

DELEGATED REPORT

Report by Steven Gunn Russell	Date of report: 02/02/2022	Ref: 66769/FUL
Registration: 16/11/2021	LDfC: 10/12/2021	Expiry Date: 11/01/2022
Site Visit: 19/11/2021	Site Notice: N/A	Press Date: 25/11/2021
Objections: 0	Con Area: MARY	Adv Type: CA
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Proposed roof extension to existing bungalow to form two storey dwelling; Front porch extension

Location: 1 Prestwich Park Road South, Prestwich, Manchester, M25 9PF

Description

The application relates to a single-storey bungalow within the St. Mary's conservation area. The two nearest neighbours are both detached and there is no regular building line. There are extensive trees and shrubs along the highway boundaries, with space for three cars on-site.

Planning permission is sought for:

- A side porch extension (eastside) that would be built over the front patio area and within the existing northside and eastside building lines.
- Roof extension with additional floor. This would raise the roof from 5.7m to 7.7m representing an increase of 2m, with a hipped roof as existing.

Materials would match existing. (NB. The applicant initially proposed rendering, however this was changed to brick to compliment the conservation area).

At the rear there would be a separation of 7.1m to the shared boundary with Nr.3 Prestwich Park Road South, and 8.8m to the shared boundary with 171 Bury New Road. There is tree and shrub planting on the boundary.

It should be noted that this application relates to Nr.1 only and not the adjacent property at Nr.3 that was initially incorrectly included within the original site boundary.

Relevant Planning History

None.

Publicity

Immediate neighbours notified by letter dated 18/11/2021 (14 neighbours) and 21/12/2021 (one neighbour). No representations were received.

Statutory/Non-Statutory Consultations

Conservation - There is no objection to the proposal in principle. The scale, massing and design of the proposed extension would be acceptable within that part of the conservation area. However, the proposed render finish would be an incongruous feature in that part of the conservation area which would neither preserve or enhance the character and appearance of the conservation area. The proposal should be finished in matching brick to

the existing bungalow for it to be supported in heritage conservation terms.

Pre-start Conditions - Applicant/Agent [Not relevant/has/has not] agreed with pre-start conditions

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
HT2/4	Car Parking and New Development
SPD11	Parking Standards in Bury

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.

Heritage - There is no objection to the proposal in principle. The scale, massing and design of the proposed extension would be acceptable within that part of the conservation area, with 3 Prestwich Park Road South to the west which is a large two storey detached dwelling and Oak Hill Court to the south a former late 19th century private two storey villa. That part of the conservation area apart from Oak Hill and Hornby Lodge comprises of late 20th century residential development and is somewhat out of step with the built form, layout and general grain of the architecture of that part of the conservation area when compared with the more formalised late 19th century and early Edwardian residential development further west along Prestwich Park Road South.

One architectural feature of the built form of that part of the conservation area is its brick construction. Render is not a dominant feature. The proposal is for the upper floor extension to be block constructed with a render finish and whilst there is a small element of render to the upper side elevation of Nr.3 facing the application site it does not cover the principal elevation and as such is not visually dominant.

The proposed render finish would be an incongruous feature in that part of the conservation area which would neither preserve or enhance the character and appearance of the conservation area. The proposal should be finished in matching brick to the existing bungalow for it to be supported in heritage conservation terms.

Visual amenity - In terms of design and appearance the extension is generally in-keeping with the existing house. The extension would be readily visible from the public arena, and although the main roof pitch would be raised by 2m this should be considered in context of the immediate neighbours properties both of which have a higher roof including Nr.171 which would still be approximately 4.5m higher than the proposed roof. The scale is therefore considered to be acceptable in the context of immediate neighbours.

With regard to materials the applicant initially proposed rendering, however this was changed to brick to compliment the conservation area, with all materials now matching existing. In this respect the extension complies with UDP Policy H2/3 and associated guidance in SPD6.

Residential amenity - In terms of overlooking and privacy to the rear there would be a separation of 7.1m to the shared boundary with Nr.3 Prestwich Park Road South, and 8.8m to the shared boundary with 171 Bury New Road, which is within 7m as required and is therefore considered to be acceptable and complies with adopted guidance in SPD6.

The extension is acceptable in relation to the unattached neighbours as it complies with the '45-degree rule' within SPD6. Overlooking of both neighbours is minimized by the building positioned at an angle to the street corner and the fact neither neighbour has a primary rear garden within direct view. The windows on the side elevation of Nr.171 are all either non-habitable room windows or secondary windows and therefore cannot be afforded significant weight in any assessment. Similarly, there are no primary windows on the side elevation of Nr.3.

In terms of the general prominence and impact on daylight the extension is set to the north of Nr.171, and east of Nr.3. The extension would have an impact on part of the neighbours front garden (Nr.3) in the mornings and over their own garden, therefore any overshadowing is only likely to affect their own curtilage and to a lesser extent the neighbours front garden (which comes under the same ownership as the application site).

Additionally, any impact of overshadowing of the existing building at Nr.171 on the proposed first floor rear habitable windows is considered to be acceptable given that this only affects the applicant and not the neighbours. In this respect the extension would not have such a serious impact on the outlook from Nr.3 or the impact of Nr.171 to warrant refusal.

The extension would be acceptable and comply with UDP Policy H2/3 and associated guidance in SPD6.

Highways - The proposal would not affect the existing site access or parking arrangements above and beyond the current layout. Although there is a ground floor front porch extension proposed this would not project any further than the existing front patio area and associated building line.

Conclusion – In consideration of the above, it is considered that the proposed development would be acceptable in terms of the design, sitting, and scale of this development. As such, the proposed development is therefore considered to be acceptable and complies with UDP Policy EN2/1, H2/3, and associated guidance in SPD6.

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 1A, 06A, 08A, and 09A, 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.
- 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>
Steven Gunn-Russell	02/02/2022		