

DELEGATED REPORT

Report by Jane Langan	Date of report: 14/01/2022	Ref: 67733/FUL
Registration: 10/11/2021	LDfC: 09/12/2021	Expiry Date: 05/01/2022
Site Visit: 13/12/2021	Site Notice: N/A	Press Date: N/A
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 extension

Location: 152 Downham Crescent, Prestwich, Manchester, M25 0BS

Description

The property is a bay fronted semi detached house. It has a drive to the front/side and to the rear a single storey outrigger. The rear garden is fenced and there is an outbuilding in one corner. The rear boundary backs on to the rear garden to 14 Eastleigh Road and the adjoining neighbour is No.154. To the opposite side No.150 has a single storey at the side and is extended single storey at the rear to the boundary side. Timber panel fencing runs between the properties.

The application proposes a two storey extension at the side. It would come out 2.3m set back 1.4m from the front elevation. It would run along for 4.1m where it would then be set in to come 2.1m out and run to the level of the existing rear elevation. The extension would form an office, extended kitchen and bedroom with ensuite at first floor.

Relevant Planning History

66610 - Two storey extension at side and rear - AC 27/04/2021.

Publicity

Surrounding neighbours were notified by letter and no responses have been received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Unitary 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) and 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 Policy 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 and design - The two storey side extension would be set 1.4m back from the front elevation. The site plan indicates a set in from the boundary therefore the 1.5m required to prevent the potential for terracing would be achieved.

The extension roof would form a side gable wall. Whilst this would see a different roof design from the adjoining semi a hip to gable roof extension can be permitted development and it is not uncommon to see semi detached houses extended in this way. Materials are noted to be as existing. For the avoidance of doubt a standard matching condition is added.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

Parking - The proposal would increase the number of bedrooms from 3 to 4 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered. This can then require the proposal to provide a maximum of 3 parking spaces. The site as existing has a drive to the front and this would be retained to 5m in length following the extension. The area has on street parking and there is public transport available. In this instance then the parking arrangements are considered sufficient. As 5m is the minimum length a condition is added to ensure this is retained.

Residential amenity - The proposed extension would run along the side to No.150 which is extended single storey at the side. It would not project past the front or rear elevations of

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No.150 and therefore there would be no significant impact on its main aspect windows. There are no windows proposed to the side elevation of the extension. There would be a distance in excess of 7m from the proposed first floor rear window to the rear boundary and the window is also to a non habitable room as an ensuite.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential 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 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 001 Rev 1, 002, 003 Rev 1, 004 Rev 2 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.
- 4 A minimum hardstanding of 5m measured between the highway boundary and the front elevation of the extension hereby approved shall be provided and thereafter maintained.
Reason. To allow adequate space to maintain a vehicle clear of the highway in the interests of road safety pursuant to Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and associated 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>
JL	14/01/22		