

DELEGATED REPORT

Report by Dean Clapworthy	Date of report: 12/04/2024	Ref: 70525/FUL
Registration: 19/02/2024	LDFC: 13/03/2024	Expiry Date: 15/04/2024
Site Visit: 29/02/2024	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: Two storey side/rear extension to include garage; 2 no. rear juliette balconies & front balustrade balcony; Single storey rear extension

Location: 17 Sedgley Park Road, Prestwich, Manchester, M25 0BJ

Description

The proposal relates to a large two storey detached dwelling with a single storey linked garage in a mixed suburban residential area. It occupies a large plot measuring approximately 65m deep x 30m wide, which is bounded by dwellings to the rear (west) and and south. A narrow ribbon of amenity space with a public footpath accessed via steps up from Sedgley Park Road and containing mature deciduous trees bounds the site to the north. A row of maturing evergreen trees partially form the boundary to the same boundary, inside of a timber fence. The generous rear garden contains a tennis court. The dwelling occupies a raised position relative to street level, but is set back around 14m from the front boundary, which is formed by high hedgerows.

There is a protected tree (Beech TPO 107 1994) within the open amenity space close to and on the north side of the northern boundary of the site. The remaining boundaries are heavily vegetated such that the site is screened from neighbouring properties.

The proposal is for a two storey side/rear extension to include a double garage; 2 no. rear juliette balconies & front balustrade balcony; Single storey flat roofed rear extension at the base of the existing two storey rear extension.

The main two storey side extension would be set back approximately 7m from the principal elevation (the present garage is set back around 9m). The eaves would align with the existing pertaining to the main roof and it would be formed have a hipped roof. The extensions would be finished in red facing brick and slate to match the existing. The proposed extension would increase the bedroom count from 5 to 6.

Relevant Planning History

N/A

Publicity

13 neighbouring properties notified directly on 21/02/24.

No representations received.

Statutory/Non-Statutory Consultations

None undertaken.

Pre-start Conditions - Not relevant

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), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within 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 and PfE Policies 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.

ASSESSMENT

Visual amenity

SPD 6 and UDP Policy H2/3 seek to achieve a high standard of design that complements the original building, and does not have a detrimental impact on the character and appearance of neighbouring properties and the general street scene.

The existing dwelling is a large detached dwelling, which at the principal elevation incorporates double bay windows with overhanging Tudor style gablet roofs, set out symmetrically. The rear elevation has been bastardised somewhat, with the addition of single and two storey extensions of varying projections and roof forms.

It is acknowledged that the entirety of the proposed extension would be substantial in absolute terms. However, the side extension would project from the existing main side elevation to the same extent (6m) as the existing single storey garage. It would retain a set back from the principal elevation of around 7m and would wrap around the rear of the building, replacing the rather haphazard arrangement of present extensions.

The hipped roof, which would be stepped down from the main roof, vertically emphasised first floor windows at the front elevation, set back and width (less than half the width of the existing dwelling) and matching materials would ensure that the extension, whilst not replicating the detailed architectural elements of the existing principal elevation, would appropriately assimilate with the overall scale, form, proportions and materials of the host dwelling.

The single storey rear extension would be minor in scale and would follow the form of the existing two storey extension to which it would be attached.

The proposed extensions would not therefore have any adverse impacts upon visual amenity or the street scene and consequently be compliant with the above policy and SPD.

Residential amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties. SPD 6 provides specific advice in relation to rear extensions.

The host detached dwelling is set within generous grounds and the space retained around the proposed extensions would ensure that nearest neighbouring residential amenity is not unacceptable undermined.

Access and parking

The proposal would result in a six bedroom dwelling (from five). The proposal would retain the significant number of off-street parking spaces presently provided (exceeding 3 spaces).

Other matters

The side proposed extension, which would project forward around 2.5m from the existing garage, would retain a distance of around 10m from the protected tree noted above, which falls within the adjacent amenity space and upon significantly higher land. The proposal would not therefore impinge upon this tree.

Conclusion

The proposed extension would not have any unacceptable impacts upon visual or residential amenity and would retain an adequate level of parking without causing harm to protected trees.. As such, the proposal would comply with the above policies of the Local Plan and the NPPF. Therefore, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act, the proposal therefore merits approval.

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
Location Plan (Dwg No. 001. 1)
Proposed Plans and Elevations (Dwg No. 003.2)
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.

<u>Case Officer</u> DSC	<u>Date</u> 12/04/2024	<u>Sign off Officer</u> DM	<u>Date</u> 12/04/2024
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