

DELEGATED REPORT

Report by Amanda

Date of report: 25/09/2023

Ref:69967/FUL

Uhunmwagho

Registration: 07/08/2023

LDfC: 13/09/2023

Expiry Date: 02/10/2023

Site Visit: 08/09/2023

Site Notice: N/A

Press Date: N/A

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 side extension; Entrance canopy/porch at front

Location: 95 Polefield Hall Road, Prestwich, Manchester, M25 2WW

Description

The application relates to a two storey semi-detached house with gardens to three sides. There are hedges along the front boundary along with a tree and both pedestrian, and vehicular gates. The drive area could accommodate up to two vehicles, but it is currently overgrown. There are fences to both side boundaries and the front and rear of the dwelling and a tall hedge along the rear boundary. The attached neighbour, (93 Polefield Hall Road), has a single storey rear extension adjacent to the shared boundary and no.36 Daneshill to the east is a bungalow, currently in the process of being extended. There is a secondary lounge window and bedroom windows to the side elevation adjacent to the shared boundary.

The proposal is to build a two storey side extension along with a canopy/porch to the front entrance. The extension would be built flush with the existing rear elevations and would be set back from the front elevation by around 195mm. It would measure 3.4m wide and the roof would be hipped. Bi-fold doors would be installed to the rear elevation with windows to the front and side at ground floor and front and rear to the upper floor. The outer walls would be finished with brick and render to match the existing building.

Relevant Planning History

N/A

Publicity

7 neighbours notified on 23/08/2023 - No comments or objections received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions

H2/3 Extensions and Alterations

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.

The main considerations of this application are the impact of the proposal on visual and residential amenity.

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 proposed extension would be built with materials and a design that would be considered to be in keeping with the existing building, as well as with other properties along Polefield Hall Road. As such it would not have any significant detrimental effect on the character of the existing streetscene.

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 -

- There would be around 9.5m from the rear extension to the rear site boundary. This would be acceptable in terms of SPD 6. As such there would be no significant detrimental effect on residential amenity at the property to the rear. The existing high hedge along the rear boundary would also screen much of the views to and from the extension.
- As the extension would be to the east side of the existing dwelling only there would be no detrimental effect on residential amenity at no.93 Polefield Hall Road, attached to the west side of the existing dwelling.
- Properties to the front of the site would be a sufficient distance from the proposed extension not to have any significant detrimental effect on residential amenity at those properties.
- No.36 Daneshill is a detached bungalow situated to the east of the site. It is currently in the process of being extended. There are two windows in the side elevation adjacent to the site boundary, which are to a lounge and a bedroom. The lounge window towards the front of the property is a secondary window to this room. The main window is positioned on the front elevation.
- No.36 Daneshill is built at an angle compared to the application dwelling. As such views from the bedroom window would have views over the rear garden of the application site, and not directly towards where the proposed extension would be built. Taking this into account, and that less weight is given to windows on side elevations the proposal would be considered acceptable in terms of its impact on residential amenity on this occasion.
- It is also noted that there is an existing boundary fence directly in front of the windows to the side of no.36 Daneshill, which will screen some views from these windows already.
- The owner of no.36 Daneshill has not objected to the proposal.

Taking the above into account the proposal conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of separation distance to the surrounding properties.

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 a maximum of 3 parking spaces. The site as existing does have an existing drive area which could accommodate up to 2 vehicles. However, this area is very overgrown and has just one vehicle currently kept on site. There are no parking restrictions to the highway in front and the area is high access in terms of public transport. In this instance then the parking arrangements are considered sufficient.

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 23-36-00-001 R1, 23-36-00-002 R1, 23-35-20-001 R5 and 23-35-20-002 R2 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 UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties.

- 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>
AU - 25/09/2023			