

DELEGATED REPORT

Report by Amanda

Date of report: 09/09/2024

Ref:70988/FUL

Uhunmwagho

Registration: 25/07/2024

LDfC: 26/08/2024

Expiry Date: 19/09/2024

Site Visit:

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 rear extension

Location: 95 Polefield Hall Road, Prestwich, Manchester, M25 2WW

Description

Planning permission has been previously granted at this property for a two storey side extension and porch/canopy extension to the front. The applicant is now submitting a new application for a storey rear extension.

The application relates to a two storey semi-detached house with gardens to three sides. There are hedges along the front boundary along with a tree and both pedestrian, and vehicular access gates. The drive area could accommodate up to two vehicles, but it is currently overgrown. There are fences along both side boundaries and to the front and rear of the dwelling and a tall hedge exists along the rear boundary. The attached neighbour, no.93 Polefield Hall Road has a single storey rear extension adjacent to the shared boundary and to the east of the application site, no.36 Daneshill, a bungalow exists. This neighbouring property is currently in the process of being extended. There is a secondary lounge window and bedroom windows to the side elevation of this neighbouring property adjacent to the shared boundary.

The proposed single storey rear extension would measure 3937mm adjacent to the shared boundary with no.93 Polefield Hall Road and 2274mm wide. The roof would be hipped and there would be two windows in the north east side elevation overlooking the garden. It would be finished with brick to match the existing building.

Relevant Planning History

69967 - Two storey side extension; Entrance canopy/porch at front - Approve with Conditions 27/09/2023

70245 - Non-material amendment following grant of planning permission 69967 (Two storey side extension & entrance canopy/porch at front): To align the front wall of the side extension to the front of the house. - Withdrawn - Invalid 15/11/2023

70249 - Two storey side extension and entrance canopy/porch at front - Approve with Conditions 03/01/2024

70989 - Proposed single storey rear extension - ZZZ Special deleted application 26/07/2024

Publicity

6 neighbours notified on 02/08/2024 - No comments or objections received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant.

Development Plan and Policies

SPD6	Supplementary Planning Document 6: Alterations & Extensions
H2/3	Extensions and Alterations
NPPF	National Planning Policy Framework

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.

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.

As the extension would be to the rear of the property it would not be visible in the public realm at all. However, it 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 rear elevation of the extension would be just over 6000mm from the rear boundary. As it would be single storey only and there would be no windows in the rear elevation this distance would be acceptable in term of SPD 6.
- It is noted that even if there was a window to the rear elevation the room's use would be a utility room, which would be considered to be a non-habitable room. As such the 6000mm distance to the rear boundary would still be acceptable in terms of SPD 6.
- There would be no windows in the side elevation adjacent to the shared boundary with no.93 next door. There is a single storey extension directly adjacent to the shared boundary at that property and the proposed extension on site would project to a similar point. As such there would be no significant detrimental impact on residential amenity at the neighbouring property.
- On the north east side there would be windows overlooking the applicant's garden. The separation distance from the side elevation to the shared boundary with no.36 Daneshill would be around 11,500mm which would be more than acceptable in terms of SPD 6.
- The drawings show that all of the development would be within the site boundaries and certificate A has been submitted with the application.
- There would be ample private amenity space remaining within the site if the single storey extension is built.
- Planning permission has previously been granted for a two storey side extension. Even if the applicant were to build that extension as well as the single storey rear extension there would still be a sufficient amount of private amenity space remaining within the site.

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 in terms of separation distance to the surrounding 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 highway in front. It is also noted that there are vehicle access gates to the front of the site and a driveway which could accommodate upto two vehicles. This area is currently overgrown but could be used for parking in the future.

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 23-36-00-001 R1, 23-36-00-002 R1, 23-36-30-001 R1 and 23-36-30-002 R1 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 UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties.
- 3 The external finishing materials for the proposal hereby approved shall match those of the existing building.
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 - 09/09/2024		DM - 09/09/2024	