

DELEGATED REPORT

Report by Mo Warsame	Date of report: 25/07/2024	Ref: 70810/FUL
Registration: 03/06/2024	LDFC: 28/06/2024	Expiry Date: 29/07/2024
Site Visit: 12/07/2024	Site Notice: N/A	Press Date: N/A
10:00:00		
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey side extension with render and rear juliette balcony; Single storey rear extension

Location: 34 Scholes Lane, Prestwich, Manchester, M25 0AY

Description

The property is a semi-detached house located on a corner plot. The premises has gardens to the front and rear with very large trees and scrubs. There are parking to the front of the site. At the rear there is a garage accessed from the side (Woodhill Drive).

Planning permission is sought for the erection of a part two storey side extension and part single side/rear extension with juliette balcony. The development would be finished with render. The two storey side extension would project 5m to the side and run to the principal rear elevation. Tucked behind the proposed two storey extension, the single storey element would project 2.5m to the rear and connect with the existing rear extension. The proposal would accommodate a kitchen and lounge extension on the ground floor along with additional bedroom with en suite bathroom and walk-in wardrobe. The extensions would have a pitched roof to the side and a flat roof over the single storey element. Note, the proposed development would be finished with render.

Relevant Planning History

05/0102 - CONSERVATORY -

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

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.

SPD 6 states, to avoid the appearance of uncharacteristic terracing, the front elevation at first floor level should be set back by at least 1.5m from the main frontage of the original dwelling. The proposed two-storey side element would not have a set back on the first-floor. However, the extension would be situated on a very large corner plot and it would be screened by the existing high scrubs and trees. Additionally, the development would be setback from the side boundary. Overall, the two-storey side extension would have a simple and unobtrusive design that would not detract from the character of the dwelling or the street scene. It would be in keeping with the existing structure and would be finished using

in render which is acceptable.

The single storey element of the development would be built on the rear elevation of the property tucked in behind the proposed two storey extension and as such would not be visible from the street scene at the front. It would be constructed with materials and a design that would be considered in-keeping with the existing property as well as surrounding properties.

Overall, the proposed development would not overwhelm the existing dwelling or result in over development of the associated residential amenity space. The proposed windows along with proposed juliette balcony would be proportional and would align with the exiting. It is therefore 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.

- Both, the proposed part two storey side extension and the part single storey side/rear element would project a blank wall to the side, effectively having no proposed side windows. Furthermore, there would be sufficient distance to the rear and side boundaries and the existing high scrubs/trees would screen the development from the neighbouring properties.
- In terms of outlook and privacy, the two-storey extension would not project beyond the principal rear elevation and there would be sufficient setbacks from the neighbouring properties. Therefore, the proposed Juliette balcony and the windows on this floor would have no detrimental on the neighbouring properties to the rear.
- In terms of the general prominence and impact on the daylight the proposed development would be to the east of the adjacent property and therefore any shadowing would not be seriously excessive above and beyond the existing situation.
- SPD states that a single storey extension should not project more than 3m along a neighbouring boundary. At which point the 45° rule should be applied. However, the part single side/rear extension would only project 2.5m to the rear to align with the existing single storey rear structure. This would be considered acceptable.

The proposed extensions would be acceptable and comply with UDP Policy H2/3 and associated guidance in SPD6. 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 Alterations and the requirements of Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

Highways

The proposal will result in one additional bedroom and there will be no changes to the parking layout. Therefore, the driveway at its current condition would meet 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

DELEGATED REPORT

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 03/06/2024 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	25/07/2024	DM	26/07/24