

DELEGATED REPORT

Report by Jane Langan	Date of report: 04/03/2022	Ref: 67927/FUL
Registration: 07/01/2022	LDFC: 14/02/2022	Expiry Date: 04/03/2022
Site Visit: 24/01/2022	Site Notice: 24/02/2022	Press Date: 20/01/2022
Objections: 0	Con Area: POPP	Adv Type: CA
Reason for Delay: N/A		EIA: NA Dec Level: DEL Stat Class: HOUS

Proposal: Single storey side extension; Single storey rear extension

Location: 67 Poppythorn Lane, Prestwich, Manchester, M25 3BY

Description

The property is bay fronted end terraced house located within Poppythorn Conservation Area. It has a garden and drive to the front and a brick wall runs out from the side of the house along the drive boundary to the footpath. Adjacent the wall is a path then timber fencing and this path provides access along the side of the property to the rear garden. To the rear the house has a two storey outrigger across the outer part of the elevation and to the party wall side is the main rear elevation with patio doors. The adjoining No.65 has its two storey outrigger running adjacent the site boundary. To the opposite side No.69 is separated by the site path and fencing screens. The rear garden of the site is shallow and there is timber panel fencing along the rear boundary. This back on to the rear garden to 6 Elm Grove and a small section of No.4.

The application includes a single storey extension at the side coming out 1.5m set 0.4m back from the front elevation and running along for 3.59m. It would form a cloak room with wc. To the rear a single storey 5m deep would infill to the side of the outrigger extending the kitchen/dining room.

Relevant Planning History

None.

Publicity

Surrounding neighbours were notified by letter on 13/01/22. A site notice was posted on 24/02/22 and a press notice placed in the Bury Times on 20/01/22. No representations have been received.

Statutory/Non-Statutory Consultations

Conservation Officer - No objection.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
NPPF	National Planning Policy Framework

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.

As the site is located within Poppythorn Conservation Area it is necessary to consider the proposal in terms of the Town and Country Planning Listed Building and Conservation Act. In this regard proposals should either preserve or enhance the character and appearance of the conservation area. In terms of policy consideration of National Planning Policy Framework paragraphs 189-202 and Policies EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control of the Bury Unitary Development Plan.

Visual amenity, design and impact on the conservation area - The single storey side extension would be set approximately 0.4m back from the front elevation. It would have a monopitch roof in blue slate and the walls brickwork to match the existing. There would be one window located in the rear elevation with a feature soldier course in keeping with the existing windows. To the rear the single storey would infill the area between the outrigger and that to the adjoining property. It would be flat roofed with a lantern light and the walls

in matching brick. The rear elevation would have patio doors and also a soldier course band above them.

Located as an infill the single storey at the rear would not be visible from the main street view and the side extension would be mostly screened by the existing brick wall that runs across from the front elevation of the house. With the design and materials appropriate and the limited view the character and appearance of the conservation area would be preserved.

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 and highways - The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The proposed development would not affect the existing parking arrangements.

Residential amenity - The single storey side extension would be to the side to No.69. This neighbouring property has its drive adjacent and the site fencing provides screening between the properties. The side wall of the proposed extension would be blank wall.

To the rear the single storey would run adjacent to the outrigger to No.65. Certificate B has been completed in respect of encroachment.

The rear boundary has fencing providing screening and the proposed rear extension would not project any deeper than the existing rear elevation.

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

The proposed rear extension would reduce the outside amenity space to the site however there would be an acceptable area remaining.

The proposal complies with UDP Policies H2/3 - Alterations and Extensions, EN2/1 - Character of Conservation Areas, EN2/2 - Conservation Area Control 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 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 67PL/1A 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.

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<u>Case Officer</u> JL	<u>Date</u> 04/03/22	<u>Sign off Officer</u>	<u>Date</u>
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