

DELEGATED REPORT

Report by Jane Langan	Date of report: 21/09/2022	Ref: 68558/FUL
Registration: 28/07/2022	LDfC: 19/08/2022	Expiry Date: 22/09/2022
Site Visit: 08/08/2022	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey side/rear extension; Single storey rear extension; Basement conversion; Loft conversion with dormers at front and rear; Bin/bike store at side; New wall at side

Location: 4 Hereford Drive, Prestwich, Manchester, M25 0JA

Description

The property is a bay fronted semi detached house. It is located on a corner plot at the junction of Cranbrook Drive and Hereford Drive and is elevated from the main road. The adjoining semi is 2 Cranbrook Drive and is extended single storey at the rear. The site has had part of the rear elevation removed and there is temporary fencing to the boundary. To the rear of the site 6 Hereford Drive sits side on to the rear garden of the site. It has a detached garage along the boundary and trees and planting which provide screening.

There have been a number of applications on the site for joint works to this property and the adjoining 2 Cranbrook Drive (see planning history below). This application now seeks works to 4 Hereford Drive only. They comprise of :-

- Single storey rear extension 7.3m deep and 5.3m across to the party wall side. At the outer side it would come out a further 1.4m deep for 3.8m across. 0.9m would project past the side elevation.
- A first floor extension would project 3.5m deep set 2.8m in from the party wall and extend for 6.4m across of which 0.9m would project beyond the existing side elevation.
- Pitched roof dormer to the front roof slope and a flat roofed dormer to the rear
- Basement conversion
- A new drive created off Hereford Drive
- To the north side of the new drive a single storey extension to form a bin/bike store 4.8m in length and 2.4m across.
- A 1.795m high wall extending along the frontage and side to the new entrance and drive.

Relevant Planning History

67196 - Variation of condition 1 following approval of planning permission 64455- Change pitched roof dormer to flat roof dormer at the rear of 4 Hereford Drive - Refused 16/08/21.

64455 - Variation of condition no. 2 (approved plans) of planning permission 59508 - 2 Cranbrook Drive: Single storey extension at rear; Loft conversion with roof extension and dormers at front and rear. 4 Hereford Drive: Two storey extension at side/rear and single storey extension at rear; Loft conversion with roof extension and dormers at front and rear; Basement conversion: Changes are: New bin/bike store, increase in depth of single storey to rear and first floor rear extension 03.m wider to 4 Hereford Drive, changes in fenestration to side elevation, new site wall to right hand side of stairs - AC 03/10/19

59508 - 2 Cranbrook Drive: Single storey extension at rear; Loft conversion with roof extension and dormers at front and rear. 4 Hereford Drive: Two storey extension at

side/rear and single storey extension at rear; Loft conversion with roof extension and dormers at front and rear; Basement conversion - AC 28/01/2016

55086 - Retention of modular building in rear garden - Refused 25/05/2012. Appeal Dismissed - 11/04/2013.(4 Hereford Drive)

48552 - Perimeter garden wall (Retrospective) - AC 27/09/2007 (4 Hereford Drive).

48718 - Rear and front extension at lower ground & ground floor and rear extension at first floor - Refused 14/11/2007 (4 Hereford Drive)

47313 - Certificate of lawfulness for the demolition of detached garage and proposed single storey extension at rear - LD 01/02/07

Publicity

Surrounding neighbours were notified by letter and no responses have been received.

Statutory/Non-Statutory Consultations

Traffic Section - No comments received.

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.

Visual amenity and design - The front dormer would have a pitched roof and would not appear over large on the roof slope. The rear dormer would be flat roofed and whilst the site is on a prominent corner plot the dormer would be to the existing roof slope and rear dormers can be constructed under permitted development. The agent has pointed out the recently approved and constructed dormer to 2 Lincoln Drive (66835) to the north of the road. This is the case and as such it is not considered that the proposed dormer would be out of character, in this instance, at this particular site. The dormers would be tile hung to match the roof.

The other elements of the proposal, two/single storey extension to the side/rear, basement, bin/bike store and the new drive and boundary wall were approved under the previous consents. It was considered that the Hereford Drive frontage, that would have a gable design and a window arrangement appearing well placed and materials of a mix of brick and render, would not appear out of character in the area.

Parking - The proposal would increase the number of bedrooms from 3 (and a nursery) to 6 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 proposal includes one space 5m in length in porous/permeable materials or rainwater drained to a lawn or border. SPD6 was updated in 2020, after the previous approvals, when one off street parking space was considered sufficient. The area has on street parking and there is public transport available. Given this and the previous approvals it is not considered reasonable to refuse the application with regard to the proposed parking arrangements. The condition as recommended by Highways on 64455 is attached.

Residential amenity - The adjoining 2 Cranbrook Drive is extended single storey at the rear. The proposed single storey would run along the boundary and the plans note that it would not project more than 3m from its rear elevation and there would be no encroachment. Where the proposal would be two storey it would not encroach the 45 degree line from the mid point of the first floor rear window.

The proposed single storey rear would have a part blank wall and 4 slim windows to the rear elevation. The windows would be close to the boundary with 6 Hereford Drive however they would look towards the detached garage and drive.

The proposed two storey extension would be approximately 5.7m from the boundary with 6 Hereford Drive and include a habitable room window at first floor. SPD6 normally requires a minimum of 7m to a rear boundary in order to maintain adequate privacy distances. In this case the habitable room window would face towards the side boundary with the neighbouring drive and garage and would not directly overlook the private amenity area. This would also be the case for the rear dormer which would be approximately 9.1m to the boundary with No.6. This part of the proposal is also as previously approved.

As assessed on the previous approvals the majority of the rear garden to 4 Hereford Drive would be taken up with the single storey extension. The property does have garden that extends around the side and front and where the side is relatively private as it is at a raised level and screened by hedges. As such there would be amenity space remaining. The bin/bike store would come closer to the boundary with 6 Hereford Drive to the rear. There would be no windows in the elevations facing and it would be the drive to this neighbouring property that would run adjacent.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

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 Rev 1, 003 Rev 11, 006 Rev 6 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.
- 3 The brickwork to the boundary wall hereby approved shall match that to the existing boundary wall.
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 The proposed parking and driveway alterations indicated on the approved plans, incorporating the provision of a 5.0m minimum length hardstanding in a porous/permeable material in order to prevent the discharge of surface water onto the adopted highway, widening of the existing footway crossing and demarcation of the limits of the adopted highway to a scope to be agreed on site and all associated highway remedial works required as a result of the proposed development and boundary wall removal, shall be implemented to the written satisfaction of the Local Planning Authority prior to the development hereby approved being brought into use and thereafter maintained at all times.
Reason. To allow adequate space to maintain a vehicle clear of the highway in the interests of pedestrian safety and maintain the integrity of the adopted highway

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pursuant to Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and associated 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>
JL	21/09/22		