

DELEGATED REPORT

Report by Jane Langan	Date of report: 09/12/2022	Ref: 68908/FUL
Registration: 11/10/2022	LDFC: 17/11/2022	Expiry Date: 06/12/2022
Site Visit: 09/11/2022	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 side and rear extension; Single storey rear extension

Location: 18 Vernon Drive, Prestwich, Manchester, M25 9RA

Description

The property is a bay fronted semi detached house located at the top of a cul de sac. The front garden is fully surfaced for parking. There is a path to the side and the garden extends out to the side and rear. The rear of the house has patio doors to the party wall side then a single storey extension. The adjoining property is No.17 and also has patio doors to the party wall side and is then extended two storey. To the opposite side No.16 is located to the side of the cul de sac and sits to the south west of the site. It has been extended two storey at the side. To the rear the site boundary borders the rear garden to 25 Agcroft Road East.

The application proposes an extension that would come two storey out at the side 3.4m set back 4.3m from the front elevation. It would extend for 5.7m of which 2.6m would project past the rear elevation for 5.9m across. At this point it would reduce to single storey for the remainder of the rear elevation. The extension would form a lounge, extended kitchen and dining room and utility at ground floor and an additional bedroom with ensuite at first floor.

Relevant Planning History

None.

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 proposed extension would be set back 4.5m from the front elevation of the property and have a hipped roof to the two storey and a monopitch to the single storey section. Materials would be brick to match the existing and concrete roof tiles.

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 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 is fully hardsurfaced to the front and whilst part is fairly shallow then, as can be seen from the site photos, the applicant does use it for parking. There is no potential to create further parking and the proposal would not affect the existing arrangements. The area has some, but limited, on street parking. There is public transport available in the area. It is not considered there are any grounds for refusal with regard to the parking arrangements.

Residential amenity - In relation to the adjoining No.17 the proposal would be single

storey and project 2.6m deep. Where two storey it would be set in from the boundary and would not encroach a 45 degree line taken 1m out along the boundary. The side elevations would be blank wall.

To the opposite side the unattached No.16 is lower and sits at an angle to the site. The proposed extension would be set back to the north east of this property. There would be windows to the side of the proposal to a utility and then a study at ground floor and an ensuite at first floor. No.16 has windows to its extended side elevation, the approved plans noting them to be morning room doors and a study. The closest proposed ground floor window, the utility room, would be set approximately 2.7m in from the boundary. There is fencing between the gardens which provides some screening and as such there are no concerns regarding privacy and no neighbour comments have been received.

There would be a distance in excess of 7m from the proposed first floor window 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 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 1022.000, 1022.001, 1022.002 Revision 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.

<u>Case Officer</u> JL	<u>Date</u> 09/12/22	<u>Sign off Officer</u>	<u>Date</u>
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