

DELEGATED REPORT

Report by Steven Gunn
Russell

Date of report: 19/07/2022

Ref:68330/FUL

Registration: 12/04/2022

LDfC: 26/05/2022

Expiry Date: 07/06/2022

Site Visit: 10/05/2022

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: Hip to gable roof extensions; 2no. Dormer extensions at front and 1no. Dormer extension at rear

Location: 142-144 Albert Avenue, Prestwich, Manchester, M25 0HE

Description

The application relates to a detached house that was recently converted from two semi's into one detached property although the front of the house generally maintains the appearance of two semi's, within a residential street of semi-detached properties. As such there are no attached neighbours. The neighbour at No.140 has a small single storey extension at the rear and the neighbour at No. 146 has a two-storey rear extension. Both neighbours have gable roofs. At the rear the original boundary between the original two semi's has been removed and opened up to one large garden. The rear boundary has small trees and beyond this is allotments are larger trees on the far side with no neighbours directly to the rear.

Planning permission is sought for Hip to gable roof extensions plus three dormers. There would be two dormers at the front elevation with hipped roofs, and one large dormer at the rear elevation with a flat roof. There are no new side windows proposed except one second floor bedroom window. There would be a substantial separation of 17.5m to the rear boundary with no neighbours directly to the rear.

It should be noted that this application was originally submitted with the address 144, however the correct address is 142-144 and neighbours were notified of this.

It should also be noted that there is also a large decking area 1.22m high the full width of the house for which the applicant has stated that they intend to submit a separate retrospective planning application together with some intended changes to the basement. This does not form part of the current application.

Relevant Planning History

Address: 144 Albert Avenue only:

58804 - Single storey extension at front/side; Two storey extension at side/rear; Single storey extension at rear; Loft conversion with roof extension and dormers at front/rear; Raised area at rear with handrail and steps to garden level - Approved with Conditions 28/07/2015.

Publicity

Immediate neighbours notified by letter dated 04/05/2022 and 13/05/2022 sent to 8 (eight) neighbours. Amended neighbour letters were sent on 01/07/2022. No representations were received.

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 scale, design, and appearance the proposed extension would be generally in-keeping with the existing house. Although this detached house was originally built as two semi's the proposed development would maintain the general appearance of two semi's with separate doorways, and separate matching dormers at second floor (attic level), giving an overall symmetrical appearance as viewed from the public arena.

Situated at the front, the proposed two dormer extensions (plus two skylights) would be readily visible from the public arena, although their matching symmetrical design incorporates hipped roofs, and the scale is considered to be appropriate for this property and streetscene. During the course of the application assessment process the size of the front dormer windows was reduced in scale to fit in more closely with the bay windows directly below, achieved by reducing the dormer pitch height by 23cm, and reducing the dormer width from 2.92m to 2.32m. It is considered that these design improvements are acceptable and would reduce the impact of the proposed front dormer extensions on the existing house and surrounding streetscene.

Situated at the rear, the proposed large dormer extension (incorporating a flat roof) would not be readily visible from the public arena. This would be lower than the main pitch and set in at both sides, although its design and scale is considered to be appropriate for this property.

Materials for the dormers would include hanging tiles which is considered to be appropriate for this type of development and location. The existing tree and shrub planting along the rear boundary would further reduce the impact on the residents to the rear. In this respect the proposed 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.

- In terms of overlooking and privacy to the rear, the 17.6m separation distance to the rear boundary from the extension is considered to be acceptable and complies with adopted guidance in SPD6.
- The proposed extension is acceptable in relation to the attached neighbour as the proposed dormer extensions would not project past the front and rear elevations and as such, the proposed extension would not have an adverse impact upon the amenity of either neighbour.
- There would be one new side bedroom windows which is only 1.55m from the shared boundary and would be conditioned to require obscure glazing up to 1.7m above floor level to maintain privacy and mitigate against overlooking of the neighbour at No.140.
- In terms of the general prominence and impact on daylight the proposed hip to

gable extension and associated dormer extensions are entirely at second floor and entirely within the existing building line of that street. Additionally, both neighbours already have a gable roof. The proposed extension would have some impact on part of the applicants own front garden around midday, but any overshadowing would not be seriously excessive above and beyond the existing situation.

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

Highways

No changes proposed to access or parking. However, the proposal would increase the number of bedrooms from 4 to 6 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered, which requires the proposal to provide a maximum of 3 parking spaces within this high access area. Existing on-site parking provides 2 car spaces, and there is additional parking available on street. Given the situation and the fact there are no changes to parking layout, it is therefore considered that the parking arrangements are sufficient. The proposed extension would be acceptable and comply with UDP Policy HT2/4 and associated guidance in SPD11.

Conclusion

In consideration of the above, it is considered that the proposed development would be acceptable in terms of the design, and siting, of this development. The proposed dormer extensions would provide additional capacity for a large family home, and the design has been mitigated to reduce the impact on the surrounding streetscene. 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 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 drawings numbered DA22011 - 001, and DA22011 - 003 Rev1 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.

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- 4 Before the first occupation of the extension hereby permitted the second-floor bedroom window along the west side elevation shall be fitted with obscured glazing up to 1.7m from floor level 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 19/07/2022	