

DELEGATED REPORT

Report by Tom Beirne	Date of report: 04/08/2022	Ref: 68492/FUL
Registration: 25/05/2022	LDFC: 05/07/2022	Expiry Date: 20/07/2022
Site Visit: 06/07/2022	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: Two storey side extension with new front porch and all external elevations to be rendered; New boundary wall with metal sliding gate to the vehicular access off The Meadows - 1m high rendered walls with metal railings to front and 1.8m high rendered boundary walls to side/rear

Location: 52 Heywood Road, Prestwich, Manchester, M25 1DX

Description

The application relates to a two storey semi-detached property on a corner plot of a residential road of similar styled properties.

The proposal involves demolishing the existing conservatory at the rear and extending out to the side by 5m at a depth of 7.4m, to match the existing dwelling. The extension would create a large kitchen diner at ground floor and two further bedrooms above. The new roof would be hipped and carried over onto the existing roof at the same height. A new porch would be created at the front, measuring 2.3m by 1.3m.

There would be a new rendered wall (1m high) with railings and pillars (800mm) along the line of the current fence with new gates and dropped kerbs onto The Meadows. The whole house would be rendered.

Relevant Planning History

02548/E - Front extension to existing dwelling and erection of new dwelling at side - Enquiry completed 26/03/2021

47845 - Two storey extension at side - Approve with Conditions 27/04/2007

66960 - Erection of 1 no. detached dwelling - Refused 23/09/2021

Publicity

Immediate neighbours notified by letter dated 15/06/2022. Comments from attached neighbour regarding red edged boundary error.

Statutory/Non-Statutory Consultations

Traffic Section - No objection to revised plans.

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 - The proposed extension and porch would help modernise the existing house and would not appear incongruous within the streetscape. The new boundary wall and railings would be an improvement over the existing fence. The proposal, in terms of visual amenity, is acceptable and complies with UDP Policy H2/3 and SPD6 relating to extensions and alterations.

Residential amenity - As the extension is on the opposite side to the attached house at No.54, there are no residential amenity issue affecting this neighbour. The new principal bedroom windows would face the front and side garden with the smaller secondary window facing the rear (No.1 The Meadows), obscure glazed. There are no residential amenity issues arising from the proposal which complies with UDP Policy H2/3 and SPD6.

Access and Parking - The existing, and unlawful, access from The Meadows would be

formalised and improved with dropped kerbs, a sliding gate and appropriate visibility. There would be space within the site to park at least two vehicles and this is considered to be acceptable and complies with UDP policy and guidance.

Neighbour comment - The resident at No.54 does not object to the plans but queried the boundary. The revised plans have addressed the issue.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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 revised drawings A1433/(02)001/P2, 001/P5, 002/P4, 002/P2, 003/P2 and 003/P4 (received 01/08/2022) 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 Before the first occupation of the extension hereby permitted the first floor bedroom window on the rear elevation shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
- 4 The development hereby approved shall not be brought into use unless and until the revised car parking arrangements indicated on the revised site plan, incorporating the provision of a new footway crossing to a specification and limits to be agreed with the Highway Authority, flush edgings at the back of the footway and/or other measures to demarcate the limits of the adopted highway, new hardstanding a minimum of 5.0m in length measured from the back of the footway in a porous/permeable material and/or measures to prevent the discharge of surface water onto the adopted highway, sliding gate and all associated highway remedial works that may be required to reinstate the footway to its former condition prior to commencement of the development, have been implemented in full to an agreed specification and to the written satisfaction of the Local Planning Authority.
Reason. To ensure good highway design, allow adequate space to maintain a vehicle clear of the highway and maintain the integrity of the adopted highway in the interests of highway safety.
- 5 The development hereby approved shall not be commenced unless and until facilities for the storage of construction materials have been provided within the curtilage of the site. The facilities shall be retained for the intended purpose and the

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area identified shall not be used for any other purposes other than the storage of construction materials for the duration of the construction period.

Reason. To ensure adequate off highway materials storage arrangements for the duration of the construction period.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	04/08/2022		