

DELEGATED REPORT

Report by Amanda

Date of report: 25/10/2024

Ref:71184/FUL

Uhunmwagho

Registration: 20/09/2024

LDfC: 24/10/2024

Expiry Date: 15/11/2024

Site Visit: 14/10/2024

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: First floor side extension

Location: 1 East Meade, Prestwich, Manchester, M25 0JJ

Description

The application relates to a semi-detached house which has been previously extended to the front, side and rear, as well as dormers to the front and rear of the roof. It is finished with render to the front and brick to the side and rear. The front of the site is hardstanding and there is a path to the side of the house for access to the rear garden. At the rear there is a private garden with fences to all boundaries. Properties to the north, south and west of the site have all been previously extended.

The proposal is to extend above the existing single storey side extension which would extend an existing bedroom and due to some internal alterations it would also house a new staircase and re-positioned walk-in wardrobe to the rear bedroom. The extension would project 1674mm to the side and it would have an overall length of 9467mm. It would be angled towards the rear as the site boundary is angled. The extension to the front bedroom would have a mono-pitched roof and behind, the stairwell and wardrobe extension would have a pitched roof. There would be no windows to the side elevation apart from two rooflights to the front bedroom. The existing bedroom window to the front elevation would remain and there would be a new walk-in wardrobe window to the rear. The walls would be rendered to the front and brick to the side and rear elevations.

Relevant Planning History

- 59478 - Two and single storey extensions at front/side/rear; Loft conversion with dormers at front and rear; Basement conversion with lightwell at rear (resubmission) - Refused 18/12/2015
- 01799/E - Proposed part single, part two storey extensions to front, side and rear and front and rear dormers - Enquiry completed 28/01/2016
- 59939 - Two and single storey extensions at front/side/rear; Loft conversion with dormers at front and rear; Basement conversion with lightwell at rear (revised scheme) - Approve with Conditions 24/05/2016
- 58763 - Two storey and single storey extensions at side and rear; Loft conversion with dormers at front and rear; Front porch - Withdrawn by Applicant 12/06/2015

Publicity

11 neighbours notified on 03/10/2024 - No comments or objections received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Development Plan and Policies

SPD6	Supplementary Planning Document 6: Alterations & Extensions
H2/3	Extensions and Alterations
PFE	Places for Everyone

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.

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 extension would not project forward of the existing front elevation and the front elevation would be finished with render to match the existing front elevation and the side and rear elevations would be finished with brick to match. As such the design of the proposal is considered to be in keeping with the existing building and it would not have any significant detrimental impact on the character of the existing streetscene.

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, and Places for Everyone Joint Development Plan listed.

Residential Amenity -

- The front elevation of the extension would not project forward of the existing front elevation and the existing bedroom window would remain as it is currently. Therefore, the separation distance to properties on the opposite side of East Meade would be considered acceptable in terms of SPD 6.
- The access path to the side of the existing dwelling would remain and at the front of the property the extension would be set back around 1000mm from the side elevation of the ground floor extension below. As such there would be no concerns regards encroachment on to land belonging to properties along Kings Road to the south.
- As the extension is to the first floor only it would not have any detrimental impact on existing parking arrangements to the front of the site.
- There would be around 7000mm from the new wardrobe window on the rear elevation to the site boundary.
- As all of the works would be to the south side of the existing dwelling there would be no detrimental impact on residential amenity at no.3, attached to the north side.
- Numbers 115 and 117 Kings Road are directly to the south side of the site and would be the two properties impacted the most by the proposed development. Many properties in this area have very short rear gardens which have been decreased in size further due to extensions. Both numbers 115 and 117 Kings Road have been extended to the rear.
- The closest ground floor window to the proposed extension at no.115 Kings Road is a kitchen and to the west side is a succah. The kitchen window at this property would be around 6800mm away from the rear corner of the extension.
- At no.117 Kings Road there is a detached garage directly next to the shared boundary and there is a kitchen window which projects slightly further than the dining room patio doors to the east side of the site.
- As the site is due north of properties on Kings Road the addition of the first floor extension would not have any significantly detrimental impact on the path of sunlight at numbers 115 and 117 Kings Road as the sun would pass from east to west to the south of those dwellings.
- The separation distance from the side of the proposed extension to the rear of numbers 115 and 117 Kings Road would only be around 7000mm to 8600mm. Normally a minimum distance of at least 13,000mm would be required, as set out in SPD 6. However, the closest window to the rear of no.115 Kings Road is a kitchen and views of the extension from this window would be towards the rear corner only. As such the proposed extension would not have any significant detrimental effect on this window.
- At no.117 Kings Road the only ground floor habitable room window would be the dining room which would be around 8600mm away from the side elevation of the proposed extension. The front half of the extension wouldn't be a full two storey height and the mono-pitched roof would slope up away from the shared boundary. The application property is also angled away from no.117. As views from the rear of no.117 Kings

Road are onto the two storey side elevation of the existing property the addition of the side extension would not be considered detrimental enough to warrant refusal, especially as there are no windows proposed to the side elevation facing the properties on Kings Road.

- As the side extension would be set back from the existing rear elevation there would be no significant detrimental effect on residential amenity at no.12 South Meade to the rear of site.

Given the above 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.

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 drive at the front.

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 502, 002 Rev 1, 003 Rev 4 and 004 Rev 3 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 in terms of visual amenity, and Places for Everyone Joint 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 25/10/2024		DM - 05/11/2024	

