

DELEGATED REPORT

Report by Amanda

Date of report: 14/08/2024

Ref:70892/FUL

Uhunmwagho

Registration: 01/07/2024

LDfC: 26/07/2024

Expiry Date: 26/08/2024

Site Visit: 09/08/2024

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 front/side with steps into garden

Location: 2 Butt Hill Avenue, Prestwich, Manchester, M25 9PN

Description

The application relates to a two storey detached house situated on the junction of Butt Hill Avenue and Butt Hill Drive. Given the fall in land level the site is elevated compared to the highway and properties on Butt Hill Drive to the south. There are gardens to three sides with a brick wall to the south and west boundaries. To the rear of the site is a driveway leading to a detached garage and along the rear boundary between the site and No.6 Butt Hill Drive there is a short brick wall and hedge along the shared boundary. There is currently a conservatory on the side of the property.

The proposal is to remove the existing conservatory and replace it with a single storey extension which would provide a new lounge and kitchen/breakfast area. It would measure 5176mm x 10,436mm and it would project 1000mm forward of the existing front elevation.

There would be a lounge window to the front, kitchen window to the rear and to the south side there would be a window to the lounge area and patio doors from the new breakfast area with steps leading down the garden on the south side. The roof would be hipped with a rooflight to the side and rear. The proposal also includes the removal of a ground floor lounge bay window to the rear elevation which would be replaced with a regular style kitchen window.

Relevant Planning History

N/A

Publicity

5 neighbours notified on 05/07/2024 - No comments or objections received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions

H2/3 Extensions and Alterations

PFE Places for Everyone

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.

The main considerations of this application are the impact of the proposal on visual and residential amenity.

Visual Amenity -

SPD 6 and UDP Policy H2/3 seek to achieve a high standard of design that compliments the original building, and does not have a detrimental impact on the character and appearance of neighbouring properties and the general street scene.

The site is completely open to views from Butt Hill Drive and Butt Hill Avenue, so the

extension would be fully visible in the streetscene. It would be built with materials and a design that would be considered to be in keeping with the existing building, as well as surrounding dwellings.

The extension would not project excessively forward of No.6 Butt Hill Drive to the rear or No.4 Butt Hill Avenue to the side. As such it would not be considered out of character in the existing streetscene.

Given the above the proposal conforms to Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of visual amenity.

Residential Amenity -

- The proposed extension would be a sufficient distance from properties to the front and side of site in terms of SPD 6.
- The new habitable room windows to the front and side of the extension would be within 6.5m of the front/side boundaries but as there is a highway in between the site and neighbouring houses it is considered that there would be no privacy concerns at the neighbouring homes.
- As the extension would be to the south of the existing building there would be no detrimental impact on residential amenity at No.4 Butt Hill Avenue next door.
- At the rear there would be around 5700mm from the new kitchen window to the side elevation of No.6 Butt Hill Drive to the east. No.6 Butt Hill Drive has a slightly lower ground level to the site and has four ground floor windows in the side elevation. These windows are all secondary windows to a lounge and a dining room. As the windows are not the principal windows to the habitable rooms at the neighbouring property and the kitchen extension would be considered to be non-habitable the separation distance between the two properties would be considered acceptable in terms of SPD 6.
- The removal of the rear bay window which is currently to a lounge would be replaced with a regular style window to a kitchen. This change would not have any detrimental impact on privacy levels at No.6 Butt Hill Drive.
- The front elevation would project around 1000mm forward of the original front elevation. However, as the extension would be at least 4000mm away from the front/side boundaries it would not cause any detrimental harm in terms of residential amenity to the adjacent highway or surrounding properties.
- As the driveway is to the rear of the site the proposed extension would not have any detrimental impact on the existing parking arrangements within the site.

The proposal conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of separation distance to the surrounding properties.

Parking -

The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing where there is parking to the drive and garage to the rear of the site.

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 drawing numbered 2BHA/1/A received on 14/08/2024 as modified by the email from Northside Plans Ltd dated 14/08/2024. The development shall not be carried out except in accordance with the details hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties.
- 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>
AU - 14/08/2024		DM - 19/08/2024	