

**DELEGATED REPORT**

|                                 |                                   |                                |
|---------------------------------|-----------------------------------|--------------------------------|
| <b>Report by</b> Mo Warsame     | <b>Date of report:</b> 02/05/2024 | <b>Ref:</b> 70571/FUL          |
| <b>Registration:</b> 05/03/2024 | <b>LDfC:</b> 29/03/2024           | <b>Expiry Date:</b> 30/04/2024 |
| <b>Site Visit:</b> 05/04/2024   | <b>Site Notice:</b> N/A           | <b>Press Date:</b> N/A         |
| <b>Objections:</b> 0            | <b>Con Area:</b>                  | <b>Adv Type:</b> N/A           |
| <b>Reason for Delay:</b><br>N/A |                                   | <b>EIA:</b> NA                 |
|                                 |                                   | <b>Dec Level:</b> DEL          |
|                                 |                                   | <b>Stat Class:</b> HOUS        |

**Proposal:** New front Porch; two storey extension at side / rear; first floor extension at rear and single storey extension at rear

**Location:** 51 Tewkesbury Drive, Prestwich, Manchester, M25 0JN

**Description**

The property is a semi-detached dwelling situated in a corner plot within Tewkesbury Avenue. The premises has gardens to the front and rear along with a detached single garage to the rear. The attached property is No.53 Tewkesbury Avenue and the dwelling on the opposite side is separated by a highway. To the rear, the site shares boundary with No.2 West Meade and the properties in front of the site are over 20m away.

Planning permission is sought for the construction of a front porch, two-storey side extension, first floor extension with a flat roof and a single storey rear extension. The proposed two-storey side extension would project approximately 2.8 metres to the side and run 13m to rear, 5m beyond the principal rear elevation. The first floor extension would project approximately 2.5m to the rear and the single-storey rear extension would extend 5.9 metres to the rear.

The front porch would have a pitched gable roof, the two-storey side extension would have pitched, hipped roof while the single storey rear extension and the first floor extension would have flat roofs. The proposal would accommodate two additional bedrooms and a new ensuite bathroom on the first floor. On the ground floor the development would provide a kitchen and diner/lounge extensions along with a new toilet, cloak room, porch and a new entrance hall via the new porch.

**Relevant Planning History**

None.

**Publicity**

Neighbour letters sent. 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**

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.

SPD 6 seeks to prevent two storey side extensions from causing a terracing effect by requiring a 1.5 metre set back to the main frontage. In this instance, as a corner plot there is no requirement to set the extension back from the frontage. The SPD also seeks to maintain a 2m gap to the side boundary with a highway on corner plots. There would be a setback distance of over 2m to the side. Therefore, It is considered that the proposal would not lead to the uncharacteristic terracing of dwellings and would not have any adverse impact on the street scene.

The proposed two-storey side and first-floor rear extensions would have simple design that would be in keeping with the character of the dwelling. Furthermore, the two-storey extensions would have pitched roof replicating the shape and style of the original dwelling and neighbouring properties. However, the first floor extension would have a flat roof.

Situated to the rear, the single storey rear extension would have simple and unobtrusive design, which would not detract from the character of the dwelling. Overall, the proposal would be constructed with some materials to match the existing dwelling. As such, the proposed development would not be a prominent feature in the street scene and would comply with Policies H2/3 of the Bury Unitary Development Plan and SPD6.

Situated to the front the proposed porch would also be a modest structure with simple design that would be in-keeping with the character of the area.

It is considered that the proposal would not have a detrimental impact on the character of the dwelling, street scene or neighbouring properties 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.

- SPD states that a single storey extension should not project more than 3m along a neighbouring boundary. At which point the 45° rule would apply. However, taking in to account the Larger Homes Scheme and that the adjacent neighbours have not objected the projection of 5.9m along the shared boundary would be acceptable.
- There would be no proposed side windows facing the attached dwelling (No.53) and the properties on the other side are over 20m away and separated by a highway. Furthermore, there sufficient distance to the shared rear boundary and beyond, this neighbouring property projects a blank wall.
- There would not be any encroachment or any detrimental impact on the adjacent neighbours, following the application on the 45 degree rule from the proposed first-floor rear extension and the two-storey side extensions.
- The proposed front windows on the two-storey side extension would be over 20m away from the properties in front and separated by a highway. Therefore, this would be considered acceptable.
- The front porch would be modest structure that would not interfere with the parking layout.

### **Parking**

The proposal will result in two additional bedrooms. However, there will be no changes to site access, or parking.

**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. GSS23155 002, Dwg. no. GSS23155 003, Dwg. no. GSS23155 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 listed.

| <u>Case Officer</u> | <u>Date</u> | <u>Sign off Officer</u> | <u>Date</u> |
|---------------------|-------------|-------------------------|-------------|
| MW                  | 02/05/2024  | DM                      | 02/05/24    |