

DELEGATED REPORT

Report by Amanda

Date of report: 07/05/2024

Ref:70609/FUL

Uhunmwagho

Registration: 18/03/2024

LDfC: 17/04/2024

Expiry Date: 13/05/2024

Site Visit: 22/04/2024

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: Front dormer

Location: 10 Meadfoot Avenue, Prestwich, Manchester, M25 0AR

Description

The application relates to a previously extended two storey, semi-detached house. The front of the site is paved providing on site parking for two vehicles. There is a wall and a row of conifers along the front boundary with a short fence along the shared boundary with no.8 Meadfoot Avenue and the shared boundary with no.12 is open.

The proposal is to build a dormer to the front of the roof in order to provide more room to the existing loft conversion. The dormer would measure a maximum of 1.9m wide (externally) and it would have a pitched roof. It would be set in from the outer wall, back from the front elevation and it would be finished with materials that would be in keeping with the existing building.

Relevant Planning History

48146 - Single storey Succah extension at rear - Approve with Conditions 15/06/2007

51937 - Two storey side and rear extension; Dormer at rear - Refused 15/12/2009

52270 - Two storey side and rear extension and dormer at rear (Re-submission of 51937) - Refused 08/04/2010

52747 - Two storey side and rear extension with rear dormer (revised scheme) - Approve with Conditions 04/08/2010

56247 - Two storey extension at side and rear. - Approve with Conditions 05/06/2013

Publicity

6 neighbours were notified on 27/03/2024 - No comments or objections were 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 PpE 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.

Any extension to the front of the property could have a detrimental impact on the appearance of the existing streetscene. The original drawings submitted showed a proposed dormer measuring 2.5m wide. This was considered too large for the front of the

property and would have resulted in the dormer occupying a disproportionate amount of the roof space. As such revised drawings were requested.

Normally pitched roof dormers to the front of this type of property would not be expected to exceed more than 1.8m. Anything more than that would be considered excessive. In this instance the revised drawing shows the external measurements for the dormer would be 1.9m. Although this would be 100mm larger than what would usually be allowed number 3 Meadfoot Avenue, opposite front of the site also has a pitched roof front dormer measuring 1.9m wide. The application property has a similar style to no.3 and the proposed dormer would be of a similar appearance. Taking this into account as well as the fact the dormer would be finished with materials that would be considered to be in keeping with the existing property the proposed dormer would not have any significant detrimental effect on the character of the existing streetscene. The design of the proposal is 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 -

- The proposed dormer would be a sufficient distance from properties to the front not to have any significant detrimental effect on residential amenity at those properties.
- The dormer would not be any higher than the existing ridge of the dwelling. As such it would not have any significant detrimental impact on the path of sunlight across the front of no.8 next door.
- As the only extension would be to the roof there would be no impact on parking within the site.

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 not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing where there is parking to the drive at the front.

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 drawings numbered 001 and 002 received on 18/03/2024

and revised proposed drawing numbered 003 Rev 1 received on 07/05/2024 as modified by the email from Debtal Architecture Ltd dated 07/05/2024. 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 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 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>
AU - 07/05/2024		DM - 07/05/2024	