

DELEGATED REPORT**Report by** Amanda**Date of report:** 26/09/2024**Ref:**70992/FUL

Uhunmwagho

Registration: 12/08/2024**LDfC:** 04/09/2024**Expiry Date:** 07/10/2024**Site Visit:** 18/09/2024**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:** First floor rear/side extension; Single storey rear extension; Loft conversion with front & rear dormers**Location:** 57 Bishops Road, Prestwich, Manchester, M25 0HS**Description**

The application relates to a two storey semi-detached house which has a single storey extension to the side/rear. The area to the front of the dwelling is paved and there is on site parking for one vehicle. There is a brick wall to the front and side boundaries and also a hedge to the front. At the rear the garden is at a lower level compared to the house and there are fences to all sides.

No.55 Bishops Road to the south has a single storey rear extension and no.59, attached to the north has a single/two storey extension at the rear. The single storey extension adjacent to the boundary has a Succah roof and given the land level difference between the buildings and garden there is a tall wall along the part of the shared boundary where the extension projects to.

The proposal is to build a first floor extension to the side/rear and single/two storey extension at the rear along with a loft conversion with dormers to the front and rear. At the front the first floor extension would be set back from the original front elevation by 1.5m and it would be the same width as the existing single storey extension to the side. Along the side it would measure 11.28m long and across the rear the extension would measure 8.52m wide, but the two storey element would measure 4.8m wide. The extension would project 4.6m from the original rear elevation. The roof to the two storey sections would be pitched and the single storey rear extension would have a Succah rooflight. The dormers to the front would have pitched roofs and to the rear the dormer would have a flat roof.

Relevant Planning History

N/A

Publicity

8 neighbours notified on 14/08/2024 - 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 proposed development would be built with a design and materials that would be considered to be in keeping with the existing building, as well as with other properties in the local area and the 1.5m set back at first floor level from the original front elevation means the proposal is considered acceptable in terms of 'terracing' and the effect on the 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, and Places for Everyone Joint Development Plan listed.

Residential Amenity -

- There would be 7m from the rear of the extension to the rear boundary. This would be acceptable in terms of SPD 6.
- The rear dormer would be around 11m from the rear boundary, which would be in line with requirements as set out in SPD 6.
- At the front there would be no changes to the ground floor. Existing parking arrangements would remain as they are currently.
- The front dormers would be more than a sufficient distance from neighbouring properties not to have any significant detrimental impact on residential amenity at those properties.
- At the rear the extension would project to the same point as the extension and it would be single storey only adjacent to the shared boundary. The two storey section at the rear would be set well away from the boundary with this property and the 45° rule would be satisfied regards windows to the rear of the attached property.
- No.55 Bishops Road, unattached to the south has no habitable room windows to the side elevation and there is a single storey extension to the rear. There appears to be a bathroom window above. The 45° rule would be satisfied with regards to relevant windows on the rear of this property.
- The drawings show that all of the development would be built within the site boundary and certificate A has been provided with the application.

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 increase the number of bedrooms from 4 to 7 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered. This can then require the proposal to provide a maximum of 3 parking spaces. The site as existing has a drive at the front for the parking for one vehicle. The area has on street parking and there is public transport available. In this instance it is considered that the parking arrangements are sufficient.

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 02 received on 12/08/2024, drawing numbered 01A received on 14/08/2024 and drawings numbered 03A, 04A and 05 received on 26/09/2024 as modified by the email from Mr Bernard Joseph dated 26/09/2024. 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 in terms of visual amenity, and Places for Everyone Joint 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>
AU - 26/09/2024		DM 30/09/24	