

DELEGATED REPORT

Report by Jane Langan	Date of report: 11/12/2020	Ref: 66037/FUL
Registration: 15/10/2020	LDFC: 13/11/2020	Expiry Date: 10/12/2020
Site Visit: 03/11/2020	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 and first floor extension at rear

Location: 26 Agecroft Road West, Prestwich, Manchester, M25 9RL

Description

The property is a red brick bay fronted detached house. It has garden and a drive at the front which slope up from the public footpath. It is extended single storey at the side and single/two storey at the rear. To the west side is a footpath that runs through to School Grove. Across this path to the side is No.28 which has been extended two storey at the side up to the footpath. To the opposite side No.24 is extended single storey at the rear. The site rear boundary borders a primary school.

The application proposes to remove the single storey store at the side and replace with a new single storey extension. This would come 2.3m out at the side from the front elevation and run along to the level of the existing single storey at the rear. It would form a utility and extended kitchen/dining room. To the rear above the existing single storey a first floor extension would come out 3.1m deep to the level of the existing first floor rear elevation and across to the existing side elevation. It would form a bedroom with an existing one becoming a bathroom.

Relevant Planning History

31374 - Two storey extension and conservatory at rear - AC 03/10/95.

Publicity

Surrounding neighbours were notified by letter and no responses have been received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

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 design - The single storey at the side would have a monopitch roof with roof lights and with slate tiles. The walls would be finished in brick to match. The roof slope would be fairly steep however it would not result in an out of character development. To the rear the first floor would have hipped roof and matching materials. This has been revised from the originally proposed flat roof.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

Parking - The proposal would not increase the number of bedrooms with an existing one becoming an ensuite therefore parking spaces as set out in SPD 11 Parking Standards need not be considered. The site as existing has a drive to the front and the site plan notes the intention to widen the drive to provide an additional space surfaced in tarmac. Informatives are added regarding the need to contact the Department for Operations for a widened crossing and that the surfacing will need a further permission unless permeable tarmac is used or surface water drained naturally to a lawn or border.

Residential amenity - The single storey to the side would run adjacent the footpath and across this No.28 is extended two storey with a blank wall. The proposed first floor to the rear would sit as an infill adjacent and level with the existing two storey extension. There

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would be over 7m from the first floor window to the rear boundary and beyond is a school site.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - 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 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 AW/PL/003//Rev A, AW/PL/002/Rev B, AW/PL/003 Rev B 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	11/12/20	DM	14/12/20