

DELEGATED REPORT

Report by Mo Warsame	Date of report: 02/08/2023	Ref: 69707/FUL
Registration: 31/05/2023	LDFC: 29/06/2023	Expiry Date: 26/07/2023
Site Visit: 21/07/2023	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Part First floor / two storey side and rear extension and a single storey rear extension

Location: 14 Ravens Close, Prestwich, Manchester, M25 0FU

Description

The application relates to a semi-detached dwelling house located on Ravens Close. The premises is located within a cul-de-sac with similar style houses. The premises has a drive to the front and gardens to the side and rear. The properties on either side are No.16 and No.17 Ravens Close. To the rear, a highway separates between the properties to the rear and the site.

Planning permission is sought for Part First floor / two storey side and rear extension and a single storey rear extension.

The part first floor / two storey side and rear extension would be constructed above the existing kitchen on the ground floor and extend the existing first floor footprint by projecting 2.1 metres to the side, effectively overhanging. This would be possible via the use of 6 support columns which would hold the cantilever in place. However, these columns would not be visible as the new façade to the side would be finished to match the existing dwelling. Moreover, the extension would not project beyond the principal front and rear elevations.

The single storey rear extension would project 6 metres to the rear, 1.45 metres beyond the principal rear elevation and run 3.5 metres to the side, infilling the corner of the house near the shared side boundary.

The proposal would accommodate a new lounge area on the ground floor along with an additional bedroom on the first floor. The development would have a pitched roof over the first-floor side extension and a flat roof with a succah opening over the single storey element. The proposal would be constructed with matching materials.

Relevant Planning History

67495 - Prior approval for proposed single storey rear extension - Prior Approval Not Required - Extension 07/10/2021

67643 - Single storey rear extension; single storey side extension - Approve with Conditions 25/11/2021

Publicity

Neighbour letters sent. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

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

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.

The part first floor / two storey side and rear extension would have a simple and unobtrusive design that would not detract from the character of the dwelling. To the rear, the extension would be constructed above the existing kitchen on the ground floor. To the side, it would extend the footprint of the existing first-floor by overhanging 2.1 metres to the side. This would create an under-croft path that would project a blank side wall façade on the ground floor level. Furthermore, it would be constructed with matching materials.

The proposed single storey extension would also be a simple rectangular design that would not detract from the character of the original dwelling. The extension would project 6 metres to the rear but only extend 1.45 metres beyond the principal rear elevation to infill the corner of the house near the shared side boundary.

Overall, the proposed development would match existing materials and not overwhelm the dwelling or result in over development of the associated residential amenity space. It is therefore considered that the proposal would not have a detrimental impact on the character of the dwelling, street scene or neighbouring properties and would therefore comply with UDP Policy H2/3 and SPD 6.

Residential Amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

- The part first floor / two storey side and rear extension would have no sufficient impact in terms of overlooking and privacy, as there would be no proposed habitable side windows. Furthermore, there would be a sufficient distance between the proposed development and the properties to rear.
- Regarding the single storey rear element; SPD states that a single storey extension should not project more than 3m along a neighbouring boundary. At which point the 45° rule would apply. However, taking in to account the Larger Homes Scheme and that the adjacent neighbours have not objected the projection of 6 metres along the shared boundary, it would be considered acceptable in this instance. Moreover, this extension would have no proposed side windows facing the attached property.
- There would remain an acceptable amount of outdoor private amenity space.

Overall, there would be no serious impact on amenities of the adjacent neighbouring properties. The proposal therefore conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

Parking

The proposal will result in one additional bedroom, however there will be no changes to site access, or parking. The driveway at its current condition meets the maximum parking requirements.

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

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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 the drawings received on 31/05/2023 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	02/08/2023	DM	03/08/23