

DELEGATED REPORT

Report by Mo Warsame	Date of report: 30/09/2022	Ref: 68586/FUL
Registration: 08/08/2022	LDfC: 31/08/2022	Expiry Date: 03/10/2022
Site Visit: 15/08/2022	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: First floor side extension with rear juliet balcony

Location: 345 Heywood Road, Prestwich, Manchester, M25 2RN

Description

The application relates to a semi-detached dwelling with a single storey extension to the side. The property is located on Heywood Road opposite Parrenthorn High School. The premises has an area of garden with a driveway to the front and a private garden space to the rear. Properties No.343 and No.347 Heywood Road are on either side of the dwelling and the rear boundary is shared with properties No.18 and No.20 Turnbull Avenue.

Planning permission is sought for the construction of a first-floor side extension with Juliet balcony. The extension would be constructed over the footprint of the existing single storey side extension and projects approximately 2.3m to the side. It would setback approximately 0.5m from the front and rear elevations. The proposed development will accommodate two bedrooms on the first floor.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified by letter dated 10/08/2022. No representations were received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury

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

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.

The first-floor extension would be set back from the original front elevation and No.343 Heywood Road has a higher ground level to that on site. Therefore, the proposal would be considered acceptable in terms of 'terracing' and the effect on the street scene.

The proposed side extension would have a pitched, hipped roof replicating the shape and style of the original and neighbouring properties. The proposed windows would be considered suitably aligned and the slight set back and lower ridge height gives the impression of subservience. The use of matching materials is appropriate.

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.

- The proposed side extension would not project beyond the principal elevation of No. 343 Heywood Road therefore, the 45-degree rule would not apply.
- There would be no windows proposed facing towards No. 343 Heywood Road.
- The proposed rear bedroom window with the Juliet balcony would be located approximately 17.5 metres from the directly facing rear boundary exceeding the 10 metres required by SPD 6.
- The proposed first floor front window would be separated from the playing fields associated with the Parrenthorn High School by a highway and are therefore considered to be acceptable.

Parking

The proposal will result in two additional bedrooms on the first floor, however there will be no changes to site access, or parking. The driveway at its current condition meets the maximum parking requirements.

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 5300/001 rev A 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> MW 30/9/22	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
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