

DELEGATED REPORT

Report by Steven Gunn
Russell

Date of report: 23/06/2022

Ref:68262/FUL

Registration: 29/03/2022

LDfC: 05/05/2022

Expiry Date: 24/05/2022

Site Visit: 22/04/2022

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; Front porch; Amended access for parking

Location: 3 Winchester Avenue, Prestwich, Manchester, M25 0LJ

Description

The application relates to a two-storey semi-detached house on a residential street of similar properties. There is a rear single storey extension plus large second floor dormer. The unattached neighbour at No.5 has a small single storey extension at the rear and the neighbour on the other side is not affected. The rear yard is very small, and the boundary comprises a 1.8m high fence only. There is existing off road parking for one car space.

Planning permission is sought for a single-storey front and side extension. The front porch extension would project out 1.27m and have a hipped roof plus two skylights, while the side extension would project out to just short of the shared boundary with a monopitch roof including 3 skylights.

The front porch would be constructed in yellow brick, while all other materials would match existing plus new steps designed in a semi-circle shape. There are no new side windows proposed except two tall thin side windows for the front porch.

It should be noted that the original plans showed inadequate parking directly in front of the proposed porch which was considered to be substandard due to the original design for the porch projecting into the off-road parking space. The applicant has now revised the plans to move the parking space to the left of the front garden directly in front of the bay window.

Relevant Planning History

56600 - Loft conversion incorporating raising of ridge height by 780mm, hip to gable roof extension at sides and dormers at front and rear; Front porch to No.3 - Withdrawn 2013

57212 - Front porch to No.3

B: Loft conversion incorporating raising of ridge height, hip to gable roof extension at sides and dormers at front and rear - Split Decision 2014

59617 - Dormer at front - Approved 2016

Publicity

Immediate neighbours notified by letter dated 13/01/2022 sent to 7 (seven) neighbours. No representations were received.

Statutory/Non-Statutory Consultations

Traffic Section - No objections subject to the new driveway being 5.0m in length, permeable materials proposed, and that the redundant crossing is reinstated.

Pre-start Conditions - Applicant/Agent [Not relevant/has/has not] agreed with pre-start conditions

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 compliments 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 front the proposed porch extension would be readily visible from the public arena, although its design and scale is considered to be an acceptable size in relation to the main house and surrounding streetscene. Materials would include yellow brick which is considered to be broadly acceptable for a single storey porch extension in this location.

The side extension would not be readily visible from the public arena, although its design and scale is considered to be appropriate for this property, and materials would match existing.

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.

- The proposed extension does not project in excess of 3m from either the front or rear building line. As such there are no concerns in relation to the 45-degree rule, overlooking, or privacy.
- There are no new side windows proposed except for two tall thin porch windows.
- In terms of the general prominence and impact on daylight the proposed extension is set just off the shared side boundary and is to the west of No.5. The proposed extension would have a minimal impact on part of that neighbours rear garden in the afternoons, but any overshadowing would not be seriously excessive above and beyond the existing situation.
- The proposed new parking space would largely result in the loss of the front garden for outdoor amenity space. However, there would remain a small rear garden available for domestic use which is considered to be acceptable.

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

Highways - The proposal would not result in any increase in bedrooms. However, the proposed porch extension would impact on the existing parking space which was considered to be substandard due to the original design for the porch projecting into the off-road parking space. The applicant has now revised the plans to move the parking space to the left of the front garden directly in front of the bay window but with a wide enough gateway (3.4m) to maintain sufficient distance from the adjacent street lighting column, which is considered to be acceptable.

Given the situation and the fact there are other no changes to parking layout, it is therefore considered that the parking arrangements are sufficient. The 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 with associated guidance in SPD6, and UDP Policy HT2/4 with associated guidance in SPD11.

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 DA21050 201. Rev2; DA21050 001. Rev3; DA21050 003. Rev3 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 plus yellow brick as outlined in drawing DA21050 003. Rev3.
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 A minimum hardstanding of 5m measured between the highway boundary and the porch hereby approved shall be provided and thereafter maintained.
Reason. To allow adequate space to maintain a vehicle clear of the highway in the interests of road safety 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.
- 5 The redundant crossing along the highway boundary shall be reinstated to the satisfaction of the Highways Authority.
Reason. To allow adequate space to maintain a vehicle clear of the highway in the interests of road safety 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
SGR	23/06/2022		