

DELEGATED REPORT

Report by Amanda

Date of report: 30/11/2020

Ref:66024/FUL

Uhunmwagho

Registration: 09/10/2020

LDfC: 09/11/2020

Expiry Date: 04/12/2020

Site Visit: 17/11/2020

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: New roof/roof extension with dormers at front and rear

Location: 15 Butt Hill Road, Prestwich, Manchester, M25 9NJ

Description

The property is a detached bungalow with gardens to the front and rear of the dwelling. There are two drive way access points from the highway in front and an integral garage. No.17 Butt Hill Road to the west is a two storey detached property and no.13 to the east is also a bungalow.

The proposal is to extend the roof to add a first floor to the property. The roof would have a steep hip and two pitched roof dormers to the front. At the rear there would be a larger flat roof dormer.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified on 16/10/2020 - No comments or objections received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant.

Unitary 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) 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.

The main considerations of this application are the impact of the proposal on visual and residential amenity.

Visual Amenity -

Butt Hill Road consists of both two storey properties and bungalows. The extended property would remain lower than no.17 to the west and the proposed design and finished materials would be similar to other properties on Butt Hill Road. As such would be considered in-keeping in the existing street scene.

A large flat roof dormer would be built to the rear. This would not be visible in the street scene but would be visible from the rear gardens of the adjacent properties. However, given the design of no.17 to the west, which is a two storey property with a mono pitch roof which slopes from front to rear, the larger flat roof dormer would not be considered detrimental on this particular site.

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 proposal is to extend upwards. With this in mind there would be no change to the separation distances between the application property and neighbouring properties to the front and rear of the site, which are currently well over 20m away. With this in mind there

would not be any detrimental impact on properties to the front and rear of the site.

No.17 to the west is a two storey property with a blank elevation adjacent to the shared boundary. There is also a lot of tall planting to the front and rear of the properties along the shared boundary which would screen much of the property from view from no.17. As there would be no first floor windows installed in the side elevation adjacent to this property there would be no seriously detrimental impact on residential amenity at no.17 Butt Hill Road.

As the extension would not project any further to the rear of the property there would be no seriously detrimental effect on the rear garden areas of numbers 13 and 17 Butt Hill Road to either side of site.

No.13 is a bungalow built at an angle to the property on site as it is positioned on a bend in the highway. There is planting along the boundary which screens a lot of the views to this property from the side/rear of site. This property has been extended close to the shared boundary and following the site visit it would appear that the closest window to the shared boundary may be a study. However, as the extension would be built above the existing property only there would be no seriously detrimental effect on residential amenity at no.13.

At the front the drive way would be unaffected and the garage is to remain. With this in mind the on site parking to be provided would be sufficient in terms of SPD 6 and SPD 11.

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.

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 DA20067.001, DA20067.002 Rev 1, D20067.003. Rev 3, DA20067.004 and DA20067.005 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 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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<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 30/11/2020		TB	03/12/20