

DELEGATED REPORT

Report by Tom Beirne	Date of report: 05/02/2025	Ref: 71437/FUL
Registration: 11/12/2024	LDfC: 21/01/2025	Expiry Date: 05/02/2025
Site Visit: 28/01/2025	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 and basement and loft conversion

Location: 34 Richmond Avenue, Prestwich, Manchester, M25 0LZ

Description

The application relates to a two storey red brick semi-detached, bay fronted house on a road of similar styled houses. No driveway to the front with parking on the road. The house is not extended to the rear but has approval for a single storey extension, projecting out 6m to the rear.

The proposed extension at ground floor mirrors the 6m long structure approved under the prior approval (71094). In addition, the two storey rear extension would project out 4.2m on the east side, reducing to a 1.3m projection on the west side.

The extension would accommodate additional living space on the ground floor and two bedrooms.

Relevant Planning History

71094 - Prior approval for proposed single storey rear extension - Prior Approval Not Required - Extension 20/09/2024

Publicity

Immediate neighbours notified by letter dated 06/01/2024. 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 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 - The proposed extensions, in design terms, are in keeping with the existing house. Being at the rear, the extensions would not be viewed from the public arena and as such the proposal would not have an impact on the visual amenity of the streetscape. In terms of visual amenity the proposal would be acceptable and complies with UDP Policy H2/3 and guidance SPD6 relating to extensions and alterations.

Residential amenity - It is noted that a previous Lawful Development certificate for a single storey extension, projecting out 6m, was approved in 2024. The attached neighbour at No.32 has a single storey extension at the rear and a lounge patio windows adjacent to the shared side boundary. The single storey extension on this side, at 6m, would not have a significant impact and the two storey extension on the other side complies with the 45 degree rule.

The unattached neighbour at No.36 has a single storey rear extension along the shared side boundary on this side and mitigates the impact of the proposed rear extension. The distances to the properties at the rear are acceptable. It is noted that there are no objections from neighbours on either side. The proposal is acceptable and complies with UDP Policy H2/3 and guidance in SPD6.

Parking - Along with other properties in the immediate vicinity, the house has no off-road parking. Although the extension would increase the number of bedrooms in the house, they would be accommodate the applicant's growing family without necessarily adding to traffic generation. The proposal would not have a significant impact on traffic and parking and would be acceptable and comply with UDP Policy H2/3 and guidance 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 002, 502 and 03/3 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.
- 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	05/02/2025	DM	05/02/25