

DELEGATED REPORT

Report by Mo Warsame	Date of report: 25/09/2023	Ref: 69960/FUL
Registration: 03/08/2023	LDFC: 14/09/2023	Expiry Date: 28/09/2023
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Part single/ Part two storey rear extension

Location: 32 Lichfield Drive, Prestwich, Manchester, M25 0HX

Description

The application relates to a semi-detached property in Lichfield Drive. The premises has gardens to front and rear and is located within a row of semi-detached dwellings.

Planning application is sought for a part single/ part two-storey rear extension. This is a resubmission of approved application 68746 with the same description. Initially the ground floor extension would run 5m from the existing living room and project 1.2m beyond the existing kitchen on the rear building line. The part two-storey element of the extension would initially overhang the 1.2m projection beyond the kitchen to the rear using support columns.

However, the new proposed scheme would eliminate the columns and the 1.2m overhanging by projecting the existing kitchen to the rear, to effectively align the development both on the ground floor and first floor.

The proposed development would accommodate a living room extension with succah roof on the ground floor and bedroom with sunroof and a toilet on the first floor. The extension would be constructed using matching materials and there would be no habitable windows on either side of the proposed development.

Relevant Planning History

68350 - Prior approval for proposed single storey rear extension - Prior Approval Not Required - Extension 26/05/2022

68746 - Part Single/ part two storey rear extension - Approve with Conditions 10/10/2022

Publicity

Neighbour letters sent. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Unitary Development Plan and Policies

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

SPD11 Parking Standards in Bury

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 -

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.

Proposed new scheme would have a minor alteration in comparison with previous application under 68746. This would be 1.2m projection to the rear of the existing kitchen on the ground floor to effectively align the development both on the ground floor and first floor. In turn, this would eliminate the columns previously needed to support the 1.2m

overhanging structure above the existing kitchen.

The extension would be built on the rear elevation of the property and as such would not be visible from the street scene at the front. It would be constructed with matching materials and a design that would be considered in-keeping with the existing property as well as surrounding properties.

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

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

- There would be no windows facing towards the boundary with No. 30 Lichfield Drive and no habitable room windows facing towards the boundary with No. 34 Lichfield Drive.
- The proposed extension would not project beyond No. 30 and 34 Lichfield Drive to the rear as both adjacent properties have similar extensions to the rear. Therefore, the 45-degree rule would not apply. As such there would be no significant loss of light and the proposal would not be unduly overbearing.
- The first floor rear bedroom window would be located approximately 10 metres from the directly facing rear boundary which meets the 7 metres required by SPD 6.

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 would increase the number of bedrooms from 3 to 4 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered, which requires the proposal to provide a maximum of 3 parking spaces. As existing, there is on-site parking for 1 vehicle and additional parking available on the street. Given the situation and the fact there are no changes to the parking layout, it is therefore considered that the current parking arrangements are sufficient.

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 00.1, 002, 003(Rev 2), 004 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	25/09/2023		