

DELEGATED REPORT

Report by Amanda

Date of report: 22/09/2022

Ref:68553/FUL

Uhunmwagho

Registration: 01/08/2022

LDfC: 23/08/2022

Expiry Date: 26/09/2022

Site Visit: 12/09/2022

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: First floor/hip to gable roof extension at side with loft conversion and rear dormer with velux windows at front; Single storey extensions at side and rear

Location: 6 Charlton Avenue, Prestwich, Manchester, M25 0PH

Description

The application relates to a two storey semi-detached house which has been extended to the side/rear. There are bay windows to the front elevation along with a garage. There is parking at the front of site for one vehicle. At the rear there is a patio immediately to the rear of the dwelling and a garden beyond. There are fences to all boundaries.

Directly to the front of the site are the grounds of the Manchester Mesivta school.

The proposal is to add a first floor extension and convert the hipped roof to a gable roof with a loft conversion and rear dormer. There would be velux windows to the front and single storey extensions to the side and rear.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified on 02/08/2022 - No objections or comments 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.

It could be possibly to undertake a hip to gable roof conversion under Permitted Development rules and as such although the style may be different to the three other properties on this section of Charlton Avenue there would be no cause to refuse the proposal based on the change of roof style. On the whole the existing character of the property would be retained to the front elevation.

The single storey side extension would be cladded with Eco-scope 'midnight' colour cladding with black fascia boards. The cladding would be a more modern feature compared to the style of the existing property but given that this section would be single storey only and it would be set well back from the front elevation it would not have any significant detrimental effect on the character of the existing streetscene.

The single storey extension to the rear would have flat roof with a brick finish to the walls. As it would not be visible in the streetscene to the front it would be considered acceptable in the proposed location.

The flat roof dormer to the rear would be considered a common feature on properties in this particular area and it would not be openly visible in the streetscene along Charlton Avenue. The velux rooflights to the front could be installed without the need for prior planning approval and they would not have any significant detrimental impact on the character of the existing streetscene. 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 no development forward of the existing front elevation and there are no residential properties directly to the front of the site.
- There would be a first floor side/rear extension to the east side elevation and the roof would be changed to a gable at this side too. Given that the new gable wall would be no closer to the east boundary than the existing property and there are no habitable room windows in the side elevation of the neighbouring property this would be considered acceptable in terms of residential amenity.
- There would be no new windows installed to the east side elevation.
- The velux windows to the front of the property would not have a detrimental impact on residential amenity in the area.
- The single storey rear extension would project less than 3m from the original rear boundary, it would be built away from the shared boundary with the attached neighbour and there would be no windows in the side elevation. The extension would also be built well away from the shared boundary to the east.
- The first floor extension would create a new bathroom to the rear of the property. The proposed windows would be to the rear elevation and would be obscurely glazed.
- The single storey side extension would be built to the front of the existing single storey side extension. There would be no new windows in the side elevation and it would be built away from the shared boundary. As such there would be no concerns about encroachment on to neighbouring land.
- The applicant could build a rear dormer on the original section of the roof as permitted development but given there would be a change in roof style it is likely that the volume increase would be more than what the permitted development limit is. However, it has been taken in to account that even if the roof were to remain hipped the applicant could build a rear dormer of a similar size and as such there would be no reason to refuse the one proposed.
- There would be a sufficient distance from the proposed dormer to the rear boundary so that there would be no concerns about residential amenity to properties to the rear of the site, especially as there is a road directly to the rear.

With the above in mind 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.

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 vehicles as well as a garage. The area has on street parking and there is public transport available. As such the existing parking arrangements are considered sufficient.

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 ZT22-196-00, ZT22-196-02, ZT22-196-03, ZT22-196-05, ZT22-196-06 and ZT22-196-11 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 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 22/09/2022			