

DELEGATED REPORT

Report by Tom Beirne	Date of report: 08/11/2023	Ref: 70054/FUL
Registration: 25/09/2023	LDFC: 26/10/2023	Expiry Date: 20/11/2023
Site Visit: 07/11/2023	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: Dormer extensions at front and rear to replace existing dormers; decking at front; new front boundary wall and steps to front entrance and external alterations

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Location: 53 Shrewsbury Road, Prestwich, Manchester, M25 9GQ

Description

The application relates to a detached dormer bungalow that sits up from the residential road. Properties on either side are similar styled dormer bungalows and there is a steep embankment to the rear. Parking for the three bungalows is accommodated in the garages and parking area to the east of No.51 Shrewsbury Road and accessed from the driveway sloping up from the road.

The proposal involves replacing the dormers on the front and rear with larger dormers. The front dormer would be smaller, set back from the eaves and in from the sides. The dormers would be finished in timber cladding. The new decked area at the front would be in front of the patio doors and measure 4m by 3m. The new brick boundary wall along the front would be 1m high and replace the existing low stone wall.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified by letter dated 05/10/2023. No objections received.

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 - The new dormers would be in keeping with the design and appearance of the house and set back from the road, would not appear out of keeping with the streetscape. The decking area and boundary are relatively modest and would not appear incongruous. The proposal would be acceptable and complies with UDP Policies H2/3 and guidance in SPD6.

Residential amenity - The proposal would have no significant impact on the amenity of neighbours. No overlooking issues. Complies with UDP Policies H2/3 and guidance in SPD6 in relation to residential amenity.

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 2301-NOM-XX-ZZZ-DR-A-01101/P01, 01102/P01, 01201/P01, 01202/P01, 001101/P01 and 01110/P01 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>
Tom Beirne	08/11/2023		