

DELEGATED REPORT

Report by Tom Beirne	Date of report: 23/08/2023	Ref: 69651/FUL
Registration: 16/05/2023	LDFC: 16/06/2023	Expiry Date: 11/07/2023
Site Visit: 21/06/2023	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: First floor rear extension with balcony and single storey side extension, vehicular access alterations.

Location: 153 Heywood Road, Prestwich, Manchester, M25 1LF

Description

The application relates to a two storey semi-detached dwellinghouse on a road of similar styled properties. There is a single storey outrigger to the side and a single storey extension at the rear

The proposed first floor rear extension would project out 3.5m from the rear elevation and run 6m across the width of the house, over the existing single storey element. This would allow for two bedrooms to be extended. A small balcony (1900mm x 900mm) would be project out from bedroom 2, closest to the attached neighbour at No.155. To reduce overlooking there would be a 1.7m high obscure glazed screen on the side of the balcony closest to the side boundary with No.155. There would be a pitched roof over the rear extension that would carry over onto the existing roof.

At the side, the existing outrigger would be extended back to level with the rear elevation. The mono pitched roof would be carried over onto the existing roof of the outrigger.

The extensions would be finished in brick and tile to match the existing house.

Relevant Planning History

46948 - Two storey and single storey extension at rear - Approve with Conditions
22/11/2006
17/0495 - Erection of side extension - 11/01/2018

Publicity

Immediate neighbours notified by letter dated 24/05/2023. 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 and streetscape - The proposed extensions are in keeping with the design, appearance and scale of the existing house. Situated at the rear, the extensions would not be prominent from the public highway. The proposal would be acceptable in terms of visual amenity and comply with UDP Policy H2/3 and associated guidance.

Residential Amenity - The attached neighbour at No.155 has a single storey extension along the shared boundary and a bedroom window at first floor level, adjacent to the boundary. As the first floor extension projects out 3.6m, without an objection from the neighbour, this would equate to a single storey extension and would be considered acceptable. The obscure screen on the side of the balcony would reduce direct overlooking on the neighbour at No.155.

On the other side, No.151 has a two storey rear extension that is adjacent to the boundary,

level with the proposed extension. The proposed extensions, in terms of residential amenity, are considered to be acceptable and compliant with UDP Policy H2/3 and guidance in SPD6.

Access and Parking - The front garden would be resurfaced in porous crushed limestone and a new access over dropped kerb formed from Heywood Road to form an access to two parking spaces. This is considered acceptable and there is no objection from the Traffic Team. Proposal complies with UDP Policy H2/3 with regard to parking and access.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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 04 (Revised floor plans and elevations) and 06 (Revised access details) 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 - H2/3 and SPD6 Alterations and Extensions.
- 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.
- 4 Prior to first use of the balcony on the rear elevation, the privacy screens on the balcony shall be installed in accordance with the approved plan. They shall remain in situ whilst the balcony is in place.
Reason. In the interests of residential amenity pursuant to UDP Policy H2/3 Extensions and Alterations
- 5 The access and parking arrangements indicated on the revised plan reference 06, incorporating the provision of a double footway crossing, edgings at the back of the footway to demarcate the limits of the adopted highway, 1.0m high boundary fence abutting Heywood Road in the position shown to control access to the proposed hardstanding with foundations that do not encroach under the adopted highway, hardstanding in a permeable/porous material and/or measures to prevent the discharge of surface water or spread of loose stone onto the adopted highway and any associated highway remedial works required to reinstate the footway to its former condition prior to commencement of the development, shall be implemented to the satisfaction of the Local Planning Authority before the extensions and new parking facilities hereby approved are brought into use.

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Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, all in the interests of highway safety.

- 6 The development hereby approved shall not be commenced unless and until facilities for the storage of construction materials have been provided within the curtilage of the site to the satisfaction of the Local Planning Authority. The facilities shall be retained for the intended purpose and the area identified shall not be used for any other purposes other than the storage of construction materials for the duration of the construction period.

Reason. To maintain the integrity of the adopted highway and ensure adequate off highway materials storage arrangements are provided for the duration of the construction period, in the interests of highway safety.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
TB	23/8/23	DM	23/8/23