

DELEGATED REPORT

Report by Amanda

Date of report: 15/06/2022

Ref:68233/FUL

Uhunmwagho

Registration: 28/04/2022

LDfC: 31/05/2022

Expiry Date: 23/06/2022

Site Visit: 13/06/2022

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: Single storey extension at rear

Location: 5 Blackburn Street, Prestwich, Manchester, M25 1FT

Description

The application relates to a two storey semi-detached property with a small garden to the front and yard to the rear. There is no existing on site parking. At the rear of the property is a single storey extension and a detached shed along the rear boundary. The attached neighbour has a small single storey extension adjacent to the shared boundary as well a shed.

The proposed extension would provide two ground floor bedrooms and a shower room for disabled members of the household. The existing extension and shed in the yard would be removed to make way for the proposed extension.

The extension would project 5.64m from the original rear elevation and it would measure 4.11m across the rear elevation. The roof would be hipped.

Relevant Planning History

N/A

Publicity

Neighbours notified on 09/05/2022 - No comments or objections received.

Statutory/Non-Statutory Consultations

None.

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 extension would be built wholly on the rear elevation of the existing dwelling. As such it would not be readily visible in the public realm to the front. The extension would be built with materials and a design that would be considered in keeping with the existing property. As such 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 extension would be approximately 4.6m away from the rear boundary. As the extension would be single storey only any views from the rear windows would be over the applicant's own yard and not directly over the gardens or properties to the rear. It is

also noted there is a tree in the rear garden of the property to the rear which would screen some views to and from the site.

- There would be no windows in the side elevation adjacent to the shared boundary with no.3 Blackburn Street, attached to the application property.
- The plans show that the extension would be built wholly within the site and there would be no encroachment on to land or over the boundary with no.3 next door.
- The extension would project around 5.64m beyond the rear of the single storey out rigger extension on the rear of no.3 next door. There is also a shed directly adjacent to the shared boundary at no.3 and it is noted that this neighbour has not objected to the proposal. With this in mind and taking in to account the Larger Homes Scheme, there would be no significant detrimental effect on residential amenity at this property.
- As the existing outbuilding to the rear yard would be removed there would be sufficient amenity space remaining at the rear of this property.
- The south side elevation would be around 1m from the shared boundary with no.5 next door. There would be one hallway window and an external door facing the shared boundary with no.5. A hallway would not be considered a habitable room and there is a 1.8m fence along the shared boundary which would screen most of the views to and from the extension. As such there would not be any significant detrimental effect on residential amenity at no.5 Blackburn Street next door.

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 residential amenity.

Parking/Disability requirements -

The proposal would result in two additional bedrooms at this property and so SPD 11 Parking Standards need to be considered. However, there is no existing on site parking. The applicant, along with their immediate neighbours need to park on the street in front.

Parking throughout the borough is a concern and should be considered when assessing household extensions. However, SPD 6 Paragraph 10.11 states;

'Where there is appropriate justification (set out in an Access Statement) and confirmation that the alterations are needed by an appropriately qualified person, the Council will allow exceptions to the above criteria in cases where proposals are specifically for disabled people who require particular adaptations to their homes'

As the proposed extension would provide two ground floor bedrooms and a shower room for disabled members of the household. The needs of this family outweighs parking requirements as set out in SPD 6 and SPD 11, especially as there is no on site parking available at present. With this in mind the proposal would be considered acceptable in this instance.

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

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of this permission.

Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.

- 2 This decision relates to drawings numbered 2107-01, 2107-02, 2107-10 and 2107-11 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 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 15/06/2022			