

DELEGATED REPORT

Report by Mo Warsame	Date of report: 20/02/2023	Ref: 69121/FUL
Registration: 23/12/2022	LDFC: 27/01/2023	Expiry Date: 17/02/2023
Site Visit: 10/02/2023	Site Notice: N/A	Press Date: N/A
09:00:00		
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; Single storey rear extension; Front porch

Location: 66 Agecroft Road West, Prestwich, Manchester, M25 9RH

Description

The property is a bay fronted semi-detached house that sits at a raised level from the road. It has a garden and drive to the front. To the rear it is extended with a large private garden with high planting and scrubs along the boundaries. The rear boundary borders the rear gardens of No.173 and No.175 Butterstile Lane which are not visible due to the existing high scrubs and planting. The adjoining neighbour is No.68 which is also screened by planting along the shared boundary. To the opposite side No.64 sits at an angle and higher than the site.

Planning permission is sought for two-storey side extension along with a single storey rear extension and a new front porch. The single-storey rear extension would project a length of approximately 4.1 metres to the rear from it furthest point while the two-storey side extension would project approximately 3.7 metres to the side and would align with the principle rear elevation. The front porch would project 1.5 metres to the front and run 3 metres to the side.

The proposal would facilitate an extended open plan kitchen-diner/lounge area and a new entrance hall on the ground floor level and additional bedroom with ensuite toilet on the first floor. The proposed development would have a pitched roof on the side and flat roofs over the proposed single storey rear extension and the new front porch. The development would utilise the use of matching materials.

Relevant Planning History

None.

Publicity

Neighbour letters sent. 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

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 two-storey side extension would not be setback from the front elevation and SPD 6 seeks to prevent two storey side extensions from causing a terracing effect by requiring a 1.5 metre set back to the main frontage or to the boundary. However, in this instance due to

a staggered building line, it is considered that the proposal would not lead to the uncharacteristic terracing of dwellings. Furthermore, number of properties within this street have extended with similar extensions without setback. Therefore, the proposed two-storey side extension would be acceptable and would not have any adverse impact on the street scene. Additionally, the proposed two-storey side extension would have pitched roof replicating the shape and style of the original dwelling and neighbouring properties.

Situated to the rear, the single storey extension would not be visible from the public realm at the front of the site. The development would be modest and built with design and materials that would be in keeping with the existing building and therefore would be acceptable.

The front porch extension would also have a simple and unobtrusive design, which would not detract from the character of the dwelling.

The proposal would be constructed with materials to match the existing dwelling. As such, the proposed development would not be a prominent feature in the street scene and would comply with Policies H2/3 of the Bury Unitary Development Plan and SPD6.

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 single storey rear element would extend approximately 4 metres the rear and would not project beyond the existing rear elevation of the adjacent neighbours which would be acceptable. Therefore, the 45° not apply. Additionally, there would be approximately 16.5 metres to the rear boundary exceeding the 7 metres required by SPD 6.
- There would be no proposed side windows facing either side of the adjacent neighbouring properties.
- The two-storey side extension would not extend beyond the original rear elevation and the development would have no proposed side windows.
- The proposed porch on the front would be 24 metres away from the nearest property to the front. This would be considered acceptable.

Parking

The proposal will result in one additional bedroom, however there will be no changes to site access, or parking. The driveway at its current condition meets the maximum parking requirements.

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 04/01/2023 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.
- 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>
MW	20/02/2023	DM	23/02/23