

DELEGATED REPORT

Report by Mo Warsame	Date of report: 29/01/2024	Ref: 70231/FUL
Registration: 05/12/2023	LDFC: 30/12/2023	Expiry Date: 30/01/2024
Site Visit: 19/01/2024	Site Notice: N/A	Press Date: N/A
08:00:00		
Objections: 2	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: First floor rear extension and pitched roof to existing single storey extension at side/rear

Location: 8 Sandringham Grange, Prestwich, Manchester, M25 0BY

Description

The property is a two storey semi-detached property situated at the head of a cul-de-sac. It has a porch to the side and the front of the site is paved providing on site parking for two vehicles. Houses to the front and rear are over 20m away from the existing property.

At the rear of the site are Metrolink tracks and properties on the opposite side of the tracks are over 20m away from the property on site. There is a good sized rear garden with fences and planting to the boundaries. To the east side there are tall Leylandii and other trees along the boundary. There is an existing single storey extension across the rear of the property.

The attached property, No.7 Sandringham Grange has a single storey rear extension to the rear and No.9 Sandringham Grange has single storey extension to the side and rear.

Planning permission is sought for the erection of first floor rear extension which would provide an additional bedroom. The proposal would also include a proposed pitched roof to existing single storey wrap-around extension at side/rear. The first floor extension would project 3m to the rear would have a setback from both adjacent properties. The existing wrap-around single storey extension would substitute its existing flat roof with pitched roof. The roof of the first floor extension would also be pitched and the development would be constructed with matching materials.

Relevant Planning History

69782 - Lawful development certificate for proposed creation of single storey rear and side extension under permitted development. Enlargement of entrance porch (<3m²). - Lawful Development 01/09/2023

70062 - Lawful development certificate for proposed creation of first floor rear extension - Withdrawn by Applicant 22/11/2023

Publicity

Neighbour letters sent. Two objections received.

Following are the concerns of the two objecting parties:

1. Lack of access to light & view of the sky & neighbouring trees
2. Loss of daylight/Sunlight
3. Overshadowing
4. Encroachment of 45-degree rule

5. The sheer scale of the wrap-around extension would not be in keeping with the host property.
6. Property damage

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

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, including relevant policies in the emerging Places for Everyone Joint Development Plan.

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

UDP Policy H2/3 and SPD6 seeks to achieve a high standard of design that compliments the original building, does not have a detrimental impact on the character or appearance of neighbouring properties, and protects the general street scene.

Situated to the rear, the first-floor extension would not be visible from the street scene. The extension would be simple and unobtrusive design, which would not detract from the character of the dwelling. The proposed pitched roof above the existing single storey wrap-around extension would be visible from the front of the house. However, it would be a modest development that would be in-keeping with the existing property.

Both extensions would have pitched roofs to replicate the style of the host dwelling. Moreover, the development would be constructed with materials to match the existing dwelling. As such, the proposed development would not be a prominent feature in the street scene and would comply with Policies H2/3 of the Bury Unitary Development Plan and SPD6.

Residential Amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

In terms of overlooking and privacy, there would be no proposed side windows on both the first-floor extension and the single storey wrap around extension. Moreover, the distance to the rear boundary is considered sufficient.

The side element of the single storey wrap-around extension would be a modest structure with a generous setback from the shared side boundary. The single storey rear element would not project out from the existing building line in excess of 3m, beyond which the 45-degree rule would apply.

In terms of the general prominence and impact on daylight the proposed first-floor extension would be reasonably set off from the shared side boundaries on either side thereby each of the neighbour's immediate relationship would be to single storey extensions. Additionally, the extension would be to the north of No 7 and west of No.9. Therefore, any overshadowing would not be seriously excessive above and beyond the existing situation. Furthermore, the proposed first floor extension would not encroach on the adjacent properties when the 45-degree rule is applied.

Overall, whilst each neighbour would be aware of the extensions proposed, there would be no serious impact on the amenity of any adjacent neighbouring properties to warrant refusing the scheme. The proposal therefore conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

Response to Objections

The report has addressed the material planning concerns of the objecting neighbours. There would not be any significant detrimental impact on the neighbouring properties. Overall, the above assessment above has highlighted that there would not be any

significantly adverse impacts. Issues of property damage are civil matters.

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 Dwg No. PL05 Rev.F, Dwg No. PL05 Rev.F, Dwg No. PL07 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.
- 2 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>
MW	29/01/2024		