

DELEGATED REPORT

Report by Jane Langan	Date of report: 29/04/2022	Ref: 68175/FUL
Registration: 07/03/2022	LDfC: 12/04/2022	Expiry Date: 02/05/2022
Site Visit: 11/04/2022	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Raised ridge height of roof and Two storey extension at rear

Location: 4 Castle Hill Road, Prestwich, Manchester, M25 0FR

Description

The property is a two storey detached house that has been previously extended. The front garden is hard surfaced for parking and there is a front boundary wall with conifers to the rear of it screening. The rear garden is very large and the bottom section is designated as RT1/2/13 - Protection of Recreation Provision in the Urban Area. Along the garden boundaries there is fencing and conifers. The properties to each side are 2 and 14 Castle Hill Road. To the rear of the site is sports field.

The application proposes to remove the conservatory to the north west corner of the house and construct a two storey extension that would infill the corner 7.7m by 8.8m. It would link to the main roof with an increase in part of the existing roof to provide the link the increase approximately 0.8m. The extensions would form a family room and bedroom at first floor with dressing room and ensuite.

Relevant Planning History

63563 - Outline - Demolition of existing dwelling and erection of 21 no. apartments within 3 no. 2.5 storey blocks with associated parking and details of access, appearance, layout and scale (landscaping reserved matters) - Withdrawn 30/07/2019
25839 - Porch wc & canopy extension at front - AC 30/04/91.
23864 - change of use from school playing fields (class D2) to private garden (Class C3) - AC 12/03/90
22110 - First floor bedroom extension at side; two storey kitchen, breakfast room, playroom den, bedroom and bathroom extension at rear - AC 16/03/89.

Publicity

Surrounding neighbours were notified by letter and no responses have been received.

Statutory/Non-Statutory Consultations

Planning Policy - No comments received.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

H2/3	Extensions and Alterations
RT1/1	Protection of Recreation Provision in the Urban Area
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 and design - There would be minimal change to the front elevation other than the linking of the roof which would be no higher than the existing main roof. The proposed extension would have a hipped roof, a section to the top being a glass fibre concealed flat roof, which would not be visible from the street. There would be glazing to both the side and rear elevations of the extension to the ground and first floor including a juliette balcony at the rear. Walls would be finished in ivory render and roof tiles to match the existing.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

With regard to the protected recreation designation then the proposed extension would not extend within or in close proximity to this area. There is also a record of approval for a change of use in 1990 from playing field to private garden.

Parking - The proposal would increase the number of bedrooms from 4 to 5 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered. This can then require the proposal to provide a maximum of 3 parking spaces. The site as existing has an area at the front for parking which can accommodate this level of parking.

Residential amenity - The neighbouring property to the side of the proposal is 2 Castle Hill Road. The proposal would have windows to the first floor side elevation to a dressing room and secondary ones to the master bedroom. The plans note them to be obscure glazed and there would also be a substantial gap of approximately 17m from the side of the extension to the boundary to No.2.

There are no properties directly to the rear and the site garden is lengthy.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - 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 drawings numbered 37/21 - 04 Rev B, 37/21 - 08 Rev B, 37/21 - 32 Rev B, 37/41 - 02 Rev H, 37/41 - 01 Rev E, 37/21 - 07 Rev D, 37/21 - 03 Rev B, 37/21 - 31 Rev B, 37/21 - 02 Rev B, 37/21 - 01 Rev B 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>
JL	29/04/22		