

DELEGATED REPORT**Report by** Amanda**Date of report:** 14/03/2022**Ref:**67988/FUL

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Registration: 08/02/2022**LDfC:** 02/03/2022**Expiry Date:** 05/04/2022**Site Visit:** 22/02/2022**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:** Single storey extensions at side and rear**Location:** 130 Prestwich Hills, Prestwich, Manchester, M25 9PY**Description**

The property is a semi-detached bungalow with gardens to the front and rear of the dwelling. The front garden is open plan and the rear garden has fences to all boundaries. There is a drive way to the front of the property. The property attached to the east (132 Prestwich Hills, is a two storey property. Number 128 Prestwich Hills, unattached to the west is also a two storey property. There are no habitable room windows in the side elevation of this property and at the front there is a drive way adjacent to the drive way on site. Houses to the front and rear are over 20m away from the existing property on site.

Planning permission was previously granted at this property for virtually the same proposal as the current proposal. The difference is that the proposed extension to the west side elevation would be larger than previously proposed with the addition of a porch to the front of the main entrance to the house. As the side extension would be larger than previously approved the ridge height would be increased and a bedroom window originally on the side elevation would not be installed to the front elevation.

The single storey extension to the rear would be built in the same position as previously approved but it would project 4m as oppose to the 3.7m previously approved. It would measure 7m wide and the roof would be flat with two raised roof lanterns to the centre. To the rear elevation there would be patio doors and two rooflights would be installed to the existing roof at the rear for light to the dining area and kitchen.

At the side the extension would project 2.1m from the side elevation and it would measure 7.68m long. The roof would be pitched with one rooflight to both the front and rear of the roof. The roof would overhang the front of the extension by around 1m forming a canopy above the new entrance. The side extension would be set back from the original front elevation by around 1.5m according to the plans. Building works have commenced on site.

Relevant Planning History

62263 - Single storey extensions at side and rear - Approve with Conditions 08/02/2018.

Publicity

5 neighbours notified of the proposal - 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 extensions would be built with materials and a design that would compliment the original property. The side extension would be set back from the original front elevation and as such would not have any detrimental effect on the current street scene.

The extension would be visible from the rear gardens and windows of the properties directly adjacent to the site and it would be partially visible from the highway to the east of 132 Prestwich Hills as well. However, the materials that would be used to construct the extension would compliment the existing property and as the structure would only project 800mm above the boundary fence it would not immediately be visible in the street scene. The rear garden of 132 Prestwich Hills is positioned in between the site and the highway which would also mean views of the proposed extension would not be overly visible in the street scene. Therefore it would not have any significant detrimental impact on the street scene and the design of the proposal is 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 -

- Properties to the front and rear would be a sufficient distance from the proposed extension as per the requirements set out in SPD 6.
- The extension to the side would be set back from the front elevation. As such it would not interfere with existing parking arrangements within the site.
- There would be no windows in the side elevation adjacent to the side elevation of no.128 Prestwich Hills, unattached to the west of the application property.
- The single storey rear extension would project 4m from the original rear elevation and it would be around 300mm away from the shared boundary with no.132 Prestwich Hills, attached to the east. Although SPD 6 states that normally a single storey extension should only project up to 3m beyond the rear elevation of an attached dwelling the Larger Homes Scheme is taken into account for anything projecting further than 3m. With this in mind and that the attached neighbour has not objected to the proposal the single storey rear extension would be considered acceptable in this instance.
- As the extension would be positioned west of the neighbour at 132 Prestwich Hills there is a possibility that there would be some detrimental impact on daylight to the rear of this neighbouring property later in the day time. However, the extension would have a flat roof measuring approximately 2.8m high which would only be approximately 800mm higher than the fence along the boundary. Because the roof would be flat light would not be completely restricted to the rear of the attached property and garden and as such there would not be any seriously detrimental impact on residential amenity at the rear of 132 Prestwich Park Hills.
- Amongst other things Bury UDP Policy H2/3 - Extensions and Alterations seeks to protect the amenity space available on the site as well as at neighbouring properties. With regards to this site the rear garden currently measures approximately 8.7m long. The proposed extension would project 4m which would be less than 50% of the area of the existing rear garden and there would be approximately 4.7m of garden length remaining at the rear of the extension. With this in mind the proposed extension would be acceptable in terms of SPD 6.
- It is also noted that the front garden area of the site would be unaffected by the proposed development and as such the proposed rear and side extensions would occupy less than 50% of the amenity space on the site. Taking this in to account the proposed development would not represent over development of this site. 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 front of the site.

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 This decision relates to drawings numbered 1051/23/501, 1051/22/502, 1051/23/503, 1051/23/506 and 1051/23/507 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.
- 2 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 14/03/2022			