

DELEGATED REPORT

Report by Amanda

Date of report: 30/06/2022

Ref:68237/FUL

Uhunmwagho

Registration: 21/03/2022

LDfC: 28/04/2022

Expiry Date: 16/05/2022

Site Visit:

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 storey extension at side

Location: 4 Windsor Road, Prestwich, Manchester, M25 0DZ

Description

The application relates to a detached property which has previously received planning permission for a roof extension and rear dormer (ref 67831). That permission has been implemented and is more or less complete. There is an existing single storey extension to the rear of the dwelling as well. Along part of the front boundary is a red brick wall with some planting to the front west corner. The rest of the frontage is hardstanding for parking.

The proposal is to add a single storey side extension. The extension would measure 3.19m wide and 11.47m long. The roof would be mono-pitched with an overall height of 3.67m. It would be built flush with the existing front and rear elevations of the dwelling.

Relevant Planning History

67831 - Hip to gable roof extension, including raised ridge with loft conversion and rear dormer - Approve with Conditions 18/03/2022

22/0113 - Not being built in accordance with approved plans of planning permission 67831 -

Publicity

Neighbours notified on 06/04/2022 - 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.

The proposed single storey side extension would be built with materials and a design that would match the existing building. The design of the proposal is considered to be in keeping with the existing building and would not appear out of character in the existing streetscene.

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 over 9m from the rear elevation of the single storey extension to the rear boundary of the site. This distance would be acceptable in terms of requirements

set out in SPD6.

- The plans show that all of the extension would be built within the site boundary and there would be no encroachment off land or overhanging of the shared boundary with to no.6 Windsor Road next door.
- There would be no windows in the side elevation adjacent to the shared boundary with no.6 Windsor Road.
- As the single storey extension would be built on the east side of the property there would be no detrimental impact on residential amenity at no.2 Windsor Road to the south west.
- There would be a habitable room window installed to the front elevation but properties on the opposite side of Windsor Road would be a sufficient distance away from the extension so there would be no significant detrimental effect on residential amenity at those properties.
- There would be around 6m of drive length directly to the front of the side extension. This would be acceptable in terms of SPD6.

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 in terms of residential amenity.

Parking -

The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing where there is parking to the front garden for at least two vehicles. There is ample on street parking available to the front of site as well. Therefore the existing parking arrangements within the site are considered acceptable 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 drawing numbered 01 Revision 2 received on 29/06/2022 as modified by the email from FP Architecture and Planning dated 29/06/2022. 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.

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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 - 30/06/2022			