

DELEGATED REPORT

Report by Amanda

Date of report: 08/06/2023

Ref:69569/FUL

Uhunmwagho

Registration: 20/04/2023

LDfC: 27/05/2023

Expiry Date: 15/06/2023

Site Visit: 10/05/2023

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey rear extension

Location: 14 Dovedale Avenue, Prestwich, Manchester, M25 0BU

Description

The application relates to a two storey semi-detached house which has an existing single storey extension to the rear. The attached property (No.12 Dovedale Avenue), has a two storey rear extension adjacent to the shared boundary and planning permission was recently granted at this property for a single storey extension to be built off the rear of the existing two storey extension.

There is a patio area directly to the rear of the property and the rest of the garden is lawned. There are fences to all boundaries, with some planting to the rear. There is planting along the west boundary. This is on the opposite side of the fence and belongs to no.16 next door.

The proposal is to build a flat roof single storey extension off the rear of the existing pitched roof single storey extension. It would project a further 3m from the existing extension and it would measure 5.3m wide. The roof would be flat with a large rooflight to the centre.

Relevant Planning History

63057 - Certificate of lawfulness for proposed single storey extension to rear of domestic dwelling semi detached house - Refused 05/09/2018

63260 - Certificate of lawfulness for proposed single storey extension at rear - Lawful Development 15/11/2018

Publicity

Neighbours notified on 04/05/2023 - 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.

As the extension would be built on the rear of the dwelling it would not be visible in the public realm at all. It would only be visible from the rear gardens of a small number of neighbouring properties. However, it would be built with materials and a design that would be considered acceptable in this location and would not have any significant detrimental impact on the character of the existing building.

Given the above 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 -

- There would be no windows in the west side elevation. As such there would be no significant detrimental effect on privacy levels at no.16 Dovedale Avenue next door.
- The extension would project around 1m past the rear of the single storey extension at no.16 and it would be built around 1.7m away from the shared boundary. As such there would be no significant detrimental effect on residential amenity at this property.
- Revised plans received on 07/06/23 show that the east side elevation would be around 250mm off the shared boundary with no.12 and there would be no windows in this side elevation. Taking this into account there would be no concerns regards encroachment or privacy levels between the two properties.
- The total projection of the proposed and existing extensions from the original rear elevation of the dwelling would be 6m. No.12 has recently received planning permission for a single storey extension along the shared boundary with the site which would result in extensions of that property projecting 7.5m from the original dwelling. As such the proposed extension would not have any detrimental impact on residential amenity at no.12.
- The distance from the rear elevation to the rear boundary would be acceptable in terms of SPD 6.

Taking the above into account 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.

Parking -

The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing where there is parking to the drive at the front of the site. There are also no parking restrictions to the highway in front.

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 001 and 002 received on 20/04/2023 and revised proposed drawing numbered 003 rev 2 received on 07/06/2023 as modified by the email from Mr Eli Radnor dated 07/06/2023. The development shall

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not be carried out except in accordance with the details 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 outer walls and windows of the proposal hereby approved shall match those of the existing building and the flat roof shall be finished with a single ply membrane.

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 - 08/06/2023		HL 08/06/23	