

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 16/03/2022	Ref: 67926/FUL
Registration: 22/12/2021	LDFC: 28/01/2022	Expiry Date: 16/02/2022
Site Visit:	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: Single storey side extension.

Location: 1 Wordsworth Gardens, Prestwich, Manchester, M25 9LQ

Description

The site relates to a semi detached dwelling on a small cul de sac comprising just 6 properties. The dwelling is a 2 storey property red brick property with a single storey side extension.

The application seeks to replace the side extension with a single storey side extension. The extension would be set back from the front elevation by approx 2m. The extension would be 1.9m wide and 6m in depth and would project along the full length of the side elevation and be 3.5m high. It would be brick built to match the existing.

The proposed site plans also show a proposal to drop the kerb to provide a driveway for one car. The street is not a classified road and the proposed plans indicate that the driveway would be surfaced in a porous or permeable material and therefore planning permission would not be required. The applicant would however need a consent from the Highway Authority for these works which would be dealt with under a separate process.

To clarify, the description would read - single storey side extension.

Relevant Planning History

N/a

Publicity

Adjacent properties notified on 7/1/22 on the proposal for a single storey side extension only.

No responses received as a result of the publicity

Statutory/Non-Statutory Consultations

n/a

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

H2/3	Extensions and Alterations
EN1/2	Townscape and Built Design
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 - The proposed extension would be located on the side of the property. It would have a flat roof and materials of red brick to match the existing. The extension would be a subservient addition to the existing dwelling. The dwelling is located within a small cul de sac and views of the extension would be limited. It is considered that visual impacts of the development would be minimal and as such would comply with EN1/2 and H2/3.

Residential amenity - The dwelling is an end property within the cul de sac setting and as the extension would be located on the north elevation the proposed extension would not impact on any properties within the cul de sac.

The proposed extension would be adjacent to the rear boundary with No 133 St Ann's Road. As it would be single storey with a flat roof it is considered there would not be a significant impact on the garden area or habitable room windows on this property.

Tree - There is a large tree in the front garden of the property. The LPA's Tree Officer has visited the site and confirmed the tree is not a particularly good specimen or worthy of retention or a TPO status.

The removal of the tree would therefore be acceptable.

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 - Location plan GSS21094.3 001; Site - existing and proposed GSS21094.3 004 rev 3; Existing and proposed plans SS21094.3 002 rev 1; Existing and proposed elevations SS21094.3 003 rev 1 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 EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT	16/3/22		