

DELEGATED REPORT

Report by Mo Warsame	Date of report: 17/10/2023	Ref: 69978/FUL
Registration: 31/08/2023	LDFC: 26/09/2023	Expiry Date: 26/10/2023
Site Visit: 30/12/1899	Site Notice: N/A	Press Date: N/A
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Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey side extension, Extension of loft conversion with dormers at front and rear and Front porch.

Location: 2 Mount Pleasant, Prestwich, Manchester, M25 2SD

Description

The property is a detached house situated on a corner plot on Mount Pleasant. There are gardens to three sides and at the side of the property there is a attached garage and drive in front. No. 92 Simister Lane is to the rear of the site and No. 4 Mount Pleasant is to the side. Houses to the south and east are over 20m away.

Planning permission is sought for a single storey side extension and loft conversion with dormers at front and rear along with a front porch. The development would accommodate an additional bedroom and utility on the ground floor along with the enlargement of the loft space via the erection of dormers. The single storey side element would project 5.15 metres to the side and 8.15 metres to rear. The extension would also project 0.5 metres beyond the front and rear elevations. The proposal would also include the construction of a new front porch which would extend 1.8 metres to the front.

All the proposed extensions would have flat roofs except for the front dormers, which would have pitched roof. The development would be constructed with matching materials

Relevant Planning History

69640 - Single storey side extension and first floor balcony with glass balustrade; Extension of existing loft conversion with dormers at front and rear; Front porch - RefuseRefused
19/07/2023
23/0310 - Building works - 04/10/2023

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 compliments the original building, does not have a detrimental impact on the character or appearance of neighbouring properties, and protects the general street scene.

Situated at the side, the proposed single storey side extension would be readily visible from the public arena. However, it would be minimal design that would not detract from the character of the dwelling, and it would be considered suitably in scale in contrast to the site. The proposed development would match existing materials and not overwhelm the dwelling or result in over development of the associated residential amenity space.

The flat roof dormer to the rear would also have a simple and unobtrusive design, which would be acceptable. It would be setback from the roof's ridge, gable, and eaves. Additionally, all window on the rear dormer would be conditioned to be obscure glazed. The proposed front porch would be modest in scale and the pitched roof dormers to the front would be suitably aligned. Furthermore, there would be a sufficient distance to the properties in front and as such, considered acceptable.

It is 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.

- There would be a proposed window on the side of the single storey side/rear extension. However, a sufficient distance exists between the proposed extension and this neighbour (No. 4 Mount Pleasant). Additionally, this window would not be from a habitable bedroom.
- The proposed single storey side/rear extension would be 1.8 metres to the shared rear boundary. This would be below the recommended 7 metres guideline on SPD6. However, this would not trigger privacy implications as the existing high fencing would shade the single storey side/rear extension. Furthermore, the proposed window on this side would also be from a non-habitable room.
- The proposed rear dormer extension would be entirely built within the footprint of the existing roof and would not be visible from the front of the house. Moreover, all the windows on the proposed rear dormer would be conditioned to be obscure glazed, effectively reducing any overlooking and privacy concerns. Therefore, the proposed rear dormer extension would have no seriously adverse impact which would be excessive above and beyond the existing situation.
- The proposed front porch would be modest in scale and would not interfere with the current parking arrangements.
- The proposed front dormer would also be acceptable as there would be over 20m to the properties in front.

Parking

The proposal will result in three additional bedrooms, 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 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 09/08/2023 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.
- 4 Before the first occupation of the development hereby permitted, all the windows on the rear dormer shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with 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	17/10/2023	DM	18/10/23