

DELEGATED REPORT

Report by Amanda

Date of report: 26/04/2022

Ref:67937/FUL

Uhunmwagho

Registration: 28/12/2021

LDfC: 23/04/2022

Expiry Date: 22/02/2022

Site Visit: 20/01/2022

Site Notice: N/A

Press Date: N/A

Objections: 1

Con Area: N/A

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Two storey side extension; Two storey/single storey rear extension; Single storey front extension for garage and First floor front extension.

Location: 53 Bland Road, Prestwich, Manchester, M25 9WG

Description

The application relates to a two storey semi-detached house which has a single storey rear extension. There is brick paving to the whole of the front of the site and to the rear there is a more private garden. At the side of the house there are timber gates with a car port structure behind it. There is also a detached outbuilding in the rear garden.

No.51 Bland Road, unattached to the north side is a similar style property with a single storey rear extension. There is a car port to the side of no.51 adjacent to the shared boundary and a detached garage to the rear garden.

The proposal is to build a two storey side extension, single storey and first floor front extensions and a single/two storey rear extension. At the front the garage/store section of the extension would project 1m forward of the main front elevation bringing it in line with the existing single storey front extension and it would measure 5.63m wide in total. The roof would be hipped.

At the side the extension would project 2.42m and would have an overall length of 10.59m. The first floor element would be set back 1.5m from the existing front elevation and it would project 1.96m beyond the original rear elevation. It would measure 5.74m wide across the rear and the roof would be pitched.

At the rear the single storey extension would project 3m from the original rear elevation and the roof would be flat. There would be an opening Succah roof to the south side of the extension.

To the front the extension would project 1m forward of the original front elevation. The extension would be single storey with a pitched roof to the north side. There would also be a first floor extension above the existing porch projecting 1m forward of the existing front elevation and measuring 3.17m wide. The roof would be pitched.

Relevant Planning History

N/A

Publicity

Neighbours notified on 07/01/2022 - One objection received. Their objection include the following reasons;

- As it stands the single garage extension they are currently using does not have any affect to my property, building a double extension would certainly change many factors

for me and my daughters well being. We feel that it would certainly block most / all daylight entering my side kitchen entrance & upstairs hall way and have a window parrel to our bathroom.

- Also the side of my property is where we only sit out during the summer as front and back has limited sun light.

Following discussion with the agent and to overcome the sub-standard distance to the rear boundary revised plans were submitted on 30/03/2022 and neighbours notified of the revised plans on 31/03/2022 - No further comments or objections have been 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 proposed extension would be built with materials and a design that would be considered in keeping with the existing building and the 1.5m set back at first floor level from the original front elevation means the proposal is considered acceptable in terms of 'terracing' and the effect on the streetscene.

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 a sufficient separation distance between the application property and properties to the front and rear of the site for there not to be any significant detrimental effect on residential amenity.
- There would be at least 7m from the new first floor habitable room window to the rear boundary.
- There would be no windows in the north side elevation adjacent to the shared boundary with no.51 next door.
- There are no habitable room windows to the side elevation of no.51 next door. The property has been previously extended to the front and rear and plans for this dwelling show that the ground floor windows and door to the side elevation are to a kitchen and therefore are considered non-habitable. There are also two non-habitable room windows to the first floor. In addition the owner of no.51 has erected a car port along much of the drive area which obstructs light to and views from their ground floor windows already. Therefore it is considered that the introduction of the two storey side extension to the side of no.53 would not be significantly detrimental in terms of residential amenity at no.51 and is considered acceptable in term of SPD 6.
- The plans indicate that all of the development would be built within the site boundaries and Certificate A has been signed as well. As such there would be no encroachment on to either of the adjacent neighbours' land.
- The single storey rear extension adjacent to the shared boundary with no.55 (attached) would project 3m. This would be acceptable in terms of SPD 6.
- At the front there would be slightly less than 5m from the front elevation of the extension to the boundary with the back of the pavement in front. Although SPD 6 states that there should normally be at least 5m directly in front of an extension in terms of drive way space the whole of the front of the site is paved. As such the applicant could still park a car at an angle across the front of the property.
- The proposal would increase the number of bedrooms from 3 to 4 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered. This can then require the proposal to provide a maximum of 3 parking spaces. The site as existing has an area at the front for parking a vehicle and this would remain following

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the extension being built. The area is high access in terms of public transport and there are no parking restriction on the highway in front. In this instance then the parking arrangements are considered sufficient.

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 separation distance to the surrounding properties and that it is no more than 3m on the boundary.

Response to neighbour objection -

The concerns of the neighbour have been addressed in the report above.

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, 002 and 004 received on 29/12/2021 and revised drawing numbered 003 rev 2 received on 30/03/2022 as modified by the email from Gold Sketch Studios Ltd dated 30/03/2022. The development shall 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 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 - 26/04/2022			