

DELEGATED REPORT

Report by Jane Langan	Date of report: 23/10/2020	Ref: 65875/FUL
Registration: 07/09/2020	LDfC: 22/10/2020	Expiry Date: 02/11/2020
Site Visit: 05/10/2020	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 rear extension; Render to front and rear elevations

Location: 1 Croft Avenue, Prestwich, Manchester, M25 2SE

Description

The property is a two storey red brick semi detached house. It has been extended two storey at the side and single storey at the rear with a conservatory. A path along the side leads round to a fenced garden. The adjoining neighbour is No.3 and to the party wall side has a small window then a conservatory. To the opposite side is No.122 and its rear elevation faces along the side of the site and its garden. The rear boundary of the site border the garden to 124 Simister Lane and which is screened by trees.

The application proposes to remove the conservatory and replace it with a single storey extension 4m deep across the whole rear to form a family room.

Relevant Planning History

48136 - Two storey extension at side; conservatory at rear - AC 20/06/2007

Publicity

Surrounding neighbours were notified by letter on 07/09/20. A further 7 day letter was sent 15/10/20 with regard to the amended description to include render of the existing walls. No responses have been received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

OL1	Green Belt
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.

Green Belt - 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. In addition to this SPD6 states that extensions of existing dwellings in the Green Belt should not result in disproportionate additions over and above the size of the original dwelling. In general an extensions up to a third of the volume of the original dwelling may be acceptable however, each proposal will be considered on its own merits.

The agent has provided a statement to confirm the previous two storey extension was a 51% increase and the proposed one would add a further 35%. It goes on to explain the 'very special circumstances' to be that the site is within an established residential area, surrounded by other dwellings, and is not in an open rural setting. The proposed single storey would not be visible from any public highway. This is the case and the village of Simister in which the site is located is washed over by the Green Belt. As such it is not considered that in this instance the proposal would impact on the basic character and appearance or openness of the Green Belt.

Visual amenity and design - Located to the rear the proposal would not be visible from the main street view. It would have a dual pitched roof in a specified grey tile and the walls finished in an off white render. The existing front and rear elevations of the house would be rendered. This material is commonly seen in the area and would not be out of character.

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The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

Parking - The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. Parking would be as existing to the front drive.

Residential amenity - The proposed extension would project 4m deep along the boundary with the adjoining No.3. This property has one small window to the party wall side with the remainder of the rear elevation being extended with a conservatory.

No.122 to the opposite side has a rear elevation that extends past the rear elevation of the site including past the depth the proposal would extend to. It has one window to the rear at ground floor that would face towards the proposed extension however it is an obscure glazed one.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential 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 1CA/10 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	23/10/20	DM	28/10/2020