

DELEGATED REPORT

Report by Jane Langan	Date of report: 04/04/2023	Ref: 69375/FUL
Registration: 22/02/2023	LDfC: 23/03/2023	Expiry Date: 19/04/2023
Site Visit: 22/03/2023	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 extensions to side and rear

Location: 7 Vernon Drive, Prestwich, Manchester, M25 9RA

Description

The property is a bay fronted semi detached house located along a cul de sac. It sits at a higher level from the footpath with garden to the front, steps up and a drive. To the rear it has been extended single and two storey. The adjoining property is No.5 and is extended single storey at the rear. To the opposite side No.9 is the same semi type separated by its drive. It has a single storey section to the rear and a detached garage at the end of the drive. The site garden is very lengthy and steps up in levels. The rear boundary borders the garden to 12A The Downs.

The application includes a single storey side extension that would come out 1.3m and run along to the level of the existing two storey extended rear elevation. To the rear the existing single storey to the party wall side would be extended out a further 2.4m for 3.3m across. The extensions would form an extended kitchen and dining room and a shower room.

Relevant Planning History

67749 - Two storey extension at side/rear - AC 07/01/2022.

Publicity

Surrounding neighbours were notified by letter and no responses have been received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

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 and design - The proposed extension would have a hipped roof at the front and run along the side to the level of the existing rear elevation. The single storey to the rear would be flat roofed with a lantern light. Materials would be brickwork to match and the pitched roof tiled to match the adjacent No.5.

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 remain as existing to the front drive where there would a drive length of 6.2m remaining.

Residential amenity - The proposed side extension would run along adjacent No.9 and be set in approximately 0.8m in from the boundary. It would not project beyond the front or rear elevations of this neighbouring property. It would bring a wall in closer proximity to the side elevation to No.9 which has a number of windows however SPD6 affords limited weight to side windows. There would be one window to the proposed side elevation to the ground floor, a slim secondary window to the kitchen. The site as existing has side windows to the ground floor and there is some screening from fencing. Fencing up to 2m can be placed along a boundary should either neighbouring property require more privacy.

The proposed single storey to the rear would project less than 3m from the rear of No.5 as extended and the side would be blank wall.

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 1/41/2023, 2/41/2023 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	04/04/23	DM	12/04/23