

DELEGATED REPORT

Report by Tom Beirne	Date of report: 07/06/2022	Ref: 68345/FUL
Registration: 14/04/2022	LDFC: 01/06/2022	Expiry Date: 09/06/2022
Site Visit: 31/05/2022	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Part single storey/Part first floor extension at rear

Location: 38 Scott Road, Prestwich, Manchester, M25 9GN

Description

The application relates to a two storey red brick semi detached house on a road of similar styled properties. The property has been extended at the rear in the form of a single storey outrigger adjacent to the boundary with the attached neighbour at No.36. On the other side, closer to No.40, there is a two storey outrigger. The attached property at No.36 has single storey rear extension and No.40 has single storey outrigger at the rear, close to boundary with No.38.

It is proposed to build a first floor extension above the existing single storey outrigger. It would project out 1.8m and have a pitched roof carried back over the existing roof. Finished in brick to match the house.

There would also be a single storey extension projecting off the existing two storey outrigger by 2m and run across to the same width (3.2m). It would also have a pitched roof and finished in brick and tile to match the house.

Relevant Planning History

44177 - FIRST FLOOR EXTENSION AT REAR - Approve with Conditions 15/04/2005

Publicity

Immediate neighbours notified by letter dated 10/05/2022. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

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. 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 - The extensions are at the rear of the property and are not readily viewed from the public realm. Notwithstanding this, the extensions are designed and finished to match the existing property. In terms of visual amenity, the proposals are acceptable and comply with UDP Policy H2/3 and SPD6.

Residential amenity - Given the existence of a single storey outrigger on the rear of No.36, the first floor extension would only impact on the upper bedroom window closest to the boundary. As the extension is set off the boundary and extends out less than 2m, it is considered to be acceptable and complies with UDP policy and guidance.

The single storey extension projecting out only 2m from the two storey outrigger and set off from the boundary would have no significant impact on neighbours and comply with UDP Policy H2/3 and SPD6.

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

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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 ZT22-196-01, 02, 03 and 04 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 UDP Policy H2/3 Extensions and Alterations.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	07/06/2022		