

DELEGATED REPORT

Report by Amanda

Date of report: 20/01/2023

Ref:69129/FUL

Uhunmwagho

Registration: 29/11/2022

LDfC: 13/01/2023

Expiry Date: 31/01/2023

Site Visit: 23/12/2022

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area:

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey extension at rear

Location: 131 Heywood Road, Prestwich, Manchester, M25 1LF

Description

The application relates to a two storey semi-detached property which has been previously extended to the side and rear. There is also a conservatory to the rear. There is a small brick paved patio directly to the rear of the property with steps leading up to the main garden area which is half paved and half lawn. There are fences to all boundaries at the rear of the property.

The proposal is to replace the existing conservatory with a single storey rear extension. It would project 5.81m from the original rear elevation and it would measure 5.66m across the rear. The south side elevation would be around 250mm off the shared boundary with the attached neighbour. There would be windows to the rear elevation and bi-folding doors to the north side elevation. The roof would be mono-pitched.

Relevant Planning History

55401 - First floor side extension and two storey extension at side/rear; Front porch --
Approve with Conditions 20/08/2012

13/0157 - Not built to plan - 28/05/2013

Publicity

Neighbours notified on 16/12/2022 - No comments or objections received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant.

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.

The main considerations of this application are the impact of the proposal on visual and residential amenity.

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.

As the extension would be built to the rear of the dwelling it would not be readily visible in the public realm to the front. It would be built with a design and materials that would be considered to be in keeping with the existing building.

Given the above the proposal conforms to Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of visual amenity.

Residential Amenity -

- The extension would be single storey only and would project 5.81m adjacent to the

shared boundary with 129 Heywood Road, attached to the south side. There is a ground floor bay window to the rear of no.129 directly next to the boundary which could be detrimentally impacted in terms of light, given the close proximity of the extension. However, taking in to account that the site is due north of no.129 daylight should not be significantly affected by the proposal.

- The applicant could apply to build a single storey rear extension projecting up to 6m under the larger homes scheme, and as long as neighbours do not object the application would most likely be approved. The next door neighbours have not objected to the proposal, so the projection of 5.81m would be acceptable in this instance.
- The north side elevation would be around 3.2m from the boundary with no.133 Heywood Road. Taking in to account that the neighbour has a single storey rear extension and there is a tall boundary fence which screen most views of that property the position of the bi-fold patio doors to the north elevation of the extension would not cause any significant harm in terms of residential amenity at no.133 next door.
- The extension would be a sufficient distance from the boundary with no.133 Heywood Road not to have any significant detrimental impact on light to the rear of that property.
- There would be around 4.4m from the rear elevation to the rear boundary fence. Any views from the rear windows would be over the applicant's own garden and not directly over neighbouring gardens to the rear.
- The proposal would not impact existing parking arrangements to the front of the site.

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 in terms of separation distance to the surrounding properties.

Parking -

The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing where there is parking to the front garden and drive.

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 drawing numbered 001 revision A 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 UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties.
- 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

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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>
AU - 20/01/2023			