

DELEGATED REPORT

Report by Mo Warsame	Date of report: 18/11/2024	Ref: 71057/FUL
Registration: 02/10/2024	LDfC: 24/10/2024	Expiry Date: 27/11/2024
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey side and rear extensions

Location: 38 Heys Road, Prestwich, Manchester, M25 1JY

Description

The application relates to a two-storey semi-detached property located on a corner plot. The dwelling is situated on a residential street of similar dwellings and there is a large drive at the front of the house and a private garden to the rear. The adjacent properties are No.40 and No.36 Heys Road (attached) which has extended to the rear with a single storey extension. The houses to the front and rear are over 20 metres away.

Planning permission is sought for the erection of a single storey side and rear extension. Setback from the front elevation, the section near the front elevation would project 2.1m to the side and run 5.9m at an angle away from the house before reconnecting to the main house. From this point on the same side, the other side/rear element would start, projecting 1.2m to the side and run 3m beyond the principal rear elevation. On the opposite side the proposed rear element would project 3.95m from the rear elevation and run 3.75m to the side before connecting to the rest of the extension to form one wrap-around side/rear extension. The development would accommodate a study along with an open plan kitchen/morning room. The wrap-around side/rear extension would have pitched roof with sunroof above. The proposal would also utilise the use of matching materials.

Relevant Planning History

None.

Publicity

Neighbour letters sent. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

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), 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

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.

Situated to the side and rear, the single storey wrap-around side/rear extension would have simple and unobtrusive design, which would not detract from the character of the dwelling. The single storey side element would also be modest extension with a design that would be in keeping with the host property. Overall, the proposal would be constructed with materials that would be in keeping with the existing dwelling. As such, the proposed development would not be a prominent feature in the street scene and would comply with Policies H2/3

of the Bury Unitary Development Plan and SPD6.

Residential Amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

- SPD states that a single storey extension should not project more than 3m along a neighbouring boundary. At which point the 45° rule would apply. However, taking in to account the Larger Homes Scheme and that the adjacent neighbours have not objected a projection between 3m and 3.95m along the shared boundary would be acceptable. Furthermore, there is a sufficient distance to the rear boundary.
- The property is located centrally on large a plot and there would be sufficient distance to the side boundaries from the proposed single storey side extension. Furthermore, there would be no proposed side windows, except from the frameless window seat area which was recently added to the scheme. However, this area would be sufficiently setback back from the adjacent neighbours. No.40 is located across the road and No.36 (attached) has a rear extension with identical rear projection. As such, the 45-degree rule would not apply and there would be no detrimental impacts on the outlook and privacy of the adjacent neighbours. Additionally, there are high trees and scrubs surrounding the site.

Overall, there would be no serious impact on amenities of the adjacent neighbouring properties. The proposal therefore conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

Highways

The proposal will result in no additional bedrooms and there will be no changes to the parking layout. Therefore, the driveway at its current condition would meet the maximum parking requirements.

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 drawings numbered 388-P-01, 388-P-02, 388-P-03, 388-P-04, 388-P-05 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 and Places for Everyone Joint Development Plan listed.

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<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	18/11/2024	DM	18/11/24