

DELEGATED REPORT

Report by Tom Beirne	Date of report: 06/09/2024	Ref: 71037/FUL
Registration: 06/08/2024	LDFC: 06/09/2024	Expiry Date: 01/10/2024
Site Visit: 27/08/2024	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey extension at side

Location: 5 Woodhill Grove, Prestwich, Manchester, M25 0AE

Description

The property is a previously extended two storey red brick detached house with gardens to the front and rear. The original garage to the side has previously been converted in to a play room/gym. At the front of the property there are two drive way access points and parking available on site for three vehicles. To the rear there is a flat roof extension and as the rear boundary is angled across the site it is closer to the dwelling on the north east side and further away to the south west.

The proposal involves part demolishing the existing pitched roof garage to the side and extending back to the rear elevation and incorporating a flat roof with roof lantern. The scheme would create a succah and gym to the rear. The extension would be finished in red brick to match the property.

Relevant Planning History

02568/E - First floor extension at the rear and hip to gable roof extension including raising of roof with rear dormer - Enquiry completed 14/04/2021

02616/E - Loft conversion with front rear dormer - Enquiry completed 15/09/2021

66882 - First floor rear extension; Roof alterations and Loft conversion with rear dormer;

Hip to gable roof extension - Approve with Conditions 25/06/2021

67565 - Hip to gable roof extension; Loft conversion with front and rear dormers; First floor rear extension. - Approve with Conditions 22/11/2021

24/0327 - Not being built in accordance with approved plans -

Publicity

Immediate neighbours notified by letter dated 16/08/2024. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

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), 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 PpE 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.

Visual amenity - The extension would be modest in scale and in keeping with the existing house and would not appear incongruous within the streetscape. The proposal is acceptable in terms of visual amenity and complies with UDP Policy H2/3 and guidance in SPD6 relating to extensions and alterations.

Residential amenity - Given the size and siting in relation to the immediate neighbour to the east (No.3 Woodhill Grove), the extension raises no residential amenity issues. The proposal is acceptable in terms of residential amenity and complies with UDP Policy H2/3 and guidance in SPD6 relating to extensions and alterations.

Parking and Access - The proposal would not impact on the existing access and parking

arrangements within the site. The proposal is acceptable in terms of parking and complies with UDP Policy H2/3 and guidance in 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 502, 002 and 003 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	06/09/2024	DM -	06/09/2024