

DELEGATED REPORT

Report by Mo Warsame	Date of report: 17/04/2024	Ref: 70413/FUL
Registration: 29/01/2024	LDfC: 23/02/2024	Expiry Date: 25/03/2024
Site Visit: 07/03/2024	Site Notice: N/A	Press Date: N/A
09:00:00		
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/rear extension along with a Front porch

Location: 7 Russell Street, Prestwich, Manchester, M25 1EQ

Description

The property is a semi detached house. The frontage is part surfaced for parking and there is a small garden to the front and a larger garden to the rear. The adjoining neighbour is No.5 Russell Street and No.9 Russell Street is situated on the opposite side.

Planning permission is sought for the erection of a two-storey side/rear extension along with a front porch extension. The front porch would project a total of 1.3m to the front, this equates to 0.67m beyond the existing bay window. The porch would run 2.2m to the side. The two-storey side and rear extension would project 2m to the, with 1m setback on the first floor and the rear elements would infill the existing enclave by project approximately 0.75m to the rear to effectively align with the rest of the existing rear elevation. The development would have pitched roof to the side and rear and a flat roof over the proposed front porch. The proposal would accommodate an additional bedroom and a new bathroom and the first floor while extension the existing kitchen and dining areas on the ground floor. The proposed development would utilise the use of matching materials.

Relevant Planning History

None.

Publicity

Neighbour letters sent. No objections received.

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 PpE 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.

The proposed extension would have no setback from the side boundary, but there would be a setback of 1m to the front on the first floor. Moreover, there would be a bay window that projects 0.6m to the front of the existing front elevations. Therefore, terracing would not be an issue. The roof would be pitched, set below the main ridge, and forming a side gable wall.

To the rear, the two-storey extension would be a modest structure that would infill the existing enclave to rear by extending 0.75m to effectively align this section with rest of the

existing rear elevation. To the front, the proposed porch would also be a simple, modest structure that would be in-keeping with the design of the host property.

Overall, the proposal would be considered acceptable, in keeping with the existing property and would be constructed using matching materials. As such, there would not be any detrimental impact on the visual amenity of the area.

Residential Amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

- The proposed two storey side extension would project a black wall to the side (Facing No.9).
- The two-storey rear extension would not project beyond the principal rear elevation of the existing property or the existing rear elevations of the adjacent properties.
- There would be sufficient distance to the rear boundary.
- The proposed front extension would not interfere with the parking layout and there would a sufficient distance to the properties in front.

There would then be no serious impact on the amenity of any adjacent neighbouring properties. As such, the proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

Highways

The proposal will result in one additional bedroom and there will be no changes to the parking layout. Therefore, the driveway at its current condition would meet the maximum parking requirements.

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 the Revised Plans Received on 12/04/2024 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 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 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>
MW	17/04/2024	DM	17/04/2024