

DELEGATED REPORT

Report by Amanda

Date of report: 19/08/2025

Ref:72106/FUL

Uhunmwagho

Registration: 25/06/2025

LDfC: 07/08/2025

Expiry Date: 20/08/2025

Site Visit: 15/08/2025

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey side and rear extension

Location: 24 Swarbrick Drive, Prestwich, Manchester, M25 9TD

Description

The application relates to a two storey, semi-detached house with a small open plan front garden, drive to the side and private garden to the rear. Above the front entrance is a small canopy. At the rear the garden has fences to all boundaries as well as planting and trees. There is a small area of decking directly to the rear of the house.

The proposal is to build a single storey side and rear extension. It would measure around 2918mm wide x 11,088mm in length and at the rear it would project around 3455mm x 7789mm wide. The roof would be hipped at the side and pitched at the rear with one rooflight to the side and three to the rear. On the rear elevation there would be upvc/aluminium patio doors with glazing above.

Relevant Planning History

N/A

Publicity

3 neighbours notified on 16/07/2025 - No comments or objections received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions

H2/3 Extensions and Alterations

PfE Places for Everyone

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), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within 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 and PfE Policies 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 single storey extension would be built with materials and a design that would be considered to be in keeping with the existing building, as well as with neighbouring properties.

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, and Places for Everyone Joint Development Plan listed.

Residential Amenity -

- The front of the site looks towards a boundary fence on the opposite side of Swarbrick Drive and the separation distance would be considered to be acceptable in terms of SPD 6.
- There would be one new window in the north side elevation. This would be to a ground floor wc and a condition would be added to the decision stating that this window should remain as obscurely glazed at all times in the future.
- The plans show that there would be a gap of around 1000mm from the side elevation to the shared boundary to the north. As such there would be no concerns regards encroaching the neighbour's property/land.
- There would be around 8000mm from the rear of the extension to the rear boundary. This would be acceptable in terms of SPD 6.
- The rear extension would not project past the rear of the neighbouring extension on the attached property and the proposed drawing shows the side elevation would be around 250mm off the shared boundary. As such there would be no concerns regards encroachment at no.26 next door.
- SPD 6 states that a drive length should measure a minimum of 5000mm. However, in some circumstances a lesser length of 4800mm could be acceptable, dependent on the site/location. With regards to this site the drive would measure around 4800mm but as Swarbrick Drive is not a main road this length would be considered acceptable in this instance. It is also noted that the applicant could build a single storey side extension as permitted development which would result in the same drive length as is currently proposed. In this instance the lesser length of 4800mm would be considered acceptable. There are also no parking restrictions to the highway in front.

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 be one parking space to the front of the dwelling and there are no parking restrictions to the highway in front.

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 SWB-DR-A-0001 Rev P01, SWB-DR-A-0002 Rev P01 and SWB-DR-A-0003 Rev P01 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 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, and Places for Everyone Joint Development Plan listed.

- 3 The external finishing materials for the proposal hereby approved shall match those of the existing building and to the rear elevation there would be upvc/aluminium framed doors.

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.

- 4 Before the first occupation of the extension hereby permitted the window on the north elevation shall be fitted with obscured glazing, be unopenable below an internal floor height of 1.7m, and shall be permanently retained in that condition thereafter.

Reason. To protect the privacy of adjoining occupiers and to accord with 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 - 19/08/2025		DM - 19/08/2025	