

DELEGATED REPORT

Report by Mo Warsame	Date of report: 07/03/2025	Ref: 71467/FUL
Registration: 24/12/2024	LDfC: 05/02/2025	Expiry Date: 18/02/2025
Site Visit: 27/02/2025	Site Notice: N/A	Press Date: N/A
11:00:00		
Objections: 1	Con Area: N/A	Adv Type: NONE
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: Front porch/single storey extension at side and two storey extension at side/rear with decking at rear

Location: 14 Meadfoot Avenue, Prestwich, Manchester, M25 0AR

Description

The property is a two-storey semi-detached dwelling. At the rear there is a large garden with fencing around all boundaries together with high scrubs along the shared boundary with the attached dwelling. No. 16 Meadfoot Avenue (attached) and No. 12 Meadfoot Avenue are on either side of the property, and a sufficient distance exists between the site and the properties to the rear.

No.12 to the opposite side is at a slightly lower level. However, this property is currently constructing a two storey side/rear extension, which is identical to the proposed development on this application. Furthermore, there are several properties with similar extensions in this street (No.4, No.10 and No.12).

Planning permission is sought for the erection of a front porch, single storey extension at side and two storey extension at side/rear with decking at rear. The two storey side/rear extension would project 2.4m out at the side, running along the side and extending 6.3 m beyond the original rear elevation. The two storey rear element would continue to run 5.75m to the side from this point. The first floor would be set back 1.5m at the front. The proposed front porch would extend 1.2m to the front and measure 3m in width. The extension would form a new entrance hall, cloak room, a porch and open plan kitchen/diner on the ground floor. There would be two with two bedrooms, a utility and bathroom at first floor.

The development would be constructed using matching materials would have a pitched roof above all the elements.

Relevant Planning History

69234 - Single storey rear extension and Hip to gable roof extension with rear and front dormers - Approve with Conditions 03/03/2023.

Publicity

Neighbour letters sent on 16/01/2025. One objection received.

Comments:

The objecting party suggest the proposed extension would severely invade their privacy, and directly overlook their garden, as well as their ground floor, and first-floor windows. The objecting party continue by saying the proposed development will also have an overbearing impact, leading to a significant loss of light and visual amenity in breach of this policy.

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 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

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.

The proposal consists of a two-storey side extension with a simple and unobtrusive design that would not detract from the character of the dwelling. The development would be in keeping with the existing structure and would be constructed using some matching materials.

With materials to match the existing it would be of an acceptable design. The ground and first floor front windows would align with the existing which would be in keeping with the existing windows. The proposal would be build up to the boundary but would be set back 1.5m at the front at first floor and therefore there would not be a terracing effect. Parking would be as existing on the front drive area which is fully paved. The proposed decking area would also be a modest structure with a height of 0.5m above ground level.

Overall the proposed development would not overwhelm the existing dwelling or result in over development of the associated residential amenity space. It is considered that the proposal would not have a detrimental impact on the character of the dwelling, or street scene and would therefore comply with UDP Policy H2/3 and SPD 6.

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 proposed side windows from habitable bedrooms facing the adjacent neighbouring properties. Furthermore, there would be sufficient distance to the shared rear boundary (in excess of 7m). Therefore, there would be no detrimental impact on the neighbours to rear.
- In relation to both No.12 and No.16 (adjoining), the two storey side extension would not encroach across a 45 degree line taken 1m out along the boundary from the rear elevation. No.12 is extended with identical extension, while No.16 have extended part single, part two storey extension. The side elevation of No.12 would have a blank wall that would that would run the length of the proposed extension. Additionally, there are several properties with similar extension within this street (No.4 & No.10 and No.12).
- The proposed two storey side elements would not project beyond the principal front and the proposed front porch would not interfere with the existing parking arrangement. At 4.8m, the length of the of the driveway would be just shy of the ideal recommended 5m. However, there would still be sufficient parking space due to the overall size of the drive.
- The proposed decking platform would be a modest structure with a height of 0.5m above ground the level. This would be acceptable and would not have any adverse impact on the residential amenity.

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

DELEGATED REPORT

Alterations and the requirements of Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

Parking

The proposal will result in two additional bedrooms but there will be no changes to site access, or parking. The parking at its current condition meets the maximum parking requirements.

Response to objection(s)

The report have addressed the main concerns of this neighbour. There would not be any significant detrimental impact on the neighbouring properties. There would be sufficient distance between the site of the objecting party and the proposed development. Additionally, the proposed development would be to North of this property so any overshadowing would not be seriously excessive above and beyond the existing situation.

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 dwg no. 002, dwg no. 003 Rev 3, dwg no. 502 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 and Places for Everyone Joint Development Plan listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	07/03/2025		