

DELEGATED REPORT

Report by Mo Warsame	Date of report: 16/10/2023	Ref: 69997/FUL
Registration: 30/08/2023	LDfC: 20/09/2023	Expiry Date: 25/10/2023
Site Visit: 06/10/2023	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: Single storey extension at rear and new front porch

Location: 6 Russell Street, Prestwich, Manchester, M25 1EQ

Description

The property is a semi-detached house. The frontage has been fully surfaced for parking and there is an attached garage at the side. To the rear is a single storey extension and a greenhouse to rear of the garden. The rear garden is fenced and beyond the rear boundary is the Metrolink train line. The adjoining neighbour is No. 8 Russel Street and No. 4 Russel Street is located on the opposite side (unattached).

Planning permission is sought for a single storey extension to the rear. The front porch would project 375mm to the front beyond its existing position. The rear extension would project approximately 4m to the rear and would have a setback of 300mm from each of the shared side boundary. Proposal would also include the installation of a new window that would project 0.55m to the rear and a wall that would project 1m beyond the proposed single storey rear extension, effectively shading this overhanging window from the adjacent neighbouring property (No. 4 Russel Street).

The development would facilitate a new open plan sitting and dining area, constructed with some matching materials and would have a flat roof with rooflights.

Relevant Planning History

None.

Publicity

Neighbour letters sent. No objections received.

Statutory/Non-Statutory Consultations

Transport for Greater Manchester

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 proposed single storey rear extension would be modest and would not project out excessively beyond the principal rear elevation. The development would extend 4m to the rear and would be setback from the shared side boundaries. Additionally, there would be a proposed wall that would run along the shared side boundary with No. 4 Russel Street. This wall would project 1 metre beyond the proposed rear extension and would therefore shade the single storey rear extension from this neighbour (No. 4 Russel Street). To the front, the proposed porch extension would also be a modest structure with a simple design that would be in keeping with the character of the dwelling.

Overall, the development would be simple rectangular structures with flat roof to the rear a pitched roof to the front that would be constructed with some matching materials. Therefore, there would be no detrimental impact on the street scene.

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.

- There would be over 10m to the rear site boundary and no property beyond.
- The SPD states that a single storey extension should not project more than 3m along a neighbouring boundary. At which point the 45° rule would apply. However, taking in to account the Larger Homes Scheme and that the adjacent neighbours have not objected the projection of 4 metres along the shared boundary would be acceptable.
- The proposed extension would have no windows facing any of its adjacent neighbours, except for the proposed overhanging window to the rear. However, this window would be shaded from property, No. 4 Russel Street by the proposed wall which would run along the shared boundary with this neighbour. This window would also be facing towards the neighbour on the opposite side (No. 8 Russel Street). However, there would be a sufficient distance to the shared boundary with this property.
- The proposed front extension would be modest and not interfere with parking arrangements and there would be over 20m to the properties in front of the site.
- There would remain an acceptable amount of outdoor private amenity space.
- As there would be no increase to the number of bedrooms at the property the existing parking arrangements would be considered acceptable.

Overall, there would be no serious impact on amenities of the adjacent neighbouring properties. The proposal therefore conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 - 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 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, 03, 04 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	16/10/2023		