

DELEGATED REPORT

Report by Jane Langan	Date of report: 01/12/2022	Ref: 68762/FUL
Registration: 12/09/2022	LDFC: 31/10/2022	Expiry Date: 07/11/2022
Site Visit: 10/10/2022	Site Notice: 10/10/2022	Press Date: 06/10/2022
Objections: 0	Con Area: MARY	Adv Type: CA
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: Part single/Part two storey extension at rear; Extended driveway

Location: Eastholme, St Anns Road, Prestwich, Manchester, M25 9LD

Description

The property is a large semi detached house located within St Marys Conservation Area and where an Article 4 Direction is in place. The site is set well back from the main road with a drive and mature gardens. To the rear part of the elevation projects out two storey and there is a single storey extension to the party wall side. Westholme is the adjoining property and also projects at the rear two storey. The section where the properties adjoin is set back and separated by a brick wall and hedges. The rear garden of the site borders the rear garden to 26,28 & 30 Prestwich Park Road South which are screened by the site planting. An Area Tree Preservation Order (No.48) covers the site and a large part of the surrounding area.

The application includes extending the rear elevation two storey from the east side 3.6m deep for 5.9m across where it would then reduce to single storey for the remainder of the elevation. The extension would form a kitchen/dining room with an extended bedroom and ensuite at first floor. The existing kitchen would be converted to a therapy room as the works are for a disabled resident.

The plans also include the addition of an ensuite window to the first floor of the existing east side elevation. To the front the patio doors would be replaced with a window and the adjacent window would become a new entrance door with level threshold. The canopy that was proposed above this door has been removed from the scheme following comments from the Conservation Officer.

To the front part of the garden would be hard surfaced to provide additional parking. This and the current imprinted concrete drive would be surfaced with permeable paving.

Relevant Planning History

64924 - Single storey extension at rear - AC 16/01/2020.

Publicity

Surrounding neighbours were notified by letter on 27/09/22. A site notice was posted on 10/10/22 and a press notice placed in the Bury Times on 06/10/22. No representations have been received.

Statutory/Non-Statutory Consultations

Conservation Officer - No objection to the revised plans.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

EN2/1 Character of Conservation Areas

EN2/2	Conservation Area Control
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 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.

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.

UDP Policies EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area

Control seek to preserve or enhance the character and appearance of these areas. Development will only be acceptable if it preserves or enhances these areas with regard to the nature of the development in terms of bulk, height, materials, design, relationship to the surrounding area, and impact of a new use on the character of the surrounding area. Proposals where appropriate should seek to implement measures to retain, replace, restore features of architectural interest, retain and enhance landscaping features, promote environmental enhancement and promote design guidelines to ensure sympathetic development.

Visual amenity, design and impact on the Conservation Area - The proposed two storey extension would be have a pitched roof set below the main ridge and set in from the side to retain the existing quoin detail to the corner. The single storey section would be flat roofed. Materials would be roof tiles and brickwork to match the existing.

The new window to the existing side elevation would be of a design the same as the existing windows. The front elevation would see the patio doors removed and replaced with a window of a size and design in keeping with that directly above. The adjacent window would be altered to become a door opening with level threshold for disabled access.

The increased drive area would not take up a large area of the garden and the existing imprinted concrete would be removed. The replacement would be brindle heritage style permeable paving in dark grey. A condition is added for samples to be submitted.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

With the proposed extension not be readily visible from the main street view and the alterations to the frontage an improvement the character and appearance of the Conservation Area would be preserved.

Parking - The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The site has off street parking for over 3 vehicles and the proposal would add further parking at the front where the new entrance door with level access would be created.

Residential amenity - The proposed extension would be single storey and set 1.5m in from the boundary with the adjoining property Westholme. At 3.6m it would extend approximately 2m further out than the existing single storey it would replace. A brick wall and planting screens the gardens which are south facing. There would be no encroachment over a 45 degree line from the ground floor window to the two storey section of this neighbouring property or 1m out along the shared boundary where the proposal is two storey. Both the neighbouring property and the site do have ground floor windows set further back however it is the two storey section to both buildings as existing that impacts on these windows.

The additional window to the first floor side would be non habitable to the ensuite bathroom and look over the wide site drive.

There would be in excess of 7m from the proposed first floor window to the rear boundary which is also screened by planting.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policies H2/3 - Alterations and Extensions, EN2/1 - Character of Conservation Areas, EN2/2 - Conservation Area Control and SPD6 - Alterations and Extensions to Residential Properties.

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 01,01A,03D 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.
- 4 The external finishing materials for the extension 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.
- 5 Prior to the commencement of the works to replace the new and extended driveway details/samples of the permeable paving to be used shall be submitted to and approved in writing by the Local Planning Authority. Only the approved materials shall be used for the construction of the development.
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and associated 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>
JL	01/12/22		