

DELEGATED REPORT

Report by Jane Langan	Date of report: 01/03/2023	Ref: 69248/FUL
Registration: 25/01/2023	LDFC: 23/02/2023	Expiry Date: 22/03/2023
Site Visit: 08/02/2023	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Loft conversion with rear/side dormer

Location: 20 George Street, Prestwich, Manchester, M25 9WS

Description

The property is a two storey end terraced house. It has a garden to the front and there is no off street parking. To the rear it has a two storey outrigger and has also been extended single storey. There is a rear yard that backs on to an access road and beyond this is the rear of terraces on Circular Road. The adjoining property is No.22 and works are currently underway on a dormer extension. To the opposite side No.18 is extended with a flat roofed dormers to the rear roof slope and its side outrigger slope.

The application proposes a loft conversion with the addition of a flat roofed dormer to the rear roof slope and side outrigger. The front roof slope would have roof lights. The additional roof space would provide 3 additional bedrooms and a bathroom.

Relevant Planning History

63368 - Prior notification for proposed single storey rear extension - Prior Approval Required and Refused - 23/10/2018

63403 - Prior notification for proposed single storey rear extension - Prior Approval Not Required - 16/11/2018.

Publicity

Surrounding neighbours were notified by letter and no responses have been received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

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 and design - The proposed dormer would cover the full area of the roof slope and extend on to the side slope of the outrigger. This slope is lower than the main roof and the dormer would project above its ridge. Generally the bulk and mass of this extension would be considered unacceptable relating poorly to the existing building. Given the fact that it is only in view from the back street, and there are a number of other similar extensions, in this instance at this particular site it is not considered that there are grounds for refusal. The materials for the dormer walls are noted as to match the existing. For the avoidance of doubt a condition is added for the walls to be tile hung to match the existing roof.

Parking - 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. This can then require the proposal to provide a maximum of 3 parking spaces. The site as existing has no off street parking and there is no scope to create any. The area has on street parking and there is public transport available. In this instance there are not considered to be grounds for refusal.

Residential amenity - The neighbouring properties to both sides are extended at the rear with dormers. There would be a secondary bedroom window to the side dormer to the outrigger which the plans note be obscure glazed. A condition is added for this to be

retained as such.

To the rear there would be a distance of approximately 6.7 - 7.3m to the boundary beyond which is the back street. The property directly at the rear, 15 Circular Road, is approximately 22m away and at a higher level and also extended with a large flat roofed dormer.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal would not conflict with the purposes of UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

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 001, 002, 003 Rev 3 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 walls to the dormers hereby approved shall be tile hung to match the existing roof.
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 Before the first occupation of the extension hereby permitted the dormer bedroom window to the east side elevation shall, as noted on approved plan 003 Rev 3, be fitted with obscured glazing 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>
JL	01/03/23	DM	02/03/23