

DELEGATED REPORT

Report by Mo Warsame	Date of report: 26/02/2025	Ref: 71078/FUL
Registration: 18/12/2024	LDFC: 15/01/2025	Expiry Date: 12/02/2025
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey side and single storey rear extensions

Location: 77 Agecroft Road West, Prestwich, Manchester, M25 9RF

Description

The property is a brick bay fronted semi detached house. It has a garden and drive to the front. To the side it has been extended single storey and which is set slightly back from the front and flush to the rear elevation. A path along the side leads to the rear where there is a patio and steps down to the lawn which is at a significantly lower level and lengthy. The attached neighbour is No.75 and to the opposite side is No.79 a two storey detached house built to the boundary with the side blank wall.

Planning permission is sought for the erection of two storey side and single storey rear extensions. The two storey side element would project 2.4m to the side and run flush with the principal front and rear elevations. The single storey rear element would project 2.7m to the rear and the entire width of the property. The development would have a hipped pitched roof over the two storey element and a mono-pitched roof over the single storey element. The development would be constructed using matching materials and would accommodate a new separate living room, a new open plan kitchen/diner/living space on the ground floor along with an additional bedroom and internal alterations on both the ground floor and first-floor.

Relevant Planning History

56295 - Single storey extension at side - Approve with Conditions 28/06/2013

63482 - Single storey extension at front/side; Gable roof extension with rear dormer and loft conversion; Erection of outbuilding at rear - Approve with Conditions 07/01/2019

Publicity

Neighbour letters sent on 19/12/2024. 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

UDP Policy H2/3 and SPD6 seeks to achieve a high standard of design that compliments the original building, does not have a detrimental impact on the character or appearance of neighbouring properties, and protects the general street scene.

SPD 6 states, to avoid the appearance of uncharacteristic terracing, the front elevation at first floor level should be set back by at least 1.5m from the main frontage of the original dwelling. The proposed two-storey side extension would have no set back on the first floor but there would be minimal setback between the proposed extension and the shared side boundary. However, given the property's orientation along with the fact this street has houses with various designs and the existing level differences between the neighbouring

properties, a setback distance would not be necessary.

The proposal consists of a two-storey side extension with a simple and unobtrusive design that would not detract from the character of the dwelling. The development would be in keeping with the existing structure and would be constructed using some matching materials.

Overall the proposed development would not overwhelm the existing dwelling or result in over development of the associated residential amenity space. It is considered that the proposal would not have a detrimental impact on the character of the dwelling, or street scene 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.

- There would be no proposed side windows facing the adjacent neighbouring properties. Furthermore, there would be sufficient distance to the shared rear boundary. Therefore, there would be no detrimental impact on this neighbour.
- The proposed two storey side elements would not project beyond the principal front and rear elevations and there would be sufficient distance to the side boundary depending on where the extension is measured from. This is due to the site's irregular shape.
- SPD states that a single storey extension should not project more than 3m along a neighbouring boundary. At which point the 45° rule should be applied. However, the single storey extension would only project 2.7m to rear and as such, would not encroach the 45° rule.

Overall, there would be no serious impact on the amenity of any 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 2950_PRE_01_Planning_Rev_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 and Places for Everyone Joint Development Plan listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	26/02/2025	DM -	27/02/25