

DELEGATED REPORT

Report by Jane Langan	Date of report: 11/10/2022	Ref: 68636/FUL
Registration: 05/08/2022	LDFC: 31/08/2022	Expiry Date: 30/09/2022
Site Visit: 24/08/2022	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: Two storey side/rear extension

Location: 15 Craigwell Road, Prestwich, Manchester, M25 0EF

Description

The property is a two storey detached house. It has garden and a drive to the front and has been extended single storey at the rear. The neighbouring property to the side of the proposal is No.17 and is extended single storey at the rear. To the opposite side is No.13 a two storey property extended single storey at the rear. To the rear the site garden borders the rear garden to 16 Windsor Road.

The application includes a side extension coming out 2.4m. The ground floor would be level with the existing main frontage of the house and the first floor would be set back by 3m. It would run along the side of the property projecting 4.4m beyond the rear elevation. The scheme has been revised from that as originally submitted to omit the north corner of the rear section of the extension adjacent No.17 in order to comply with the 45 degree rule of SPD6. The plans also note the existing single storey monopitch roof to the rear to be removed and replaced with a flat roof and lantern light. The proposed extension would form an office, extended kitchen and additional bedroom with ensuite at first floor.

Relevant Planning History

None.

Publicity

Surrounding neighbours were notified by letter and no responses have been 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 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 and design - The proposed extension would be built up to the side boundary. With the first floor set back 3m from the front terracing would not be an issue. The main roof would run from the existing ridge forming a side gable wall. The ground floor front section would be flat roofed however set back from the pitched roof front porch it would not appear out of place. The site is located in an area where properties have been extended in various manners. Materials are noted to be to match the existing.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

Parking - 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 a drive to the front for the parking of one vehicle and which would be retained and over 5m in length following the proposed extension. There is garden to the front and there may be potential for further parking here if the applicant should require it. The area has on street parking and there is public transport available. In this instance then the parking arrangements are considered sufficient

Residential amenity - The proposed extension would run as blank wall along the side to No.17 which is blank wall to the side also. This neighbouring property is extended single storey at the rear and as such the proposed two storey would effectively be as single storey to single storey. The proposal has been revised to angle off the corner to the first floor of the proposed extension in order that it would not encroach a 45 degree line from the mid point of the closest first floor rear window to No.17. The ground floor would be around level. This would then comply with the criteria as set out in SPD6 in order that a proposed extension would not cause significant loss of light to the closest window to No.17.

There would be a distance in excess of 7m from the proposed first floor window to the rear boundary.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential 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 numbered 001, 002, 003 Rev 3, 004 Rev 1 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> JL	<u>Date</u> 11/10/22	<u>Sign off Officer</u>	<u>Date</u>
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