

DELEGATED REPORT

Report by Amanda

Date of report: 12/02/2024

Ref:70389/FUL

Uhunmwagho

Registration: 05/01/2024

LDfC: 01/02/2024

Expiry Date: 01/03/2024

Site Visit: 23/01/2024

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 and single storey rear extension

Location: 14 Ogwen Drive, Prestwich, Manchester, M25 1LH

Description

The application relates to a two storey, semi-detached house situated at the head of a cul-de-sac. It has a hipped roof. The front and side of the site is tarmac and the drive access is shared with no.12 Ogwen Drive next door. There is a detached garage to the north east of the site which is adjacent to a detached garage belonging to no.12. At the rear of the dwelling is a private garden. There is open ground to the rear of the site.

The proposal is to build a two storey side and rear extension and a single storey rear extension. At the rear the extension would project 4m from the original rear elevation and it would measure 7.77m wide. The two storey element would extend across the rear elevation and to the side of the existing building. At the rear it would be positioned around 2.2m away from the shared boundary with no.16 attached and the rear corner would be chamfered.

At the side the two storey extension would project 1.2m and it would measure 6m long. There would be a bathroom window to the front and a door to the side at ground floor level and at first floor level there would be a new bathroom window to the side and a bedroom window to the rear.

The single storey rear section would have a flat roof and the two storey extension would have a partial pitched/partial flat roof. The extension would be finished with brick walls to match the existing building. The garage would be removed in order to build the extensions.

Relevant Planning History

70233 - Prior approval for proposed single storey rear extension - Prior Approval Not Required - Extension 19/12/2023

70362 - Single storey side/rear extension - Approve with Conditions

Publicity

Two neighbours notified on 10/01/2024 - 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, 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 majority of the development would be to the rear of the dwelling and the side extension would be set back from the front elevation. The roof of the two storey side extension would be pitched to the side with an area of flat roof to the rear. As the flat roof would not be visible in the streetscene at the front it would be considered acceptable in this instance. In addition the extension would be finished with bricks to match the existing dwelling and its design would be considered to be 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 -

- There are no residential properties to the rear of the site.
- The single storey extension would project 4m along the shared boundary with no.16 Ogwen Drive. As there have been no objections from the attached neighbour the 4m projection would be considered to be acceptable in terms of the Larger Homes Scheme.
- The extension would be a sufficient distance from the side elevation and driveway at no.12 next door not to have any significant impact on residential amenity at that property, or its driveway.
- The only new window to the side elevation facing no.12 would be a first floor bathroom window. As this would be obscurely glazed it would not have any significant detrimental impact on residential amenity at that property.
- At the rear the two storey extension would be positioned around 2.2m away from the shared boundary with the attached property and the rear corner would be chamfered in order to satisfy the 45° rule with regards to ground floor windows on the rear elevation of no.16. This would be acceptable in terms of SPD 6.

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 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 a vehicle and this would remain following the side extension which would be set back from the front of the property being built. There are no parking restrictions to the highway in front. 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 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 002, 003 Rev 1, 501 and 502 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 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 Before the first occupation of the extension hereby permitted the first floor bathroom window on the side elevation shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and 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 - 12/02/2024			