

DELEGATED REPORT

Report by Mo Warsame	Date of report: 14/05/2024	Ref: 70575/FUL
Registration: 21/03/2024	LDFC: 18/04/2024	Expiry Date: 16/05/2024
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Loft conversion with dormers at front and rear along with alterations to windows

Location: 64 Kings Road, Prestwich, Manchester, M25 0LN

Description

The application relates to a semi-detached dwelling located on Kings Road. The premises has a driveway and yard area to the front, with a further area of residential amenity space to the rear. The premises is situated over 20m away from properties to the front and rear and on either side, the site shares boundaries with No. 62 (attached) and No.66.

Planning permission is sought for the erection of front and rear dormers. The extension would be an L-shaped development and accommodate 3 additional bedroom on the loft area. The development would have a pitched front dormer and a flat roofed l-shaped rear dormer. The proposal would also be constructed using matching materials

This application is a resubmission of 70226 with the only addition being the proposed front dormer and minor alterations to external windows.

Relevant Planning History

70226 - Rear dormer extension - Approve with Conditions 15/02/2024

Publicity

Neighbour letters sent. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

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.

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 proposed pitched front dormer would be an addition in the scheme and as such would be visible from the street scene. However, it would be a modest structure with a simple design that would appropriately align with the existing windows below and such would not be a prominent feature in the street scene.

The proposed flat roof dormer to the rear would have simple and unobtrusive design, which would not detract from the character of the dwelling. It would be setback from the ridge, gable and eaves. Additionally, following negotiation with the agent under last application (70226), revised plans showing a reduced dormer size have been received. It would not be visible to any public highway, which it would otherwise have not been originally supported.

Following the amendments, part of the proposed development could be built under Permitted Development rules, and it would not be visible in the street scene on Kings Road. As such, the proposed development would not be a prominent feature in the street scene and would comply with Policies Ha/3 of the Bury Unitary Development Plan and SPD6.

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

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

- The proposed flat roofed dormer would be to the rear and not visible from the properties directly to the front.
- There would be sufficient distance from the proposed rear dormer to the rear boundary. Therefore, there would be no detrimental impact on the residential amenity of the properties to the rear.
- There would be no proposed habitable windows on either side of the dormers facing the adjacent neighbours.
- The proposed pitched dormer to the front would be simple structure and there would be a sufficient distance to the properties in front.

Overall, there would be no serious impact on the amenity of any adjacent neighbouring properties. 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.

Parking

The proposal will result in three additional bedroom, however there will be no changes to site access, or parking. The driveway at its current condition meets the maximum parking requirements.

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.

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Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.

- 2 This decision relates to drawings numbered: dwg no.002, dwg no.003, dwg no.004 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 Before the first occupation of the development hereby permitted, the side facing second floor windows on the proposed bathroom shall be fitted with obscured glazing up to 1.7m high 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>
MW	14/05/2024		