

DELEGATED REPORT**Report by** Amanda**Date of report:** 18/07/2025**Ref:**71971/FUL

Uhunmwagho

Registration: 26/05/2025**LDfC:** 26/06/2025**Expiry Date:** 21/07/2025**Site Visit:** 24/06/2025**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 extension**Location:** 27 Nursery Road, Prestwich, Manchester, M25 3DU**Description**

The application relates to a two storey semi-detached house located on Nursery Road at the junction with Cedar Grove to the south. There are gardens to three sides and a driveway and garage at the rear (accessed from Cedar Grove). Along the front boundary there is a short wall with a hedge and there is pedestrian access from the front. Along the side there is a fence and there are high metal gates to the driveway. The garage is a double garage and the driveway could accommodate two vehicles. There is a hedge separating the driveway from the garden.

The proposal is to build a single storey side extension which would measure 4000mm x 6323mm and it would have a pitched roof with two rooflights at the front and two to the rear. Due to the way the land dips at the rear the rear elevation would be higher compared to the front and there would be steps leading from the access door to the garden. There would be no windows to the side elevation and it would be finished with materials to match the existing building.

Relevant Planning History

N/A

Publicity

5 neighbours notified on 04/06/2025 - 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 PpE 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 extension would be located around 3500mm away from the southern boundary and it would be built with materials and a design that would be considered to be in keeping with the existing dwelling. As such it would not have any significant detrimental effect on the character of the existing streetscene.

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 separation distance to surrounding properties would be acceptable in terms of SPD 6.
- The position of the extension would not interfere with existing parking arrangements at the rear of the site.
- As the extension would be built well inside the site boundaries there would be no encroachment of the highway to the side.

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.

Tree on site -

There is a tree located on the southern boundary of the site which would be in close proximity to the extension, and the applicant advised that the tree will probably be removed as it is already pushing through the boundary fence towards the highway at the side. It is noted that the tree is not protected and could be removed at any time without the need for prior permission. As such the tree's location would not affect the decision.

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 and detached garage to the rear 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 Sheets 1 - 6 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.
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- 3 The external finishing materials for the proposal hereby approved shall match those of the existing building.

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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 - 18/07/2025			