

DELEGATED REPORT

Report by Oliver Sear	Date of report: 09/10/2020	Ref: 65906/FUL
Registration: 01/09/2020	LDfC: 29/09/2020	Expiry Date: 27/10/2020
Site Visit: 10/09/2020	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/single storey extension at rear and raised decking

Location: 3 Pine Grove, Prestwich, Manchester, M25 3DR

Description

The application relates to a detached two storey dwellinghouse on Pine Grove. At the front there is a driveway and a garden area. There is access to the rear via West side. At the rear there is a private garden area.

There are unattached neighbours to the West and East which are Nos. 1 and 5 Pine Grove. The rear boundary is shared with No. 8 Ash Grove. Across the highway at the front is No. 6 Pine Grove.

The proposal is for a part two part single storey rear extension. The two storey aspect would project 780 mm off the rear elevation and cover 3.76 metres of the rear wall. The single storey extension would project 4.22 metres off the rear elevation and cover the entire width of the the dwellinghouse. There would also be the introduction of a proposed deck which would cover the entire rear elevation and project 2 metre from the proposed extension.

Relevant Planning History

None found.

Publicity

Neighbour letters sent 09/09/2020 - No responses recieved.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - None

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

UDP Policy H2/3 and SPD 6 are relevant here and seek to achieve a high standard of design. This is to make sure the development compliments the original building, and does not have a negative impact on the appearance of the host building, neighbouring properties and the general street scene.

The materials would match the existing dwellinghouse and are considered to be acceptable.

The design is of a simple and unobtrusive nature and as such would not detract from the appearance and character of the existing building.

The proposed rear extension would not be visible from Pine Grove and as such would not detract from the street scene.

As such the proposal would be compliant with the policies outlined in SPD6.

Residential Amenity

UDP H2/3 and SPD 6 seeks to reduce the impact of developments on the residential amenity of neighbouring properties.

The proposed single storey rear extension would not project past the rear elevation of No.5

Pine Grove. This meets the requirements of SPD6 which allows extensions to project 3 metres from the level of the neighbouring dwellinghouse.

The proposed single storey rear extension would be in line with the rear elevation of No.1 and as such meets the requirements of SPD6.

The two storey rear extension would not encroach past a 45 degree angle from the nearest habitable windows of the neighbouring dwellinghouse.

There would be a distance of 17 metres from the proposed rear windows on the first floor to the windows. This meets the requirements of SPD6 which requires a 7 metre distance to avoid overlooking.

There would be the relocation of an existing side window and addition of a side window on the proposed single storey extension. These windows would have a similar outlook to the existing side windows and would be acceptable.

The proposed decking would be 500mm above the ground level at its highest point. The decking would be at ground level on the side of No. 1 Pine Grove this section of decking would be permitted development as it would be under 300mm in height and as such is considered to be acceptable. The decking at the boundary with No. 5 Pine Grove would be 500mm in height. It would project past the rear elevation of No.5 by 656mm and there would be no view into the neighbouring dwellinghouse as such the proposed decking is considered to be acceptable.

Parking

The proposed development would not remove any existing off street parking and would not create any additional bedrooms. This meets the parking requirements outlined in SPD6.

The proposal is acceptable in terms of residential and visual amenity and complies with Bury planning policies.

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 3PG/1 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.

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<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
O.S	09/10/2020	D.M	19/10/2020