

DELEGATED REPORT

Report by Mo Warsame	Date of report: 03/10/2023	Ref: 69983/FUL
Registration: 10/08/2023	LDFC: 15/09/2023	Expiry Date: 05/10/2023
Site Visit: 22/09/2023	Site Notice: N/A	Press Date: N/A
13:00:00		
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey extensions at side and rear

Location: 11 Sedgley Park Road, Prestwich, Manchester, M25 0BJ

Description

The property is a two-storey semi-detached property with a conservatory on the rear. It fronts Sedgely Park Road to the front and Stobart Avenue is to the side. The property and its gardens are elevated to the highway to the front and side of the site. There is a 1.8m high fence to the side boundary which is set back from the boundary with Stobart Avenue which has a short brick wall along the boundary. There is planting inside the boundary wall but outside of the fence to the rear/side garden areas. Properties to the front are over 20m away. At the rear No.2 Stobart Avenue is within 20m of the property on site and it screened by large leylandii on site. Separated by a highway, No.9 Sedgley Park Road to the south-west is also within 20m of the side elevation of the application property.

Planning permission is sought for a single storey side extension and a single storey rear extension. The rear element would replace the existing conservatory and project approximately 4.2m to the rear. To the side, the proposed side extension would project 1.9m. The development would have flat roofs, constructed using matching materials and would accommodate a utility room and a playroom.

Relevant Planning History

62953 - Single storey extension at side - Approve with Conditions 19/09/2018
69984 - single storey rear and single storey side extension - ZZZ Special deleted application 11/08/2023

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 1.9m to the side. The extension would have a large setback to the front elevation and would not project beyond the principle rear elevation. It 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 4.4m to the rear would replace the existing conservatory and would have a 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.

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 development would be single storey extensions only and would provide entry to the property via a utility room to the side and facilitate a playroom to the rear. As such they would be considered non-habitable rooms. Moreover, there would be sufficient distance to the shared side and rear boundaries and the front of the proposed side extension would be set back from the principal front elevation by approximately 8m. Additionally, there would be no proposed side windows facing the 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.

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 10/08/2023 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.

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