

DELEGATED REPORT

Report by Helen Pressley	Date of report: 10/01/2024	Ref: 70274/FUL
Registration: 27/11/2023	LDFC: 21/12/2023	Expiry Date: 22/01/2024
Site Visit: 14/12/2023	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: New front porch; Single storey extensions at side and rear

Location: 11 Newlands Drive, Prestwich, Manchester, M25 3BU

Description

The application relates to a semi-detached dwelling house located on Newlands Road. The premises has a driveway and area of garden to the front of the property. To the side of the property there is evidence of a previously removed single storey side extension. An area of private amenity space is located to the rear.

Planning permission is sought for the construction of a wrap around single storey side and rear extension that would project approximately 5000mm to the rear and 2600mm to the side. A front porch that projects approximately 1200mm is also proposed.

It was noted on site visit that the applicant is currently constructing a hip to gable extension. The agent confirmed that they were utilising PD rights for this extension. As this is not shown on the plans, and is not included in the description of development it has not been assessed.

Relevant Planning History

70174 - Prior approval for proposed single storey rear extension - Prior Approval Required & Granted - Ext 17/11/2023

Publicity

Neighbour letter sent 30/11/2023. No representations 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, including relevant policies in the emerging Places for Everyone Joint Development Plan.

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

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.

The proposed lean to style roof of the side extension is considered acceptable. The flat roof of the rear extension would be largely screened from public view with only a small corner visible from the front. This small area would be set back from the main elevation and as such would have limited impact on the character of the street scene.

The proposed porch would not project excessively and would not interfere with parking arrangements.

The overall scale of the proposed extensions is considered to be acceptable and would not overwhelm the dwelling or result in over development of the associated residential amenity space. The use of matching materials is acceptable and the proposed windows and doors

are considered to be suitably aligned.

It is considered that the proposed extensions would 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.

- extension would project more than 3 metres from the rear of the attached property (No. 9) but the proposed ground floor plans show that it would not impact a 45 degree line as taken from the nearest ground floor habitable window of this property complying with SPD 6
- The proposed rear extension would not project more than 3 metres beyond the rear of No. 13 as extended.
- The proposed porch would not impact on a 45 degree line as taken from the nearest ground floor habitable room window of No. 9.
- The proposed porch would not impact on a 45 degree line as taken from the nearest ground floor habitable room window of No. 9.
- The proposed side extension would be located adjacent to the gable of No. 13. This property has a ground floor side door and window facing towards the proposed extension. As these are side windows SPD6 confirms they are not afforded the same protection as principal habitable room windows. As such, the location of the side extension is considered to be acceptable.
- No side windows are proposed.
- Proposed rear window and door would be screened by existing boundary treatments.
- Proposed front window, and porch door would relate to non-habitable rooms and would be separated from the directly facing properties by a highway.
- Driveway of 4.8 metres in length is maintained to the front of the proposed extension which would replicate the driveway length of the property prior to the removal of the previous side extension.

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 1.0, 2.0, 3.0 and 4.0 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.
- 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>
HP 10/01/2023			