

**DELEGATED REPORT**

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| <b>Report by</b> Mo Warsame     | <b>Date of report:</b> 16/05/2024 | <b>Ref:</b> 70597/FUL          |
| <b>Registration:</b> 21/03/2024 | <b>LDFC:</b> 12/04/2024           | <b>Expiry Date:</b> 16/05/2024 |
| <b>Site Visit:</b>              | <b>Site Notice:</b> N/A           | <b>Press Date:</b> N/A         |
| <b>Objections:</b> 0            | <b>Con Area:</b>                  | <b>Adv Type:</b> N/A           |
| <b>Reason for Delay:</b><br>N/A |                                   | <b>EIA:</b> NA                 |
|                                 |                                   | <b>Dec Level:</b>              |
|                                 |                                   | <b>Stat Class:</b> HOUS        |

**Proposal:** Two storey infill extension at front; single storey / two storey extension at side/rear; single storey extension at rear; Front porch extension; Loft conversion with rear dormer; alterations to roof and White render to all elevations

**Location:** 54 Windsor Road, Prestwich, Manchester, M25 0FF

**Description**

The application relates to a detached dwelling house located on the junction of Windsor Road and Edenfield Road. The site has a driveway to the front along with an existing dropped kerb on Windsor Road and a garden to the rear. The front, side and rear boundaries is depicted by a low level red brick wall with high hedges above.

Planning permission is sought for the construction of a front porch, part single, part two-storey side extension and a single storey rear extension, along with a loft conversion with rear dormer, together with alteration to roof and White render to all elevations.

The front porch would project 1.6m to the front and run 2.85m to the side. The proposed two-storey side element would project approximately 0.9 metres to the front, aligning with the principal front elevation and extend 1.3m to the side. On the first-floor level, the part single, part two storey side extension would also project to the rear to align with the principal first floor rear elevation. The single storey rear extension would project 3.15m to the rear adjoining the single element of the part single, part two storey side extension.

The development include loft conversion with a flat roof rear dormer, along with rendering to all elevations. Rest of the development would have pitched roofs and the development would facilitate an additional bedroom via the loft conversion and internal alterations throughout the house.

**Relevant Planning History**

60585 - Non material amendment following grant planning permission 60124 for originally 1st floor bedroom extension was designed to be built on 4 steel columns. The amendment is to replace these columns with brick piers. - Approve 23/09/2016

70319 - Two/single storey extension at side/rear; Front porch extension; Loft conversion with rear dormer; White render to all elevations - Approve with Conditions 06/02/2024

09/0218 - CAR REPAIR BUSINESS - 02/06/2009

10/0654 - Change of use from residential to business - 29/03/2011

**Publicity**

Neighbour letters sent. One comment/objection received.

**Comments**

No objection in principle, however there is an objection/concern about the small storage/alley on the side and its sloping roof towards the shared boundary and beyond. The proposed roof would rest on the shared boundary wall, and the roof's angle would slope

downs towards this shared boundary and beyond, causing water and other issues, which can be avoided.

**Statutory/Non-Statutory Consultations**

N/A

**Pre-start Conditions**

N/A

**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), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within 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 and PfE Policies 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**

UDP Policy H2/3 and SPD6 seeks to achieve a high standard of design that compliments the original building, does not have a detrimental impact on the character or appearance of neighbouring properties, and protects the general street scene.

SPD 6 seeks to prevent two storey side extensions from causing a terracing effect by requiring a 1.5 metre set back to the main frontage or to the boundary. In this instance, there would be no setback distance on the first floor but there would be a slight setback distance of 0.65m to the side. Additionally, the building is located on a corner and is among a row of semi-detached properties with staggered build line. Therefore, it is considered that the proposal would not lead to the uncharacteristic terracing of dwellings and would not have any adverse impact on the street scene.

The proposed part single, part two-storey side extension would have a simple design that would be in keeping with the character of the dwelling. Furthermore, the side extensions would have pitched roof replicating the shape and style of the original dwelling and neighbouring properties.

Situated to the rear, the single storey rear extension would have simple and unobtrusive design, which would not detract from the character of the dwelling. The flat roof dormer to the rear would also be acceptable as it could be constructed under permitted development.

The proposed porch would also be a modest structure with simple design that would be in-keeping with the character of the area. As such, It is considered that the proposal would not have a detrimental impact on the character of the dwelling, street scene or neighbouring properties and would therefore comply with UDP Policy H2/3 and SPD 6.

### **Residential Amenity**

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

- There would be no proposed side windows facing the adjacent neighbouring properties. Furthermore, there would be sufficient distance to the shared rear boundary together with high shrubs that would screen the proposed windows on the rear elevation. Therefore, there would be no detrimental impact on this neighbour.
- Given that the proposed two storey elements would not project beyond the rear elevation of the adjacent property the development would not encroach the 45° and therefore, the development would be acceptable.
- SPD states that a single storey extension should not project more than 3m along a neighbouring boundary. At which point the 45° rule should be applied. However, taking in to account the Larger Homes Scheme and that the adjacent neighbours have not objected the projection of 3.15 metres along the shared boundary would be considered acceptable in this instance.
- The proposed single storey front porch would be modest structure that would not

interfere with the parking arrangement. Moreover, the nearest property to the front separated by a highway would be over 20 metres away. Therefore, this would be considered acceptable.

- The proposed rear dormer would also be a modest structure with no proposed side windows and there would be an adequate distance to the shared rear boundary.

Overall, there would be no serious impact on the amenity of any adjacent neighbouring properties. The proposal therefore conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

### **Parking**

The proposal will result in one additional bedroom and there will be no changes to site access, or parking. The driveway at its current condition meets the maximum parking requirements.

### **Response to objection/comments**

The main concern relates to a small storage/alley on the side and its sloping roof towards the shared boundary and beyond. Following negotiations with the agent, revised drawings with no side shed storage/alley has been submitted. Therefore, there would be no detrimental impact on this neighbour.

### **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 Sheet 5, Sheet 6, Sheet 7 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.

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|---------------------|-------------|-------------------------|-------------|
| <u>Case Officer</u> | <u>Date</u> | <u>Sign off Officer</u> | <u>Date</u> |
| MW                  | 16/05/2024  |                         |             |