

DELEGATED REPORT

Report by Amanda

Date of report: 14/02/2023

Ref:69125/FUL

Uhunmwagho

Registration: 19/12/2022

LDfC: 12/01/2023

Expiry Date: 13/02/2023

Site Visit: 18/01/2023

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: Two storey rear extension with Juliette balcony; Front porch; Extension to existing detached garage; New vehicular access to the front.

Location: 6 Butt Hill Drive, Prestwich, Manchester, M25 9PL

Description

The application relates to a two storey previously extended detached property with gardens to the front and rear. Along the front boundary is a red brick wall with pillars to either side of an open drive way. There is also a hedge to the front and side boundaries. At the rear there is a private garden with a detached garage at the rear which is accessed via Butt Hill Avenue.

To the west of the site is 2 Butt Hill Avenue. The rear elevation of that property faces the side elevation of the application property and there is a detached garage directly adjacent to the shared boundary. Properties on Butt Hill Avenue are slightly elevated to the site. The shared boundary with no.4 Butt Hill Drive is open along side the dwelling and there is planting along the shared boundary to the rear.

The proposal is to build a two storey rear extension with Juliet balcony, front porch, widening of existing vehicular access to the front of the site and an extension to the detached garage to the rear of the site. At the rear the existing single storey extension currently used as a study would be removed and replaced with a two storey extension projecting 2.84m from the original rear elevation and measuring 3.8m wide. The roof would be hipped and there would be a Juliet balcony to the first floor.

At the front the porch would be positioned to the front east corner of the property. It would project 1.29m and would measure 2.55m wide. The roof would be mono-pitched.

The existing vehicular access to the front would be widened from 3.66m to 4.93m and the dropped kerb in front would also be extended.

To the rear of the site the existing detached garage would be extended to the front projecting 1.48m x 3.66m wide.

Relevant Planning History

N/A

Publicity

12 neighbours notified on 22/12/2022 - No comments or objections received.

Statutory/Non-Statutory Consultations

Traffic Section - No objections.

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. 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 rear extension, porch and garage extensions would be constructed using designs and finished materials that would be considered to be in keeping with the existing dwelling and garage. Most of the development would be to the rear of the main dwelling meaning there would be no significant detrimental impact on the character of the existing streetscene.

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 front porch would not project forward of the main front elevation. As such it would not interfere with parking arrangements to the front of the site.
- There is currently space to park one vehicle to the front of the site. The applicant proposes to widen the front access and dropped kerb in order to add a second space to the front of the dwelling. The proposed plans show that the drive would measure 5.7m from the front of the dwelling to the rear of the pavement in front, and that the proposed materials would be permeable blockwork. The plans also show areas of planting to either side of the new drive which would also act as a natural soakaway. With this in mind there would be no concerns regards flooding and the drive length would be sufficient in terms of SPD 6.
- At the rear the two storey extension would project around 518mm past the rear elevation of the detached garage at no.2 Butt Hill Avenue to the west. This would be similar to the existing single storey extension. Given that the garage is not habitable this projection would be acceptable in terms of SPD 6.
- There would be no new windows installed to the west side elevation and the extension would not be any closer to the boundary than the existing building.
- The rear corner of the two storey extension would be around 6m away from the rear corner of no.4 Butt Hill Avenue but as none of the windows to the rear of no.4 Butt Hill Avenue directly face the application dwelling and there would be no windows facing this property it is considered that there would be no significant detrimental effect on residential amenity at that property.
- The Juliet balcony to the rear would have direct views over the applicant's rear garden and there would be around 15m from the rear of the extension to the rear boundary. As such there would be no significant detrimental effect on residential amenity at properties to the rear.
- On the east side elevation a ground floor window would be replaced with a door and a first floor window would. As there are no habitable room windows to the side of no.4 this would be acceptable in terms of residential amenity.
- There an existing two storey rear extension adjacent to the boundary with no.4. No changes would be made to this side of the application dwelling.
- At the rear there would be around 25m of drive length remaining to the front of the extended garage which would be more than sufficient in terms of SPD 6. As such there would be no cause to refuse the extension to the detached garage.

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.

Parking -

The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing where there is parking to the front of the site as well as the drive and detached garage to the rear.

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 drawing numbered 1520/04 received on 22/12/2022 and revised drawing numbered 1520/01 Revision A received on 27/01/2023 as modified by the email from David Haworth Design dated 27/01/2023. 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 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.
- 5 The revised access and car parking arrangements indicated on the approved plans, incorporating the extension of the existing footway crossing to limits to be agreed on site with the Highway Authority, all highway remedial works required to reinstate the adopted highway to its condition prior to commencement of the development, demarcation of the limits of the adopted highway and new 5.7m long minimum driveway in a porous/permeable material and/or measures to prevent the discharge of surface water onto the adopted highway, shall be implemented prior to the extension and widened driveway hereby approved being brought into use and thereafter maintained available for use at all times.
Reason -To secure the satisfactory development of the site in terms of highway safety, to allow adequate space to maintain a vehicle clear of the highway and maintain the integrity of the adopted highway pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

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<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 14/02/2023			