

DELEGATED REPORT

Report by Amanda

Date of report: 21/11/2023

Ref:70139/FUL

Uhunmwagho

Registration: 04/10/2023

LDfC: 06/11/2023

Expiry Date: 29/11/2023

Site Visit: 08/11/2023

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey rear extension

Location: 23 Castle Hill Road, Prestwich, Manchester, M25 0FR

Description

The application relates to a two storey detached house with a cat slide style roof to the north east side and there is an integral garage at the property. Along the front boundary is a red brick wall with pillars as well as a hedge. There is also a low brick wall and hedges to both side boundaries and the whole of the front area is paved for parking.

At the rear of the property there is an existing single storey extension with balcony above. There is a patio area which is raised to the main part of the rear garden which has planting and trees throughout the garden.

The proposal is to replace the existing single storey extension and balcony with a larger flat roof extension. It would project 5.74m from the original property, which would be to the same point as the existing extension and it would measure 10.9m wide. There would be a canopy across the rear elevation projecting 1.2m finished with black cladding and the roof would be flat with a black aluminium raised roof lantern to the centre. The walls would be finished with brick and render to match the existing building.

Relevant Planning History

N/A

Publicity

5 neighbours notified on 16/10/2023 - No comments or objections received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions
H2/3 Extensions and Alterations

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, including relevant policies in the emerging Places for Everyone Joint Development Plan.

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.

The main considerations of this application are the impact of the proposal on visual and residential amenity.

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 proposed extension would be built on the rear of the existing dwelling meaning it would not be visible in the public realm at all. It would be partially visible from the adjacent gardens but as the extension would be built with materials and a design that would be considered to be acceptable in this location and would not have any significant detrimental impact in terms of visual amenity.

Given the above the proposal conforms to Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of visual amenity.

Residential Amenity -

- As the extension would be built on the rear of the existing dwelling there would be no detrimental impact on residential amenity at houses to the front.
- The single storey extension would be around 20m from the rear site boundary. As such there would be no significant detrimental impact on residential amenity at properties to the rear on Danesway.
- There would be no windows to either side elevation of the extension.
- There would be no changes made to the side elevation closest to the shared boundary with no.21 Castle Hill Road.
- The extension would be brought closer to the shared boundary with no.25, but as there would be no windows in the side elevation and no.25 also has an extension close to the boundary there would be no significant detrimental impact on residential amenity at this property.
- The extension would project to a similar point to the extension at no.25 next door and the canopy would project a further 1.2m. As this would only be a canopy and it would project less than 3m past the rear of the neighbour's extension it would not cause any significant detrimental harm in terms of residential amenity at that property.
- The proposed canopy would be set away from the shared boundary with no.21 to the south west.
- The drawings show that all of the extension would be built within the site boundary and certificate A has been submitted with the application to confirm the land is the applicant's ownership.

The proposal conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of separation distance to the surrounding properties.

Parking -

The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing where there is parking to the drive at the front of the site.

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 23CH-110 B, 23CH-115 B and 23CH-126 C received on 04/10/2023 and drawings numbered 23CH-121 D and 23CH-122 A received on 20/11/2023 as modified by the email from WHYL

Architecture dated 20/11/2023. The development shall not be carried out except in accordance with the details hereby approved.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties.

- 3 The external finishing materials for the proposal hereby approved shall have walls to match the existing building along with feature black cladding and windows, doors and rooflight would be constructed using black aluminium frames.

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>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 21/11/2023			