

DELEGATED REPORT

Report by Amanda Uhunmwagho	Date of report: 18/01/2023	Ref: 69066/FUL
Registration: 10/11/2022	LDFC: 20/12/2022	Expiry Date: 05/01/2023
Site Visit: 08/12/2022	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: Two storey extension at front; Pitched roof alteration to single storey front extension, Single storey extension at rear with lantern and rooflights, Loft conversion with dormer at rear.

Location: 40 Ferndale Avenue, Whitefield, Manchester, M45 7QP

Description

The application property is a two storey detached dwelling. It has single storey extensions to the front and rear elevations. The front of the site is all hardstanding providing on site parking for at least two vehicles. There is a short brick wall along part of the front boundary with two vehicle access points. There is a short brick wall along the shared boundary with no.42 Ferndale Avenue next door and a high hedge along the shared boundary with no.38.

At the rear there is a private garden with fences and planting to all boundaries. There is a single storey flat roof extension of the rear of the dwelling. There is a high hedge along the shared boundary with no.38.

The proposal is to build a two storey extension to the front of the property and add a pitched roof to the existing single storey front extension. At the rear there would be a single storey extension with lantern and rooflight and the loft would be converted along with a dormer at the rear. At the front the extension would square of the front elevation on the west side, projecting 2m forward of the existing elevation and measuring 7.53m wide. The roof would be pitched and to the front part of the elevation would be glazed from the ground floor right up to second floor level.

At the rear the single storey extension would project 3.2m and it would measure 5.69m wide. One side of the extension would have a pitched roof with rooflights to each side and the other side would have a flat roof with a raised roof lantern.

There would also be a flat roof dormer to the rear of the dwelling. it would measure 10.2m wide and would be set in from both side elevations by around 440mm to one side and 450mm to the opposite side.

Relevant Planning History

N/A

Publicity

Five neighbours notified on 28/11/2022 - No comments or objections received.

Statutory/Non-Statutory Consultations

Traffic Section - No objections to the revised plans received on 12/01/2023 which confirmed there would be no changes made to the existing parking to the front of the site.

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 -

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.

The development would modernise the existing property with full height glazing to part of the front elevation. However, Ferndale Avenue has many different styles of properties, many of which have also been extended in a similar way. The proposal would not appear out of character in the existing streetscape. As such the design of the proposal is considered acceptable in this location.

The extensions to the rear would be considered in-keeping with the existing building and the dormer would be built on the rear of the property and would not be readily visible in the public realm. However, the dormer would be considered acceptable on this property.

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 -

- Properties to the front and rear of the extended dwelling would be a sufficient distance from the dwelling not to have any seriously detrimental effect on residential amenity at those properties.
- There would be no windows in the east side elevation and just one new first floor dressing room window to the west elevation. This window is shown as being obscurely glazed on the proposed elevation drawing but a condition would be added to ensure this particular window is obscurely glazed and would remain as such in the future. This would be to ensure privacy levels are not detrimentally affected at either property.
- The distance from the rear elevation to the rear boundary would be more than sufficient in terms of the requirements as set out in SPD 6.
- There would be no changes to the existing parking arrangements and access to the front of the site.
- The 45° rule would be satisfied with regards to relevant windows on both adjacent neighbours to the front and rear of the properties.

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 distances to surrounding properties.

Parking -

The proposal would increase the number of bedrooms from 4 to 5 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 for two to three vehicles. The area has on street parking and there is public transport available nearby. With the two/three existing spaces it is considered that the parking arrangements are sufficient in this instance.

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 810-1.01, 810-1.02, 810-2.01, 810-2.02, 810-2.03, 810-2.04, 810-2.05, 810-2.06, 810-3.01 C, 810-3.02 C, 810-3.03 C, 810-4.01 C, 810-4.02 C, 810-4.03 C, 810-4.04 C, 810-4.05 C, 810-5.01 C, 810 5.02 B and 810-5.03 C received on 10/11/2022, revised drawing numbered 810-1.03 D and revised drawing numbered 810-1.04 E received on 11/01/2023 as modified by the emails from Edifice Building Consultants Ltd dated 12/12/2022 and 11/01/2023. 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 Facilities for the storage of construction materials shall be provided within the curtilage of the site. The measures shall be retained and facilities used for the intended purpose for the duration of the construction period.
Reason. To maintain the integrity of the adopted highway and ensure adequate off street materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to UDP Policy H2/3 Extensions and Alterations.
- 5 Before the first occupation of the extension hereby permitted the new first floor dressing room window on the west side elevation 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 - 18/01/2023			