

DELEGATED REPORT

Report by Mo Warsame	Date of report: 07/05/2024	Ref: 70527/FUL
Registration: 13/03/2024	LDFC: 03/04/2024	Expiry Date: 08/05/2024
Site Visit: 19/04/2024	Site Notice: N/A	Press Date: N/A
14:00:00		
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey/single storey wrap around extension; Front porch

Location: 12A Rectory Avenue, Prestwich, Manchester, M25 1DE

Description

The property is a small detached house that is located within a street with predominantly semi-detached properties. The premises has a drive to the side and gardens to the front and rear. The adjacent neighbours on either side are No. 12 and No.14 Rectory Avenue. Both houses are semi-detached.

The proposal is to build a two-storey extension at the side and single storey side extension on one side, part single, part two storey extension on the other side and a single storey rear extension along with a porch extension to the front.

The porch would project 1490mm to the front and run 3299mm to the side. The single storey side extension near the shared boundary with No.14 would project 829mm to the side and run 6505mm to the rear to connect with rear extension. The single storey rear extension would extend 3500mm to the rear and run 8515mm to the side. On the other side near the shared boundary with No.12, the part single side element would project 3151mm on the side and would run along this boundary while following the shape of the site to effectively connect with rear extension. The two storey element on this side would project 2223mm to the side and run a straight line with slight splayed corner towards the rear end. The two storey side extension on the other side would be offset by 200mm to the front and side and run 7846mm to the rear.

The development would facilitate an additional bedroom with and ensuite bathroom on the first floor. On the ground floor the development would accommodate a new entrance, reception area, study/office space along with a new toilet and kitchen/living extension. The proposal would utilise the use of matching materials and would have pitched, hipped roofs above all extensions.

Relevant Planning History

None.

Publicity

Neighbour letters sent. No objections or comments received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

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), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within 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 and PfE Policies 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

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.

SPD 6 seeks to prevent two storey side extensions from causing a terracing effect by requiring a 1.5 metre set back to the main frontage or to the boundary. In this instance, there would be a sufficient setback distance from the shared side boundary on either side of the property. Additionally, the dwelling is the only detached property within a row of semi-detached properties with staggered build line. Therefore, It is considered that the proposal would not lead to the uncharacteristic terracing of dwellings and would not have any adverse impact on the street scene.

The proposed part single, part two-storey side extensions would have simple design that would be in keeping with the character of the dwelling. Furthermore, all the extensions would have pitched, hipped roof replicating the shape and style of the original dwelling and neighbouring properties.

Situated to the rear, the single storey rear extension would have simple and unobtrusive design, which would not detract from the character of the dwelling. Overall, the proposal would be constructed with some materials to match the existing dwelling. As such, the proposed development would not be a prominent feature in the street scene and would comply with Policies H2/3 of the Bury Unitary Development Plan and SPD6.

Situated to the front the proposed porch would also be a modest structure with simple design that would be in-keeping with the character of the area.

It is considered that the proposal would not have a detrimental impact on the character of the dwelling, street scene or neighbouring properties and would therefore comply with UDP Policy H2/3 and SPD 6.

Residential Amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

- SPD states that a single storey extension should not project more than 3m along a neighbouring boundary. At which point the 45° rule would apply. However, taking in to account the Larger Homes Scheme and that the adjacent neighbours have not objected the projection of 3.5m along the shared boundary would be acceptable.
- There would be no proposed side windows facing the adjacent properties except for a single one window on the ground floor. However, this window would be from non-habitable and would be shaded by the existing fencing.
- Properties to the rear are over 20m away. Furthermore, there is also a sufficient distance to the shared rear boundary.
- There would not be any encroachment or any detrimental impact on the adjacent neighbours, following the application on the 45 degree rule from the proposed two storey side extensions on either side.
- The proposed front windows on the two-storey side extension would be over 20m away from the properties in front and separated by a highway. Therefore, this would be considered acceptable.
- The front porch would be modest structure that would not interfere with the parking layout.

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 19/02/2024 and 27/02/2024 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 Extensions to Residential Properties.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	07/05/2024	DM - 07/05/2024	