

DELEGATED REPORT

Report by Amanda

Date of report: 11/09/2024

Ref:70984/FUL

Uhunmwagho

Registration: 25/07/2024

LDFC: 26/08/2024

Expiry Date: 19/09/2024

Site Visit:

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: Loft conversion with raised ridge and rear dormer

Location: 34 St Josephs Avenue, Whitefield, Manchester, M45 6NT

Description

The applicant previously submitted a pre-application enquiry for the loft conversion which included the raising of the existing ridge and a rear dormer. The applicant has submitted the current proposal based on the advice given during the pre-application enquiry.

The application relates to a two storey detached house with a long garden and driveway to the front. The boundary is open to no.36 next door (north) and there is a wall with railings running along the shared boundary with no.32 to the south. At the rear there is a private garden area with fences to the north and east boundaries and a brick wall along the southern side. There is a conservatory on the rear elevation with a small adjacent patio and there is decking to the rear boundary. Directly to the rear of site are the grounds of Prestwich Heys Football Club.

The proposal is to extend the height of the existing ridge by around 1m and to add a flat roof dormer to the rear to provide 2 further bedrooms.

Relevant Planning History

02983/E - Loft conversion with raised ridge and dormer - Enquiry completed 18/07/2024

Publicity

4 neighbours notified on 02/08/2024 - 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

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.

The application property sits between two other detached properties which have higher roofs compared to the application dwelling. The roof extension would result in the application property being slightly higher than the adjacent houses. It would be around 200mm higher than no.32 and around 400mm higher than no.36. This would not be considered excessive, especially given that all of the properties along St.Joseph's Avenue

all have differing roof heights. The existing gaps between the properties would also be retained.

The walls would be built up with brick to match the existing walls and to the rear the dormer would have tiles hung to the sides which would match the colour of the existing roof tiles in order for the structure to blend in as much as possible. At the rear it would be visible from a car park belonging to Prestwich Heys Football club and neighbouring rear gardens. It would be built with materials and a design that would be 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.

Residential Amenity -

- There are no residential properties to the rear of the site.
- Direct views from the dormer windows would be over the applicant's own garden area and car park beyond the rear boundary.
- The dormer would be around 10.5m away from the rear boundary which would be more than sufficient in terms of SPD 6, especially as there are no residential properties to the rear.
- The new ridge height of the property would be around 200mm higher than no.32 St. Joseph's Avenue and around 400mm higher than no.36, and the existing gaps between the properties would remain. As such the raising of the ridge and rear dormer would not have any significant detrimental impact on residential amenity on the adjacent properties.
- There is around 23.5m from the existing front elevation to the side elevation of no.35 St. Joseph's Avenue to the front of site. This distance would be more than sufficient in terms of SPD 6 given there are no habitable room windows to the side of no.35 and the only change to the front would be the increased ridge height.
- The proposed development would not have any impact on the existing parking arrangements within the site. There would still be room to park at least two vehicles on the drive way to the front, possibly three at a push.

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.

Parking -

The proposal would increase the number of bedrooms from 3 to 5 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 at least 2 vehicles and this would remain following the roof extension being completed. The area is high access in terms of public transport and there are no parking restrictions along St. Joseph's Avenue. 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 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 ZT24-196-01, ZT24-196-02, ZT24-196-03, ZT24-196-04 and ZT24-196-05 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 UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties.
- 3 The external finishing materials for the proposal hereby approved shall be brick finish to match existing walls, tiles on the dormer to match the colour of the existing roof tiles and the fascia board would match the window colour.
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 - 11/09/2024		DM - 11/09/2024	