

DELEGATED REPORT

Report by Tom Beirne	Date of report: 18/01/2023	Ref: 69080/FUL
Registration: 29/11/2022	LDfC: 23/12/2022	Expiry Date: 24/01/2023
Site Visit: 20/12/2022	Site Notice: N/A	Press Date: N/A
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 extension at front with alterations to existing front elevation and entrance/front porch; New bay window to right of front elevation, modify roof line above existing bay windows with new pitched roofs

Location: 4 Castle Hill Road, Prestwich, Manchester, M25 0FR

Description

The application relates to a two storey detached house that has been previously extended to the rear. The front garden is hard surfaced for parking and there is a front boundary wall with conifers behind. The rear garden is very large bounded by timber fencing and high conifers. There are residential properties on either side and to the rear of the site is a sports field.

The application proposes to extend the front, SW corner of the house to bring it level with the existing main front elevation. A small two storey bay is proposed on the front, east side of the house that is set back from the main house. The extensions would be in brick and tile to match the existing house. The new pitched roofs over the bays/extensions would be hipped and carried over onto the main roof at a lower level.

Relevant Planning History

63563 - Outline - Demolition of existing dwelling and erection of 21 no. apartments within 3 no. 2.5 storey blocks with associated parking and details of access, appearance, layout and scale (landscaping reserved matters) - Withdrawn by Applicant 30/07/2019

68175 - Raised ridge height of roof and Two storey extension at rear - Approve with Conditions 05/05/2022

68725 - Detached garage and storage building with walk-on flat roof and glazed balustrades to perimeter. New vehicular dropped crossing with gated vehicle entrance and associated landscaping - Approve with Conditions 02/11/2022

Publicity

Immediate neighbours notified by letter dated 01/12/2022.No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

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 - The existing house is large and sits within a large plot on a road of detached and semi-detached houses of various styles. The extensions are relatively modest in scale and would, in design terms, be in keeping with the existing house and would not appear incongruous within the streetscape. The proposal is acceptable and complies with UDP Policy H2/6 and associated guidance in SPD6 relating to Alterations and Extensions.

Residential amenity - Given the nature of the site and relationship to neighbours, there are no issues arising in terms of residential amenity. The proposal is acceptable and complies with UDP Policy H2/6 and associated guidance in SPD6 relating to Alterations and Extensions.

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 37/21-04/B, 37/31-22A, 32-22A33-22 and 34-22 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 EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	18/01/2023		