

DELEGATED REPORT

Report by Amanda

Date of report: 07/02/2022

Ref:67803/FUL

Uhunmwagho

Registration: 25/11/2021

LDfC: 16/12/2021

Expiry Date: 20/01/2022

Site Visit: 06/01/2022

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: Two storey front extension

Location: 14 Sunningdale Drive, Prestwich, Manchester, M25 1JX

Description

The application relates to a two storey semi-detached house which has a drive way to the front of the property for one vehicle. There is a small area at the front which is graveled and there is a hedge along part of the front boundary.

The proposal is to build a two storey front extension providing a hallway extension and wc at ground floor and extension to the existing bathroom at first floor level. It would project 1.5m and it would measure 2.87m wide. The roof would be hipped.

The plans also show that a ground floor window in the existing single storey rear extension would be replaced with patio doors and one rooflight installed. These proposed works are not part of the proposal and are most likely to be carried out under Permitted Development rules.

Relevant Planning History

01267/E - Proposed two storey extension at rear and porch type extension at front - Enquiry completed 08/03/2013

Publicity

Immediate neighbours notified on 25/11/2021 - No comments or objections received.

Statutory/Non-Statutory Consultations

Traffic Section - The Traffic section have objected to the revised proposal givign the following reasons;

1. The proposed car parking arrangements are sub-standard, do not enable a vehicle to stand in a position perpendicular to the back of the footway and do not incorporate adequate space to maintain a vehicle clear of the highway, which would be detrimental to highway safety.
2. The application and submitted plans contain insufficient information to ensure that porous/permeable driveway materials for the proposed widened driveway or measures to prevent the discharge of surface water onto the adjacent adopted highway are being proposed.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions
H2/3 Extensions and Alterations

HT2/4 Car Parking and New Development

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.

There is a general presumption against most two storey extensions to the front of dwellings with regards to their impact on the character of a street scene and/or on residential amenity to neighbouring properties. With regards to the proposal the applicants could build a single storey porch under permitted development rules in the same position on the front of the existing dwelling. Therefore the proposed first floor element would be the main concern in terms of the impact of the extension in the current streetscene.

Properties along Sunningdale Drive are mostly semi-detached house. There appear to be two different styles of building, some with hipped roof and some with pitched roof with sections projecting from the sides of the roofs. They are intermingled throughout the streetscape. Most of the properties appear to have a small canopy above the front entrance, there appear to be a couple of properties with front porches and one property which has a similar two storey front extension further down the road.

The proposed extension would be set back from the highway in front and around 1.4m from the shared boundary with no.12 next door. It would be built with materials and a design that would be considered acceptable on this property and in this location.

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 -

The proposed extension would be a sufficient distance from properties opposite the front of the site not to have any significant detrimental effect on residential amenity and the 45° rule would be satisfied with regards to the nearest relevant windows at both adjacent dwellings. As such 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 introduction of the two storey front extension would result in the existing parking area being reduced to around 3.8m, as measured from the front of the extension to the rear of the pavement. This would not satisfy the minimum drive way length of 5m as set out SPD 6 and is not supported by the Traffic Management team. However, although a minimum drive length of 5m would normally be insisted upon the fact that a 3m² porch could be built as permitted development, in the same position as the proposed extension has to be given consideration in this instance.

The existing front of the site is tarmac to one side and gravel to the other but the plans show that the existing drive way would be extended across the front of the property. The applicant has not provided any information as to what materials would be used in the construction of the drive way extension and this part of the development has not been included in the proposal. It is possible that because the area to be extended appears to be less than 5m² it may the works may be classed as permitted development. However, as condition should be added to the decision advising that the drive way should be constructed using permeable/porous materials and remain as such thereafter.

The revised plans received on 03/02/2022 show that the existing access is to be used and there would be no proposal to drop the kerb in front. With this in mind the initial proposal to drop the kerb and widen the access to the site has been removed from the proposal description.

The applicant proposes to park their vehicle at an angle across the front of the property. This is not ideal and is not something that would generally be supported but given that a porch could be built in the same position as permitted development it is difficult to resist approval on this occasion. If the applicant wants to drop/widen the kerb in the future, then

Highways could resist under the Highways Act/considerations.

Taking all of the above in to account the proposed development, including the angled parking to the front of the site would be 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 revised drawings received on 03/02/2022 as modified by the email from Ronson Building Design Ltd dated 03/02/2022. 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.
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 The proposed driveway alterations indicated on approved plan reference 01 Revision A received on 03/02/2022, which would be constructed using permeable materials shall be implemented prior to the extension and enlarged driveway hereby approved being brought into use and thereafter maintained at all times.
Reason. To ensure adequate off-street car parking provision clear of the adopted highway in the interests of road safety and to prevent the discharge of surface water onto the adjacent adopted highway pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 07/02/2022			