

DELEGATED REPORT

Report by Helen

Date of report: 04/12/2020

Ref:65994/FUL

Goldsbrough

Registration: 27/10/2020

LDfC: 30/11/2020

Expiry Date: 22/12/2020

Site Visit: 12/11/2020

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Two storey extension at front/side; single storey extension at rear; single storey front porch; first floor front extension.

Location: 33 Bland Road, Prestwich, Manchester, M25 9NW

Description

The application relates to a semi-detached dwelling house located on Bland Road. The premises has an area of garden, and a driveway to the front that leads to an attached single storey side garage/car port that extends across the front of the property to create a single storey front porch.. This car port also projects to the rear of the original dwelling. To the rear there is an area of residential amenity space. The site is covered by a group TPO.

Planning permission is sought for the removal of the existing side garage and for the construction of a two storey side extension that projects approximately 2650 mm to the side, and 1000mm to the front of the original dwelling. A first floor front extension, above the existing single storey porch is also proposed projecting approximately 2295mm. A single storey porch extension is also proposed to the front of the dwelling that projects approximately 1000mm. To the rear it is proposed to construct a single storey rear extension that projects approximately 3000mm.

Relevant Planning History

None

Publicity

Neighbour letters sent 28/10/2020.

Following an amendment to the description further neighbour letters sent 19/11/2020.

No representations received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

EN1/2 Townscape and Built Design

EN8/2 Woodland and Tree Planting

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 victimization;

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

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.

SPD 6 seeks to prevent two storey side extensions from causing a terracing effect by requiring a 1.5 metre set back to the main frontage or to the boundary. In this instance there is no set back, and no gap to the boundary however the neighbouring property is a detached dwelling and of a significantly different in design to the site property. As such it is considered that the proposal would not lead to the uncharacteristic linking up of dwellings.

The proposed two storey side extension would have a pitched gable roof, with gable detailing to the front that mirrors the shape and style of the existing gable detailing above the existing bay window. The proposed front first floor extension would be sited above the existing single storey porch, and would infill the gap between the existing bay and the proposed two storey side/front extension. The proposed single storey porch extension would not project excessively from the front of the dwelling. The proposed windows are considered to be suitably aligned. The existing dwelling has brick work at first floor, and render at ground floor and on the bay window. It is therefore considered that the use of render for the entire front elevation is acceptable.

The proposed rear extension would have a flat roof however this would be screened from public views by the proposed two storey side extension. The proposed rear extension would be of a simple and unobtrusive design and would not detract from the main property. The overall scale and massing of the proposal is considered to be acceptable and would not result in over development of the associated residential amenity space.

It is considered that the proposal would not have a detrimental impact on the character of the dwelling, street scene or neighbouring properties and as such the proposal is considered to comply with UDP Policy H2/3 and SPD 6.

Residential Amenity

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

- Proposed two storey front extension and porch extension would not impact on a 45 degree line as taken from the midpoint of the ground floor bay window of No. 31.
- Proposed first floor front extension would be screened from No. 31 by the two storey side/front extension.
- Proposed first floor front extension would be screened from No. 35 by the existing bay window.
- Proposed porch extension would not intercept a 45 degree line as taken from the midpoint of nearest ground floor front window of No. 35
- Proposed two storey side/front extension would be located adjacent to the side elevation No. 31. Side windows of this property that face towards the proposal appear to be secondary windows, and are not located on a principal elevation.
- Proposed two storey side extension would not project more than 3 metres beyond the first floor rear elevation of No. 31.
- No. 31 is extended at single storey to the rear. Proposed single storey rear extension would not project more than 3 metres beyond the rear of No 31 as extended.
- No. 35 is extended at single storey to the rear. Proposed single storey rear extension would not project more than 3 metres beyond the rear of No 35 as extended.
- Proposed side windows facing towards No. 35 relate to non-habitable rooms (ensuite and WC) and as such aspects not applied. Obscure glazing condition attached.
- Proposed front ground floor windows relate to non-habitable rooms (office and entrance hall) and as such aspects not applied.
- Proposed front first floor bedroom window would be located approximately 12.5 metres from the side boundary of the garden of No.49 Circular Road exceeding the 7 metres required by SPD 6 and would be separated from this garden by a highway.
- Proposed first floor front bathroom window would relate to a non-habitable room and as such aspects not applied. Obscure glazing condition attached.
- Proposed rear ground floor windows would be screened by existing boundary treatments.
- Proposed first floor rear bedroom window would be located approximately 11 metres from the directly facing rear boundary exceeding the 7 metres required by SPD 6.
- Proposed side ground floor window facing towards the side boundary of No. 35 would be screened by the existing boundary treatments.
- Proposal would increase the number of bedrooms from 3 bedrooms to 4 bedrooms. No further parking is proposed however there is scope to extend the driveway to the front of the property if required and on street parking is not restricted.

Trees

The site is located within a group TPO area, and a tree report has been submitted with the application.

In order to facilitate the proposed extension work to the property, the tree report submitted has identified two trees (T1 & T2) that need to be removed. Due to recent topping of these trees their structural form now has limited visual amenity and as such they fail the TPO tests in this respect. Due to the severe pruning it is considered that future growth will be rapid, with weak unions and as such will require constant applications to maintain. Due to foreseeable nuisance, removal of T1 and T2 is recommended at this stage irrespective of the extension proposals. Trees T1 and T2, however, are under ownership of 31 Bland Road and as such the tree owner's permission would need to be granted. An informative in relation to this will be added to any grant of permission. 2 no. replacement trees will also need to be planted as replacements for the 2 trees proposed to be removed.

There are three other trees on and adjacent to the site that have been identified within the submitted report (T3, T4 and T5), T3 being within the garden area of 33 Bland Road and T4 and T5 in the gardens of neighbouring properties to the north east. T3 is approximately 4 metres distant from the proposed rear single storey extension and would require temporary protective fencing around its RPA to avoid contamination and compaction damage to the underlying soil structure during the build process. T4 and T5 are beyond influence of the proposed extension works to the property; however as a precaution, continuation of the protective fencing is suggested to protect the outer edges of their RPA. These tree protection measures will be conditioned to ensure that viability of the remaining trees will not be impacted upon.

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 GGS20055 001, GGS20055 002, GGS20055 003 Rev 2 and GGS20055 004 Rev 1 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 All trees to be retained on site and identified within the submitted tree report received 27th October 2020 shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree

Planting of the Bury Unitary Development Plan.

- 4 No works shall commence unless and until a scheme showing the location for 2 no. replacement trees including size, species and location has been submitted to and approved in writing by the Local Planning Authority. The agreed replacements shall be planted in accordance with the submitted and approved mitigation scheme in the earliest planting season following the removal of trees (The planting season extends from October to the following March). If, within a period of 5 years from the date of planting, the tree (or any other tree planted in replacement for it) is removed, uprooted or destroyed or dies, another tree of the same size and species shall be planted in the same place, or in accordance with any variation for which the Local Planning Authority give their written consent.

Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to ensure that the amenity value of the existing tree or trees is maintained by the provision of adequate replacement(s).

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Helen Goldsbrough	4/12/2020	Dave Marno	16/12/2020