

DELEGATED REPORT

Report by Tom Beirne	Date of report: 29/10/2024	Ref: 71132/FUL
Registration: 03/09/2024	LDfC: 07/10/2024	Expiry Date: 29/10/2024
Site Visit: 29/10/2024	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 storey side extension with dormer window at front and rear

Location: 14 The Downs, Prestwich, Manchester, M25 9RB

Description

The application relates to a dormer bungalow on a residential cul-de-sac of similar styled properties. The property is set down slightly from the road with a driveway to the front/side. At the rear there is a dormer extension. The neighbour at N.16 has been extended to the side and neighbours on either side have rear dormer extensions.

The proposal involves extending out on the south side of the house, towards the immediate neighbour at 12a The Downs and adding dormers to the front and rear.

The extension would be above the existing single storey outrigger at the side with a front extension projecting out 2.8m although retaining a set back of 2m from the main front elevation. The main roof would be carried over onto the extension with the eaves at the front at a similar height to the eaves of a similar extension at 12a The Downs. At the rear the eaves would drop to line up with the existing eaves. The extension would facilitate an additional bedroom within the roofspace and a small storage room at ground floor. Finished in brick and tile to match the main house.

The front dormer would extend across the main roof 2.6m and be set down 1.2m from the ridge and 1m up from the eaves. The rear dormer would extend across from the existing rear dormer, above the extension.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified by letter dated 13/09/2024. 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 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 - The side extension mirrors the older extension on the side of the immediate neighbour (12a The Downs). The front dormer is relatively small and sits quite comfortably within the roof plane. Within the streetscape the extension and dormer would appear in keeping and would not be incongruous in relation to surrounding properties.

At the rear, the roof extension and dormers would be in keeping with the existing dwelling and would not be prominent within the streetscape at the rear.

The extensions are acceptable and comply with UDP Policy H2/3 extensions and alterations and associated guidance within SPD6 relating to visual amenity.

Residential amenity - No overlooking to the side and window to window distances to rear are about 18m, which given the existing dormers on most of the properties on the road, are acceptable. Given the size and siting of the extensions in relation to surrounding neighbours, there are no residential amenity issues arising. As such the proposal is acceptable in relation to residential amenity and complies with UDP Policy H2/3 and associated guidance in SPD6 Alterations and Extensions.

Access and Parking - The existing driveway at the front would be retained and at over 6m long, can accommodate a vehicle clear of the highway. As such the proposal is acceptable in terms of parking and complies with UDP Policy H2/3 and associated guidance in SPD6 Alterations and Extensions.

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 PL01-PL09 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.
- 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 EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	29/10/2024		29/10/2024