

DELEGATED REPORT

Report by Mo Warsame	Date of report: 21/05/2024	Ref: 70596/FUL
Registration: 27/03/2024	LDfC: 26/04/2024	Expiry Date: 22/05/2024
Site Visit: 12/04/2024	Site Notice: N/A	Press Date: N/A
13:00:00		
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey extension at side/rear with part single storey rear extension; Hip to gable loft conversion with rear dormer and front bay dormer

Location: 69 Sheepfoot Lane, Prestwich, Manchester, M25 0DN

Description

The application relates to a semi-detached dwelling house located on Sheepfoot Lane. The premises has a drive to the side that leads to an integral single garage to the side. and there is an area of residential amenity space to the rear. The adjacent properties on either side are No.68 and and No.70 (attached). Heaton Park is located in front of the property and to the rear, the site shares the rear boundary with No. 10 Edgeware Avenue.

Planning permission is sought for the erection of a two storey extension at side/rear with part single storey rear extension; Hip to gable loft conversion with rear dormer and front bay dormer.

The proposed two storey side/rear extension would infill the enclave behind the existing garage and would project 3.2m beyond the principal rear elevation. The part single, part two storey extension would also extend 3.2 to adjoin the side elements. The development would also include the hip to gable extension with loft conversion and rear dormer. The development would facilitate an open plan kitchen /dining/living extension on the ground floor, an additional bedroom with en suite bathroom and a separate bathroom on the first floor and finally a prayer room, two additional bedrooms, one with en suite bathroom on the loft. The development would have pitched roof above all extensions except for the single storey rear element and the proposed rear dormer. Furthermore, the development would utilise the use of matching materials.

Relevant Planning History

None.

Publicity

Neighbour letters sent. One objection/comments received.

Comments/Objections

This is not a direct objection as such, but rather a concern that the development would be constructed as proposed. This concern stems from the property that adjoins the proposed dwelling. This property, according to the concerning party was not constructed as proposed and they wanted some form of assurance that this would not be the case for this development.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

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), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within 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 and PfE Policies 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.

There is already a pre-existing first floor extension to the front above the garage. This pre-dates terracing policy. This proposal would roof over this existing extension. Situated to the side and rear and tucked in behind the existing integral garage, the development would not be visible from the street scene and such, the proposal would not be a prominent feature. The development would be a simple and unobtrusive design, which would not detract from the character of the dwelling. Additionally, the proposed hip to gable extension would not only facilitate the loft conversion and the dormer to the rear but would also convert the existing flat roof which is currently visible from the street scene to a more appropriate pitched side to gable roof.

Overall, the proposed development would be constructed using matching materials and the proposed windows would appropriately align with the existing. As such, the proposed development would not be a prominent feature in the street scene and would comply with Policies H2/3 of the Bury Unitary Development Plan and SPD6.

Residential Amenity

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

- There would be no proposed side windows facing the adjacent neighbouring properties. Furthermore, there would be sufficient distance to the shared rear boundary and existing shrubs would screen the proposed windows on the rear elevation. Therefore, there would be no detrimental impact on this neighbour.
- Given that the proposed two storey side/rear elements would not project beyond the rear elevation of the adjacent property the development would not encroach the 45° and therefore, the development would be acceptable.
- SPD states that a single storey extension should not project more than 3m along a neighbouring boundary. At which point the 45° rule should be applied. However, taking in to account the Larger Homes Scheme and that the adjacent neighbours have not objected the projection of 3.2 metres along the shared boundary would be considered acceptable in this instance.
- The proposed rear dormer would also be a modest structure with no proposed side windows and there would be an adequate distance to the shared rear boundary.

Overall, there would be no serious impact on the amenity of any 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.

Highways

The proposal will result in three additional bedrooms and there will be no changes to the parking layout. Therefore, the driveway at its current condition would meet the maximum parking requirements.

Comments/Objections

This is not a direct objection as such, but rather a concern that the development would not

be constructed as proposed. This concern stems from the property that adjoins the proposed dwelling. This property, according to the concerning party was not constructed as proposed and they wanted some form of assurance that this would not be the case for this development.

Response to objections/comments

This planning application has been thoroughly assessed, and as a result; there would not be any significant detrimental impact on the neighbouring properties nor on the street scene. The concerns of the objecting party relate to the post planning assessment and whether the applicant would comply with the conditions set by the council. However, this is out of our control at this stage as we can only assess what is front of us.

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 dwg no. sheet 1, dwg no. sheet 2, dwg no. sheet 3, dwg no. sheet 4, dwg no. sheet 5, dwg no. sheet 6, dwg no. sheet 7 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	21/05/2024		