

DELEGATED REPORT

Report by Amanda

Date of report: 18/07/2022

Ref:68027/FUL

Uhunmwagho

Registration: 20/04/2022

LDfC: 12/05/2022

Expiry Date: 15/06/2022

Site Visit: 06/05/2022

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: Two storey side/rear extension with first floor side windows; Single storey rear extension; Front porch

Location: 104 Windsor Road, Prestwich, Manchester, M25 0DF

Description

The application relates to a two storey, red brick semi-detached house. There is a lawned front garden with low red brick wall along the front boundary with pillars to either side of the vehicular access which is open to the highway in front. To the side there is a short wooden fence along the boundary with 106 Windsor Road next door. There is parking to the front of the property for one vehicle.

To the side of the dwelling there is a timber gate for access to the rear garden which is very long with planting to the north boundary on land belong to 106 Windsor Road and also some to the rear, in neighbouring gardens. There are fences to all of the boundaries at the rear.

There is an existing single storey rear extension with decking directly to the rear. The attached property, 102 Windsor Road also has a single storey rear extension along with a conservatory directly adjacent to the shared boundary.

The proposal is to build a two storey side/rear extension with first floor side window, a single storey rear extension and a front porch. At the side the extension would project 1.12m and it would measure 11.99m long. The whole of the extension would be built flush to the existing front elevation of the dwelling. The roof would be hipped.

At the rear the extension would project 4.21m from the original rear elevation and it would measure 7.2m wide. The proposed plan shows that the south side elevation would be just under 100mm off the shared boundary with the attached neighbour and this section of the extension would have a flat roof with a large rooflight to the centre of the roof. The two storey rear section would measure 4m wide and the roof would be hipped.

The proposed plans also show a small open style porch would be erected to the front of the existing entrance door to the house. It would project 883mm forward of the existing front elevation and it would measure 2.4m wide. There would be a low brick wall to either side with posts to support the pitched roof.

Relevant Planning History

N/A

Publicity

Neighbours notified on 21/04/2022 - No comments or objections received.

Statutory/Non-Statutory Consultations

Traffic Section - The Traffic section was consulted about the proposal as the proposed site plan showed a second parking space would be created within the site which would have included removal of part of the boundary wall and would most likely also require the existing dropped kerb to be extended. However, following discussion with the agent they confirmed that the application would prefer not to create a second parking space at this stage. With that in mind as it was not included as part of the proposal it has been removed from the proposed plans and the agent was advised that the applicant may be able to create extra parking as Permitted Development in the future and if there is a need to extend the access/dropped kerb they should consult with the Traffic section.

As recommended by the Highways officer a condition would be added to the decision advising that the storage of materials during the building works should remain wholly within the site in order to ensure there is no obstruction of the highway in front.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions
H2/3 Extensions and Alterations

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.

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 extensions would be built with materials and a design that would be considered to be in keeping with the existing building. As such there would be no significant detrimental effect on the character of 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 -

- There are no properties directly to the front or rear of site which would be within 20m of the application dwelling.
- Given that the two storey extension would be built to the north side of the dwelling it is considered that there would be no significant detrimental effect on residential amenity at 102 Windsor Road, attached to the south side.
- There is an existing single storey extension and conservatory to the rear of 102 Windsor Road (attached). The single storey rear extension would not project past the conservatory at this property. As such it would not have any significant detrimental effect on residential amenity at this property.
- 106 Windsor Road the north would be within 13m of the side elevation of the proposed extension. However, this property is angled away from the application property with no habitable room windows directly facing the dwelling. There is also a detached garage between that property and the shared boundary. With this in mind there would be no significant detrimental effect on residential amenity at this property.
- There would be a total of four new windows to the north side elevation, two to the ground floor and two to the first. Three windows would be to bathrooms and as such would be obscurely glazed. The fourth would be a utility room which is classed as non-habitable. With this in mind the position of these windows would be acceptable in terms of SPD 6.
- The existing drive way to the front would remain as it is now and the proposed porch to the front would not interfere with this space. The drive length would be at least 5m which would be acceptable in terms of SPD 6.

Taking the above in to account 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 residential amenity.

Parking -

The proposal would increase the number of bedrooms from 3 to 4 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 an area at the front for parking a single vehicle and this would remain following the side extension being built. The area is high access in terms of public transport and there are no restrictions to the highway in front. In this instance then the parking arrangements are considered 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 drawings numbered 2021-1599-P-101, 2021-1599-P-102, 2021-1599-P-103 and 2021-1599-P-105 received on 27/01/2022, drawing numbered 2021-1599-P-104 Rev A received on 21/04/2022 and drawing numbered 2021-1599-P-106 Rev B received on 18/07/2022 as modified by the email from PJH Architectural services dated 18/07/2022. 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.
- 4 The development hereby approved shall not be commenced unless and until facilities for the storage of construction materials have been provided within the curtilage of the site. The facilities shall be retained for the intended purpose and the area identified shall not be used for any other purposes other than the storage of construction materials for the duration of the construction period.
Reasons - To ensure adequate off highway materials storage arrangements for the duration of the construction period pursuant to Bury UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties.

DELEGATED REPORT

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 18/07/2022			