

DELEGATED REPORT

Report by Amanda

Date of report: 19/12/2024

Ref:71268/FUL

Uhunmwagho

Registration: 31/10/2024

LDfC: 21/11/2024

Expiry Date: 26/12/2024

Site Visit: 28/11/2024

Site Notice: N/A

Press Date: N/A

Objections: 1

Con Area: N/A

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Hip to gable loft conversion with rear dormer; First floor side extension; Single storey rear extension; Alterations to replace first floor front window to a bay window; Extension of vehicular crossing

Location: 297 Heywood Road, Prestwich, Manchester, M25 2RQ

Description

The application property is a two storey semi-detached house with a ground floor bay window to the front and an attached garage to the side. At the front of the site is a small garden and driveway with a fence along part of the front boundary. To the rear of the site is a long garden with fences to all boundaries. Planting and trees have been previously removed. The attached property has a ground floor habitable room window adjacent to the shared boundary and at no.295 there is a garage adjacent to the boundary.

The proposal is to do a hip to gable loft conversion with rear dormer, add a first floor side extension, single storey rear extension, alterations to replace first floor front window to a bay window and an extension of the vehicular crossing.

The roof extension would provide a further bedroom and en-suite bathroom. There would be one rooflight to the front and one to the rear in the en-suite. The dormer would have a flat roof and it would measure 5884mm wide. The cheeks would be tile hung to match the roof tiles.

The first floor side extension would be built above the existing garage. It would be set back 1500mm from the existing front elevation and it would be built flush with the existing rear elevation. It would measure 2350mm wide x 7175mm long. The rear section of the garage would be replaced with a ground floor wc and to the rear it would be part of the new kitchen.

The single storey rear extension would project 3160mm along the shared boundary with no.299 Heywood Road and the rear corner would be chamfered at a 45° angle. The overall projection of the extension would be 5000mm. It would have a flat roof with a single roof lantern and bi-fold patio doors to the rear.

At the front the existing bay window would be extended upwards. It would have a hipped roof. Also to the front the existing driveway and dropped kerb would be extended to accommodate a second vehicle. The dropped kerb would measure 4500mm wide.

Relevant Planning History

N/A

Publicity

4 neighbours were notified on 31/10/2024 - One objection was received. A summary of their

objections is listed below.

- No objections to the two storey side extension or dormer.
- The addition to the bay window at the front would spoil the symmetry of the properties.
- They previously wanted to make changes to their bay windows but the previous owner of no.297 didn't. As such the works were not carried out.
- There is a history of subsidence at the application property and their own. They've previously undertaken works to stabilise the subsoil and are concerned about the proposed works compromising the application dwelling and their own.
- The proposal to remove the chimney and the roof extension takes away much of the internal strength and support necessary for floor and ceiling timbers.
- The entire rear wall of both properties is secured to these timbers with specialist bolts which our insurer's agents insisted on. My concern is that further movement during the construction phase may result in some more damage to my property.
- Creation of the enlarged kitchen from two existing rooms and the new access to the proposed 'family room' necessitates two or more supporting beams – in addition to any which may be needed at second floor level. Removal of internal walls and that central chimney may weaken a building whose foundations may not be as secure as they might. Please assure me that this is not the case.
- I have sought assistance from my insurers - and loss adjusters-surveyors - regarding the current status of those earlier remedial works. I do plan to appoint my own building surveyor to monitor the current condition of my house.
- The proposed single storey building which will extend five metres to the rear of the property will severely impact us aesthetically. They spend much of their time in the garden and it is their place of relaxation and peace.
- The proposed five-metre brick party wall to the height of the first floor would be a severe loss of amenity and would render our courtyard garden as something akin to a prison exercise yard. We value this special space at the rear of our house and I strongly object to this being built.
- However, if this building were to be approved, I request that the 'lantern' light feature on the roof be sited close to the middle of the roof – rather than near to our side - and re-orientated ninety degrees to minimise its visual impact for us.
- The above-mentioned remedial work – more than twenty years ago – had a severe impact on my wife's mental and physical health. At that time, I was still working but my wife was home and lived through the noise, dust and vibration. Now in our late seventies, we are very anxious about the impact a prolonged period of work will have upon our health – mental as well as physical. Notwithstanding more noise, dust and vibrations from this extensive project, we face the additional anxiety that this venture will result in damage to our house.

The objector was emailed revised drawings on 04/12/2024 - No further comments or objections have been received.

Statutory/Non-Statutory Consultations

Traffic Section - No objections.

United Utilities (Water and waste) - No comments received. An informative would be added to the decision advising the applicant to contact United Utilities regards the proposed development.

Pre-start Conditions - Not relevant.

