

DELEGATED REPORT

Report by Amanda

Date of report: 26/05/2023

Ref:69536/FUL

Uhunmwagho

Registration: 19/04/2023

LDfC: 15/05/2023

Expiry Date: 14/06/2023

Site Visit: 10/05/2023

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area:

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Two storey side extension and two/single storey rear extension

Location: 3 Ruskin Crescent, Prestwich, Manchester, M25 9LS

Description

The application relates to a two storey semi-detached property with a single storey flat roof extension to the side. There is parking for one vehicle to the front of the dwelling. There are just three other properties located on Ruskin Crescent, which is a cul-de-sac.

The proposal is to build a two storey side extension and two/single storey rear extension. The side extension would be set back from the front elevation by around 700mm. It would measure 2.91m wide and 10.23m long. Across the rear elevation the two storey extension would measure 5.47m and it would project 3m from the original rear elevation. The roof would be hipped with two rooflights.

The single storey extension would project 3m from the original rear elevation and it would measure 3.26m wide. It would have a mono-pitched roof with one rooflight. The walls would be finished in brick to match the existing building and the windows in the extension would be grey upvc. The plans also show that white upvc windows on the existing property would also be replaced with grey upvc windows.

Relevant Planning History

N/A

Publicity

Neighbours notified on 24/04/2023 - 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 -

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 extension would be constructed with a design and finished with materials that would be considered to be in keeping with the existing building. It would be slightly set back from the front elevation. As such the development would not have any significant detrimental impact 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 -

- The position of the side extension would not affect the existing parking arrangements to the front of the site.
- At the front the first floor bedroom window would be within 7m of the shared boundary with no.4 Ruskin Crescent. Users of the new bedroom would have full view across the front of numbers 2 and 4 next Ruskin Crescent. As there are only driveways to the front of these properties and no private garden areas where any significant amount of time would be spent, the position of the bedroom window to the front elevation would be considered acceptable.
- The secondary bedroom window to the side elevation would be under 7m from the shared boundary with no.4, but as this window would be obscurely glazed there would be no concerns regards loss of privacy to the rear garden at no.4 next door.
- No.4 has a two storey side extension. On the front elevation there are two obscure glazed windows and a clear glazed window to the first floor. The extension would bring the property closer to the boundary with no.4, but as view from the neighbouring first floor window look over the front of the site and not directly towards the building this particular window would not be caused any significant detrimental harm due to the position of the proposed extension. It is also noted this the window concerned at no.4 is to an extension and as such would not be afforded the same amount of weight as original windows in the property.
- There would be over 7m from the rear elevations of the single and two storey rear extensions to the rear site boundary.
- The single storey rear extension would project 3m from the original rear elevation and the side elevation would be around 150mm off the shared boundary with the attached property. As such there would be no concerns regards 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 proposal would increase the number of bedrooms from 3 to 4 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 site as existing has an area at the front for parking a vehicle and this would remain following the side extension which would be set back from the front of the property. The area is high access in terms of public transport. In this instance then the parking arrangements are considered sufficient.

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 ZT23-196-01 and ZT23-196-04 received on 06/04/2023, drawing numbered ZT23-196-02 received on 21/04/2023, revised proposed elevations drawing numbered ZT23-196-05 received on 23/5/2023 and revised drawings numbered ZT23-196-03 and ZT23-196-06 received on 26/05/2023 as modified by the emails from Thorp Design Services Ltd dated 23/05/2023 and 26/05/2023. 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 be brick to all elevations, the roof materials would match the existing colour and grey upvc windows would be installed to the existing dwelling as well as the extension.

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 Before the first occupation of the extension hereby permitted the bedroom window on the side elevation shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.

Reason. To protect the privacy of adjoining occupiers and to accord with 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 - 26/05/2023		DM	01/06/23