

DELEGATED REPORT

Report by Mo Warsame	Date of report: 27/03/2024	Ref: 70428/FUL
Registration: 24/01/2024	LDfC: 16/02/2024	Expiry Date: 20/03/2024
Site Visit: 07/03/2024	Site Notice: N/A	Press Date: N/A
08:00:00		
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: New front porch; two storey side extension; single storey rear extension; erection of gate at side; external alterations; formation of driveway and extension to existing dropped kerb

Location: 8 Edgeware Avenue, Prestwich, Manchester, M25 0DW

Description

The application relates to a two-storey semi-detached house with small garden at the front, driveway to the front/side and large garden at the rear. The property is located on a residential street of similar styled properties where houses to the front and rear are located over 20m away.

Adjoining property No. 6 is a similar two storey semi-detached dwelling. The boundary treatment between these properties is wooden fence panels and some planting. Neighbouring property No. 10 on the opposite side is a similar but larger two storey detached dwelling that has been previously extended with a single storey extension at side/rear. The boundary treatment between these properties is also wooden fence panels. The rear garden of neighbouring property No. 4 is situated to the rear and the properties directly opposite the rear are on Sheepfoot Lane which are over 20m away and screened by wooden fence panels.

Planning permission is sought for a front porch extension, two storey side extension at side and single storey rear extension along with erection of gate at side, the formation of driveway and extension to existing dropped kerb.

The proposed front porch would extend 1.1m to the front and run 2.35 to the side. The two-storey side extension would project 2.25m to the side and run 10.7m to the rear. The proposed single storey rear element would project 3.5m from the principal rear elevation and would run 2.25m to the side, aligning with the two-storey side extension on the ground floor level. The proposal also involves the erection of a 1.8m gate to the side and the formation of a new driveway along with extension to existing dropped kerb.

The development would facilitate a new porch entrance, office/playroom, and utility along with an extension to the existing open plan kitchen/dinner area. The proposed development would have pitched roof over the proposed porch and the side extension while the rear single storey rear element would have a flat roof with rooflights. Moreover, the development would utilise the use of matching materials.

Relevant Planning History

58447 - Prior Notification for a proposed single storey extension at rear - Withdrawn by Applicant 26/02/2015

58485 - Single storey extension at rear - Approve with Conditions 26/03/2015

Publicity

Neighbour letters sent. No objections received.

Statutory/Non-Statutory Consultations

Traffic Section

Pre-start Conditions

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, 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.

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 states, to avoid the appearance of uncharacteristic terracing, the front elevation on the first floor level should be set back by at least 1.5m from the main frontage of the original dwelling. The proposed extension would be built with a design and materials that would complement the existing property and would be a common design often built on this type of house. The ground floor and first floor would both be setback by 0.37m and there would be a gap of 1m to the side. This would equate to a total setback of 1.37m. While this would be slightly below the recommended setback for first floor extensions it would however not cause any detrimental impact that would lead to terracing effect and as such this should not be a reason to refuse this application. Furthermore, the roof would be hipped to maintain the existing character of the property and there are double bay windows with gable to the front. This along with the fact that the property is situated with in a small cul-de-sac would further mitigate the situation. The design of the side extension would therefore be considered in keeping with the existing building.

The proposed single storey front porch extension would be a modest structure with pitched roof that would appear subservient to the existing structure. Additionally, it would not interfere with the parking arrangement.

The proposed single storey rear extension would be simple and unobtrusive design that would not detract from the character of the existing dwelling. Overall, the development would match existing materials and not overwhelm the dwelling or result in over development of the associated residential amenity space.

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.

- In terms of overlooking and privacy to the rear, there would be 11m metres separation distance to the rear boundary from the proposed first floor windows.
- SPD states that a single storey extension should not project more than 3m along a neighbouring boundary. At which point the 45° rule would apply. However, taking in to account the Larger Homes Scheme and that the adjacent neighbours have not objected the projection of 3.5 metres along the shared boundary would be considered acceptable in this instance.
- To the side, the two-storey side and the single storey rear extensions would have no proposed habitable windows to the side except for the non-primary side window on the open plan kitchen/ dining area on the ground floor and the non- primary side windows on the proposed first floor bedroom. However, the first floor bedroom window would be conditioned to be obscure glazed and the window on the ground

floor would be mainly shaded by the existing high fencing on the shared boundary.

- To the front, the proposed front facing first-floor window would not project beyond the principal front elevations and there would be over 20 metres to the properties in front. As such, there would be no adverse impact on the adjacent neighbours.
- The proposed single storey front porch would be modest extension and would not interfere the existing parking arrangement.
- In terms of the general prominence and impact on daylight the proposed extensions would be set off from the shared side boundary with No.10 and the extension would not project beyond this neighbour's existing extension nor the attached property (No.6).

Parking

The proposal will result in one additional bedroom on the first floor. However, the proposed changes to the existing parking layout would satisfactory comply with the recommendations set by the highway engineer. As such, the proposed driveway would meet the maximum parking requirements. Furthermore, there are off-street parking space(s) available if required.

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 Dwg No. 2023-1771-P-101, Dwg No. 2023-1771-P-102, Dwg No. 2023-1771-P-103, Dwg No. 2023-1771-P-104, Dwg No. 2023-1771-P-105, Dwg. no. 2023-1771.P106 Rev 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 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 proposed side window on the first floor 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>
MW	27/03/2024	DM	27/03/2024