

DELEGATED REPORT

Report by Amanda

Date of report: 29/11/2023

Ref:70196/FUL

Uhunmwagho

Registration: 02/11/2023

LDfC: 28/11/2023

Expiry Date: 28/12/2023

Site Visit: 21/11/2023

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: First floor side extension; Single storey rear extension; Loft conversion with rear dormer

Location: 68 Cuckoo Lane, Prestwich, Manchester, M25 2TD

Description

The application relates to a two storey end terraced house fronting on to Cuckoo Lane with Cuckoo Grove to the north east side. There is an existing single storey side extension and a ramp for wheelchair access at the rear. There are gardens to three sides. Along the front boundary is a brick wall with fence above and a pedestrian access gate. There are fences to all other boundaries with larger gates to the rear garden accessed from Cuckoo Grove and there is a dilapidated detached garage to the rear garden.

The proposal is to add a first floor side extension, single storey rear extension and a loft conversion with rear dormer. The side extension would be built directly above the existing extension. It would provide an additional ground floor bedroom and shower room and would also extend the existing ground floor bathroom.

At first floor level there would be three bedrooms as well as a sixth bedroom and office in the roof space. There would also be a new access ramp installed to the rear for access in and out of the new kitchen/dining room.

At the rear the extension would project 3m adjacent to the shared boundary with no.66 Cuckoo Lane and the proposed drawing shows that the side elevation would be around 200mm away from the shared boundary. The rear extension would project up to 5.45m on the opposite side and the rear extension would have an overall width of 8.84m. The roof would be mono-pitched to the section of extension adjacent to the shared boundary with no.66 and the rest of the roof would be hipped.

The first floor extension above the existing single storey extension would be set back from the front elevation by 1m. It would measure 7m long x 3.89m wide. At the rear it would project around 300mm past the existing rear elevation and the roof would be pitched.

The rear dormer would be erected on the original roof space and it would have a flat roof. The cheeks of the dormer would be finished with grey upvc cladding and the upvc fascia boards would match the colour of the windows at the property.

Relevant Planning History

69595 - Single storey extension at rear with ramp to garden level - Approve with Conditions 23/06/2023

Publicity

6 neighbours were notified on 06/11/2023 - 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, 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.

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 change from a hipped roof to a gable on the original property could be undertaken as Permitted Development but it is also noted that there are other pitched roof properties in the immediate vicinity. As such this, and the pitched roof side extension would not appear out of character in the existing streetscene.

The extensions and dormer would be finished with materials and a design that would be considered to be in keeping with the existing building as well as neighbouring buildings.

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 -

- Directly opposite the front of site is Heaton Park primary and nursery school. There are no residential properties directly to the front of the site.
- At the rear there would be around 10m from the rear elevation of the two storey extension to the rear boundary and just over 5m from the rear of the single storey. These distances would be acceptable in terms of SPD 6.
- SPD 6 states that side extensions that face a highway should be at least 2m away from the boundary. As the extension would be around 3.5m set back from the side boundary it would be within the limits as set out in SPD 6.
- The first floor extension would be constructed on the east side of the existing dwelling. As such this part of the development would not have any significant detrimental effect on residential amenity at no.66 next door.
- The single storey extension adjacent to the shared boundary with no.66 would project 3m and the proposed plans show it would not encroach the shared boundary with the attached property/site.
- Although it would appear that the existing drive space and garage at the rear of the site are not used this space would remain available for parking up to 2 vehicles if necessary.
- No.70 Cuckoo Lane to the east of site is on the opposite side of Cuckoo Grove. As such the distance between this property and the extended building would be acceptable.

Taking the above into account 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 separation distance to the surrounding properties and that the single storey rear extension would not project more than 3m along the shared boundary with the attached neighbour.

Parking -

The proposal would increase the number of bedrooms from 3 to 6 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 site has an existing parking space to the rear of the site and a garage (albeit in need of repair). There are no parking restrictions to the highway to the front and side of the site and there is public transport available. In this instance then the parking arrangements are considered sufficient.

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 ZT23-196-00, ZT23-196-01, ZT23-196-02, ZT23-196-03, ZT23-196-04 and ZT23-196-05 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 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 29/11/2023			