

DELEGATED REPORT

Report by Oliver Sear	Date of report: 07/10/2020	Ref: 65879/FUL
Registration: 26/08/2020	LDfC: 28/09/2020	Expiry Date: 21/10/2020
Site Visit: 17/09/2020	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 extension at side/rear and single storey extension at rear

Location: 72A Albert Avenue, Prestwich, Manchester, M25 0LX

Description

An application relating to a detached bungalow on Albert Avenue. At the front there is a driveway leading to an attached garage on the West side. There is also an area of front garden. There is access to the rear via the East side of the dwellinghouse. At the rear there is an existing conservatory, and raised patio and garden area with woodland.

There are unattached neighbours to the East and West which are Nos. 74 and 72 Albert Avenue. Across the highway at the front there is the junction to Mowbray Avenue and No. 67 Albert Avenue. At the rear there is a wooded area.

The proposal is for a single storey side and rear extension and a sperate single storey rear extension. The side extension would replace the existing attached garage, projecting 2.85 metres from the main dwelling. It would extend back 13.7 metres with a 3.25 metre projection past the rear wall of the existing dwellinghouse. There would be a single storey rear extension which would be in line with the East side wall. It would see the removal of the existing conservatory and project 4.2 metres off the rear wall joining with the existing kitchen outrigger.

Relevant Planning History

02234/E - Residential development of 3 no. detached dwellings - Enquiry completed 16/01/2019

Publicity

Neighbour letters sent 07/09/2020 - No responses

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - None

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

UDP Policy H2/3 and SPD 6 are relevant here and seek to achieve a high standard of design. This is to make sure the development compliments the original building, and does not have a negative impact on the appearance of the host building, neighbouring properties and the general street scene.

The proposed development would use materials that would match the existing materials at the property.

The proposed development would include a single storey side extension it would take the place of the existing garage wall with a front roof pitch matching the angle of the main dwellinghouse. This meets the requirements of SPD6 for single storey side extensions.

The design would be simple and unobtrusive and would match the existing building and would not detract from the appearance or character of the building.

The proposed side extension would be single storey and so would not impact terracing on the street.

As such the proposal would be visually acceptable and meet the requirements of the UDP and SPD6.

Residential Amenity

UDP H2/3 and SPD 6 seeks to reduce the impact of developments on the residential amenity of neighbouring properties

There would be no proposed side windows in the extension which meets the requirements of SPD6 to protect neighbour privacy.

The proposal would be 22.5 metres to the rear boundary which exceeds the 7 metres required in SPD6.

The proposal would not project over 3 metres from the rear elevation of No.74 Albert Avenue and as such would meet the requirements of SPD6 for rear extensions. There would be no encroachment over a 45 degree line from the front or rear of No.72 Albert Avenue and as such the proposal meets the requirements of SPD6 for side and rear extensions.

Parking

The proposal would not create any additional bedrooms rather extend the existing bedroom and as such the parking provisions and requirements have not changed and the proposal is acceptable.

The proposal is considered acceptable in terms of visual and residential amenity and conforms to the Bury Unitary Development Plan Policy No H2/3 Extensions and Alterations and the guidance in Supplementary Planning Document 6 – 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 the drawings received on 26/08/2020 and 07/09/2020 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 Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and

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Extensions to Residential Properties.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
O.S	07/10/2020	DM	15/10/2020