

DELEGATED REPORT

Report by Amanda

Date of report: 27/02/2023

Ref:69157/FUL

Uhunmwagho

Registration: 23/01/2023

LDFC: 14/02/2023

Expiry Date: 20/03/2023

Site Visit: 03/02/2023

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/rear with front bay; Loft conversion with front and rear windows and Increased roof height

Location: 4 Craigwell Road, Prestwich, Manchester, M25 0EF

Description

Planning permission was previously granted at this property on 03/12/2021, but this has not been implemented.

The application property is a two storey detached house which has been previously extended. There are railings along the front boundary with vehicular access to the site. At the front of the property there is a small garden area and drive way. At the rear the property is extended and there is a detached out building in the rear garden. There are fences and some planting to all rear boundaries.

The proposal is to build a two storey side/rear extension with bay windows to the front. The loft would be converted in to living space which would include raising the existing ridge, with feature windows to the new second floor rooms. All of the elevations would be rendered in an off-white colour.

The two storey extension would project 6.47m from the existing rear elevation and it would measure 9.61m wide. At the side it would extend right up to the shared boundary with no.6 Craigwell Road. To the front the extension would be built in line with the existing front elevation and there would be no first floor set back. There would be bay windows to the ground and first floor at the front with an entrance door central to the front elevation with a large window above.

The roof would be raised by around 520mm and it would appear hipped from the front with two peaks at second floor level, which would have large windows installed up to the eaves. The arrangement would be the same to the rear elevation with the addition of two rooflights.

Along both sides of the pitched roof there would be four rooflights and given the size of the proposed extension there would be an area of flat roofing to the centre of the building measuring approximately 5.68m x 6.16m, with two rooflights.

There would be no windows to the side elevation adjacent with no.6 Craigwell Road and to the opposite side, adjacent with no.2 there would be a reception room window and ground floor and a bedroom window to the first floor.

Relevant Planning History

48830 - Two storey extension at side and rear including alteration to roof design and height, canopy and porch at front - Withdrawn by Applicant 04/02/2008

49839 - Two storey side and rear extension - Approve with Conditions 23/05/2008

67251 - Two storey extension to the side and rear; Single storey front extension; Increasing height to the roof including dormers to the front and rear - Approve with Conditions
03/12/2021

Publicity

Six neighbours notified on 23/01/2023 - 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.

Planning permission was previously granted for extensions at this property which would have resulted in a building much taller than what is currently proposed. However, the previously approved development would have retained the character of the existing building and it was considered that it would not have caused any significant detrimental harm in the streetscape. Whilst the current proposed development wouldn't be as high it would appear much larger and more dominant in the streetscape due to its design.

The bay windows to the front elevation would mirror existing bay windows on the original dwelling, but the large roof with peaks to the front and large feature windows within the peaks would make the building appear top heavy and would significantly alter the appearance of the dwelling, and the extended property would dominate the site extending right up to the shared boundary with no.6 next door.

The majority of properties along Craigwell Road have a particular style and many extended properties along this road have retained the original character of the buildings. If the proposal is approved the resulting building would be considered to be out of character in the existing streetscape and therefore significantly detrimental in terms of visual amenity and not acceptable in this location.

As the building would be quite close to both adjacent neighbouring properties any views of the side elevations would be minimal when viewed from the front. However, as viewed from numbers 2 and 6 Craigwell Road the overall length of the extended property, from front to rear would be around 14.66m. This would result in the building appearing very overbearing when viewed from the rear gardens of the adjacent properties.

Given the above the proposal does not conform 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 would be a sufficient distance from the extended property not to have any significant detrimental impact on residential amenity.
- The remaining drive length of around 6.5m from the front of the extension to the rear of the pavement in front would be acceptable in terms of SPD 6.
- The extension would abut the shared boundary with no.6 Craigwell Road. As notice was served on this neighbour and certificate B submitted with the application this would be acceptable in terms of the Planning requirements. Any concerns regarding encroachment would be a civil matter between the applicant and the neighbour.
- There would be no windows in the side elevation adjacent to no.6 Craigwell Road.
- No.6 has been previously extended to the rear and has a bedroom window facing the application property. However, this window is not original and as such would not be given the same consideration as original windows to the front and rear elevations.
- With regards to two storey extensions SPD 6 states that a two storey extension should

only project up to 1m beyond the rear elevation of a neighbouring property and then the 45° rule should be applied. The two storey extension would project around 3m past the rear of the conservatory at no.6. As well as having a significantly detrimental impact on the conservatory as the site is positioned south west of no.6 the two storey extension would also have detrimental impact the outside amenity space at the rear of no.6 due to its overall size and that it would be built right along the shared boundary. This would be unacceptable in terms of SPD 6.

- The two storey extension would project around 3m past the rear of the two storey extension at no.2 next door. There do not appear to be any habitable rooms to the side of no.2 and the ground floor window to the rear of the extension is a kitchen window. The extension may have some detrimental impact on the natural path of daylight to the rear of this property earlier in the day time, but it would not be significant enough to warrant refusal, based on the impact on no.2 Craigwell Road.
- The extension would be around 7.6m to the rear boundary. This would be acceptable in terms of windows to the first floor but at second floor level at least 10m would be expected. As such the building as proposed with large windows at second floor level would be considered too close to the rear boundary which would have a significantly detrimental impact on privacy levels properties and gardens to the rear.
- There would be two new windows to side elevation facing no.2, one to the ground floor and one to the first floor. These would both be secondary windows to habitable rooms. As such the close proximity to the shared boundary could have a detrimental impact on privacy levels between both the application dwelling and no.2 next door. This could be rectified with obscure glazing as the windows would be secondary windows to the rooms but this has not been requested at this time due to the fact that the proposal cannot be supported at this time.

The proposal does not conform 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 and close proximity to the shared boundaries to the adjacent properties.

Parking -

The proposal would increase the number of bedrooms from 3 to 6 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 at least two vehicles and this would remain following the side extension being built. There are also no parking restrictions to the highway in front and 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 proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Refuse

Conditions and Reasons:

- 1 The proposed development would, by reason of its size, position and design, be an incongruous, prominent and intrusive feature in the street scene and would

therefore, be seriously detrimental to the visual amenities of the area. The proposed development therefore conflicts with the Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties.

- 2 The proposed extension would result in an unacceptable reduction in the level of privacy currently enjoyed by the occupiers of numbers 1 Links Crescent and 64 Brooklands Road to the rear by reason of the sub-standard distances between habitable windows on the second floor of the proposed extension and the shared boundary. The proposed development therefore conflicts with Unitary Development Plan Policy H2/3 Alterations and Extensions and associated Supplementary Planning Document 6: Alterations and Extensions to Residential Properties.
- 3 The proposed development would be significantly detrimental to the amenities of the adjacent property by reason of its height, size and position, including the projection along the shared boundary. The proposed development therefore conflicts with the following policy of the Bury Unitary Development Plan: H2/3 – Alterations and Extensions and associated Supplementary Planning Document 6: Alterations and Extensions to Residential Properties
- 4 The proposed extension would result in an unacceptable reduction in the level of privacy currently enjoyed by the occupiers of 2 Craigwell Road by reason of the sub-standard distances between new habitable windows on the proposed extension and the shared boundary with that property. The proposed development therefore conflicts with Unitary Development Plan Policy H2/3 Alterations and Extensions and associated 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 - 27/02/2023		DM	27/02/23