

DELEGATED REPORT

Report by Tom Beirne	Date of report: 12/07/2022	Ref: 68493/FUL
Registration: 25/05/2022	LDFC: 05/07/2022	Expiry Date: 20/07/2022
Site Visit: 06/07/2022	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Hip to gable roof extension with loft conversion and rear dormer; Single storey side extension, first floor rear extension and front porch

Location: 43 Hereford Drive, Prestwich, Manchester, M25 0AG

Description

The property is a two storey semi-detached house with gardens to the front and rear. Houses to the front and rear of the site are over 20m away from the existing property. There is existing parking on the existing driveway with on street parking on the road. The house has been extended at the rear in the form of a flat roof Succah with a central lantern.

Number 45 Hereford Drive, attached to the north side of the property, is the same style property with a single storey extension across the rear. Number 41 to the south has been extended and rendered to present a more modern appearance. There are several non-habitable room windows in the side elevation.

The proposal comprises:

- Front porch projecting out 1.6m and across 2.4m. Red brick and tile to match the house.
- Single storey side extension projecting out 2.8m from the side elevation and linking into the single storey rear extension, Red brick and tile to match the house.
- First floor rear extension would extend back to the rear elevation over the existing 'cat-slide' roof. Red brick and tile to match the house.
- The existing roof would be hipped with the incorporation of a flat roof dormer across the rear roof plane. Tiled to match the house.
- The extensions would allow a larger kitchen diner at ground floor, a bathroom at first floor and two further bedrooms and a small gym in the roofspace.

Relevant Planning History

01815/E - Proposed two storey extension at side, single storey rear extension with succah roof and loft conversion. - Enquiry completed 21/04/2016

60692 - Single storey succah extension at rear; two storey side and rear extensions with dormers at rear - Approve with Conditions 07/12/2016

Publicity

Immediate neighbours notified by letter dated 15/06/2022. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

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 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.

Visual amenity - The front porch and single storey side extension are the elements that are readily viewed from the public arena. These are modest in scale and considered in keeping with the house and appropriate within the streetscape.

The first floor extension and additions to the roof are sizeable and would, to a degree, interrupt the existing symmetry at the rear, however these changes are at the rear and are

not readily viewed from the public realm. It is also noted that permitted development rights, particularly with regard to the roof, could in any case impact significantly on the appearance of the property from the rear.

The proposed extensions and alterations are, in terms of design, appearance and scale, not out of keeping with the existing house. The proposal is considered to be acceptable in terms of visual amenity and complies with UDP Policy H2/3 and guidance in SPD6.

Residential amenity - With side windows to be obscure glazed (first floor WC and gym in roofspace), there are no direct overlooking issues to the side or rear from main habitable rooms. The ground floor side/secondary kitchen window facing the side boundary with No.41 is not required to be obscure glazed as a similar window in No.41 was allowed under reference 63143. Windows in the side of the unattached neighbour, across the driveway, are non-habitable and not seriously impacted. Given the relationship with existing neighbours, there are no residential amenity issues arising. With a condition requiring obscure glazing to side windows in upper floors, the proposal is considered to be acceptable in terms of residential amenity and complies with UDP Policy H2/3 and guidance in SPD6.

Access and Parking - The existing access would remain and there would be sufficient space to park a vehicle clear of the highway on the remaining driveway. It is noted that there is on-street parking along Hereford Drive and the site relatively sustainable in terms of location, being close to Bury Old Road and main bus routes. This is considered to be acceptable and complies with UDP Policy H2/3 and guidance in SPD6.

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 001/1, 002, 003/1 and 004 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 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 EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
- 4 Before the first occupation of the extension hereby permitted the side windows at First floor (WC) and second floor (gym) shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/3

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- 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>
Tom Beirne	12/07/2022	DM	12/07/2022