

DELEGATED REPORT

Report by Mo Warsame	Date of report: 05/02/2024	Ref: 70319/FUL
Registration: 05/12/2023	LDFC: 06/01/2024	Expiry Date: 30/01/2024
Site Visit: 19/01/2024	Site Notice: N/A	Press Date: N/A
11:00:00		
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 side/rear; Front porch extension; Loft conversion with rear dormer; White render to all elevations

Location: 54 Windsor Road, Prestwich, Manchester, M25 0FF

Description

The application relates to a detached dwelling house located on the junction of Windsor Road and Edenfield Road. The site has a driveway to the front along with an existing dropped kerb on Windsor Road and a garden to the rear. The front, side and rear boundaries is depicted by a low level red brick wall with high hedges above.

Planning permission is sought for the erection of two/single storey extension at side/rear along with a front porch extension and loft conversion with rear dormer. The proposal also include white render finishing to all elevations

On the ground floor the existing kitchen would project approximately 1.3m to the side to effectively connect with the rest of the the single storey element to the side/rear. The two storey element would be constructed above the infilled area to the side and the existing single storey rear extension. The two storey element of the proposed extension would not project beyond the principal rear elevation. The development also includes the proposed loft conversion with a flat roof rear dormer that would accommodate an additional bedroom. The rest of the extensions would be have pitched roofs and the exterior walls would be finished in render.

Relevant Planning History

60585 - Non material amendment following grant planning permission 60124 for originally 1st floor bedroom extension was designed to be built on 4 steel columns. The amendment is to replace these columns with brick piers. - Approve 23/09/2016
09/0218 - CAR REPAIR BUSINESS - 02/06/2009
10/0654 - Change of use from residential to business - 29/03/2011

Publicity

Neighbour letters sent. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

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, including relevant policies in the emerging Places for Everyone Joint Development Plan.

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.

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 two-storey extension would not be setback from the front elevation and SPD 6 seeks to prevent two storey side extensions from causing a terracing effect by requiring a 1.5 metre set back to the main frontage or to the boundary. However, in this instance due to a staggered building line on this street along with the fact that the property is positioned on a corner plot, it is considered that the proposal would not lead to the uncharacteristic terracing of dwellings. Furthermore, the site is surrounded by high fencing and high scrubs above. Therefore, the extension would be hardly visible from the street scene.

The proposed side and rear extensions would have pitched roofs replicating the shape and style of the original dwelling and neighbouring properties. The extensions would have simple and unobtrusive design, which would appear subservient to the host property. The proposed porch to the front and the dormer to the rear would be modest structures that would be in keeping with the existing dwelling and as such would not detract from the character of the dwelling. Overall, the proposed development would not be a prominent feature in the street scene and would comply with Policies H2/3 of the Bury Unitary Development Plan and SPD6.

It is considered that the proposal would not have a detrimental impact on the character of the dwelling, street scene or neighbouring properties and would therefore comply with UDP Policy H2/3 and SPD 6.

Residential Amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

- There would be no proposed side windows facing the adjacent neighbouring properties. Furthermore, there would be sufficient distance to the shared boundary together with high shrubs that would screen the proposed windows on the rear elevation. Therefore, there would be no detrimental impact on this neighbour.
- Given that the proposed extension would not project beyond the rear elevation of the adjacent property (50-52) the development would not encroach the 45° and therefore the development would be acceptable.
- The proposed single storey front porch would be a modest structure that would not interfere with the parking arrangement. Moreover, the nearest property to the front separated by a highway would be over 20 metres away. Therefore, this would be considered acceptable.
- The proposed rear dormer would also be a modest structure with no proposed side windows and there would be an adequate distance to the shared rear boundary.

Parking

The proposal will result in no net gain in bedrooms and there will be no changes to site access, or parking. The driveway at its current condition meets the maximum parking requirements.

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 Sheet 1, Sheet 2, Sheet 3, Sheet 4, Sheet 5, Sheet 6, Sheet 7 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 listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	05/02/2024		