

DELEGATED REPORT

Report by Tom Beirne	Date of report: 25/01/2024	Ref: 70363/FUL
Registration: 21/12/2023	LDfC: 18/01/2024	Expiry Date: 15/02/2024
Site Visit: 16/01/2024	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey side extension and single storey extension at side/rear, front porch and loft conversion with rear dormer and hip to gable roof extension to form second floor; Boundary wall/railings to front and side.

Location: 74 Sheepfoot Lane, Prestwich, Manchester, M25 0DT

Description

The application relates to a detached two storey house on the corner of Sheepfoot Lane and Edgeware Avenue. There is a driveway to the side, off Edgeware Avenue and a detached garage in the rear garden. There is an existing single storey lean-to extension to the left hand side (when viewed from the front) and the adjacent property is a bungalow, separated by a tall boundary fence. The houses on Edgeware Avenue are traditional, brick built, semi detached houses.

The proposal is to extend the house out 3m on the east side in the form of a two storey extension with a setback of 1m at the front. A single storey extension would run across the width of the rear elevation, projecting out 3m with a mono-pitched roof. On the east side of the roof at the rear there would be a flat roof dormer set into the roof plane.

The extensions would allow for a home office and larger kitchen/diner on the ground floor, two bedrooms on the first floor and a games room within the roofspace.

The proposed front porch over the existing door would measure 2.8m by 1.5m and would have a pitched roof to a maximum height of 3.6m

The existing vehicular access from Edgeware Avenue into the side rear garden and garage would be retained and a new boundary wall erected around the front and side. The new boundary wall along the line of the existing wall and comprise a new 300mm high brick boundary wall with pillars to 975mm and infill metal railings to a total height of 1.2m.

It is noted that a previous application for two storey extensions on either side of the house and a single storey extension at the rear was approved in 2022.

Relevant Planning History

68690 - 2 No. two storey side extensions, single storey rear extension, front porch and loft conversion with rear dormer to form second floor; Boundary wall/railings to front and side. - Approved 08/11/2022

Publicity

Immediate neighbours notified by letter dated 22/12/2024. No objections received.

Statutory/Non-Statutory Consultations

Traffic Section - No comment.

Pre-start Conditions - N/A

Unitary Development Plan and Policies

H2/3	Extensions and Alterations
EN1/2	Townscape and Built Design
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, including relevant policies in the emerging Places for Everyone Joint Development Plan.

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 existing house has been vacant for over a year and does not present a particularly good image within the existing streetscape. The extension and alterations would modernise and improve the appearance of the house whilst retaining its original design and character within the wider streetscape. Whilst the new gable would be quite prominent in relation to the bungalow next door, it would not appear particularly incongruous within the streetscape as Sheepfoot Lane is characterised by a mix of single and two storey house types. It is important to note that, unlike the previously approved scheme, the side garden area, adjacent to Edgeware Drive would not be built upon and this help maintain a better relationship with the public highway on this side.

The extensions to the house would be finished in a mix of red brick and render with grey tiles on the roof. The new wall and pillars would be red brick with traditional black railings.

In terms of visual amenity, the proposals are acceptable and would comply with UDP Policy H2/3 and associated guidance.

Residential amenity - The single storey rear extension projects 2m beyond the line of the rear extension of the neighbouring property at No.75 Sheepfoot Lane. With a gap to the boundary, this relationship complies with guidance with SDP6, including the '45 degree rule'. Two new side windows facing the bungalow on the east side would be required to be obscure glazed.

In terms of the impact on neighbours, the extensions would not have any serious overshadowing or overlooking. The proposals would not have any significant impact on residential amenity and there are no objections from neighbours. In terms of residential amenity, the proposals are acceptable and would comply with UDP Policy H2/3 and associated guidance.

Access and Parking - The proposed boundary wall has been lowered to improve visibility out of the driveway and visibility out of the junction, onto Sheepfoot Lane is acceptable. The existing driveway would be retained and upgraded and the garage would be rendered and re-roofed. There would be two on-site parking spaces, including the garage.

In terms of access and parking, the proposals are considered acceptable and would comply with UDP Policy H2/3 and associated guidance.

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 R-0736-01, 02C, 03C, 04A, 05F and

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10A 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 During construction, a storage area for the construction materials shall be provided within the curtilage of the site to the satisfaction of the Local Planning Authority. The facilities shall be retained for the intended purpose and the area identified shall not be used for any other purposes other than the storage of construction materials 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.

- 5 All gates opening onto the public highway shall be inward opening only.

Reason. In the interests of highway safety pursuant to UDP Policy H2/3 and guidance within SPD6 Extensions and Alterations.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	25/01/2024		