

DELEGATED REPORT

Report by Mo Warsame	Date of report: 06/01/2025	Ref: 71296/FUL
Registration: 28/10/2024	LDfC: 26/11/2024	Expiry Date: 23/12/2024
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: 1st floor rear extension; Two storey side extension

Location: 30 Shakespeare Road, Prestwich, Manchester, M25 9GW

Description

This application relates to a detached residential dwelling located on the corner of Shakespeare Road and Scott Road. The property currently benefits from a conservatory located to the side of the main dwelling house. The property is located at a 90 degree angle compared to the neighbouring property of No. 17 Scott Road. This property is located on a plot approximately 2.5 metres lower than the applicant's property.

Planning consent is sought for the erection of a two storey side extension and a first floor extension at the rear. The two storey side extension would project approximately 2.1 metres from the side elevation of the property. It would extend 2.59m beyond the principle rear elevation to effectively align with the existing single storey extension at the rear. The first floor rear extension would extend above the existing kitchen and would be flush with the proposed two storey side element.

The proposal would accommodate a utility room, WC and kitchen extension on the ground floor level along with two additional bedrooms on the first floor. The development would incorporate a hipped roof structure and utilise the use of matching materials.

Relevant Planning History

58817 - Two storey extension at side, single storey extensions at side and rear, first floor extension at rear and front porch - Refused 31/07/2015

Publicity

Neighbour letters sent. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

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), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within 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 and PfE Policies 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 SPD6 seeks to achieve a high standard of design that compliments the original building, does not have a detrimental impact on the character or appearance of neighbouring properties, and protects the general street scene.

Situated at the side, the proposed two storey side extension would be readily visible from the public arena. However, the proposed extension, with an appropriate scale, design and matching materials, it would be generally in-keeping with the existing dwelling and street-scape.

SPD 6 states, to avoid the appearance of uncharacteristic terracing, the front elevation at first floor level should be set back by at least 1.5m from the main frontage of the original

dwelling. The proposed extension would have no setback on the first floor. However, in this instance due to its corner orientation, the staggered building lines and level differences of properties in this street and the fact that the property is located within a street of short row of houses, it is considered that the proposal would not lead to the uncharacteristic terracing. As such the proposal would therefore be generally acceptable within this location.

The proposed first floor extension would be to the rear of the property and as such would not be readily visible in the street scene at the front. Additionally, it would be a modest structure with simple design that would be constructed with matching materials. The design of the proposal is considered to be in keeping with the existing building.

Given the above the proposal conforms to Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of visual amenity.

Residential amenity

UDP policy H2/3 and SPD6 seeks to reduce the impact of proposals on the residential amenity of neighbouring properties.

- The proposed first floor rear extension would project 2.59m to the rear. This extension would have a minimal impact on No.17 Scott Road as there would be a sufficient setback distance between the two properties. Moreover, the extension would have no proposed side windows. The first floor extension would also have no impact on the adjacent property from the opposite side (No.28 Shakespeare Road) as the extension would be tucked in behind the two storey side extension. As such, it would not be visible from this neighbouring property.
- The two storey side element would have no proposed side windows. It would project 2.59m to the rear beyond the principal rear elevation and run along the shared boundary with No.28 Shakespeare Road. This adjacent property is setback 2m from the shared side boundary and such, there would be no significant impact or encroachment following the application of the 45 degree rule.
- In terms of the general prominence and impact on daylight the proposed development would be to the west of No.28 Shakespeare Road therefore, any overshadowing would not be seriously excessive above and beyond the existing situation.

The proposed extension would be acceptable and comply with UDP Policy H2/3 and associated guidance in SPD6.

Highways

The proposal will result in two additional bedrooms but there will be no changes to the parking layout. Therefore, the driveway at its current condition would meet 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 drawings numbered 01, 02 (Rev 01) 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 and Places for Everyone Joint Development Plan listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	06/01/2025	DM	07/01/25