

DELEGATED REPORT

Report by Jane Langan	Date of report: 16/02/2023	Ref: 69134/FUL
Registration: 01/12/2022	LDFC: 12/01/2023	Expiry Date: 26/01/2023
Site Visit: 09/01/2023	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: Single storey wrap around front/side/rear extension

Location: 1 Russell Street, Prestwich, Manchester, M25 1EQ

Description

The property is a bay fronted semi detached house. It has a garden and drive to the front and an attached garage at the side. To the rear it has a single storey section across part of the elevation and a fenced garden. The adjoining semi is No.3 and has a main window to the party wall side at the rear and fencing along the boundary. To the opposite side the site borders the rear gardens to 5 & 7 Earl Street. No.7 has a detached garage and drive alongside the drive and garage to the site. To the rear the site boundary borders the rear garden to 16 Stanley Street.

The application proposes to remove the garage and construct a single storey extension. It would come out 1m at the front for 2.4m across to form a porch. It would then angle to wrap around the side coming out 2m and running for 12.8m up to the rear boundary. 6m would project beyond the rear elevation in an angled design for 4.3m to 2.7m across. The extension would form a shower room, utility and extended kitchen. The end 2m deep section at 2.6m across would be a tool store. The party wall side to the rear elevation would have a 0.5m deep by 1.3m wide glazed bay added to form a window seat. With the proposed porch reducing the drive length it is proposed to widen the drive and remove part of the front boundary wall with the existing drop kerb retained.

Relevant Planning History

None.

Publicity

Surrounding neighbours were notified by letter and no responses have been received.

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to conditions for the implementation of the revised parking arrangement and storage of materials.

Pre-start Conditions - Not relevant.

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 and design - The proposed front porch extension would not project excessively at 1m deep. The extension would run across then be angled around the side. It would have a flat roof concealed behind a parapet wall and the materials black brick and mortar. The frontage would have an oak finish door and to the angled side a full height window with dark grey aluminium frame. The proposal would result in a modern addition to the property which in terms of its design has some horizontal emphasis. As such it is not considered that the proposal would be out of keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

Parking - The proposal would not increase the number of bedrooms therefore SPD11 Parking Standards need not be considered. The front boundary wall would see a 0.5m length removed and the front garden surfaced in a permeable material. With the drive to the front of the extension marginally below 5m it is proposed that parking would be at an angle. Highways have confirmed no objection to this.

Residential amenity - The proposed extension would run along the rear garden boundaries with 5 & 7 Earl Street. No.7 has a detached garage along its rear boundary. The proposal would be single storey, the side wall flat roofed to a height of 3.1m. There would be a separation distance of approximately 11.5m from the main rear windows of No.5 to the proposed side wall. To 16 Stanley Street to the rear the proposal would not face its main bay window but towards the gap to the side of the property. The proposed roof to the tool store would be lower at 2.4m high. The separation distances would comply with SPD6 Aspect standards.

To the adjoining property there would be the addition of the glazed bay which would only be approximately 0.5m deep.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

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 2235 PL 200 E, 2235 PL 300 A 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 revised car parking arrangements indicated on the approved plans, incorporating, all highway remedial works required to reinstate the adopted highway to its condition prior to commencement of the development following removal of part of the front boundary wall, demarcation of the limits of the adopted highway and new driveway in a porous/permeable material and/or measures to prevent the discharge of surface water onto the adopted highway, shall be implemented to the satisfaction of the Local Planning Authority prior to the extension and widened driveway hereby approved being brought into use and thereafter maintained available for use at all times.
Reason. To secure the satisfactory development of the site in terms of highway safety, to allow adequate space to maintain a vehicle clear of the highway and maintain the integrity of the adopted highway pursuant to UDP Policy H2/3 Extensions and Alterations.
- 4 Facilities for the storage of construction materials shall be provided within the

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curtilage of the site. The measures shall be retained and facilities used for the intended purpose 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 pursuant to UDP Policy H2/3 Extensions and Alterations.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	16/02/23		