

DELEGATED REPORT

Report by Amanda Uhunmwagho	Date of report: 16/10/2020	Ref: 65760/FUL
Registration: 07/09/2020	LDfC: 01/10/2020	Expiry Date: 02/11/2020
Site Visit: 07/10/2020	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: Two storey extension at side plus balcony to the front

Location: 488 Bury Old Road, Prestwich, Manchester, M25 1NL

Description

Planning permission was previously granted at this property for a two storey side extension on 26/03/2020. The extension is now complete. Since the last approval the homeowner has decided they also wish to add a first floor balcony to the front of the property and as such have submitted the current application.

The property is a two storey semi-detached property fronting on to Bury Old Road. There are garden areas to three sides and there is a large parking area to the front of the site which runs across the whole of this stretch of Bury Old Road for residents. The property is set back from the highway in front by approximately 22m.

Properties to the front, on the opposite side of Bury New Road, are approximately 45m from the front of the existing dwelling on site and to the rear no.1 Polefield Approach is approximately 21m away from the rear elevation. To the east the side elevation of the nearest property is approximately 22m from the side of the original building.

The original proposal was to build a two storey side extension which is already built. The current application includes the addition of a small balcony to the front of the property above the main entrance.

Relevant Planning History

02456/E - Proposed balcony above porch - Enquiry completed 17/07/2020
65109 - Two storey extension at side - Approve with Conditions 26/03/2020

Publicity

Immediate neighbours notified on 09/09/2020 - No comments or objections received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant

Unitary 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) 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 -

The extension previously approved has been built with materials and a design that compliment the original property and retains its character. The bay windows to the front elevation reflect the appearance of the original front elevation of the building.

Considering the two storey side extension and its relationship to Polefield Approach to the side, SPD 6 currently suggests that a two storey side extension should be built at least 2m away from a boundary with a highway. The extension has been set off from the back of the pavement on Polefield Approach by approximately 1.7m. This is 300mm short of the 2m of

the current policy.

If the extension were set back a further 300mm it would satisfy the current requirements of SPD 6. Therefore the issue is whether by reducing the extension by 300mm would it have any less of an impact? There are also other properties in the area which are within 3m of the side boundaries. Given the property's position it is considered that the additional 300mm makes no material difference despite the sub-standard distance to Polefield Approach and would not be a reasonable reason to refuse the proposal on this issue.

The two storey side extension projects forward of the front elevations of properties to the north on Polefield Approach. However, there is a reasonable distance from 1 Polefield Approach such that the separation limits the effects of projecting beyond the building line of Polefield Approach. Furthermore a gap would be maintained to the side boundary not dissimilar to the partner property to the south east.

The small balcony to the front, above the front entrance would be constructed using materials that would match the rest of the extended property and as it would not project forward of the front most elevations of the building it would not be considered intrusive the existing street scene.

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 -

- Properties to the front and rear would be over 20m from the proposed extension which would be acceptable in terms of SPD 6.
- To the south east the side elevation of Armstrong's chip shop would be approximately 17.5m away from the side elevation of the proposed extension. This property is commercial at ground floor with living accommodation above. Plans from application ref 34946 show that at first floor level there is an entrance door and a secondary bedroom window at first floor level and at second floor level there is a kitchen, bathroom and bedroom window. Although this is the sole window to the bedroom this window has views past the front elevation of the application property and not directly on to it. With this in mind and that there would be no habitable room windows in the side elevation of the extension the separation distance of 17.5m would be acceptable in terms of SPD 6 with regards to the windows to the side of 486 Bury Old Road.
- As the extension would be built wholly on the south east side of the property there would be no seriously detrimental effect on residential amenity at no.490 attached.
- At the rear no.1 Polefield Approach is circa 21m from the rear of the existing property and the separation distance would remain the same if the extension is built as shown. There are no windows to the side elevation of this property. As such there would be no seriously detrimental effect on residential amenity at this property.
- The proposed extension would be a sufficient distance from the side of no.1 Polefield Approach not to have any seriously detrimental effect on light available to this property and its garden.
- The rear elevation of the proposed extension would be over 14m from the rear site boundary and the extension would not project beyond the rear elevation of the original property. As SPD 6 states that there should be at least 7m from a first floor habitable room window to a shared boundary in order to maintain privacy levels. As there would be double the recommended distance to the rear boundary there would be no seriously detrimental effect on privacy levels to the property and its garden to the rear.
- At the front the drive length would measure 7.6m at its shortest point to the vehicular entrance and there is also a large parking area to the front of the site for residents which runs across the whole of this stretch of Bury Old Road.
- The extension would be set back from the junction of Polefield Approach with Bury Old Road by over 20m. With this in mind there would be no seriously detrimental effect on traffic movement in the area.

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- Given the distance to properties to the front of the site the introduction of the front balcony would not have any detrimental impact on residential amenity in this area.

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.

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 002/001 Revision A, 002/002 Revision A, 002/003 Revision A, 002/004 Revision B, 002/005 Revision B, 002/101 Revision A, 002/102 Revision A, 002/103 Revision A, 002/104 Revision A, 002/105 Revision A, 002/106 Revision A, 002/004 Revision C and 002/005 Revision C 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 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 16/10/2020.		DM	28/10/2020