

**DELEGATED REPORT**

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|---------------------------------|-----------------------------------|--------------------------------|
| <b>Report by</b> Mo Warsame     | <b>Date of report:</b> 07/04/2025 | <b>Ref:</b> 71600/FUL          |
| <b>Registration:</b> 10/02/2025 | <b>LDFC:</b> 10/03/2025           | <b>Expiry Date:</b> 07/04/2025 |
| <b>Site Visit:</b>              | <b>Site Notice:</b> N/A           | <b>Press Date:</b> N/A         |
| <b>Objections:</b> 0            | <b>Con Area:</b> N/A              | <b>Adv Type:</b> NONE          |
| <b>Reason for Delay:</b><br>N/A |                                   | <b>EIA:</b> NA                 |
|                                 |                                   | <b>Dec Level:</b> DEL          |
|                                 |                                   | <b>Stat Class:</b> HOUS        |

**Proposal:** Single Storey Side/Rear Extension

**Location:** 17 Hereford Drive, Prestwich, Manchester, M25 0JA

**Description**

The application relates to a two-storey detached house on a residential street of similar properties. The dwelling has a driveway to the side and gardens to the front and rear. The neighbouring properties on either side are No. 15 and No.19 Hereford Drive.

The application proposes a single storey wrap-around side and rear extension projecting 4 metres to the rear and 2.2 metres to the side. The development would have flat roof with roof lights lantern, and accommodate open plan kitchen diner and play room. The proposal would utilise the use of matching materials.

**Relevant Planning History**

71601 - Two storey side extension; Two storey/single storey rear extension - Approve with Conditions.

**Publicity**

Neighbour letters sent on 17/02/2025. One comment received.

Comment relates to The hedge at the back of this house. There is a concern of the proximity of the development o the hedge.

**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.

The wrap-around extension would be visible from the public arena from the side. However, it would be a simple and unobtrusive design and given its minor projections to the side, it would not detract from the character of the dwelling or over dominate it. The extension would be constructed with some materials to match the existing dwelling. As such, the proposed single storey wrap -around extension would not be a prominent feature in the street scene and would therefore be acceptable.

Situated to the rear, the rear element of the wrap-around extension would have inconspicuous design, which would not detract from the character of the dwelling. As such, the development would be appropriate and sympathetic with the existing structure.

Overall, 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**

UDP policy H2/3 and SPD6 seeks to reduce the impact of proposals on the residential amenity of neighbouring properties.

- There would be no detrimental impact on the adjacent neighbouring properties in terms of overlooking and privacy, as there would be no proposed side windows.
- There would be over 20 metres to the properties in the front.
- There would be over 9.5 metres from the rear elevation of the extension to the rear boundary and no property beyond. This meets the 7 metres set out in SPD 6.
- SPD states that a single storey extension should not project more than 3m along a neighbouring boundary, at which point the 45° rule would be applied. Considering the Larger Homes Scheme and the fact that the adjacent neighbour has not objected to this application, the proposed projection of 4m to the rear would be considered acceptable.
- There would remain an acceptable amount of outdoor private amenity space.
- The applicant has submitted Certificate A.

The proposed extension would be acceptable and comply with UDP Policy H2/3 and associated guidance in SPD6.

**Response to Objection**

The report have addressed the main concerns of this neighbour. There would not be any significant detrimental impact on the neighbouring properties. There would be a distance of over 9.5m between the hedge and the proposed development.

**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 Dwg no. 002, Dwg no. 003, Dwg no. 502 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

## **DELEGATED REPORT**

pursuant to the policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Plan listed.

| <u>Case Officer</u> | <u>Date</u> | <u>Sign off Officer</u> | <u>Date</u> |
|---------------------|-------------|-------------------------|-------------|
| MW                  | 07/04/2025  |                         |             |