

DELEGATED REPORT

Report by Jane Langan	Date of report: 01/12/2025	Ref: 72391/FUL
Registration: 20/10/2025	LDFC: 20/11/2025	Expiry Date: 15/12/2025
Site Visit: 06/11/2025	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 rear extension

Location: 50 Heys Road, Prestwich, Manchester, M25 1JY

Description

The property is a two storey semi detached house with garden and drive to the front. It has a path along the side and to the rear is extended with a single storey kitchen extension and a conservatory. There is a fenced rear garden which borders the rear garden to 1 The Heys. The adjoining semi is No.52 and it is extended single storey at the rear. The unattached property is No.48 and a different house design. It is unextended at the rear and has a gap along the side with fencing separating its garden and that to the site.

The application proposes to remove the extensions to the rear and construct a two/single storey extension. It would project 3.5m deep as two storey to the west side and for 3m across. At this point the two storey would reduce to 0.9m deep with the remaining 2.6m depth as single storey. The extensions would form a kitchen/dining area with an additional bedroom at first floor. Internal alterations would swap around the bathroom and an existing bedroom.

Relevant Planning History

45650 - Two storey extension at rear - AC 02/02/2006

34259 - First floor extension at rear - AC 12/06/98

Publicity

Surrounding neighbours were notified by letter and no responses have been received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Development Plan and Policies

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

PFE Places for Everyone

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 PpE 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 and design - The proposed extension would have a dual pitched roof to both sections of the two storey extension and with a monopitch to the single storey section. Materials would be brickwork and roof tiles to match the existing.
The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

Parking - The proposal would increase the number of bedrooms from 3 to 4 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered. This can then require the proposal to provide 3 parking spaces. SPD11 also notes that where all soft landscaping is lost or a frontage becomes dominated by hardstanding then this can be harmful to the character and appearance of the area and it should be carefully considered if the proposal is acceptable. In this instance the site as existing has a drive to the front which would not be affected by the proposal. Adjacent the drive is an area of garden where there may be potential for further parking if the applicant should require it. A number of other properties, including the adjacent No.48, have created this arrangement. It is the

case that on many 3 bed semi detached properties, without a generous front garden, it would not be possible to create 3 spaces at all or without fully surfacing the frontages. The area has on street parking and public transport available. In this instance then it is not considered there are grounds for refusal with regard to the parking arrangements.

Residential amenity - The attached No.52 is extended single storey at the rear and the proposal would not come more than 1m deep where adjacent the boundary and two storey and the remaining 2.6m depth would run adjacent the single storey to No.52.

To the opposite side No.48 is separated by the gaps between the two properties. Its main habitable room window is to the party wall side however there would be no encroachment across a 45 degree line from either of the ground floor windows. SPD6 also considers the impact on the outside space to neighbouring properties. No.48 has a patio to the rear of the property and a lengthy rear garden which is south facing. As such it is not considered that the proposal would cause any overshadowing to any unacceptable level.

The existing bathroom would be changed to a bedroom and therefore become a habitable room. This window is to the side elevation as existing and obscure glazed. The plans have been revised to add a high level window, at 1.7m, and a roof light to the front slope. This would allow sufficient light to the room as SPD6 affords limited weight to side windows should an application come forward from the neighbouring property.

The site garden is lengthy and there would be distance well in excess of 7m from the proposed first floor windows to the rear boundary.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

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 the drawings :-
Existing plans received 20/10/25.
Proposed floor plans, site plan, rear elevation, side (neighbours) elevation received 20/10/25.
Proposed side (gable) elevation & proposed front elevation received 01/12/25
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 Burv 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>
JL	01/12/25	HL - 04/12/2025	