

DELEGATED REPORT

Report by Amanda

Date of report: 03/03/2022

Ref:67935/FUL

Uhunmwagho

Registration: 11/01/2022

LDFC: 02/02/2022

Expiry Date: 08/03/2022

Site Visit: 20/01/2022

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single/two storey rear extension; Single/two storey extension at front & side side; Single storey front extension; Loft Conversion with rear dormer and side windows; Raising the ridge height

Location: 11 Harrogate Avenue, Prestwich, Manchester, M25 0LT

Description

The application relates to a two storey detached property on Harrogate Avenue, Prestwich. It has a small front garden with brick wall along the front boundary. Access to the rear garden is via a path to the north side of the dwelling. There is an existing single storey rear extension with a temporary timber structure adjacent. Both adjacent properties are extended to the rear.

The proposal is to build a single/two storey rear extension, single/two storey front and side extensions, single storey front extension, loft conversion with rear dormer and the ridge height would be raised.

At the front the single storey extension would project 1.28m forward of the existing front elevation and it would measure 4.58m wide.

The two storey front extension would project 2.41m forward of the existing front entrance to the dwelling and it would measure 2m wide. The ridge height of the property would be raised from 8.2m to 9.2m and the roof would remain pitched. There would be a new window added at second floor level to the front elevation and this elevation would be rendered to match the existing finishings.

The single storey side extension would be built flush to the front elevation of the two storey extension and it would measure 989mm x 4.26m and it would have a flat roof with parapet wall. There would also be a new external door and a window installed at ground floor level on the north side elevation.

At the rear the single storey extension would project 3.5m from the original rear elevation. It would have a flat roof with a Succah roof lantern. The two storey section to the rear would also project 3.5m from the original rear elevation and would be positioned to the north side of the site. The plans show that this room would be a play room and the window would be obscurely glazed. There would two first floor windows installed to the north side elevation.

As well as the ridge height being increased the applicant also proposes to convert the loft space to provide three additional bedrooms and a bathroom. There would be a flat roof dormer to the rear as well as a bathroom window to the north side elevation and a landing window to the south side.

Relevant Planning History

N/A

Publicity

Neighbours notified on 12/01/22 - 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 -

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.

By raising the ridge height of this property it would mean that it would extend above the two adjacent properties. However, it would be a similar height to other properties along Harrogate Avenue. Given that the general character of the building would be very similar to as it is currently the design of the proposal is considered to be in keeping with the existing building and as such there would be no significant detrimental effect on the character of the existing street scene.

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 on the opposite side of Harrogate Avenue would be a sufficient distance away from the extended property not to be significantly detrimentally affected by the proposed development.
- At the rear the original rear garden would have already been fairly short and there is an existing single storey extension in situ. The applicant was asked to reduce the size of the first floor and dormer elements of the proposal which they did by extending partly at first floor level with the dormer reduced so that the majority of the dormer would be positioned on the original roof.
- The new first floor rear window would be within 7m of the rear boundary. The agent has identified this room as a Playroom and the rear window would be conditioned to be obscurely glazed in order to help maintain privacy levels between the property on site and homes on York Avenue to the rear. Normally it would also be expected that a window in this position should also be unopenable below 1.7m from the internal floor level. However, as the new window needs to be an escape window a condition would be added for the obscure glazing only in this instance.
- With regards to the dormer usually a distance of at least 10m to a shared boundary would be expected as per SPD 6. Unfortunately the original dwelling on site is just over 7m from the rear boundary. Given that the applicant could build a similar size dormer as permitted development on the rear of the original roof a distance of 7m from the rear boundary would be considered acceptable in this instance.
- The only new window on the south side elevation would be a landing window to the loft conversion. As a landing is not considered to be a habitable room and any views would be over the neighbouring roof it would not be considered detrimental in terms of residential amenity at no.13 Harrogate Avenue next door.
- No.9 to the north has been heavily extended and there are two obscure glazed ground floor windows on the side elevation which runs along the side path way at no.11. The applicant proposes to add a new door and lounge window to the north side elevation (ground floor). As the applicant could install this window and door as Permitted Development and any views from the window would be the blank side gable wall of no.9 there position would not be considered significantly detrimental in terms of residential amenity at no.9.
- The single storey side extension would not be adjacent to any habitable room windows

- at no.9.
- The site is due south of no.9 and as such there may be some detrimental impact on light to part of the rear of no.9 at some point during the day. However, as the rear the proposed two storey extension would not project past the rear elevation of the single storey rear extension at no.9 the development would be considered acceptable in terms of SPD 6.
- The proposal to raise the ridge of the building would not have any significant detrimental impact on residential amenity at either of the adjacent or nearby 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 distance to the surrounding properties

Parking -

The proposal would increase the number of bedrooms from 3 to 5 and so 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. However, there is currently no on site parking and no ability to create on site parking spaces. The area is typified of mostly terraced or semi-detached properties which has short front gardens and no on site parking. The area is high access in terms of public transport, there is on street parking available to the road in front and the site is within walking distance of local amenities and schools. In this instance then it is considered acceptable that there would be no on site parking provided.

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 001 and 002 received on 29/12/2021, drawing numbered 005 received on 12/02/2022 and revised drawings numbered 003 Rev 1 and 004 Rev 1 received on 28/02/2022 as modified by the email from Gold Sketch Ltd dated 28/02/2022. 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

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Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

- 4 Before the first occupation of the extension hereby permitted the first floor playroom window on the rear 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 - 03/03/22			