

DELEGATED REPORT

Report by Jane Langan	Date of report: 24/05/2022	Ref: 68171/FUL
Registration: 30/03/2022	LDfC: 28/04/2022	Expiry Date: 25/05/2022
Site Visit: 25/04/2022	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: Single storey extension at front; Single storey extension at side; Single storey extension at rear; Hip to gable roof extension; Dormer extensions at front and rear to form loft conversion.

Location: 8 Chandos Road, Prestwich, Manchester, M25 9WW

Description

The property is a semi detached house. It has a front garden fully hardsurfaced and a front boundary wall with railings. To the side of the house is an attached garage and to the rear is a fenced garden beyond which is a synagogue. The adjoining semi is No.10 and it is extended single storey at the rear. Works have also commenced on this property on front and rear dormers. To the opposite side No.6 is also a semi detached house and at a lower level. It has a gap along the side of the property. The side elevation has a landing and bathroom window at first floor.

The application includes a front porch 1m deep and 3m across. To the side a single storey extension would come out 1.8m set back 3.9m from the front elevation. It would run for 5.9m of which 1.9m would project past the rear elevation and then extending across the rear elevation. The extension would form an extended kitchen and dining room. The roof would be extended from a hip to gable and to the front two pitched roof dormers would be constructed each 2m wide. To the rear a flat roofed dormer would extend across almost the full roof slope. The extended roof space would add 3 bedrooms and a bathroom.

Relevant Planning History

None.

Publicity

Surrounding neighbours were notified by letter and no responses 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

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.

Visual amenity and design - To the front the proposed porch at 1m deep would not project excessively and would have a monopitch roof with glazing to the front and sides. The side extension would be set approximately 3.9m back from the front elevation and have a hipped roof that would wrap around as a single storey at the rear. Materials are noted to match the existing.

The roof extensions would see the hipped roof extended out to form a gable. The plans note materials to match the existing. To the front would be two pitched roof dormers which would be well aligned in relation to the first floor windows below. They would be the same width as those noted on the approved elevation to No.10 (67646 same agent) and the walls would be tile hung to match the existing roof. The plans show the front dormers would also project out to the same level as those to No.10. For the avoidance of doubt a condition is added. To the rear the flat roofed dormer would extend across the majority of the roof slope and again would be tile hung to match the 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.

Parking - The proposal would increase the number of bedrooms from 3 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 to the front of the garage which is 5m in length. The plans indicate the parking is at an angle to the front of the property however, as can be seen from the site photos, there is planting to the front so this would appear not to be the case. The removal of the garage and set back of the proposed extension would not result in loss of the existing parking. A further consideration is that there would be scope to increase the bedrooms constructing a dormer under permitted development. The area has on street parking and there is public transport available. In this instance then there are not considered to be grounds for refusal with regard to the parking arrangements.

Residential amenity - The single storey would run alongside the side to No.8 in place of the existing garage. Where projecting at the rear the proposed single storey would be 1.9m deep and would then project less than 3m from the rear of both neighbouring properties. The extended gable would have a window to the staircase to the top and a condition is added for this to be obscure glazed.

There would be less than 7m from the proposed rear dormer to the boundary at approximately 5.5m. SPD6 normally requires a 7m distance and can require an additional 3m for developments a storey higher. In this case the building to the rear is not a residential property and it would also be possible to construct a rear dormer under permitted development. As such there are not grounds for refusal.

There would then 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.

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 A1.1, A1.2 received 20/05/22 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 listed.

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- 3 The front dormers shall be constructed to project to be level with those to the adjoining No.10 as shown on approved plan A1.2 received 20/05/22.
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 landing window to the top of the extended gable wall 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>
JL	24/05/22		