

DELEGATED REPORT

Report by Tom Beirne	Date of report: 15/11/2023	Ref: 70081/FUL
Registration: 21/09/2023	LDfC: 17/10/2023	Expiry Date: 16/11/2023
Site Visit: 25/10/2023	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey side and rear extension; single storey rear extension; loft conversion with rear dormer

Location: 62 Park Road, Prestwich, Manchester, M25 0FA

Description

The application relates to a two storey semi-detached bay fronted red brick dwellinghouse on a road of similar styled properties. Single storey side extension. Driveway to the front and single storey outbuilding at the rear. The attached neighbour (No.60) has a single storey rear extension and dormer extension at the rear. The unattached neighbour at No.64 has a driveway along the shared side boundary.

The proposal involves:

- Side extension projecting out 1680mm and running back to extend to the rear 4970mm. It would be set back at the front at first floor level by 1.5m.
- The rear extension would be part single and part two storey. The single storey element would be adjacent to the attached neighbour with two storey element set away from the boundary 3.5m.

Relevant Planning History

68250 - Single storey extensions at side and rear - Approve with Conditions 13/05/2022

68918 - Two storey side extension; Single storey rear extension; Loft conversion with front and rear dormers - Approve with Conditions 14/12/2022

Publicity

Immediate neighbours notified by letter dated 25/09/23. No objections received. One comment from owner of gap site to rear, making us aware of their ownership.

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 proposal, in terms of design and appearance, is in keeping with the existing dwellinghouse. A previous proposal with similar dormers a two storey side and a single storey rear extension was approved in 2022. This latest proposal is similar but adds an additional two storey outrigger at the rear of the side extension that runs halfway across the rear elevation. The extensions would be finished in brick and tile to match the house. The proposal is acceptable and complies with UDP Policy H2/3 and guidance in SPD6.

Residential Amenity - At the rear the single storey rear extension would sit between the two storey element and the boundary with the attached neighbour and provide a sufficient buffer to the two storey element and satisfies the '45 degree rule' and mitigate any serious impact on the neighbour. The neighbour at No.64 is set off the boundary and has outbuildings on the boundary that also mitigate any serious impact. There is no direct overlooking to the side and to the rear, the garden is sufficient length (approx 17m) to secure privacy to the rear, should the plot be developed. In terms of residential amenity the proposal is acceptable and complies with UDP Policy H2/3 and guidance.

Public Comment - The comment from the owner of the plot to the rear is noted and it is not considered that the proposal would seriously impact on any future residential development.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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, 002, 003/Rev1 and 004 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 EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
TB - 07/11/2023			