

DELEGATED REPORT

Report by Helen

Date of report: 02/10/2020

Ref:65902/FUL

Goldsbrough

Registration: 01/09/2020

LDfC: 01/10/2020

Expiry Date: 27/10/2020

Site Visit: 18/09/2020

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Two storey extension at side & single storey extension at rear

Location: 22 Canterbury Drive, Prestwich, Manchester, M25 0HY

Description

The application relates to a semi detached dwelling located on Canterbury Drive. The premises has a garden to the front, with a driveway that leads along the side of the premises. To the rear the premises has an existing single storey extension and an area of private residential amenity space.

Planning permission is sought for the construction of a two storey side extension that projects approximately 3350mm to the side of the original dwelling and runs flush with the principal front and rear elevations of the site. To the rear it is proposed to construct a single storey extension that projects approximately 3000mm and would tie in with the existing single storey rear extension.

Relevant Planning History

45555 - Two/single storey extension at side - Approve with Conditions 15/12/2005

Publicity

Neighbour letters sent 09/09/2020. No representations 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 victimization;

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.

SPD 6 seeks to prevent first floor side extensions from causing a terracing effect by requiring a 1.5 metre set back to the main frontage or to the boundary. In this instance there is no proposed set back, and no gap to the boundary proposed. The neighbouring dwelling at No. 24 however is of a different design to the proposal site, is located on a slightly elevated plot, and projects approximately 600mm beyond the front elevation of the proposed extension. In addition the neighbouring property is set approximately 800mm off the shared boundary and it is considered unlikely that this property would extend towards the boundary in the future. Given the above it is considered that the proposal would not lead to the uncharacteristic linking up of dwellings.

The proposed side extension would have a pitched, hipped roof replicating the shape and style of the existing and neighbouring properties. The bay window detailing at front ground floor would also replicate the architectural details of the main property. Whilst the proposed rear extension would have a flat roof, this would be screened from public views and as such it is considered to be acceptable. The proposed windows within the proposed extensions are considered to be suitably aligned and the use of matching materials is acceptable. The overall scale and massing of the proposal is considered to be acceptable and would not

overwhelm the dwelling or result in over development of the associated residential amenity space.

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.

- Two storey side extension would not project beyond the front elevation of No. 24
- No. 24 has been extended at two storey to the rear. Two storey side extension would not project beyond the rear of No. 24 as extended.
- Proposed single storey rear extension would not project more than 3 metres beyond the rear elevation of No. 24 as extended.
- No. 20 is extended at single storey to the rear. Proposed single storey rear extension would not project more than 3 metres beyond the rear of No. 20 as extended.
- No windows facing towards No. 24.
- Side window facing towards No. 20 would be a secondary window with the principal window located on the rear elevation and is therefore considered to be acceptable.
- Proposed rear ground floor windows would be screened by the existing rear boundary treatments.
- Proposed rear first floor window would relate to a non-habitable room (ensuite) and as such aspects not applied.
- Proposed front ground floor and first floor windows would project no further forward than the existing front window arrangements and would be separated from the directly facing properties by a highway and are therefore considered to be acceptable.

Parking

The proposal would increase the property from a 3 bedroom property, to a 4 bedroom property. SPD 11 requires a maximum of 3 parking spaces for 4 bedroom properties. Only one space would be retained at the property within the curtilage of the site, however there is scope to extend the dropped kerb and driveway to the front of the property if required. On street parking is not restricted at this site, and the site is located within a high access area within walking distance of local amenities. As such the proposal is considered to 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 Location Plan, E(10), P(10), E(11), P(11), E(12), P(12), E(20) and P(20) and the development shall not be carried out except in accordance with the drawings hereby approved.

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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>
Helen Goldsbrough	2/10/2020	Dave Marno	19/10/2020