

DELEGATED REPORT

Report by Amanda

Date of report: 12/07/2024

Ref:70838/FUL

Uhunmwagho

Registration: 10/06/2024

LDfC: 10/07/2024

Expiry Date: 05/08/2024

Site Visit: 05/07/2024

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey side and rear extension

Location: 69 Richmond Avenue, Prestwich, Manchester, M25 0LW

Description

The application relate to a previously extended two storey semi-detached house situated on the corner of Richmond Avenue and Mowbray Avenue in Sedgeley. There is a small garden to the front with pedestrian access gate to the front corner. There is a short brick wall and hedge along the front and side boundaries. There was an original vehicular access gate to the rear of the property (accessed from Mowbray Avenue), but this is overgrown with planting now. There is a fence along the boundary with the attached neighbour and the whole of the side and rear of the site is tarmac. There is an existing single storey rear extension at the property.

The proposal is to replace the existing single storey rear extension with a larger one. The new extension would project 5500mm along the shared boundary with the attached neighbour and 4770mm on the opposite side. It would measure 8173mm across the rear. the roof would be flat with a Sukkah roof lantern to the west side.

Relevant Planning History

67956 - Loft conversion with hip to gable roof extension; Front and rear dormers - 30/06/2022

02643/E - Loft conversion - Enquiry completed 22/11/2021

67956 - Loft conversion with hip to gable roof extension; Front and rear dormers - Refuse/Refused 03/03/2022

69036 - Lawful development certificate for proposed hip to gable, loft conversion and rear dormer

- Lawful Development 26/01/2023

69290 - Proposed rear dormer - Refused 08/03/2023

70687 - Prior approval for proposed single storey rear extension - Prior Approval Not Required - Extension 29/05/2024

Publicity

6 neighbours notified on 18/06/2024 - No comments or objections received.

Statutory/Non-Statutory Consultations

none.

Pre-start Conditions - Not relevant.

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.

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.

The proposed single storey side/rear extension would be built with materials that would match the existing building and with a design that would be fairly common in this location. As such it is considered that the extension would not cause any significant detrimental harm to the character of the existing streetscene.

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 project 5500mm along the shared boundary with no.67 Richmond Avenue, attached. This neighbour has not objected to the proposal. As such the projection of 5500mm would be considered acceptable under the Larger Homes Scheme which can allow a homeowner to build a single storey extension of upto 6000mm adjacent to a neighbour's boundary, as long as they don't object.
- There would be no windows in the side elevation overlooking no.67.
- There would be sufficient amenity space remaining to the rear and side of the property.
- As the extension would be single storey only any views from the rear window would be over the applicant's own rear yard and not directly over the abutting neighbouring properties and gardens.
- There are no windows to the side elevation of no.4 Mowbray Avenue to the rear that would be affected by the proposal.
- The existing vehicular gates are currently covered with planting but the agent has shown that the gates could open inwards to provide on site parking to the rear. There would be enough room to park a vehicle at the rear of the property if need be.

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 highway to the front and side of the site, as well as possible parking for one vehicle to the rear of the site. The area is also high access in terms of public transport.

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 002 Rev1, 003 and 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 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 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 - 12/07/2024		DM - 19/07/2024	