

DELEGATED REPORT

Report by Mo Warsame	Date of report: 02/08/2023	Ref: 69675/FUL
Registration: 07/06/2023	LDFC: 30/06/2023	Expiry Date: 02/08/2023
Site Visit: 26/07/2023	Site Notice: N/A	Press Date: N/A
13:00:00		
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: Installation of velux roof lights, alterations to windows & doors and new raised patio / terrace to the south-west elevation

Location: 2 Deyne Avenue, Prestwich, Manchester, M25 1EJ

Description

The application relates to a detached dwelling house located on Deyne Avenue. The premises is located on a corner plot on the junction of Deyne Avenue, and Rectory Lane with an adopted access road running along the rear boundary. The dwelling has gardens to the front side and rear, the boundary of which is depicted by a hedgerow. The dwelling appears to have been previously extended at single storey to both sides, with an attached garage located to the side/rear.

Planning permission is sought for the Installation of roof lights, alterations to windows & doors and new raised patio to the south-west elevation. There would be 10 rooflights 4 to the front, 4 to the rear and 2 to the side. They would all be conservation style Velux rooflights as stated on the proposed plans. The proposed windows would also be similar in style to the existing windows and the raised patio would be 870mm high with 1100mm high railing. The patio would be constructed with matching materials.

Relevant Planning History

02832/E - Erection of 2no. roof dormers, Velux roof windows, new windows, doors and patio - Enquiry completed 31/03/2023
65636 - Single storey side extension with open roof; Raised patio; Dormer extension to side - Refuse/Refused 03/09/2020

Publicity

Neighbour letters sent. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

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.

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.

Situated to the front, side and rear, the development would be visible from the street scene. However, there are number of properties with rooflight and front dormers within this street. The proposed rooflight windows would be simple and relatively small in relation to the roof slopes to which they would to be installed. Therefore, it would be considered acceptable.

The alteration to windows and doors would also be acceptable as they would align with one another and with the existing windows and doors. The proposed raised patio would be 870mm high with 1100mm high railings. Moreover, it would be constructed with brickwork to match existing.

Overall, the proposed development would not be detrimental to the character and visual amenity of the street scene or the building on which they are installed. As such the proposal would comply with adopted Bury UDP Policy - EN1/2 - Townscape and Built Design.

Residential Amenity

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

The development would be modest and as such would have no serious impact on amenities of the adjacent neighbouring properties. Furthermore, there are several samples of similar development within this street. The proposal therefore conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

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 the drawings received on 23/05/2023 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	02/08/2023	DM	02/08/23