

DELEGATED REPORT

Report by Jane Langan	Date of report: 08/08/2023	Ref: 69718/FUL
Registration: 22/06/2023	LDfC: 20/07/2023	Expiry Date: 17/08/2023
Site Visit: 13/07/2023	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: Two/single storey extension at side/rear; Loft conversion with hip to gable roof extension and dormers at front and rear; Front porch; Erection of detached outbuilding at rear
Location: 7 Sheepfoot Lane, Prestwich, Manchester, M25 0BL

Description

The property is a semi detached house. It has a boundary wall and gates along the frontage and the front garden is fully surfaced for parking. The front elevation is extended with a porch and there is a detached garage at the side and a brick shed half of which belongs to the adjacent No.6. To the rear the site property is extended single storey and with a pitched roof dormer. The adjoining neighbour is No.8 and has main windows to the party wall side at the rear and adjacent these a two storey extension. Along the boundary with the site it has a small timber structure. To the opposite side the unattached No.6 has a detached garage, shared brick shed and is extended single storey at the side/rear. To the rear the site garden borders the side elevation and rear garden to 127 Park Road.

The application includes a hip to gable roof extension and two 1.5m wide pitched roof dormers to the front of the existing roof slope. To the side a two storey extension would come out 2.8m from the main front elevation with the first floor set back 1.5m. It would run along the side and project 3.5m past the rear elevation for 4.3m across. The ground floor would extend out a further 2.5m to the depth of the existing single storey. To the rear roof slope a flat roofed dormer would be added with a juliette balcony. The extensions would form a ground floor bedroom and utility room with 2 additional bedrooms and a bathroom at first floor. The extended roof space would add a further 3 bedrooms. To the bottom of the rear garden would be an outbuilding with a footprint of 6.5m by 4.5m with a pitched roof to a height of 3.7m and eaves to 2.7m.

Relevant Planning History

55185 - Part single/part two storey extension to rear and side; new front porch and erection of brick shed in rear garden. - AC 04/07/2012.
59463 - Prior notification for single storey extension at rear - Prior Approval Required Refused - 19/11/2015.
59511 - Prior notification for single storey extension at rear - Prior Approval Not Required - 06/01/2016.

Publicity

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

Statutory/Non-Statutory Consultations

None.

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 existing roof would be extended to a gable and to the existing slope two front dormers would be added each 1.5m wide and with pitched roofs. They would not occupy a disproportionate area of the roof slope and would align above the existing first floor windows. The application notes the walls to be tile hung. The two storey side would be built almost to the boundary. With the first floor front set back 1.5m terracing would not be an issue. It would have a pitched roof set below the new main

ridge and form a side gable wall. Where extending past the rear elevation it would have a hipped roof with the single storey a flat roof attached to the existing. The application notes materials for the extensions to be brick and roof. A standard matching condition is added.

The outbuilding would have a pitched roof to a ridge height of 3.7m and eaves to 2.7m. The agent has conformed this would also be in brick and roof tiles to match the existing. Located to the rear it would not be visible from the main street view and would be of a typical size and appearance for a domestic outbuilding.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

Parking - The proposal would increase the number of bedrooms from 4 to a potential 9 (the roof space rooms are not labelled) 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 its frontage fully hard surfaced and can accommodate this level of parking and more.

Residential amenity - In relation to the adjoining No.8 the proposed two storey at the rear would be set away from the boundary and blank wall to the side. It would not encroach a 45 degree line taken 1m out along the shared boundary.

To the opposite side No.6 has its principle windows to the party wall side and the 45 degree line would not be encroached from their mid point. In terms of outside space then proposed development would be located to the east side of this neighbouring property and it is the area at the rear of the shared brick shed that would be adjacent. As such there would be no significant loss of light or overshadowing to the principle windows or main garden area of this neighbouring property. There would be windows to the side elevation of the proposal to a landing and two bathrooms. A condition is added for obscure glazing.

There would be a distance in excess of 7m, at approximately 12m, from first floor rear window of the proposed two storey to the boundary. The dormer would be approximately 15.5m away. The separation distances would be sufficient to comply with SPD6 Aspect Standards.

The proposed out building would be along the boundary to the rear garden to 127 Park Road. It would have eaves to a height of 2.7m and a ridge to 3.7m sloping away from this neighbouring garden. With the height average for a domestic outbuilding and located to the north side of the boundary to 127 it would not cause any significant overshadowing.

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 01A, 02A, 03A, 04A, 05A, 06C, 07E, 08B, 09A 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 proposed extensions 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.
- 4 The walls to the dormers hereby approved shall be tile hung to match the existing roof.
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.
- 5 Before the first occupation of the extension hereby permitted the windows to the west side elevation, ensuite, bathroom and landing, shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with 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>
JL	08/08/23	DM	14/08/23