

DELEGATED REPORT

Report by Mo Warsame	Date of report: 21/05/2025	Ref: 71768/FUL
Registration: 26/03/2025	LDfC: 30/04/2025	Expiry Date: 21/05/2025
Site Visit: 04/04/2025	Site Notice: N/A	Press Date: N/A
14:00:00		
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey extension at front, single storey rear extension and conversion of existing garage to living accommodation with single storey front extension

Location: 3 Tewkesbury Drive, Prestwich, Manchester, M25 0HR

Description

A large semi-detached property situated on irregular plot. The premises has gardens to the front and rear and a drive in front of the attached garage. The adjoining property is No. 5 Tewkesbury Drive.

Planning permission is sought for a single storey front and rear extensions along with a garage conversion and a part single, part two storey front extension and a single storey front porch.

The single storey rear extension would project 4m to the rear, while the single storey front extension would extend the existing garage, projecting 1m to the front. The part single, part two storey front extension would replace the single storey front porch proposed under previous application (71553). This extension would project 1.65m to the front on both levels but would run 6.8m on the ground floor and 5m on the first floor.

The proposal would accommodate a kitchen, new entrance porch and bathroom along with a further bathroom, office/bedroom and utility via the extension and conversion of the exiting garage. The proposed development would have a flat roof above the single storey rear extension and pitched roofs above the other extensions. The proposal would be constructed with matching materials.

Relevant Planning History

71553 - Single storey rear extension; Front porch; Garage conversion - Approve with Conditions 19/03/2025.

Publicity

Neighbour letters sent on 04/04/2025. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Development Plan and Policies

EN1/1	Visual Amenity
H2/3	Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions
SPD11 Parking Standards in Bury

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 PfE 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 complements the original building, does not have a detrimental impact on the character or appearance of

neighbouring properties, and protects the general street scene.

This is a resubmission of approved planning application 71553 with few alterations. The key changes under this application are the proposed front extension to the existing garage and the proposed part single, part two storey front extension which replaces the single storey front porch extension under previous application.

The proposed single storey front to the existing garage as mentioned above and the single storey rear extension as per the previous application would both be of simple and unobtrusive design and would not detract from the character of the dwelling. However, the proposed part single, part two storey front extension with its double height and front facing gable roof would have obtrusive design that would appear over dominant. This would be too bulky and would detract from the character of the dwelling,

As such, it would have seriously detrimental effect on visual amenity in this area. The design of the proposal is therefore considered unacceptable in this location as it would be a prominent feature in the street scene and would not comply with Policies EN1/2, H2/3 of the Bury Unitary Development Plan and SPD6.

Residential amenity

UDP policy H2/3 and SPD6 seeks to reduce the impact of proposals on the residential amenity of neighbouring properties.

- The proposed rear extension would be close to the rear boundary. However, there would be no adverse impact in terms of overlooking and privacy as the extension would have no proposed windows on this side. Additionally, the existing shrubs and high fencing along the perimeter would screen the proposed development from the properties beyond the shared rear boundary. As such, this would be acceptable.
- The new proposed window/patio doors on the side of the proposed single storey rear extension and the existing garage would be acceptable as there would be sufficient distance to the shared boundary with this dwelling. There would be no proposed window facing the adjoining property (No.5) .
- 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, 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 considered acceptable in this instance
- There would remain an acceptable amount of outdoor private amenity space.
- The proposed part single, part two storey extension and the new porch would be set back from the back edge of highway by a reasonable distance and being centrally located would not cause any undue impact upon residential amenity.

The proposed developments would be acceptable and comply with UDP Policy H2/3 and associated guidance in SPD6.

Parking

The proposal will result in potentially two additional bedrooms. However, there will be no changes to site access or parking. The current parking conditions meets the maximum parking requirements.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Refuse

Conditions and Reasons:

- 1 The proposed development would, by reason of its scale, position and design, be a prominent and intrusive feature in the street scene and would therefore, be seriously detrimental to the visual amenities of the area. The proposed development therefore conflicts with the following policies EN1/2, H2/3 of the Bury Unitary Development Plan and SPD6.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	21/05/2025		