

DELEGATED REPORT

Report by Mo Warsame	Date of report: 02/08/2023	Ref: 69701/FUL
Registration: 30/05/2023	LDFC: 29/06/2023	Expiry Date: 25/07/2023
Site Visit: 21/07/2023	Site Notice: N/A	Press Date: N/A
Objections: 5	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Retrospective application for the part retention of ground floor lounge extension of a two storey front extension together with alterations to the first floor bay window from an arched bay to a squared bay.

Location: 110 Park Road, Prestwich, Manchester, M25 0DU

Description

Located in Park Road, the detached property is set back from the road with a front drive and large hedges screening. The premises has a private amenity to the rear and the properties on either side are No.108 a detached dwelling and No. 112 which is a semi-detached house.

Planning permission is sought for a retrospective application for the part retention of ground floor lounge extension of a two-storey front extension together with alterations to the first-floor bay window from an arched bay to a squared bay.

The retention elements include the projection of 2 metres on the front of the ground floor and the first-floor bay window extension which would be changed from an arched bay to a squared bay. The rest of the existing first floor structure would be demolished. The square first floor bay window would project 1.2 metres from the principal front elevation, leaving a setback of approximately 0.7 metres.

The development would have pitched roofs and accommodate a porch and lounge extension on the ground floor along with a minor bedroom extension via the squared bay window on the first floor.

Relevant Planning History

52122 - New Front Porch - Approve with Conditions 03/02/2010
23/0107 - Two storey front extension - 08/06/2023

Publicity

Neighbour letter sent. 5 objections received.

Comments

5 objections received relating to the potential issues caused by the conversion of the premises into a prayer house.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

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

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.

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The proposed development would have a minimal impact on the street scene. It is of an appropriate size and design that would be in keeping with the existing house. Furthermore, there are several properties with different design schemes and materials within this street, therefore this development would not detract from the character of the street scene.

As such, it is considered that the proposal would not have a detrimental impact on the character of the dwelling, street scene or neighbouring properties and would therefore 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.

- The development would be situated at the front, there would be no side windows and there would be over 20 metres in distance between any property in front and the extension. Therefore, the proposal would not have any serious impact on the neighbouring properties.
- As there would be no increase to the number of bedrooms at the property the existing parking arrangements would be considered acceptable.

The proposal would comply with Development Control Policy Guidance Note 6 - Alterations and Extensions to Residential Properties.

Response to the objections

During the officer's site visit, the premises did not appear to be a prayer house, nor does this indicate in the submitted planning documents.

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 the drawings received on 30/05/2023 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	02/08/2023	DM	02/08/23