

DELEGATED REPORT

Report by Steven Gunn
Russell

Date of report: 12/07/2022

Ref:68479/FUL

Registration: 18/05/2022

LDFC: 06/07/2022

Expiry Date: 13/07/2022

Site Visit: 24/06/2022

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey extension at side and First floor extension at rear

Location: 52 Brooklands Road, Prestwich, Manchester, M25 0ED

Description

The application relates to a two-storey detached house with a pyramid pitch roof on a residential street of similar properties, with an existing flat roofed garage at the rear albeit in relatively poor condition although the latter does not form part of this application. The unattached neighbour at No.54 is within the same building line and has two small existing extensions. The unattached neighbour at No.50 is set back slightly and has an existing two storey extension at the rear. The rear boundary comprises a fence approximately 1.8m high plus one evergreen tree but no substantial shrubbery.

Planning permission is sought for a:

- Single-storey side extension to accommodate an enlarged kitchen-dinner projecting out by 2.6m with a flat roof.
- First-floor rear extension to provide an additional bedroom within the existing building line (above existing extension at an earlier date).

Materials would be red brick for the ground floor and white render for the first floor to match existing. The driveway would be reduced in length but still maintain capacity for two cars. There would be a separation of 11.1m to the rear boundary.

Relevant Planning History

67682 - Roof extension/loft conversion with rear dormer, first floor rear extension, single storey side extension and detached garden room at rear - Approved 07/01/2022

Publicity

Immediate neighbours notified by letter dated 14/06/2022 sent to 9 (nine) neighbours. No representations were received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
HT2/4	Car Parking and New Development
SPD11	Parking Standards in Bury

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

UDP Policy H2/3 and SPD6 seeks to achieve a high standard of design that complements

the original building, does not have a detrimental impact on the character or appearance of neighbouring properties, and protects the general street scene.

In terms of scale, design, and appearance the proposed extension would be generally in-keeping with the existing house. Situated at the side the proposed extension would be readily visible from the public arena, although its siting, design and scale is considered to be appropriate for this property and streetscene. Guidance in SPD6 normally discourages flat roofs for side extensions, although the proposed side extension would be set back from the front building line by 3.80m and is therefore considered to be acceptable.

Situated at the rear the proposed extension for an additional bedroom at first floor with a flat roof, would not be readily visible from the public arena, although its siting, and scale is considered to be appropriate for this property.

Materials would match existing plus white rendering for the first floor sections. The existing tree and shrub planting along the rear boundary would further reduce the impact on the residents to the rear. In this respect the proposed extension complies with UDP Policy H2/3 and associated guidance in SPD6.

Residential amenity

UDP policy H2/3 and SPD6 seeks to reduce the impact of proposals on the residential amenity of neighbouring properties.

- In terms of overlooking and privacy to the rear, the 11.1m separation distance to the rear boundary from the proposed extension is considered to be acceptable and complies with adopted guidance in SPD6.

- The proposed extension is acceptable in relation to the neighbours as the proposed extension would not project past the front and rear elevations and as such, the proposed extension would not have an adverse impact upon the amenity of either neighbour.

- There are no new side windows proposed except for one ground floor kitchen window which is a non-habitable room.

- The unattached neighbour at No.50 has a number of side windows all of which are either non-habitable windows (including a bathroom with obscure glazing) or a minor window. There is also a large side kitchen window although again this is an existing non-habitable side window which largely faces the applicants rear garden rather than the applicants main house. Therefore, it is considered that with regards to No.50 there are no aspect issues or loss of light. The unattached neighbour at No.54 has no side windows.

- In terms of the general prominence and impact on daylight the proposed first-floor extension is set 1m off the shared boundary (east side) with the unattached neighbour at No.50 which has an existing two-storey extension. The proposed rear extension would have some impact on part of that neighbour's rear garden in the afternoons and to a lesser extent the large non-habitable side kitchen window, however the overshadowing would not be seriously excessive above and beyond the existing situation. In this respect the proposed extension would not have such a serious impact to warrant refusal.

The proposed extension would be acceptable and comply with UDP Policy H2/3 and associated guidance in SPD6.

Highways

The proposal would increase the number of bedrooms from 4 to 5 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered, which requires the proposal to provide a maximum of 3 parking spaces within this high access area. Existing on-site parking provides 2 car spaces, and there is additional parking available on

street. Given the situation and the fact there are no changes to parking layout other than driveway length with 2 spaces remaining although the garage space would no longer be available, it is therefore considered that the parking arrangements are sufficient. The proposed extension would be acceptable and comply with UDP Policy HT2/4 and associated guidance in SPD11.

Conclusion

In consideration of the above, it is considered that the proposed development would be acceptable in terms of the design, and sitting, of this development. As such, the proposed development is therefore considered to be acceptable and complies with UDP Policy H2/3 and associated guidance in SPD6.

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 numbered Project GSS21092.2 Drawing 003, Drawing 004, and Drawing 005 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 H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
- 4 Before the first occupation of the extension hereby permitted the toilet windows at the side elevation 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>
SGR	12/07/2022		