

DELEGATED REPORT

Report by Jane Langan	Date of report: 26/06/2023	Ref: 69407/FUL
Registration: 15/03/2023	LDFC: 10/04/2023	Expiry Date: 10/05/2023
Site Visit: 05/04/2023	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Three storey side extension (including basement level), two storey rear extension (including basement level) with raised patio/decking/steps to garden level and conversion of basement to living accommodation with external access; Alterations to front entrance/bay windows and pitched roof to window above; Widening of vehicular access/driveway

Location: 16 Queens Drive, Prestwich, Manchester, M25 0HQ

Description

The property is a semi detached house in brick/render and located on a corner plot. It has bay windows to the front and side and to the corner has a feature gable section that projects out. To the rear is a shallow garden and the rear of the property projects out single storey with a basement below. There is a drive and garden to the front and to the side is the main garden area. The adjoining semi, No.14, is of the same design and comprises of 2 flats. To the rear it also projects single storey and there is wooden panel fencing separating the gardens. To the rear the site borders the rear gardens to 15 to 23 Winchester Avenue. They are at a lower level and the pair of semis and that would directly face the proposed extensions are 17 & 19. Both have main windows to the party wall side and are extended single storey adjacent.

The application includes a two storey side extension coming out 4.5m from the front elevation and running for 7.1m along. At ground floor it would run a further 1.6m at the rear. The existing rear elevation of the property would be extended single storey 4.5m deep and 7.1m across. To the west side of this extension would be an area of raised decking 4.5m by 3.2m and with steps down to the garden. There would be 1.8m high screening the properties to the rear.

The property has an existing basement which would be extended beneath the new extensions to form a living area to include 2 bedrooms, 2 living rooms and 2 bathrooms. It would have external access and accommodate a family member requiring care.

The existing vehicular access would be reinstated and a new one formed to the west side of the house to form 2 parking spaces.

Relevant Planning History

None.

Publicity

Surrounding neighbours were notified by letter and no responses have been received.

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to conditions and informatives.

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 - The proposed two storey side extension would have a pitched roof forming a side gable wall. The front elevation would see a dual pitched roof section to the centre and the adjacent new extension would have a two storey bay to match the existing to the opposite side. The single storey to the rear would be flat roofed with a lantern light and with doors to the east side leading on to the decking. Materials are noted

to be to match the existing.

The site is on a large corner plot with a wide side garden. The proposed side extension with the matching full height bay and a central gable feature would see the frontage appear well balanced and of good design. The side elevation would be a gable wall with one window to the first floor and three slim windows at ground floor. This elevation would face into the site garden however still be visible due to the corner plot and the design is considered acceptable. To the rear the single storey would be flat roofed with a lantern light. Overall 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 4 to 7 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 proposal would see the creation of 2 new spaces to the side of the extension. The side garden is large and there may be potential for further parking to be created if the applicant should require it. The area has on street parking and there is public transport available. In this instance then the parking arrangements are considered sufficient.

Residential amenity - The adjoining No.14 is extended single storey at the rear and the proposed single storey would project 4.5m from the original rear of the site property and then approximately 3m past the rear of No.14 as extended which would be acceptable.

To the rear 17 Winchester Ave is around half a storey lower and extended single storey across part of its rear close to the site boundary. It has one window facing that is screened by fencing. There would be approximately 5m separation distance to the proposed single storey which would have 3 windows to the rear noted to be obscure glazed. A condition is added for this to be retained. From the original rear elevation to No.17, which has a main window which would face part of the extension and the screened decking, there would be a separation distance of approximately 8.5m. Giving less weight to the extended area to No.17 and taking into account the levels the separation distances are considered sufficient.

19 Winchester ave would face the decking and two/single storey extension. The decking would have the 1.8m screen to prevent overlooking. There would be a distance of 13m from the rear ground floor window to No.19 to the proposed two storey ground floor and 14m angled up to the first floor blank wall of the proposal. This would be sufficient taking into account of the level difference.

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 001, 002, 003 Rev 8, 004 Rev 9, 005 Rev 6 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 Before the first occupation of the extension hereby permitted the windows to the rear elevation of the single storey extension shall, as noted on plan 003 Rev B, 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.
- 4 Before the first occupation of the extension hereby permitted the 1.8m high screen to the decking, as shown on the approved plans, shall be fitted and be permanently retained 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.
- 5 The development hereby approved shall not be brought into use unless and until the car parking and boundary wall alterations indicated on approved plan reference 004 Revision 9, incorporating the reinstatement of the redundant footway crossing and provision of a new footway crossing to a scope and specification to be agreed with the Highway Authority, demarcation of the limits of the adopted highway, extended boundary wall to the limits shown with foundations that do not encroach under the adjacent adopted highway, hardstanding to the dimensions and limits shown in a permeable/porous material and/or measures to prevent the discharge of surface water onto the adopted highway and all associated remedial works required to reinstate the footway to its former condition prior to commencement of the development, have been implemented to the satisfaction of the Local Planning Authority.
Reason. To ensure good highway design and maintain the integrity of the adopted highway in the interests of highway safety pursuant to Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and associated Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
- 6 The development hereby approved shall not be occupied at any time other than for the purposes ancillary to the residential use of the dwelling known as 16 Queens Drive.
Reason. To ensure the proposed use remains ancillary to the principle use on the site 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
- 7 Facilities for the storage of construction materials shall be provided within the curtilage of the site. The measures shall be retained and facilities used for the intended purpose for the duration of the construction period.
Reason. To maintain the integrity of the adopted highway and ensure adequate off

street materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to UDP Policy H2/3 Extensions and Alterations.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	26/06/23		