

DELEGATED REPORT

Report by Amanda

Date of report: 26/03/2024

Ref:70321/FUL

Uhunmwagho

Registration: 06/12/2023

LDfC: 08/01/2024

Expiry Date: 31/01/2024

Site Visit: 19/01/2024

Site Notice: N/A

Press Date: N/A

Objections: 1

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Part single/part two storey rear extension and loft conversion with rear dormer

Location: 15 Woodthorpe Grange, Prestwich, Manchester, M25 0GU

Description

The application relates to a two storey detached house which has previously been extended and there is a small dormer to the rear. Most of the front garden area is paved providing on site parking for three to four vehicles. Access to the rear of the property is via a path to the side of the dwelling.

At the rear there is a flat roof single storey extension and patio area, with a lawned area to the rear. There are fences to all boundaries and high hedges to the rear boundary. Given the position of the properties on Woodthorpe Grange the application property projects around 7m past the rear of the original rear elevation of no.17 to the north and around 4m past the conservatory on the rear of no.17 Woodthorpe Grange.

The proposal is to build a part single/part two storey rear extension along with a flat roof dormer to the rear. At ground floor level the extension would project 3.9m from the existing rear elevation and it would extend across the whole of the rear elevation. The roof would be pitched with four rooflights. The ground floor extension would provide a new kitchen and sun lounge.

The existing first floor level would project 1.79m from the original rear elevation. This part of the development would provide extensions to two existing bedrooms. The roof would be pitched.

The proposed dormer would have a flat roof and it would be built on the main part of the roof only. The loft extension would provide a sixth bedroom with walk-in wardrobe and en-suite. All of the development would be finished with materials that would be in-keeping with the existing building.

Relevant Planning History

61184 - Loft conversion with dormers at front and rear - Approve with Conditions
07/04/2017

69780 - Two storey rear extension and loft conversion with 2 no. side dormers - Refused
15/08/2023

Publicity

5 neighbours notified on 13/12/2023 - One objection received. A summary of the objection is listed below

- There is already a rear dormer on the property. A two storey extension would make the house taller which would be different to other houses on the estate.

- The house has an existing side extension to the north.
- The two storey extension and dormer would block light to their garden meaning they would not be able to sit out when the weather is good.
- The resulting view from their garden would be a tall building.

Following discussion with the agent revised drawings were received on 18/03/2024 showing a reduction in the size of the proposed extension and dormer. The objector was emailed the revised drawings on 18/03/2024. No further comments 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

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 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.

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.

There would be no changes to the front elevation of the property or the overall height of the building. All of the development would be to the rear of the existing dwelling and would be viewed from a limited number of neighbouring gardens/properties. The design of the proposal is considered to be in keeping with the existing building.

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 -

- There would be just over 7m from the first floor extension to the rear boundary. This would be acceptable in terms of aspect standard distances as set out in SPD 6.
- The ground floor extension would be within 7m of the rear boundary but given there are existing fences to all boundaries and a tall hedge to the rear any views to and from the site would be very limited. As such there would be no concerns regards privacy at properties/gardens to the rear.
- The single storey extension would project 3.9m from the original rear elevation. This would be considered acceptable in terms of SPD 6.
- The first floor would project 1.79m from the original rear elevation. The rear elevation of no.11 Woodthorpe Grange to the south east of site is located in a similar position to the application property meaning the first floor extension would project around 1.8m past the rear elevation of that property. As there would be a gap of around 1.2m to the shared boundary and a similar distance to the boundary from no.11 the 45° rule would be satisfied with regards to relevant windows on the rear of no.11.
- The only new window to the side elevation facing no.11 would be an en-suite window to the loft conversion. This window would be obscurely glazed given the use of the room but a condition would be added to the decision to ensure this remains in situ in the future.
- The original rear elevation of no.17 to the north lies around 7m forward of the original rear elevation on the application dwelling. This property does have a conservatory on the rear meaning that the existing property projects around 4m past this structure. the only addition to the north side of the property would be a single storey extension which would have a pitched roof. There would be no new windows installed in the north side elevation. As such there would be no significant detrimental impact on privacy levels at no.17 next door and its garden.
- Given the location of the site any development along the shared boundary with no.17 would have some impact on light to the rear garden. The original drawings showed

that there would have been more development to this side, but following discussion the agent reduced the works to the north side to just the single storey extension. The agent did attempt to alter the roof style to a hipped roof but this would have caused issues with the existing dormer above. As such they have added a mono-pitched roof to this side. It is recognised that the single storey extension may have some detrimental impact on light to the end of the rear garden at no.17 but it would be minimal compared to the impact caused by the existing, two storey building.

- The dormer would be around 10m from the rear boundary which would be acceptable in terms of SPD 6.

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 and the 45° rule from nearest relevant window of the adjacent property.

Parking -

The proposal would increase the number of bedrooms from 5 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 a drive at the front for the parking three to four vehicles and this would not be affected by the proposed development. The area has on street parking and there is public transport available nearby. With the existing spaces on site it is considered that the parking arrangements are sufficient.

Response to neighbour objection -

Following discussion with the agent revised drawings were received on 18/03/2024 showing a reduction in size of the proposed extension and rear dormer. The relevant neighbour was notified of the revised drawings on 18/03/2024. No further comments have been received.

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 15WTG-LP-01, 15WTG-ESP-01 and 15WTG-001 received on 06/12/2023, drawing numbered 15WTG-PSP-01-Rev A received on 19/02/2024 and drawings numbered 15WTG-002-Rev B and 15WTG-003-Rev B received on 18/03/2024 as modified by the emails from Mr A Panchal dated 19/02/2024 and 18/03/2024. 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.
- 4 Before the first occupation of the extension hereby permitted the en-suite bathroom window to the loft conversion shall 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>
AU - 26/03/2024		DM	27/03/2024