Development Plan and Policies

SPD6	Supplementary Planning Document 6: Alterations & Extensions
H2/3	Extensions and Alterations
PFE	Places for Everyone

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.#

Although the pitched roof would be of a different style to other properties along the row it is noted that the applicant could convert the roof from a hipped roof to pitched as permitted development. As such this would not be a reason for refusal.

Part of the proposal includes adding a new bay window above the existing one to the front elevation. The attached neighbour only has a ground floor bay window, so the addition of the first floor bay window would result in the two properties becoming asymmetrical. However, there are other properties along the row which have bay windows at both ground and first floor levels so the new bay to the front would not have any significant detrimental impact on the character of the existing streetscene.

The proposed development would be built with materials and a design that would retain the character of the existing building, as well as remaining in keeping in the existing streetscene.

The 1.5m set back at first floor level from the original front elevation means the proposal is considered acceptable in terms of 'terracing' and the effect on the streetscene.

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 -

- There are no residential properties directly to the front of the site and separation distances to properties at the rear would be more than sufficient as set out in SPD 6.
- The single storey rear extension would project 3160mm adjacent to the shared boundary with no.299 Heywood Road, attached. As the side elevation would be built 160mm off the shared boundary this projection would be considered acceptable in terms of SPD 6.
- The rear corner adjacent to the boundary with no.299 would be chamfered away from the boundary at a 45° angle in order for the extension to comply with SPD 6.
- On the opposite side the single storey extension would project 5000mm. As there has been no objection from the neighbour at no.295 the projection of 5000mm would be acceptable under the Larger Homes Scheme.
- There would be no new windows to either side elevation.
- The first floor side extension would be built directly along the shared boundary and the drawing shows that the roof would overhang the boundary. Notice was served on this neighbour and certificate B submitted with the planning application. As the neighbour/owner of the property has not objected the proposal there would be no reason to refuse the application on the grounds of encroachment. Any concerns regards this part of the development would be a civil matter which the applicant would need to discuss directly with their neighbour.
- The drawings show that the rear dormer would be built within the site boundaries and it is also noted that a flat roof dormer of a similar size/design could be built on the rear of this property as permitted development.
- The extension to the dropped kerb to the front of the site would not have any significant detrimental impact on existing on street parking along Heywood Road and the Highways officer did not object to the dropped kerb extension.
- The drawings show that the existing driveway would be extended to provide a second car parking space on site. The notes on the drawings advise that the driveway would drop off towards the existing garden area so that any surface water drainage would be kept within the site and not on to the highway in front.

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 in terms of separation distance to the surrounding properties.

United Utilities -

United Utilities were consulted regards this application as there is an aqueduct that passes through part of the rear garden. As they have not submitted any comments an informative would be added to the decision advising the applicant to contact United Utilities regards this.

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 a vehicle. This area would be extended to accommodate a second vehicle. The area is high access in terms of public transport and there are no parking restrictions to the highway in front. In this instance then the parking arrangements are considered sufficient.

Response to neighbour objection -

The neighbour was visited at their property and advised that a lot of their concerns regards the known subsidence issues and other building concerns would be considered during the Building Control application process. Contact details for Building Control was given to the neighbour.

With regards to the objection that the 5000mm projection along the boundary would be excessive the agent provided a revised drawing showing this reduced along the shared boundary so that it would comply with SPD 6. The revised drawing also showed the roof lantern moved to the opposite side of the extension. The neighbour was emailed the revised drawing on 04/12/2024. They did not submit any further comments.

The appearance of the proposed first floor bay window at the front has been addressed in the visual amenity section of the report.

One concern was the impact of the building works, including noise and dust on the neighbours' well being. Although this is a genuine concern it would not be a Planning concern and as such would not have any impact on the decision. If the neighbour experiences any concerns during the building process they would need to speak with the applicant. However, if any noise pollution, or other concerns arise they would need to contact the relevant department at the Council for advice.

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 drawing numbered 297HR/1/C received on 02/12/2024 as modified by the email from Northside Plans Ltd dated 02/12/2024. 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 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.
- 4 The amended access and parking arrangements indicated on the approved plans, incorporating the extension of the existing footway crossing, hardstanding in a permeable/porous material and/or measures to prevent the discharge of surface water onto the adopted highway, demarcation of the limits of the adopted highway and any associated remedial works required to reinstate the footway to its former condition prior to commencement of the development, shall be implemented before the extensions and new parking facilities hereby approved are brought into use.
Reason. To ensure good highway design in the interests of road safety pursuant 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.
- 5 Facilities for the storage of construction materials shall be provided within the curtilage of the site. The measures shall be retained and facilities used for the intended purpose for the duration of the construction period.
Reason. To maintain the integrity of the adopted highway and ensure adequate off street materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to UDP Policy H2/3 Extensions and Alterations.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU -	19/12/2024	HL -	N18/12/2024