

DELEGATED REPORT

Report by Tom Beirne	Date of report: 15/05/2025	Ref: 71749/FUL
Registration: 21/03/2025	LDfC: 23/04/2025	Expiry Date: 16/05/2025
Site Visit: 20/11/2024	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: First floor extension at side and two storey extension at rear

Location: 2 Watkins Drive, Prestwich, Manchester, M25 0DS

Description

The application relates to a semi-detached two storey house on a residential road. The attached property at No.4 Watkins Drive, on the north east side has a garage on the boundary, linking into the applicant's property.

Planning permission is sought for the erection of a first floor front extension and two storey rear extension. The front element would be constructed above the existing single storey outrigger to the side (playroom) and it would not extend beyond the principal front and rear elevations.

The proposed two storey rear extension would project out from the existing elevation by 3.5m and run halfway across the rear elevation. The rear extension would have a 'cat-slide' roof that pulls the first floor away from the shared side boundary with No.4 Watkins Drive and drops the eaves level to 2.8m. The roof would be pitched away from the boundary, hipped and carried over onto the existing roof. Finished in brick to match the existing house, the development would facilitate additional living accommodation at ground floor and an extra bedroom at first floor.

Relevant Planning History

68455 - Single storey extension at front; First floor extension at rear and Detached outbuilding at side/rear - Approve with Conditions 28/07/2022

71280 - First floor side extension; Two storey rear extension - Refused 18/12/2024

Publicity

Neighbour letters sent on 01/04/2025. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

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), 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.

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.

The proposed first floor extension would be above the existing single storey side extension and as such would be visible from the street scene. However, the development would be a modest structure that would be in keeping with the host property and as such, would be acceptable and compliant with policy and guidance.

The two storey rear extension would not be visible from the public arena and it would be in keeping with the existing house in design terms. With finishing materials to match, the

extension would be acceptable in terms of visual amenity and complies with UDP Policy H2/3 and guidance in relation to extensions and alterations.

Residential amenity - UDP policy H2/3 and SPD6 seeks to reduce the impact of proposals on the residential amenity of neighbouring properties.

The proposed first floor side extension would not project beyond the main front and rear elevations and with no side windows, would have no serious impact on the attached neighbour in terms of residential amenity.

Whilst the proposed rear extension would project out 3.5 metres from the principal rear elevation along the shared boundary with the attached neighbour (No.4 Watkins Drive), at a full two storey height, this would be problematic and would appear overdominant from the neighbour's side (as it did on the previous scheme that was refused). However this latest scheme has been amended in the light of the previous refusal and now the rear elevation has a 'cat-slide roof that pulls the bulk of the upper floor away from the shared side boundary and brings the eaves level down to 2.8m. Given the reduction in the bulk of the rear elevation by introduction of the 'cat-slide' roof and this, with a hip on the rear, the impact of the rear extension is significantly reduced.

It is noted that No.4 has a garage adjacent to the shared side boundary and that the nearest habitable room windows/patio doors on the rear of No.4 are positioned on the main rear elevation, beyond the garage. The position of the rear elevation would satisfy the 45 degree rule when drawn from these windows.

The revised proposal, following the previous refusal, has been significantly amended so as to reduce the impact on the immediate neighbour in terms of visual dominance and overshadowing and as such, it is considered to be, on balance, acceptable and compliant with policy and guidance. There would be no issues in relation to overlooking from the rear extension. It is also noted that there are no objections from immediate neighbours.

The proposal, in terms of residential amenity, is not acceptable for the reason set out above and conflicts with UDP Policy H2/3 and guidance in relation to extensions and alterations.

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 drawings numbered 2398-PRE-08-PLANNING-RevA 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 and Places for Everyone Joint Development Plan listed.

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- 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 Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	15/05/2025		