

DELEGATED REPORT

Report by Amanda Uhunmwagho	Date of report: 01/04/2022	Ref: 68039/FUL
Registration: 11/02/2022	LDfC: 11/03/2022	Expiry Date: 08/04/2022
Site Visit: 22/02/2022	Site Notice: N/A	Press Date: N/A
Objections: 2	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Proposed granny annexe

Location: 41 Bland Road, Prestwich, Manchester, M25 9WG

Description

The application relates to 41 Bland Road which is a previously extended two storey detached dwelling. The front of the site is mostly paved providing on site parking for 2/3 vehicles. The drive way is at a lower level to the dwelling on site. At the rear there is a large private garden with fences to all boundaries which is accessed via steps up from a small patio area directly to the rear of the house. There is existing vehicular access to the rear of the site off Woodland Crescent.

The proposal is to build a detached family annex in the rear garden of this site. It would be built towards the end of the rear garden, close to Woodland Crescent to the north east of the site. The building would measure 9.3m long and 4.9m wide. The roof would be pitched and the walls rendered white. The building would have two rooflights. It would measure around 2.58m to the eaves and have an overall height of 4.3m.

The existing vehicular access to the rear would be blocked and replaced with a pedestrian gate and the existing dropped kerb to the rear of the site would be reinstated.

Relevant Planning History

00661/E - 1 No. dormer bungalow - Enquiry completed 29/04/2010

01262/E - Proposed two storey side extension and single storey rear extension - Enquiry completed 19/03/2013

56179 - Two storey extensions at side and rear; Single storey extension at rear - Approve with Conditions 31/05/2013

13/0051 - Removal of TPO trees - 30/01/2013

13/0368 - Conditions application 56179 - 08/10/2013

Publicity

Neighbours notified on 17/02/2022 - Two objections have been received. A summary of the reasons is shown below.

- The house is already over large for the area and is not in-keeping with other properties.
- Existing privacy issues will be exacerbated if the annex is built. It is too close to their property.
- There is insufficient parking to Bland Road and Woodland Crescent already. This affects the parking and access.
- The annex would be directly below the rear view from their bedrooms and will not be in line with other building types in the area.
- If the annex were moved to the centre of the plot or further away from the party boundary they would not have any objections.

Statutory/Non-Statutory Consultations

Traffic Section - No objections. Condition and informatives to be added to the decision.

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 detached annex would be built to the rear of the dwelling and as such would not be openly visible from Bland Road. However, as the rear boundary of the site runs along Woodland Crescent the building would be partially visible above the existing fence line from this direction. Given that the building would be low level and it would measure around 2.5m to the eaves only part of the wall and the roof would be visible from Woodland Crescent. It would not be unusual to see an outbuilding in a rear garden such as this with properties to all sides.

The design of the proposal is considered to be in keeping with neighbouring buildings in the immediate vicinity which are also rendered or part-rendered and as it would be positioned just over a meter back from the rear boundary it would not appear overbearing when viewed from Woodland Crescent to the rear. The design of the proposal is considered acceptable in this location.

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 -

- As the annex would be single storey only and the one window to the north side elevation would be obscurely glazed the two storey properties on the opposite side of Woodland Crescent would be an acceptable distance from where the annex would be built in terms of SPD 6.
- The annex would be around 7.9m from the shared boundary with no.6 Woodland Crescent to the south east of the site and there would be no windows in the side elevation facing this property.
- The annex would be around 1.4m from the shared boundary with numbers 9 and 11 Chandos Road to the north west. As there would be no windows in the side elevation adjacent to this shared boundary there would be no significant detrimental impact on residential amenity at these properties.
- As there would not be sufficient hardstanding remaining to the north of the annex in terms of parking, the vehicular gate would be removed and a fence panel and pedestrian gate installed. The revised plan received on 24/03/22 shows that the gate would open inwards on to the site in order to retain highway safety on Woodland Crescent.
- The annex is to be used by elderly relatives. A condition would be added to any approval stating that the annex should only be used as ancillary to the main household which is 41 Bland Road.

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.

Parking -

An existing parking area would be lost on this site with the introduction of the annex. However, the Highways officer is satisfied that given the amount of on site parking available to the front of the property there would not be any significant detrimental impact on parking within this site once the annex is built. The existing parking arrangements to the front of the property are considered acceptable in this instance.

Response to neighbour objections -

The concerns of the neighbours have been addressed in the report above.

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 002 and 004 received on 03/02/2022 and revised drawing numbered 203 Rev 2 received on 24/03/2022 as modified by the email from Durban Design Studio dated 24/03/2022. 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 requirements of Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties.
- 3 The development hereby approved shall not be occupied at any time other than for the purposes ancillary to the residential use of the dwelling known as 41 Bland Road
Reason. To ensure the proposed use remains ancillary to the principle use on the site pursuant to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties.
- 4 The access alterations indicated on approved plan reference DDS2033.1 203 Revision 2, incorporating the replacement of the outward opening vehicular gates with an inward opening pedestrian gate and reinstatement of the redundant vehicular access onto Woodland Crescent to adjacent footway levels and to a scope and specification to be agreed with the Highway Authority, shall be implemented to the written satisfaction of the Local Planning Authority before the development hereby approved is first occupied/brought into use.
Reason : To ensure adequate off-street car & cycle parking provision in the interests of road safety pursuant to Bury UDP Policy H2/3 - Extensions and Alterations and the requirements of 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 - 01/04/2022			

