

DELEGATED REPORT**Report by** Amanda**Date of report:** 21/02/2022**Ref:**67947/FUL

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Registration: 20/01/2022**LDFC:** 18/02/2022**Expiry Date:** 17/03/2022**Site Visit:** 10/02/2022**Site Notice:** N/A**Press Date:** N/A**Objections:** 1**Con Area:** N/A**Adv Type:** NONE**Reason for Delay:****EIA:** NA

N/A

Dec Level: DEL**Stat Class:** HOUS

Proposal: Two storey front extension; Roof alterations including pitched roof to the existing two storey flat roof side/rear extension; garage conversion

Location: 8 Barnhill Road, Prestwich, Manchester, M25 9NH

Description

The application relates to a two storey detached house which has been previously extended. The property is raised in ground level compared to the highway in front. The front garden slopes down away from the dwelling. There is a porch to the front elevation, garage and parking for two vehicles to the front of the property. At the rear of the property there is a large garden which is raised in height compared to the dwelling. There are fences and planting to all three boundaries at the rear.

The proposal is to build a two storey front extension, roof alterations including a pitched roof to the existing flat roof to the side/rear extension and the garage would also be converted. The front extension would project 1.52m forward of the existing front elevation and it would measure 5.38m wide. It would have a pitched roof and the canopy above the new entrance would also be pitched. The only change to the existing two storey side/rear extension would be the replacement of the flat roof with a pitched roof.

Relevant Planning History

02681/E - Front extension and pitched roof to rear - Enquiry completed 04/01/2022

56986 - Single storey extension at rear - Approve with Conditions 28/01/2014

67446 - Replace flat roof to left of property with new pitched roof; Increase in roof height with inclusion of loft conversion; Garage conversion with bay window to front of property - Withdrawn by Applicant 19/11/2021

21/0296 - Structure erected on top of existing wall -

22/0019 - Installation of CCTV cameras -

Publicity

Immediate neighbours notified on 28/01/2022 (8 properties) - One objection has been received, noted below.

- I am objecting to the proposed change from a flat roof to a pitched roof on the existing 2 storey extension. This is based on our right to light as when our approved plans are completed I believe the shadows from the proposed pitch roof will impact the light within our extension.

Statutory/Non-Statutory Consultations

None.

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.

Barnhill Road consists of many different house types including bungalows and two storey properties, many of which have been extended. The proposed front extension and pitched roof to the existing flat roof side/rear extension would be constructed using materials and a style that would be considered in keeping with the existing building and the immediate street scene. As such there would be no significant detrimental effect on the character of the existing streetscene.

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 of the site on the opposite side of Barnhill Road are around 24.7m away from the front elevation of the property. The proposed two storey front extension would reduce that distance to around 23.2m and there would be 6m from the front elevation to the front boundary on site.

SPD 6 does state that where first floor habitable room windows would face a boundary there should be at least 7m in order to retain privacy levels between the extension and neighbouring gardens/land. However, given that the extension would face on to the highway, with properties opposites being over 20m from the front of the extension it is considered there would not be any significant detrimental impact on residential amenity at those properties due to the position of the proposed extension.

There would be no changes or additions to windows/doors to both side elevations or the rear. The only change would be the addition of a pitched roof to the existing flat roof extension to the south side of the property. There is over 47m to the rear boundary which is more than sufficient in terms of SPD 6 and privacy requirements.

As there would be no changes made to the north side of the dwelling and windows in the front extension would not face this property there would be no significant detrimental impact on light and/or privacy to no.6 Barnhill Road to the north.

Although the roof height would be increased on the south side the extensions would not be any closer to the shared boundary with no.10 as is on site currently. The window to the side which is currently to the garage would become a utility room and as such would be considered to be non-habitable. Taking this in to account and that there are no habitable room windows to the side of no.10 it is considered that there would be no significant detrimental effect on residential amenity at this property.

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.

Parking -

The extension would not result in the addition of more bedrooms at the property and the plans show that the existing parking arrangements within the site would not be seriously detrimentally affected and the applicant would still have the ability to park two vehicles on site. There are also no parking restrictions to the highway in front. As such the existing parking arrangements would be considered acceptable in terms of the current planning application.

Response to neighbour objection -

Right to light is a civil concern. The planning concerns of the neighbour 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 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 2021/15/02A and 2021/15/03A received on 06/01/2022 and revised drawing numbered 2021/15/01 Rev C received on 16/02/2022 as modified by the email from Professor Morris Gordon dated 16/02/2022. 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 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 21/2/22		DM 21/2/22	