

DELEGATED REPORT

Report by Mo Warsame	Date of report: 15/07/2025	Ref: 71957/FUL
Registration: 21/05/2025	LDFC: 01/07/2025	Expiry Date: 16/07/2025
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Loft conversion with front and rear dormers.

Location: 99 Albert Avenue, Prestwich, Manchester, M25 0HE

Description

The property is a two storey semi detached house in brick/render. It has a shallow front garden which is paved and a low stone wall runs along the frontage. To the rear it has been extended single storey and has a shallow rear yard with a wall and fencing to the boundaries. The attached property is 17 York Avenue and of a different design facing onto York Avenue. To the opposite is 105 Albert Avenue a semi detached house which has a side gable wall and to the rear has a two storey outrigger to the party wall side. The rear boundary of the site borders the rear garden to 15 York Avenue.

The application proposes 3 dormers to the front roof slope, each 2.2m wide, and to the rear a flat roof dormer. The additional roof space would add 3 bedrooms and a shower room.

Relevant Planning History

50063 - SINGLE STOREY FRONT EXTENSION; TWO STOREY SIDE EXTENSION;
SINGLE STOREY REAR EXTENSION (REVISED SCHEME OF 49527) - Approve with
Conditions 01/07/2008

65563 - Loft conversion with front and rear dormers - Approve with Conditions 27/07/2020

Publicity

Neighbour letters sent on 09/06/2025. 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 and design

UDP Policy H2/3 and SPD6 seeks to achieve a high standard of design that compliments the original building, does not have a detrimental impact on the character or appearance of neighbouring properties, and protects the general street scene.

The front dormers would have dual pitched roofs. Whilst they would occupy a fair amount of the front slope and are wider than normally approved, they would be equally spaced across and positioned in line with the first floor windows below. Roof extensions are a common way of providing additional accommodation in this area. The materials would be roof tiles to match for the front dormer roofs and the walls to both the front and rear dormers would be tile hanging to match the existing roof.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

Residential amenity

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

There would be a distance of approximately 6.3m from the rear dormer window to the boundary to the rear garden to 15 York Avenue. SPD6 Aspect Standards normally requires 7m from a first floor rear window and an additional 3m where it is a storey higher and therefore 10m could be required. This is in order to prevent loss of privacy and overbearing relationships. In this instance, at this particular site, the neighbouring properties surrounding are all in very close proximity to one another and with views from the rear windows towards each other and over gardens. The proposed dormer at the rear would not then cause any significant impact than the situation as existing. A further material consideration is that rear dormers can be constructed under permitted development. As such there are not considered to be any justified grounds for refusal as there would be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

Parking

The proposal will result in two 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 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 dwg no. 001, dwg no. 002, dwg no. 003 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 and Places for Everyone Joint Development Plan listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	15/07/2025		