

DELEGATED REPORT

Report by Mo Warsame	Date of report: 07/10/2024	Ref: 70948/FUL
Registration: 13/08/2024	LDfC: 09/09/2024	Expiry Date: 08/10/2024
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey side extension and first floor rear extension

Location: 6 Meade Hill Road, Prestwich, Manchester, M25 0DJ

Description

The application relates to a semi-detached dwelling house located on Meade Hill Road. The premises has a driveway and garden to the front, with a further area of garden located to the rear. The dwelling has been previously extended at single storey to the rear.

Planning permission is sought for the construction of a two storey side extension that projects approximately 1910 mm to the side of the original dwelling, and includes a 2944mm first floor set back. To the rear it is proposed to construct a first floor extension over the existing rear extension that projects approximately 3995 mm from the rear of the original dwelling, reducing to a projection of approximately 1325mm adjacent to the boundary with no. 8.

Relevant Planning History

63542 - Two storey extension at side/rear and first floor extension at rear - Approve with Conditions 14/01/2019

Publicity

Neighbour letters sent. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions
H2/3 Extensions and Alterations

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

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.

SPD 6 seeks to prevent first floor side extensions from causing a terracing effect by requiring a 1.5 metre set back to the main frontage or to the boundary. The proposed side extension meets the required set back and as such it is considered that the proposal would not lead to the uncharacteristic linking up of dwellings.

The proposed side and rear extensions have pitched hipped roofs replicating the shape and style of the original dwelling. The mono pitch roof to the ground floor element of the side extension is considered acceptable. The proposed window openings are considered to be suitably aligned when viewed in relation to the existing window arrangement, and the use of matching materials is considered acceptable. The proposed set back, and lower ridge height of the proposal gives the impression of subservience and it is considered that the proposed extensions would not overwhelm the original dwelling or result in over development of the associated residential amenity space.

It is considered that the proposed development would not have a detrimental impact on the character of the dwelling, street scene or neighbouring properties and as such complies 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.

- Neighbouring property at No. 4 has extended at single storey to the rear. Proposed rear first floor extension would project approximately 2.8 metres from the rear first floor of the neighbouring property, which is less than the 3 metres required by SPD 6 and as such complies with guidance.
- No proposed windows facing towards No. 4
- Proposed side extension would be located adjacent to the side elevation of No. 4. Whilst this property has windows facing towards the proposal site they appear to relate to non-habitable rooms and are not located on a principal elevation. As such, these windows are not protected under policy in the same way that principal habitable rooms are and the location of the proposed extension is therefore considered acceptable.
- Neighbouring property at No. 8 has a single storey conservatory extension adjacent to the common boundary. Proposed rear first floor extension would project approximately 1325mm from the rear first floor of the attached property, which is less than the 3 metres required by SPD 6 and as such complies with guidance.
- No proposed windows facing towards No. 8
- Proposed rear first floor bedroom window for bedroom 3 located approximately 14.4 metres from the directly facing boundary exceeding the 7 metres required by SPD 6
- Proposed rear first floor bedroom window relating to bedroom 2 would be located approximately 17 metres from the directly facing rear boundary exceeding the 7 metres required by SPD 6
- No directly facing habitable room windows within 20 metres of the proposed first floor windows

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. PD.02 Rev B, dwg no. PD.01 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 and Places for Everyone Joint Development Plan listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	07/10/2024	HL - 07/10/2024	