

DELEGATED REPORT

Report by Mo Warsame	Date of report: 29/03/2023	Ref: 69291/FUL
Registration: 10/02/2023	LDfC: 08/03/2023	Expiry Date: 07/04/2023
Site Visit: 24/03/2023	Site Notice: N/A	Press Date: N/A
12:20:00		
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey extension at side and part single/part two storey rear extension along with a front porch extension

Location: 132 Heys Road, Prestwich, Manchester, M25 1PB

Description

The application relates to a semi-detached property located on Heys Road. The premises has a garden to the front, a drive leading to a detached garage to the side and a private garden to the rear.

Planning permission is sought for a two-storey extension at side and part single/part two storey rear extension along with a front porch extension. The two-storey side extension would project 3350mm to the side and run for a length of 6023mm before adjoining the two-storey rear extension from the principle rear elevation. The two-storey element would project 3000mm from there and run the entire length of the proposed side extension before imitating the shape of this angular site. The single storey extension to the rear would project 3000mm to the rear and side aligning with the two-storey extension on the ground floor. The proposed front porch would also be simple extension that would project 1650mm to the side and run 4258mm.

The proposal would accommodate a porch, new lounge, lobby, shower, and kitchen extension along with a new dining area on the ground floor. On the second-floor level, the extension would facilitate three additional bedrooms, one with ensuite. The proposal would utilise the use of matching materials and the extensions would have a mono-pitched roof with a rooflight over the single storey element and hipped pitched roof over the two storey elements.

Relevant Planning History

N/A

Publicity

Neighbour letters sent on 15/02/2023. 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 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 the property's corner setting, it is considered that the proposal would not lead to the uncharacteristic terracing of dwellings. The proposed two-storey side extension would have hipped pitched roof replicating the shape and style of the original dwelling and neighbouring properties. Therefore, the proposed two-storey extension would be acceptable and would not have any adverse impact on the street scene.

Situated to the rear, the part single storey, part two-storey rear extension would both have simple and unobtrusive design, which would not detract from the character of the dwelling. Additionally, the single storey front porch would also be a modest rectangular design which would not undermine the existing dwelling or negatively impact the street scene. Overall, 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 not extend beyond 3 metres along the shared boundary with the adjoining property and there would be sufficient distance to the rear boundary which would be acceptable.
- There would be no proposed side windows from habitable room facing any adjacent neighbouring property. Furthermore, there would be sufficient distance to the shared side boundaries and there would be shrubs and high fencing that would further screen the proposal. Therefore, there would be no detrimental impact on this neighbour.
- Any of the two storey extensions would not encroach the 45° rule when taken from the adjacent neighbouring properties. Therefore, the development would be acceptable.

Parking

The proposal will result in 3 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:

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- 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, 02,03, 04, SP 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	29/03/2023	DM	03/04/2023