

DELEGATED REPORT

Report by Mo Warsame	Date of report: 03/10/2023	Ref: 69974/FUL
Registration: 07/08/2023	LDFC: 13/09/2023	Expiry Date: 02/10/2023
Site Visit: 15/09/2023	Site Notice: N/A	Press Date: N/A
09:00:00		
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey extensions at front, side and rear

Location: 77 Prestwich Hills, Prestwich, Manchester, M25 9PY

Description

The property is a large two storey detached house with an open plan front garden and drive for at least two vehicles. There is an existing attached garage to the south elevation. At the rear there is a large, enclosed garden with fences to all boundaries. There are also large conifers and other large shrubs and trees along each boundary which screen much of the views from the rear of this property.

Properties to the front are over 20m from the site and to the rear number No.6 Crosslands is approximately 11m from the rear of the property but this property is a bungalow and is unseen from the site. Number No.75, to the south is approximately 2m from the side elevation of the property on site and has a two-storey blank gable wall adjacent to the boundary. No. 79, to the north is approximately 12m at its closest point and there is a detached garage directly adjacent to the site with a 2m fence along the boundary.

Planning permission is sought for single storey extensions at front, side, and rear. The extension to the front would project 2.15m to the front, while the side element would extend 4m to the side. to the rear, the extension would project approximately 2m. the proposal would accommodate a new bathroom, additional bedroom, along with the extension of the existing entrance hall, front lounge, and kitchen/diner to the rear. The development would have pitched roofs above all the proposed extensions and would be constructed using some matching materials.

Relevant Planning History

54389 - TWO STOREY AND FIRST FLOOR SIDE EXTENSIONS AND SINGLE STOREY FRONT EXTENSION - Approve with Conditions 04/10/2011

Publicity

Neighbour letters sent. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Unitary 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) 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.

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 single storey side extension would be modest in scale, projecting 4m to the side. The extension would have a setback from the shared side boundary, and it would not project beyond the principal front and rear elevations. The development would also have a simple design that would be in keeping with the character of the dwelling.

Situated to the rear, the single storey rear extension, projecting 2m to the rear would have a simple and unobtrusive design, which would not detract from the character of the dwelling. The front extension would also be modest structure extending 2.15m to the front.

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.

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.

- The proposed front extension would be modest and not interfere with parking arrangements and there would be over 20m to the properties in front of the site.
- The side extension would not project beyond the principal front and rear elevations and there would be no proposed windows to the side.
- SPD states that a single storey rear extension should not project more than 3m along a neighbouring boundary. At which point the 45° rule would apply. The single storey rear extension would project 2m which would be considered acceptable. Furthermore, there would be sufficient distance to the rear boundary and this extension would no proposed windows facing its adjacent neighbours.

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.

Parking

The proposal will result in one additional bedroom, however there will be no changes to site access, or parking. The driveway at its current condition meets the maximum parking requirements.

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 the drawings received on 07/08/2023 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 the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	03/10/2023		