

DELEGATED REPORT

Report by Jane Langan	Date of report: 15/02/2023	Ref: 69210/FUL
Registration: 04/01/2023	LDfC: 06/02/2023	Expiry Date: 01/03/2023
Site Visit: 30/01/2023	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: Two storey side/rear extension; Single storey side and rear extension

Location: 8 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 flat roofed single storey extension and a conservatory to the party wall side. The rear garden is fenced and beyond the rear boundary is the Metrolink line. The adjoining neighbour is No.6 and to the rear has its main window to the party wall side then a single storey section. To the opposite side the unattached No.10 is extended two/single storey at the rear.

The application proposes the removal of the garage, conservatory and existing kitchen extension. They would be replaced with a two storey extension at the side coming out 2.1m. It would run along the side and past the rear elevation for 3.49m and 4.4m across. The remainder up to the shared boundary would be single storey. The extension would form a store, utility and kitchen/dining room at ground floor with a bedroom and ensuite at first floor. Two existing bedrooms would be combined to create a larger one.

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 proposed extension would be built to within 0.15m of the side boundary. The first floor front would be set back by 1.35m therefore terracing would not be an issue. The roof would be pitched, set below the main ridge, and forming a side gable wall. The side corner at the front would have quoin detailing replicating the existing at first floor. The ground floor where deeper at the front would be a monopitch roof. To the rear the two storey would form a rear gable with the single storey section flat roofed. Materials would be brickwork/render and roof tiles similar in colour to the existing house.

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, with the enlarged one it would remain as 3, therefore SPD 11 Parking Standards need not be considered. The site as existing has the front garden fully surfaced for parking. The area has on street parking and there is public transport available. In this instance then the parking arrangements are considered sufficient. The plans show a remaining drive length in excess of 5.5m.

Residential amenity - In relation to the adjoining No.6 the proposal would be single storey where adjacent the boundary and blank wall. The depth at 3.49m would be the same as

DELEGATED REPORT

the conservatory to be removed. SPD6 deems 3m as acceptable and the proposal would only then be 0.49m deeper. The larger homes scheme would also allow a deeper single storey with no neighbour objections and none have been received in this case. Where two storey the proposed extension would not encroach a 45 degree line taken 1m out along the shared boundary with No.6.

To the opposite side No.10 is extended two and single storey at the rear and the proposal would extend out two storey to be around level.

There are no properties directly at the rear.

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 8/RS/1 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	15/02/23		