

DELEGATED REPORT

Report by Tom Beirne	Date of report: 08/08/2024	Ref: 70766/FUL
Registration: 10/06/2024	LDfC: 02/07/2024	Expiry Date: 05/08/2024
Site Visit: 23/07/2024	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: Two storey extension at side and rear dormer.

Location: 2 Lilac Grove, Prestwich, Manchester, M25 3DT

Description

The application relates to a two storey semi-detached house on a residential road of similar styled properties. Garden to rear and side. There is a children's nursery to the rear of the site, fronting Bury Old Road.

The existing attached garage and conservatory at the side would be demolished and a new two storey extension constructed at the side of the house. The two storey element would project out 5.7m with the ground floor extending a further 1m. The roof would be pitched and carried over onto the existing roof. Finished in brick and tile to match the existing house. The extension would accommodate a kitchen dinner at ground floor with two bedrooms above. The driveway and access at the front would be retained.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified by letter dated 10/06/2024. No objections received.

Statutory/Non-Statutory Consultations

Traffic Section - No objection.

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 PfE 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 - In terms of design and appearance, the proposed extension is considered to be in keep with the existing house and at the side of the house, 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 - The extension would be to the side of the house, on the opposite side to the attached neighbour. There are no residential amenity issues arising from the proposal. 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.

Access and parking - The driveway would remain as existing and access is unaffected. The space for one car parked off road is sufficient 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 Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised

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sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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 location plan, revised site plan received 06/08/24, existing plans received 17/05/24, proposed floor plans and elevations received 17/05/24 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 Bury Unitary Development Plan.
- 4 Facilities for the safe storage of construction materials shall be provided within the curtilage of the site. 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 maintain the integrity of the adopted highway and ensure adequate off highway materials storage arrangements are provided for the duration of the construction period, in the interests of highway safety and pursuant to UDP Policy H2/3 and guidance in SPD6 Extensions and Alterations.

<u>Case Officer</u> Tom Beirne	<u>Date</u> 08/08/2024	<u>Sign off Officer</u>	<u>Date</u>
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