

DELEGATED REPORT

Report by Jane Langan	Date of report: 23/01/2023	Ref: 68596/FUL
Registration: 12/10/2022	LDFC: 08/11/2022	Expiry Date: 07/12/2022
Site Visit: 23/11/2022	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: No. 39 - Single storey extension at front; Dormer extensions at front and rear; Two storey extensions at side and rear with Single storey canopy at rear.
No. 40 - Single storey extension at front ; Dormer extensions at front and rear; Two storey extensions at side and rear

Location: 39 and 40 Sheepfoot Lane, Prestwich, Manchester, M25 0DL

Description

The site comprises of a pair of semi detached houses 39 & 40 Sheepfoot Lane. No.39 is extended with a flat roofed two storey at the side and single storey at the rear. The adjacent neighbouring property No.38 is extended two storey at the side and single storey at the rear. The site property No.40 is extended single storey at the front, side and rear. There are no properties directly at the rear where it is the road into Watkins Drive.

The application proposes extensions to both 39 and 40 comprising of:-

No.39 - A single storey extension at the front 2m deep and 5.3m across. A two storey extension at the side that would run along and project 4m beyond the existing rear elevation for the full width of the property. At ground floor a covered area would come out 2.5m deep across the whole rear. Roof extensions would be added in the form of a pitched roof extension above the front bay and a pitched roof dormer to the rear.

No.40 - Conversion of the garage to a reception room with a front bay window added and the porch roof replaced. To the side a two storey would come out 2.6m, set back 1.1m at first floor to the front then run along and project beyond the rear elevation to the same 4m depth as No.39 and for the full width. This property would also have a pitched roof extension above the front bay and a pitched roof rear dormer.

Relevant Planning History

49969 - (No.39) - Single storey extension at front; single storey/two storey extension at rear; roof extension to front/side/rear to create 3rd floor; drop kerb at front and paved area to create parking - AC 14/07/08.

50877 - (No.39) - Single storey extension at front; single storey / two storey extension at rear; roof extension to front/side/rear to create 3rd floor; drop kerb at front and paved area to create parking (revised plans) - AC 09/03/09

Publicity

Surrounding neighbours were notified by letter on 17/10/22. A further 21 day letter was sent 08/12/22 regarding the amended description (the application form was incorrect). One response has been received from No.38 to support the application noting that they intend to extend at the rear (69205 awaiting validation).

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to a materials storage condition.

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 two storey side extension to No.40 would be built to within approximately 0.3m of the side boundary. The first floor has been revised to be set

back to the same level as the adjacent No.41, approximately 1.1m, this is considered to be sufficient to avoid terracing and be in keeping with the adjacent property. No.39 is built flush to the boundary as existing.

The two storey side to No.40 would have a hipped roof and the existing flat roof to No.39 would be replaced with a hipped one. The roof extensions above the front bays would have dual pitched roofs with the frontage being tile hung to match at No.40, and including a window, and anthracite curtain walling to No.39. Both single storey front extensions would have monopitch roofs. To the rear two storey would project to see the rear elevations to 39 & 40 level and a dual pitched roof dormer added to each. No.39 would project 2.5m deeper with a flat roofed covered canopy. Materials would be roof tiles and brickwork would be to match the existing. The rear dormers would be plank clad in anthracite grey.

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 at 39 from 4 to 7 and at 40 from 3 to 5 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 at each property.

No.39 is fully surfaced at the front and can accommodate two vehicles. The proposed single storey extension at the front would leave a remaining drive length of 5.2m.

No.40 is also fully surfaced to the front garden. A drive length of 5.4m would remain following the single storey front extension. It was originally proposed to widen the kerb to this property however Highways would not support this as there is already a double kerb width between this property and No.41. No further parking could be added to either property and the proposal would not result in the loss of any. On street parking is not restricted to this side of Sheepfoot Lane and there is public transport available in the area. In this instance then there are not considered to be any grounds for refusal with regard to the parking arrangements.

Residential amenity - The proposed two storey side/rear extension to No.39 would run adjacent No.38. This property is extended two storey along part of the side and single storey at the rear. The proposed extension to No.39 where two storey and single storey would not encroach a 45 degree line from the mid point of the principle window to the first floor of No.38 or that to the extended ground floor. To this side the elevation of the proposal would be blank wall.

No.41 is the neighbouring property to the proposed extension at No.40. It is extended two storey at the side and to the rear. The proposal would not encroach a 45 degree line from the mid point of the windows to the rear elevation as extended. There would be two windows to this side elevation to a wet room and bathroom and the plans note them to be obscure glazed.

There are no properties directly at the rear.

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

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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 Existing ground floor plan, Sheet 1 Revision A, Sheet 2 Revision A, Sheet 4 Revision A, Sheet 5 Revision B, Sheet 6 Revision B, Sheet 7 Revision B, Sheet 8, Sheet 9 Revision B 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.
- 3 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> JL	<u>Date</u> 23/01/23	<u>Sign off Officer</u>	<u>Date</u>
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