

DELEGATED REPORT

Report by Amanda

Date of report: 07/12/2020

Ref:66141/FUL

Uhunmwagho

Registration: 30/10/2020

LDfC: 26/11/2020

Expiry Date: 25/12/2020

Site Visit: 01/12/2020

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 with handrail/steps to garden level at side

Location: 20 Parksway, Prestwich, Manchester, M25 0JB

Description

The property is a previously extended detached house. There is a single storey flat roof extension on the rear elevation adjacent to the shared boundary with no.22 to the west. At the front of the site there is pedestrian access and there is a gated drive way to the rear with a detached garage.

The proposal is to build a single storey rear extension adjacent to the existing rear extension. It would project 2.98m from the existing rear elevation and would measure 3.6m wide. The structure would have a flat roof with Succah. There would be a window to the rear elevation and patio doors to the side. Outside the patio doors would be a small landing area with steps leading down to the rear garden which is lower in level. The plans show that the landing area and steps would be constructed from brick to match the dwelling and it would have a metal hand rail.

Relevant Planning History

56985 - Two storey rear extension; single storey extension; roof extension with dormers at side and rear - Withdrawn by Applicant 28/01/2014

57277 - Two/single storey extension at rear; Raising of ridge height of roof by 2000mm with roof extension and loft conversion including dormers at front and rear (resubmission) - Approve with Conditions 31/03/2014

12/0434 - Unitdy property - 23/11/2012

Publicity

Immediate neighbours notified on 06/11/2020 - 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 -

This type of extension is a common style in this particular area and the proposed materials would match the existing building. With this in mind there would be no detrimental impact on the character of the existing street scene.

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 -

As the extension would be on the rear of the property there would be no impact on

residential amenity at properties to the front and to the east side the closest property on Parkway would be well over 20m from the site of the proposed extension.

The extension would be built on the rear of the original property and would join on to an existing extension which has been built adjacent to the shared boundary with no.22 Parkway. As the new extension would be built on the east side of the existing extension there would be no new impact on residential amenity at the rear of no.22 next door.

No.67 Bishops Road to the rear of the site has a single storey extension to the side, along the shared boundary. There are no ground floor windows in the side of this property so any views from the rear window of the extension would be towards a blank wall only. With this in mind there would be no seriously detrimental effect on residential amenity at this property.

It has also been noted that had the ground level been flat to the rear of this property it is likely that the applicant may have been able to build the extension under Permitted Development rules, but as the land level drops at the rear of the property the resulting structure would be too high in terms of Permitted Development. Taking this in to account the extension is deemed acceptable as proposed.

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.

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 002 Rev 1 and 005 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>

DELEGATED REPORT

AU - 07/12/2020

DM - 16/12/2020