

DELEGATED REPORT

Report by Amanda

Date of report: 23/02/2024

Ref:70375/FUL

Uhunmwagho

Registration: 29/12/2023

LDfC: 01/02/2024

Expiry Date: 23/02/2024

Site Visit: 31/01/2024

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey side extension; Extension of driveway and vehicular dropped crossing

Location: 9 Nursery Road, Prestwich, Manchester, M25 3EW

Description

The application relates to a two storey detached house with a single storey extension to the north side. The site fronts on to Nursery Road with Birch Grove to the north. It is a large site with a red brick low wall and dilapidated fence panels along the front and north side boundaries and there are fences and planting to the rear and southern boundaries.

The proposal is to build a single storey side extension on the south side of the existing dwelling which would be similar to the existing extension to the north. It would measure 5m wide and 9.48m long and would have a pitched roof. At the front there would be a black roller shutter door and a window to the rear. There would be a door and window to the side elevation and it would be finished with materials to match the existing building.

As part of the development the applicant also intends to create a new driveway access and dropped kerb. The new access would measure 4.5m wide and the existing boundary materials would be used.

Relevant Planning History

65722 - Single storey side extension - Approve with Conditions 25/01/2021

70377 - Single storey side extension, new entrance to the boundary and extension of lower kerb to the front for easy access. - ZZZ Special deleted application 03/01/2024

Publicity

10 neighbours notified on 11/01/2024 - No comments or objections received.

Statutory/Non-Statutory Consultations

Traffic Section - No objections. Conditions and informatives suggested.

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, including relevant policies in the emerging Places for Everyone Joint

Development Plan.

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 single storey side extension would be constructed with a design and materials that would be considered to be in keeping with the existing building.

The proposed driveway and new access would be positioned slightly north of its existing

position and the new boundary wall would be built with materials that would match the existing boundary wall. The resulting parking area and access point would be similar in appearance to the existing boundary wall and drive. As such this element of the proposal would not cause any significant detrimental harm to the existing streetscene. The design of the proposal is considered acceptable in this location.

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 Nursery Road would be more than a sufficient distance from the proposed garage extension and new access point not to have any significant detrimental impact on residential amenity at those properties.
- At the rear there would be over 20m from the rear of the extension to the rear boundary. This would be acceptable in terms of SPD 6 given the extension is to a single storey garage, which would be considered to be non-habitable.
- To the south side there would be around 6.5m from the side of the garage to the shared boundary with no.7 Nursery Road and there do not appear to be any habitable room windows to the side of no.7.
- As the extension would be on the south side of the property it would not have any detrimental impact on properties to the north of the site.
- It is not clear from the drawings whether the new driveway would be constructed using porous materials but given the garden areas to both sides of the driveway would act as a natural soakaway within the site, ensuring that there would be no surface water flooding in the future.

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 not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing where there is parking to the driveway to the front as well as the new garage..

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 SHT 1 of 3 and SHT 2 of 3 received on 03/01/2024 and revised drawing numbered SHT 3 of 3 Revision B received on 23/02/2024 as modified by the email from I.Planning Services dated 23/02/2024.

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.
- 4 The revised access arrangements indicated on approved plan reference SHT 3 of 3 Revision B, incorporating the provision of a new footway crossing, reinstatement of the redundant footway crossing to adjacent footway levels, demarcation of the limits of the adopted highway, new driveway in a porous/permeable material and/or measures to prevent the discharge of surface water onto the adopted highway and all highway remedial works required to reinstate the adopted highway to its condition prior to commencement of the development, shall be implemented to the satisfaction of the Local Planning Authority prior to the development and widened driveway hereby approved being brought into use and thereafter maintained available for use at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
- 5 Facilities for the storage of construction materials shall be provided within the curtilage of the site. The measures shall be retained and facilities used for the intended purpose for the duration of the construction period.
Reason. To maintain the integrity of the adopted highway and ensure adequate off street materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to UDP Policy H2/3 Extensions and Alterations.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 23/02/2024			