

DELEGATED REPORT

Report by Amanda

Date of report: 07/12/2021

Ref:67593/FUL

Uhunmwagho

Registration: 20/10/2021

LDfC: 11/11/2021

Expiry Date: 15/12/2021

Site Visit: 23/11/2021

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: Single storey side extension

Location: 79 Prestwich Hills, Prestwich, Manchester, M25 9PY

Description

The application property is a detached bungalow with gardens to the front, side and rear. There is a detached garage to the front with a parking space on site in front. Permitted Development rights have been removed from this site.

The proposal is to build a single storey extension to the side of the existing bungalow. It would be built flush with the rear elevation of the existing building and would measure 8441mm x 7600mm. The roof would be pitched.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified on 21/10/2021 - 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 a design and materials that would be considered in-keeping with the original building, as well as still being in-keeping with neighbouring properties. It would be set back from the front boundary by around 13m and 5.6m set back from the front elevation of the property. With this in mind the proposed development would be considered to be in keeping with the existing building and would not have any significant detrimental impact on the character of the existing street scene along Prestwich Hills.

The property is visible from Butterstile Lane to the rear of the site which is at a much lower level to the site. However, as the building would be built with materials and a design that would match the existing property it would not appear intrusive in the street scene as viewed from Butterstile Lane.

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 -

- Properties to the front would be over 20m from the dwelling and there would be around 13m to the front boundary. These distance would be acceptable in terms of SPD 6.
- At the rear there would be just over 16m to the rear boundary with Butterstile Lane which is at the bottom of a very steeply sloped garden and the distance to properties at the rear are more than sufficient in terms of SPD 6.
- There would be no detrimental impact on residential amenity at no.81 Prestwich Hills as all of the development would be to the opposite side of the dwelling.
- There would be round 3.3m to the shared boundary with no.77 but as the side elevation would be blank there would be no concerns regards loss of privacy or encroachment on to land at this property.
- The detached garage to the front of the site would remain along with the drive way in front. There would be ample room to the front of the site should the applicant require a further on-site parking space in the future. Otherwise there are no parking restrictions to the highway in front. The property would be increased from 3 bedrooms to 4. As such the proposed parking arrangements on 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.
- 2 This decision relates to drawings numbered A100 Rev A, A101 Rev A, A102 and A103 Rev B 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.

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<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 07/12/2021		DM	07/12/2021