

DELEGATED REPORT

Report by Amanda Uhunmwagho	Date of report: 02/02/2022	Ref: 67891/FUL
Registration: 10/12/2021	LDfC: 14/01/2022	Expiry Date: 04/02/2022
Site Visit: 14/01/2022	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: Single storey rear extension; Dormer loft conversion; Rear raised decking with railings and steps into garden

Location: 38 Duckworth Road, Prestwich, Manchester, M25 9QH

Description

The proposal relates to a two storey semi-detached house with garden and on site parking to the front and a garden to the rear. There is an existing decked area directly to the rear of the house with steps leading down to the garden area. The adjacent properties have decking/patios at a similar height to that on site and the gardens slope down away from the properties.

The proposal is to build a single storey rear extension projecting 3.47m and it would extend across the rear of the dwelling. It would have a mono pitched roof with three rooflights. To the rear of the extension a new decked area projecting 1.3m with steps to the lower part of the garden on the west side.

A dormer would also be built on the rear. It would have a flat roof and would be set in by 200mm on the outer side wall and in from the party wall with the attached neighbour by 335mm.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified on 21/12/2021 - No comments or objections received.

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.

The proposed extension and dormer would be built on the rear of the dwelling and as such would not have any detrimental impact on the character of the streetscene along Duckworth Road. The proposed design and materials to be used in the construction would be considered to be in keeping with the existing building.

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 -

- Neighbouring properties to the rear of the site would be over 20m from the rear of the proposed extension.
- There would be around 10.8m from the rear of the proposed decking and extension to the rear boundary. This would be in line with the requirements as set out in SPD 6.
- The proposed plans show that the extension would be built directly up to a proposed single storey extension at no.36 Duckworth Road, attached. The application at no.36 is currently still outstanding (ref 67807) at this time. Certificate B has been signed and notice served on the neighbour at no.36. This would be acceptable in terms of the requirements of the planning application.
- The extension and decking would be set back from the rear elevation of the proposed extension at no.36. As such once the neighbour's extension is built there would be no concerns regards detrimental impact on residential amenity at this property.
- Given the projection of the extension and decking would amount to less than 6m along the boundary with no.36, and that this neighbour has not objected to the proposal the projection would be acceptable along the shared boundary under the Larger Homes Scheme.
- No.40 Duckworth Road to the west side is a similar style property and the rear garden at this property appears to be similar to that on site with a patio directly to the rear of the house with the remaining garden sloping down towards the rear of the site. The extension and decking would be around 1m away from the boundary with this property and the 45° rule would be satisfied with regards to ground floor habitable room windows on the rear of this property.
- 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 up to 3 vehicles and this would remain following rear extension and dormer are built. In this instance then the parking arrangements are considered sufficient.

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.

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 received on 10/12/2021 and revised drawings received on 01/02/2022 as modified by the email from SHWilkinson Architects Ltd dated 01/02/2022. The development shall not be carried out except in accordance

DELEGATED REPORT

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.

Case Officer	Date	Sign off Officer	Date
AU - 02/02/2022			