

DELEGATED REPORT

Report by Mo Warsame	Date of report: 24/04/2024	Ref: 70558/FUL
Registration: 28/02/2024	LDFC: 26/03/2024	Expiry Date: 24/04/2024
Site Visit: 05/04/2024	Site Notice: N/A	Press Date: N/A
09:00:00		
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Demolition of porch; Single storey side and rear extensions, first floor side extension, loft conversion with hip-to-gable roof extensions; formation of driveway with new access and dropped kerb

Location: 1 Wells Avenue, Prestwich, Manchester, M25 0GN

Description

The application relates to a red brick detached corner house located on Wells Avenue. The are natural high scrubs surrounding the site. The premises has gardens on each side and rear with a driveway located to the front that leads to an attached single garage.

Planning permission is sought for the demolition of a porch, the erection of a single storey side and rear extensions, first floor side extension, loft conversion with hip-to-gable roof extensions; formation of driveway with new access and dropped kerb.

The proposed single storey rear extension would project 1830mm to the rear, run 7855mm to the side and facilitate an extension to the existing open plan Living/dining area. The single storey side extension would extend 3903mm to the side and run 7485mm from the front elevation, accommodating a new utility room and kitchen extension. The first floor side would project 3051mm to the side and run 5655mm to the rear from the front elevation. This extension would facilitate a walking wardrobe and en suite bathroom for the master bedroom. Other work include a loft conversion via hip to gable extension and alterations to the existing parking layout.

The proposed development would utilise the use of some matching materials and all the extensions would have a flat roofs except for the first floor extension which would have a pitched roof to the front forming flat roof to the rear.

Relevant Planning History

None.

Publicity

Neighbour letters sent. No objections received.

Statutory/Non-Statutory Consultations

Traffic Section. No objections received.

Pre-start Conditions

N/A

Development Plan and Policies

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), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within 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 and PfE Policies 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 proposed

development would be located at the rear of the property.

In relation to raised roof height SPD 6 states that proposals to increase the height of a house can appear incongruous and will be assessed on its impact on the character on the street scene. In this instance, the increase in the hip to gable extension would be modest extension. Additionally, the dwelling is detached house on a corner located on a different style properties with various roof heights. Therefore, the proposed increase in height would not lead to any detrimental impact on the street scene in this case.

The first-floor rear extension would not project beyond the existing footprint of the host property. Moreover, it would have a matching pitched roof on the front elevation that would form a flat roof to the rear. However, the flat roof element would not be viable from the front elevation. Overall, the extension would be a modest structure that would appear subservient to the existing dwelling. The development would also be constructed with some matching materials and therefore would be considered acceptable.

Situated to the rear, the single storey rear extension would have simple and unobtrusive design, which would not detract from the character of the dwelling. The single storey side element would be modest extension with a design that would be in keeping with the host property. Overall, the proposal would be constructed with materials that would be in keeping with the existing dwelling and finished render, which is common on this street. As such, 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.

Residential Amenity

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

- The single storey rear element would extend less than 3 metres which would be acceptable. Additionally, there would be sufficient distance to the rear boundary and there would be no proposed side windows facing the adjacent neighbouring properties on either side.
- The property is located centrally on large plot and there would be sufficient distance to the side boundaries from the proposed single storey side extension and the proposed first floor side extension. As such, the 45-degree rule would not apply and there would be no detrimental impacts on the outlook and privacy of the adjacent neighbours. Furthermore, there are very high trees and scrubs surrounding the entire site.
- There would remain an acceptable amount of outdoor private amenity space.

Overall, there would be no serious impact on amenities of the adjacent neighbouring properties. The proposal therefore conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

Highways

The proposal will result in two additional bedrooms and there are proposed alterations to the parking layout. However, there are no objections from the Traffic Section (Highways) and therefore, the proposed alterations would be acceptable.

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 dwg no. 2023-AM-010, dwg no. 2023-AM-011, dwg no. 2023-AM-012, dwg no. 2023-AM-013, dwg no. 2023-AM-014, dwg no. 2023-AM-015, dwg no. 2023-AM-016, dwg no. 2023-AM-017, dwg no. 2023-AM-018, dwg no. 2023-AM-019, dwg no. 2023-AM-019A 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	24/04/2024	DM	29/04/2024