

DELEGATED REPORT

Report by Tom Beirne	Date of report: 17/10/2022	Ref: 68613/FUL
Registration: 05/08/2022	LDFC: 31/08/2022	Expiry Date: 30/09/2022
Site Visit: 05/10/2022	Site Notice: 09/08/2022	Press Date: 18/08/2022
Objections: 0	Con Area: POPP	Adv Type: CA
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: First floor side extension with balcony; Front porch extension with balcony, External works including new vehicular crossing

Location: 2A Nursery Road, Prestwich, Manchester, M25 3EN

Description

The application relates to a two storey detached house on a residential road within Poppythorn Conservation area. The house, finished in brown brick, stone cladding and timber boarding, dates back to the 1960's and sits between more traditional Victorian properties on either side. Across Nursery Road are traditional two storey semi-detached properties and a more contemporary detached house.

The proposal consists of removing the existing carport and the construction of a first-floor side extension 5m by 4m over the existing single storey outrigger with balcony on the front. There would also be a front porch extension with a shallow balcony extending across part of the front elevation. The house and extension would be finished in a light render with timber cladding. A new driveway/parking area for two cars would be formed on the north side of the site. The existing access would be closed with the boundary wall built up and the dropped crossing infilled and levelled off.

Relevant Planning History

50671 - Carport at side to replace existing structure - Approved 06/01/2009

Publicity

Immediate neighbours notified by letter dated 10/08/2022. Press notice dated 18/08/2022 and site notice 09/08/2022. No objections received.

Statutory/Non-Statutory Consultations

Conservation Officer - No objection received.

Traffic Section - No objection to conditions relating to the new access and provision of storage for materials.

Pre-start Conditions - N/A

Unitary Development Plan and Policies

H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
EN1/2	Townscape and Built Design
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control

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 Heritage - A heritage statement has been submitted in support of the scheme and sets out the justification in terms of the streetscape and wider conservation area. The existing finish to the property is dated and it is the intention to give the property a more contemporary appearance with influences from the immediate area and aim to improve the overall quality of the street scene.

The proposed addition to the property is modest in scale, with a first-floor side extension proposed directly above the existing ground floor outrigger to the side, which is set back about 2m from the front elevation of the property. The proposed addition to the porch on the front of the dwelling would have a modest footprint of 2.7m².

The removal of poor-quality timber carport to the south side of the dwelling would be an

improvement and allow better landscaping of the garden. This would allow the side of the site to be better utilised externally and provide an improved aesthetic quality to the street scene. The house and extensions would be finished in a light render which is seen on some properties along Nursery Road and Guest Road. The side extension would be set back from the main frontage and clad with a blue timber cladding on the front elevation to provide a contemporary finish while referencing the coloured timber material palette of the existing dwelling.

The proposal would be in keeping with the existing house and would improve its appearance within the wider streetscape and conservation area. As such the proposal in terms of visual amenity, would be acceptable and complies with UDP Policies H2/3, EN2/1 and EN2/2 relating to extensions and the conservation area.

Residential amenity - The side extension and balcony is on the north side of the property and situated adjacent to and forward of, the garage and driveway of the neighbour at No.2. Given the modest size of the balcony and its position on the front, there are no serious overlooking issues arising. The proposal is acceptable and complies with UDP Policy H2/3 and SPD6 in relation to residential amenity.

Access and Parking - The existing driveway would be closed off and the area landscaped. The new driveway on the north side of the site would allow for two cars to be parked within the site. This is considered to be acceptable and complies with UDP Policy H2/3 and SPD6 relating to extensions and alterations.

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 2022-1612-P-101, 102, 103, 104, 106/A, 107, 108/A and 109 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 EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
- 4 The revised access and parking arrangements indicated on the approved plans, incorporating the provision of a new footway crossing in a position and the extent to be agreed with the Highway Authority and reinstatement of the redundant footway crossing (both to a scope and specification to be agreed), new hardstanding a minimum of 5.0m in length measured from the back of the adopted highway in a

porous/permeable material and/or measures to prevent the discharge of surface water onto the adopted highway, infill boundary wall with foundations that do not encroach under the adjacent adopted highway and all associated highway remedial works that may be required to reinstate the highway to its former condition prior to commencement of the development, shall be implemented to the satisfaction of the Local Planning Authority prior to the development hereby approved being brought into use.

Reason. To ensure good highway design, allow adequate space to maintain a vehicle clear of the highway and maintain the integrity of the adopted highway in the interests of highway safety pursuant to UDP Policy H2/3 Extensions and Alterations and guidance within SPD6.

- 5 Facilities for the storage of construction materials shall be provided within the curtilage of the site to the satisfaction of the Local Planning Authority. The facilities shall be retained for the intended purpose and the area identified shall not be used for any other purposes other than the storage of construction materials for the duration of the construction period.

Reason. To ensure adequate off highway materials storage arrangements for the duration of the construction period pursuant to UDP Policy H2/3 Extensions and Alterations and guidance within SPD6.

<u>Case Officer</u> TB 5/10/22	<u>Date</u>	<u>Sign off Officer</u> DM 17/10/22	<u>Date</u>
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