

DELEGATED REPORT

Report by Jane Langan	Date of report: 12/05/2022	Ref: 68121/FUL
Registration: 07/03/2022	LDFC: 04/04/2022	Expiry Date: 02/05/2022
Site Visit: 04/04/2022	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 extension on both sides; Single storey rear extension with balcony above; Single storey front extension; Rear dormer extensions; 2m high brick wall to both sides; 1.5m high wall to front boundary and alterations to driveway including new vehicular access.

Location: 98 Park Road, Prestwich, Manchester, M25 0DY

Description

The property is a two storey detached house in brick/render. It has a garden and drive to the front and to the side an attached garage that runs into a single storey rear extension. Works have commenced on a front porch approved as part of application 66589. Along the front boundary is a brick wall with hedges to the rear that screen the house and there is a gated vehicular access to one side. To the rear is a garden and there are hedges and trees along the boundary. The house has been extended at the rear with a further two single storey extensions and a dormer. No.96 to the south side is a semi detached house and has its drive to the site side. The house is mostly screened by the planting on the site. To the opposite side No.100 is a dormer bungalow and there is fencing along the site that screens the side elevation. To the rear are the gardens to 10 & 11 Marton Grange, planting to the site screens them.

The application is a revised scheme to 66589 and now comprises of:-

- A two storey extension to the south side elevation coming out 3.1m and running from the existing front to rear elevations
- A two storey extension to the north side elevation 3.8m out and 6.5m in length.
- To the front a single storey flat roofed extension would come out 2.5m deep to the north side of the front elevation and run along for 12m where it would meet the existing front elevation section that is deeper.
- To the rear a single storey would project 4.2m deep and 16m across with an existing extension removed. It would be flat roofed and a balcony formed above.
- The pitched roof dormer at the rear would be replaced with two flat roofed dormers.
- To each side boundary extending from the level of the front elevation of the house would be a 2m high brick wall.
- A new front boundary wall 1.5m high comprising of 1m high brickwork and 1.5m pillars and with louver infill panels. 1.5m high sliding gates in black louver panels would replace the existing and a new vehicular access with the same gates would be added to the south side of the new boundary wall.

Relevant Planning History

54883 - Single storey extension at side - Approve with Conditions 26/03/2012

56265 - Render to external walls - Approve with Conditions 07/06/2013

65023 - Single storey side extension with dormer in the roof space - Approve with Conditions 05/02/2020

65610 - Two storey side extension with full rendering; new drive way entrance including dropped kerb

- Approve with Conditions 07/08/2020

66589 - Proposed two storey side extension; Single storey rear extension with flat roof and balcony above; Enlarged dormer extension to rear elevation; New pitched roof to garage with dormer at front; Alterations to driveway including new dropped kerb and access; New 2m high brick wall to both sides of the property - Approve with Conditions 26/04/2021

67135 - Increase in height of front boundary wall to 2m; Alterations to driveway including new access and dropped kerb - Withdrawn 06/08/2021

Publicity

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

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to a condition.

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 two storey to the south side would form a gable design at the front and with a black coated aluminium portal frame and a white render and timber clad section to the centre. To the opposite side the two storey would have a hipped roof and the extension to the front would be flat roofed. Existing and new walls would be a mix of black brick at ground floor and white render. The single storey at the rear would be flat roofed with a balcony above and the two dormers flat roofed and the walls black powder coated aluminium.

The proposal would see a significant change in the appearance of the property with the change in materials and design of the frontage. The area has a mix of styles of properties and materials and it is not considered that the proposal would result in a development out of character.

The frontage would see the hedges removed to allow for the new vehicular access and along the side where the new wall would be constructed. The proposed side walls are as previously approved at 2m high. The new front boundary wall would be 1m high in dark grey brick with piers between to 1.5m in height. They would be infilled between with 0.5m black steel louver panels and the gates would also be the same and sliding. The boundary treatment would be of a more modern design than is the general character however it would be in keeping with the updating of the property and it is not considered that the height of 1.5m is excessive and the infill panels would not be solid and would break up the frontage. To ensure an appropriate brick colour and level of openness for the infill panels a condition for samples is attached. The agent has agreed to this and the plan notes 30% visibility for the panels.

The proposal is considered acceptable and would not have a detrimental impact on the visual amenity of the area.

Parking - The proposal would see a 4 bedroom property 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 can accommodate parking in excess of this and the proposal also adds a further vehicular access.

Residential amenity - The two storey would run along the side to be around level with the rear elevation to No.96. The gap between the two properties is such that the single storey would comply with the 45 degree rule. The site hedges to the rear of the new wall currently provide screening. They are however in the control of the applicant therefore a 1.8m high timber screen has been included to the balcony to this side in order to prevent potential for overlooking to No.96. The side elevation of the proposal has 2 windows at first floor to ensuites. A condition is added for obscure glazing.

To the opposite side to No.100 the proposed two storey would be bank wall to the first floor. No.100 is a bungalow and extends along the boundary and past the rear elevation of the existing single storey to the site. The proposed balcony would only run to the existing single storey to this side of the site and it would overlook only its own ground floor roof and the roof to the neighbouring property.

There would be a distance of approximately 19.5m from the proposed balcony to the rear boundary and the proposed first floor windows set a further 4.2m back. There is also screening to the rear boundary.

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 (00) 02 A, (01)10 C, (01)30 D, (01)50 K, (02) 00 C, (02) 01 C, (02) 02 C, (03)01 B, (03)02 B, (06) 00 H, (06) 01 J, (06) 02 G, (07)01 J, (07)02 J 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 Before the first occupation of the extension hereby permitted the 1.8m high timber screen to the balcony, as shown on the approved plans, shall be fitted and be permanently retained 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.
- 4 Before the first occupation of the extension hereby permitted the ensuite windows to first floor south 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.
- 5 The amended access and driveway arrangements indicated on the approved plans, incorporating the provision of a new footway crossing, new boundary wall with foundations that do not encroach under the adjacent adopted highway, any ground works required to reinstate the footway to its former condition as a result of the

works at the interface with the adopted highway, demarcation of the limits of the adopted highway as a result of the creation of the new/amended access points, provision of a hardstanding 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 altered driveway/new access hereby approved being brought into use.

Reason .To secure the satisfactory development of the site in terms of highway safety and maintain the integrity of the adopted highway pursuant to Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and associated Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

- 6 Prior to the construction of the front boundary wall and gates details/samples of the bricks and infill panels and gates to be used, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority. Only the approved materials/bricks shall be used for the construction of the development.

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>
JL	12/05/2022	TB	12/05/2022