

DELEGATED REPORT**Report by** Amanda**Date of report:** 27/03/2023**Ref:**69330/FUL

Uhunmwagho

Registration: 07/02/2023**LDfC:** 08/03/2023**Expiry Date:** 04/04/2023**Site Visit:** 01/03/2023**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/single storey extension at rear**Location:** 19 Willingdon Drive, Prestwich, Manchester, M25 1PA**Description**

The application relates to a two storey semi-detached house with a flat roof single storey extension to the rear. There are gardens to the front and rear, with access to the rear via a path to the side of the dwelling. There are fences to all boundaries at the rear of the site and two sheds against the rear boundary. Properties to the rear on Heywood Road are slightly higher compared to the site.

The proposal is to build a single/two storey rear extension. The single storey extension would project 4.47m from the original rear elevation and it would measure 5.93m wide. The north side elevation would be positioned around 300mm off the shared boundary with the attached neighbour. The roof would have a gentle slope with one rooflight.

The two storey extension would project 1.5m from the original rear elevation and it would measure 5.6m wide. The north side elevation would be set in from the side of the ground floor extension by around 300mm. The roof would be hipped.

Relevant Planning History

68017 - Single storey extension at rear and elevational changes; change from door to window to side (south) elevation - Approve with Conditions 21/02/2022

Publicity

Neighbours notified on 15/02/2023 - No comments or objections received.

Statutory/Non-Statutory Consultations

None.

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.

As the extension would be built on the rear elevation it would not be visible from the public realm along Willingdon Drive. It would be built with a design and finished materials that would be considered to be in keeping with the existing building, as well as being similar to other rear extensions to neighbouring properties.

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 -

- SPD 6 requires at least 7m from a first floor habitable room window to a boundary in order to retain privacy levels as much as possible between properties. As there would be 8m from the rear of the two storey section to the rear boundary this part of the development would be considered acceptable in terms of residential amenity.
- The single storey extension would be around 5m away from the rear boundary. As properties to the rear have a higher ground level to that on site any views from the ground floor of the extension would be over the applicant's own garden only.
- The single storey extension would project around 1.6m past the rear elevation of the rear extension at no.17 Willingdon Drive, to the south and the side elevation would be around 1.4m away from the shared boundary with this property. The two storey section would not project past the rear of the single storey extension at no.17. As such there would be no significant detrimental impact on residential amenity at this property.
- The north side elevation of the extension would extend around 4.47m adjacent to the shared boundary with no.21, attached to the north. The side elevation would be around 300mm off the shared boundary. Taking the larger homes scheme in to account, and that the neighbour has not objected to the proposal the projection of 4.47m would be acceptable in this instance.
- SPD 6 states that normally where there would be a two storey extension adjacent to a boundary and there are no extensions to the neighbouring property directly adjacent to the shared boundary the extension should not project more than 1m from the original rear elevation. The proposed two storey section would project 1.5m from the original rear elevation but as it would be built around 600mm away from the shared boundary with no.21 the 45° rule would be satisfied with regard to the ground floor window next door and as such would be considered acceptable in terms of SPD 6.
- On the south side elevation an existing door would be removed and a new external door and window would be installed. This would be to a new ground floor bedroom. The window would be 1.4m away from the shared boundary with no.17 which has a door on the side elevation. The bedroom window would be obscurely glazed and unopenable below an internal height of 1.7m. As such it would be acceptable in terms of SPD 6 and there would not be any significantly detrimental impact on residential amenity next door.
- The proposed development would not have any impact on the existing parking arrangements to the front of the dwelling.

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 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 vehicle and this would remain following the extension being built to the rear of the property. The area is high access in terms of public transport and there are no parking restrictions to the highway in front. In this instance then the parking arrangements are considered sufficient.

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.

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- 2 This decision relates to drawings numbered 1047-SSQ-XX-XX-DR-A-02100 Rev P02 and 1047-SSQ-XX-00-DR-A-02102 Rev P02 received on 07/02/2023 and revised proposed drawing numbered 1047-SSQ-XX-XX-DR-A-02101 Rev P03 received on 16/03/2023 as modified by the email from Studio Square dated 16/03/2023. 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 Before the first occupation of the extension hereby permitted the new ground floor window to the south side elevation shall be fitted with obscured glazing and be unopenable to a height of 1.7m from the internal floor level. It 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>
AU - 27/03/2023		DM 27/03/23	