

DELEGATED REPORT**Report by** Amanda**Date of report:** 22/02/2022**Ref:**67950/FUL

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Registration: 06/01/2022**LDfC:** 21/02/2022**Expiry Date:** 03/03/2022**Site Visit:** 01/02/2022**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:** Two/single storey extension at side/rear; Single storey rear extension**Location:** 68 Sandy Lane, Prestwich, Manchester, M25 9NB**Description**

Planning permission was granted for a similar development in January 2021. The current proposal is for the same development plus a larger single storey extension at the rear.

The application property is a two storey semi-detached house which has a single storey extension to the rear. There is parking at the front of the site for one vehicle and at the rear the garden measures approximately 50m long. Both adjacent properties have single storey rear extensions.

The proposal is to extend the property to the side and at first floor level to the rear. At the side the extension would project 1.2m from the existing side elevation and it would have an overall length of 10.55m. The first floor would be set back at the front by 1.7m and the plans show the side elevation would be built 200mm off the shared boundary to the side.

At the rear the first floor/two storey extension would be built to the side, rear and above the existing single storey rear extension. The two storey section would project 3.2m from the main rear elevation of the dwelling and would measure 4m wide. The roof would be hipped. The single storey section would project 6m from the original rear elevation and the roof would be pitched with rooflights to both sides. There would be patio doors to the rear elevation and a small window to the south side elevation.

Relevant Planning History

56233 - Single storey extension to rear and new porch to front elevation - Approve with Conditions 22/05/2013

66148 - Two/single storey extension at side/rear - Approve with Conditions 04/01/2021

Publicity

Immediate neighbours notified on 31/01/2022 (6 properties) - 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 extension would be built with materials and a style that would be considered

to be in keeping with the existing building.

The 1.7m set back at first floor level from the original front elevation means the proposal is considered acceptable in terms of 'terracing' and the effect on the 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.

Residential Amenity -

As the rear garden measures around 50m in length and there would be over 20m to properties to the front of the site it is considered that there would be no significant detrimental effect on residential amenity at properties to the front and rear of the site.

The first floor rear extension would be built approximately 2m from the shared boundary with the attached dwelling which has a single storey rear extension. With this in mind the first floor rear extension would not have any seriously detrimental effect on windows to both the ground and first floor elevation of the attached property and as the extension would be positioned away from the shared boundary there would be no concerns regards loss of privacy at the rear of this particular property.

Directly adjacent to the shared boundary with no.70 (attached) the extension would be single storey and would project 6m along the shared boundary, as measured from the original rear elevation of the house. As the next door neighbour has a single storey rear extension next to the shared boundary the amount of extension which would project past the rear elevation would be 2.85m. This would be acceptable in terms of SPD 6 and it is noted the attached neighbour has not objected to the proposal.

No.66 Sandy Lane, unattached to the south of the site also has a single storey rear extension and there are no habitable room windows in the side elevation of this property. As such the proposed two storey side/rear extension would not have any detrimental effect on residential at this property.

As the number of bedrooms would not be increased at the property the existing parking arrangements to the front of site would be sufficient.

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.

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.

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- 2 This decision relates to drawings numbered 1/25/2020 and 1/41/2021 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.
- 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 - 22/02/22			