

DELEGATED REPORT

Report by Amanda

Date of report: 02/02/2022

Ref:67896/FUL

Uhunmwagho

Registration: 23/12/2021

LDfC: 14/01/2022

Expiry Date: 17/02/2022

Site Visit: 14/01/2022

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey front, side and rear extension

Location: 81 Bury Old Road, Prestwich, Manchester, M25 0FG

Description

The application relates to a two storey semi-detached house which is currently in the process of being renovated. There is a small walled front garden to the front, drive way and detached garage in the garden at the rear. There is an existing single storey extension to the rear.

The proposal is to build a single storey extension to the front, side and rear of the existing building. At the front the extension would project 1.3m forward of the existing front elevation and it would measure 5m wide. The overall length of the extension to the side would be 12.4m and to the rear the extension would project 700mm from the rear of the existing extension and it would measure 5m wide. The roof would be hipped. The existing detached garage is to be removed.

Relevant Planning History

50714 - Single storey extension at rear - Approve with Conditions 16/12/2008

Publicity

Immediate neighbours notified on 23/12/2021 - 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 -

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.

Along this section of Bury Old Road there are many properties which have been extended to the side and some forward of the front elevations. The properties are set well back from the highway in front and there is a paved area in between the front of the site and the road measuring around 8m wide. This area appears to be used for parking by local residents.

The design of the proposal is considered to be in keeping with the existing building and as such would not have any significant detrimental effect 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 -

- No.26 East Meade to the rear of the site is within 20m of the existing property but as the extension would be single storey only any views from the new kitchen/morning room windows would be over the applicant's rear garden only.
- There would be one window to the side elevation adjacent to the shared boundary with no.87 Bury Old Road next door. As this window would be to a Pesach kitchen/utility room it would be considered noon-habitable and as such would be acceptable in this position. There are no habitable room windows to the side elevation of no.87 Bury Old Road.
- The plans show that all of the extension would be built within the site boundary and there would be no encroachment on to land at no.87 next door.
- Given that the attached neighbour also has a single storey rear extension the addition of the rear extension projecting a further 700mm beyond the existing rear extension would not have any significant detrimental effect on residential amenity at this property.

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. However, the existing parking area would be reduced to just one space within the site due to the position of the proposed extension. It would measure approximately 5.8m in length which would be acceptable in terms of SPD 6. The area is high access in terms of public transport and there is ample on-street parking in the immediate area. In this instance then the parking arrangements are considered sufficient.

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 2113.E1, 2113.E2, 2113.E3, 2113.E4, 2113.P1, 2113.P2, 2113.P3, 2113.P4, 2113.SP and 2113.LP 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

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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 - 02/02/2022			