

DELEGATED REPORT

Report by Tom Beirne	Date of report: 17/07/2025	Ref: 71920/FUL
Registration: 30/05/2025	LDfC: 27/06/2025	Expiry Date: 25/07/2025
Site Visit: 01/07/2025	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: Two storey/single storey rear extension with balustrade balcony; First floor side extension with balcony and steps to garden; Single storey front extension

Location: 21 Newington Avenue, Prestwich, Manchester, M8 4LT

Description

The application relates to a two storey semi-detached house at the head of a residential cul-de-sac of similar styled properties. The house has a flat roof single storey extension to the side and a long driveway leading to a detached garage at the rear. The attached neighbour (No.23) has been extended to the rear with a conservatory along the shared side boundary and a two storey outrigger on the far side. The unattached neighbour (No.19) has been extended to the rear.

The proposal involves the construction of a new single storey extension, projecting off the existing side extension and wrapping around the rear. It would run across the width of the rear and project out 5m from the original rear elevation and 2.8m beyond the conservatory at the rear of the attached neighbour.

A new two storey element would extend above the existing single storey extension and wrap around the rear, projecting out 3.2m from the rear elevation and running across half the width of the original house, leaving a gap of approximately 2.8m to the shared boundary with No.23 Newington Avenue.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified by letter dated 006/06/2025. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

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), 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.

Visual amenity - In terms of design and appearance, the extensions, finished in materials to match, would be in keeping with the house. With the roof over the side extension carried over onto the main roof, the extension would not appear incongruous within the streetscape. The proposal is acceptable in terms of visual amenity and complies with UDP Policy H2/3 and associated guidance relating to extensions and alterations.

Residential amenity - The plans have been amended to add a 'privacy' screen on the side of the balcony closest to the attached neighbour. Distances to the rear boundary and the 'unattached side' are in excess of 7m and considered acceptable. Side windows in the extension face the driveway and side garden area and do not raise any amenity issues. The proposal is acceptable in terms of residential amenity and complies with UDP Policy H2/3 and associated guidance relating to extensions and alterations.

Parking and Access - The access and driveway to the front and side remain as existing and can accommodate two cars. This is acceptable and complies with Policy H2/3 and associated guidance relating to extensions and alterations.

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 301, 001/1(Revised), 002, 003/8 (Revised) 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 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.
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.
- 4 Prior to the first use of the balcony, the proposed 'privacy screen' shall be installed as indicated on the approved plan.
Reason. In the interests of residential amenity, pursuant to UDP Policy H2/3 Extensions and Alterations.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	17/07/2025		