

DELEGATED REPORT

Report by Jane Langan	Date of report: 28/02/2022	Ref: 67940/FUL
Registration: 24/12/2021	LDfC: 01/02/2022	Expiry Date: 18/02/2022
Site Visit: 24/01/2022	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Demolition of garage and outbuilding; Single/two storey side extension; Single storey rear extension

Location: 5 School Grove, Prestwich, Manchester, M25 9RJ

Description

The property is a two storey detached house. It has a garden and drive to the front and an attached garage at the side. It is extended at the rear the full width with a brick extension and glazed conservatory. The rear garden is raised from the back of the house and the rear boundary borders the rear garden to 155 Butterstile Lane and a small section to 157. The property to the side of the proposal is No.7, a semi detached house of a similar design with a side gable wall that has a number of windows at ground and first floor. It has a drive separating from the site which leads to a detached garage.

The application proposes to remove the attached garage, an outbuilding to the rear of it and the rear conservatory. A two storey extension would be constructed to the former garage side coming out 2.5m. The ground floor would extend from the front elevation 10.5m along of which 3.1m would run past the main rear elevation as single storey to meet the level of the existing single storey at the rear. The first floor would be set back 1.5m at the front and run to the existing rear elevation. The extensions would form a study, store and extended kitchen at ground floor with an extended bedroom and bathroom at first floor.

Relevant Planning History

None.

Publicity

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

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

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 and design - The existing property has a front gable design with a sloping roof and the main ridge runs across to form a further gable wall to the side. The proposal would have a pitched set below the main ridge and forming a side gable wall. The ground floor would have a monopitch roof at the front as there would be a set back to the first floor front of 1.5m. This set back would be sufficient in order to prevent the potential for terracing. To the rear the single storey would have a monopitch roof. Materials are noted to be slate tiles and brickwork to match.

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 not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The proposed extension would see the loss of the garage but it would not be constructed on an area used for off street parking. A drive not less than 5.5m would remain. The parking arrangements are considered sufficient.

Residential amenity - The proposed extension would run alongside No.7. Where two storey it would not project past the front or rear elevations of this property and as such it would not impact on its principle windows. No.7 has some windows to its side elevation however SPD6 affords limited weight to side windows. The proposed single storey would be approximately 3.1m deep and there would be no encroachment over a 45 degree line from the closest window to the rear elevation of No.7. The proposal would have no windows to the side elevation to cause overlooking. Certificate B has been completed to No.7.

There would be a distance in excess of 7m from the first floor window 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 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 SG 01 A 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>
JL	28/02/22		