converted from a hipped to a gable roof. It was considered that a pitched roof would not be in keeping with the existing building and it would be out of character if the streetscene, which is predominantly hipped roofs. After some discussion the revised drawings showing a partially hipped roof were submitted. Although the proposed design wouldn't be considered to be the ideal choice, it would be very similar to the roofs on neighbouring dwellings from no.104 to no.120 Kings Road, which all have partially hipped roofs. Numbers 106 and 108 Kings Road, also have the turret windows to the corner of the front elevations like the application property. On balance the proposed roof style would be considered acceptable in this location.

The pitched roof dormer at the front would be a relatively small addition to the roof and it would be built with materials that would be considered to be in keeping with the existing property. The rooflight to the front could be installed as permitted development.

The rear dormer would be set in from the elevation facing on to Wilton Avenue so that it would not project forward of the front elevation of no.4 Wilton Avenue to the rear. This would ensure there would be no significant detrimental impact on the appearance of the existing building line along Wilton Avenue. It would be built with materials and a design that would be considered to be in keeping with the existing building, as well as others in the area.

The removal of the first floor section at the rear and new flat roof (and Succah) to the single storey extension would not have any detrimental impact on visual amenity in the local vicinity. It would improve the outlook from a first floor window to the rear of attached neighbour.

Removal of the garage at the rear of the site would also not have any detrimental impact on the character of the existing streetscene. 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, and Places for Everyone Joint Development Plan listed.

### **Residential Amenity -**

- Properties to the front of site would be more than a sufficient distance from the application dwelling not to have any significant detrimental impact on residential amenity.
- Although no.4 Wilton Avenue to the rear is quite close to the rear of the application property it is noted that the owner of no.2 could erect a rear dormer as permitted development, without the need for prior planning approval. The majority of the proposed dormer would be located on the original roof. As such there would be no reason to refuse it.
- The dormer would have two bedroom windows facing the side elevation of no.4, which does not have any habitable room windows facing the site, and there would be no direct overlooking of private garden areas from the new dormer. There have not been any objections from the neighbour at no.4 Wilton Avenue.
- There would be no new windows/openings to the east side elevation facing towards numbers 1 and 3 Wilton Avenue.
- The front dormer would be positioned well away from the party wall with no.120 Kings Road, attached, and at the rear the plans show that the dormer would be around 200mm away from the party wall. As such there would be no concerns regards encroachment at this particular property.

- The removal of the garage at the rear could be undertaken as permitted development and its removal would improve parking availability within the site.
- The removal of the first floor rear extension and change to the single storey roof has not been included as part of the proposal, but this could also be undertaken as permitted development.
- The proposed development would not have any detrimental impact on the amount of amenity space within the site.

Taking the above into account 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.

### **Parking -**

The proposal would see an increase of bedrooms from 3 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 on site parking in a garage at the rear of the site. The garage is to be demolished leaving parking on site for at least one vehicle to the rear of site, but it could accommodate up to two vehicles if necessary. As such the proposed parking availability would be better than what is on site currently. It is also noted that although there would be an increase in the number of bedrooms at the property the house is for single family use only. The area has on street parking and there is public transport available. In this instance then the parking arrangements are considered sufficient.

### **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 002, 003 and 502 received on 30/08/2024 and drawings numbered 004.2 and 005.2 received on 31/10/2024 as modified by the email from Goldsketch Studios Ltd dated 31/10/2024. 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 in terms of visual amenity, and Places for Everyone Joint 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.

| <u>Case Officer</u> | <u>Date</u> | <u>Sign off Officer</u> | <u>Date</u> |
|---------------------|-------------|-------------------------|-------------|
| AU - 22/11/2024     |             | DM - 22/11/2024         |             |