

DELEGATED REPORT

Report by Mo Warsame	Date of report: 09/05/2025	Ref: 71640/FUL
Registration: 24/02/2025	LDFC: 21/03/2025	Expiry Date: 21/04/2025
Site Visit: 23/05/2025	Site Notice: N/A	Press Date: N/A
12:00:00		
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: New front porch; single storey / two storey extension at side and two storey extension at rear

Location: 7 Byron Avenue, Prestwich, Manchester, M25 9LT

Description

The property is a semi-detached dwelling located on a cul-de-sac. The premises has a drive to the front, detached garage to the side and garden to the rear. The adjoining property is No. 15 Byron Avenue and there is a vast distance to the property on the opposite side. Additionally, there are no properties to the rear of the side.

Planning permission is sought for the erection of a front porch, and a two storey wrap around side/rear extension with a setback on the first floor front elevation. The proposed porch would project 1m to the front and run 3.2m to the side. The wrap around two storey extension would also project 1m beyond the principal front and rear elevations and extend 4m to the side. The development would accommodate a new front porch, a WC, utility room along with an open plan kitchen/diner/living area on the ground floor. The first floor level would provide two additional bedrooms. The proposal would utilise the use of some matching materials and would be finished in white render on the front elevation. The development would have pitched roof to the side and flat roof above the rear element and the single storey front porch.

Relevant Planning History

None.

Publicity

Neighbour letters sent on 28/02/2025. One objections received.

Comments

Concerns in the form of a question relates to the height and the location of the extension. The comments simply relate to the above questions and is not necessarily an objection.

An email has been sent answering the questions of the neighbour. But no comments came back from the neighbour.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Development Plan and Policies

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

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.

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 two storey side extensions from causing a terracing effect by requiring a 1.5 metre set back to the main frontage or to the boundary. In this instance, there would be a setback distance of 1.2m on the first floor. Furthermore, there would be a sufficient setback distance from the shared side boundary on th side of the property. Therefore, It is considered that the proposal would not lead to the uncharacteristic terracing of dwellings and would not have any adverse impact on the street scene.

The proposed single storey front porch would be a modest structure that would be in-keeping with the host property. The two-storey side element would also have simple design that would not detract from the character of the dwelling. Furthermore, this element would have a pitched, hipped roof replicating the shape and style of the original dwelling and neighbouring properties.

Situated to the rear, the two storey rear extension would have unobtrusive design, which would not have a detrimental impact on the character of the dwelling.

It is considered that the proposal would comply 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.

- There would be no proposed side windows facing the adjacent properties except for a single bi-folding doors on the ground floor. However, there would be sufficient distance to the side. Moreover, it would be further shaded by the existing shrubs and high fencing.
- There no properties to the rear beyond the boundary. Therefore, the proposed rear facing windows would have no impact on the residential amenity currently enjoyed by the neighbouring properties.
- There would not be any encroachment or any detrimental impact on the adjacent neighbours, following the application on the 45 degree rule from the proposed two storey side/rear extensions on either side.
- The proposed front windows on the two-storey side extension would be over 20m away from the properties in front and separated by a highway. Therefore, this would be considered acceptable.
- The front porch would be modest structure that would not interfere with the parking layout.

Response to objection(s)

The report have addressed the main concerns of this neighbour. There would not be any significant detrimental impact on the neighbouring properties.

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

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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 224-2664-01 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	09/05/2025	DM	09/05/25