

DELEGATED REPORT

Report by Amanda

Date of report: 27/06/2023

Ref:69638/FUL

Uhunmwagho

Registration: 24/05/2023

LDfC: 20/06/2023

Expiry Date: 19/07/2023

Site Visit: 07/06/2023

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey extension at front, 1m high balustrade to existing raised landing area and repositioning of steps.

Location: 64 Polefield Hall Road, Prestwich, Manchester, M25 2WW

Description

The application relates to a two storey ex-local authority owned property. The whole of the front of the site is hardstanding with steps leading up from the drive area to a raised paved landing in front of the dwelling. There are fences to both side boundaries with a small tree in front of the house and there is planting to both the neighbours' sides of the boundaries.

The proposal is to build a single storey front extension projecting 1.8m, which would extend across the whole of the front elevation. It would have a mono-pitched roof and would be finished with materials that would match the existing building.

The raised landing area to the front would remain but the steps, which are currently to the centre of the site would be repositioned to the east side. The landing area would be extended forward on the east side by around 500mm and there would be a 1m high metal balustrade installed along the front.

Relevant Planning History

00703/E - Proposed detached property in side garden of 64 Polefield Hall Road - Enquiry completed 15/07/2010

60216 - Erection of 1 no. detached dwelling at side; New driveway/vehicular access to no. 64 - Approve with Conditions 31/08/2016

Publicity

Neighbours notified on 26/05/2023 - No comments or objections received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions

H2/3 Extensions and Alterations

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.

The main considerations of this application are the impact of the proposal on visual and residential amenity.

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.

Properties along Polefield Hall Road are all of a similar style, most are in short terraces of three/four properties and the property on site is a semi-detached house. There is a detached property to the east side. Some properties have porches to the front, of varying sizes and no.66 next door, which was a new property built circa 2018. This property has a single storey section to the front projecting 2m forward of the main two storey elevation.

The proposed extension would project 1.8m forward of the original front elevation which would be larger than the porches along Polefield Hall Road, but it would be similar in its design to the front of no.66 next door. It would also be around 7m set back from the highway in front and would be built with materials and a design that would be considered to be in keeping with the existing property.

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 -

- The extension would be a sufficient distance from properties opposite not to have any significant detrimental impact on residential amenity at those properties.
- Although the extension would project 1.8m forward of the front elevation the 45° rule would be satisfied with regards to the attached neighbour's ground floor window to the front elevation. It is also noted that the neighbour has not objected to the proposal.
- The 45° rule would be satisfied with regards to the ground floor habitable room window to the front elevation of no.66 next door.
- The remaining drive length to the front would accommodate 2 vehicles clear of the highway.

Taking the above in to account the proposal conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties.

Parking -

The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing where there is parking to the front of site.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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 drawing numbered Sheet 1 received on 11/05/2023 and revised proposed drawing numbered Sheet 2 Rev 1 received on 26/06/2023 as modified by the email from Mr Stewart Rothwell dated 26/06/2023. The development shall not be carried out except in accordance with the details hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties.

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- 3 The external finishing materials for the proposal hereby approved shall match those of the existing building and the new 1m high balustrade to the front shall be metal.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU	-27/06/2023	HL	30/06/23