

DELEGATED REPORT

Report by Helen

Date of report: 03/11/2020

Ref:65985/FUL

Goldsbrough

Registration: 21/09/2020

LDFC: 16/10/2020

Expiry Date: 16/11/2020

Site Visit: 03/11/2020

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area:

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Variation of condition 02 (approved plans) of planning permission 64060 for change to external materials to light colour render; increase in front projection of the ground floor of the side extension and amendments to the design of the rear ground floor roof lights; removal of condition 03 of planning permission 64060

Location: 4 Lynmouth Grove, Prestwich, Manchester, M25 9TH

Description

The application relates to a detached dwelling house located on Lynmouth Grove. The dwelling has gardens to the front and rear, with a driveway to the front that leads along the side of the property. The dwelling has an existing single storey side/rear extension and a front porch extension.

Planning permission has been granted for the construction of a first floor side extension that projects approximately 2300mm to the side of the dwelling, and includes a 1500mm first floor set back. To the rear it is proposed to construct a part single, part two storey rear extension. The two storey extension would project approximately 4600mm, whilst the ground floor would project approximately 5100mm. The single storey extension would be staggered along the boundary with No. 2.

This application seeks Variation of condition 02 (approved plans) of planning permission 64060 for change to external materials to light colour render and removal of condition 03 that requires matching materials. The amended plans also show alterations to the front elevation of the dwelling extending the footprint of the proposed ground floor of the side extension so that it extends to the same projection as the front porch and changes to the size of the roof lights within the rear ground floor extension.

Relevant Planning History

62763 - Lawful development certificate for proposed front porch - Lawful Development
30/05/2018

64060 - First floor extension at side; part single storey / part two storey extension at rear -
Approve with Conditions 21/06/2019

Publicity

Neighbour letters sent 25/09/2020. No representations received.

Following an amendment to the description further neighbour letters sent 23/10/2020. 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

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 first floor side extensions from causing a terracing effect by requiring a 1.5 metre set back to the main frontage or to the boundary. The proposal includes this set back and as such should no. 6 wish to extended at first floor in the future it is considered that the proposal would not lead to the uncharacteristic linking up of dwellings. The ground floor of the proposed side extension would project forward of the principal elevation, tying in with the existing porch and as such would not project excessively from the front elevation of the dwelling complying with guidance as set out within SPD 6.

The proposed rear extensions would be not be visible from Lynmouth Grove. The hipped roofs of the two storey elements, and the mono pitch of the single storey elements are considered to be acceptable. The proposed windows and roof lights are considered to be suitably aligned. It is considered that the proposed extensions would not overwhelm the dwelling or result in over development of the associated residential amenity space. There are examples of render used for external elevations within the street scene, most notably no. 8 Lynmouth Grove, and as such it is considered that the use of render for this scheme is acceptable.

It is considered that the proposed extension would not have a detrimental impact on the character of the dwelling, street scene or neighbouring properties and as such complies 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 first floor rear bedroom, window is located approximately 15 metres from the directly facing boundary exceeding the 7 metres required by SPD 6.
- First floor side bedroom window facing towards No. 2 is a high level secondary window, and as such considered to be acceptable.
- Ground floor windows facing towards side boundary with No. 2 would be screened by the existing side boundary concrete panel fencing
- Proposed side windows facing towards No. 6 would relate to non-habitable rooms (bathrooms) and are obscure glazed.
- Rear ground floor windows and doors would be screened by the rear boundary treatments and outbuilding on rear boundary.
- Proposed front ground floor window would relate to a non-habitable room (office) and as such aspects not applied.
- Front first floor bedroom window would not project any further forward than the existing window arrangement and would be separated from the directly facing property by a highway.
- Proposed rear ground floor extension would not project more than 3 metres beyond the rear of No. 6 as extended (2.6 metres projection)
- Proposed rear first floor would project more than 3 metres beyond the first floor of No. 6 however it would not impact on a 45 degree line as taken from the first floor bedroom window of this property and therefore complies with guidance.
- Proposed side extension would be located adjacent to the side elevation of No. 6. This property appears to have a bathroom window, and landing window facing towards the proposed extension which are non-habitable rooms. At ground floor there is a single storey extension with a blank gable wall. As such the location of the side extension is considered to be acceptable.
- The ground floor of the proposed side extension would not intercept a 45 degree line as taken from the nearest principal ground floor habitable room window of No. 6 and is therefore considered to be acceptable.
- Proposed ground floor rear extension would project more then 3 metres beyond the rear of No. 2 as extended (4 metres) however it would not impact on a 45 degree line as

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taken from the mid-point of the nearest ground floor habitable room window which is already obscured by a single store rear extension at No. 2. There have also been no objections from No. 2. Taking into consideration the larger homes legislation the proposal is considered to be acceptable.

- Proposed first floor would project more than 3 metres beyond the first floor of No. 2 however it would not impact on a 45 degree line as taken from the first floor bedroom window of this property and therefore complies with guidance.
- Due to the nature of roof lights not overlooking foreseen.

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 drawings numbered LYN_AOD_PL_001 and LYN_AOD_PL_002 Rev C 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 Before the first occupation of the extension hereby permitted the side first floor bedroom window shall be fitted with obscured glazing, and high level measuring a distance of 1.7 metres from the internal floor level to the cill and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with 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>
Helen Goldsbrough	03/11/2020	DM	12/11/2020