

DELEGATED REPORT

Report by Charlotte Orrell	Date of report: 11/12/2025	Ref: 72481/FUL
Registration: 20/10/2025	LDfC: 25/11/2025	Expiry Date: 15/12/2025
Site Visit: 11/12/2025	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level:
		Stat Class: MIOT

Proposal: Conservatory extension at rear

Location: 52 Mountside Crescent, Prestwich, Manchester, M25 3JH

Description

The proposal relates to the ground floor flat of a semi-detached dwelling on the eastern side of Mountside Crescent. The front boundary is separated from the pavement by a low wall with hedging with an access gate for pedestrian access leading to the front door of the flat at the southern side of the dwelling.

The rear and side boundaries are separated from neighbouring properties by timber fencing. There are significant levels differences in the area with the site sloping southerly and easterly.

The proposal is to build a single storey rear extension to infill the space between the boundary with 50 Mountside Crescent and the existing outrigger at 52 Mountside Crescent, which currently houses the kitchen for the ground floor flat.

The proposed would project approximately 2.7m from the original rear elevation of the property and would be approximately 3.4m in width. It would incorporate a monopitched roof with an eaves height of 2.8m and a maximum height of 2.9m.

Relevant Planning History

None

Publicity

7 neighbouring properties were consulted on 03/11/2025. No comments have been received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - None

Development Plan and Policies

SPD6	Supplementary Planning Document 6: Alterations & Extensions
H2/3	Extensions and Alterations
NPPF	National Planning Policy Framework
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.

Principle of the Development-

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 scale of the proposed is considered to be subordinate to the existing dwelling. It would also have no visual impact on the street scene of Mountside Crescent as is sited to the rear. Materials proposed are consistent with those usually used for conservatories and a pitched roof would be incorporated which is favoured within SPD 6.

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-

Due to the proposed relating to a residential extension, SPD 6 would be the guidance used.

Neighbouring properties 54 and 54a Mountside Crescent would be sited away from the proposed and would therefore have no further impact than existing.

Neighbouring property 52a Mountside Crescent is the first floor flat sited above the application property. The proposed plans indicate that the maximum height of the proposed roof will be approximately 1.1m below the sill of the windows to 52a Mountside Crescent and so it would cause no further impact.

Neighbouring properties to the rear would be sited approximately 13m away from the proposed, compliant with that outlined within SPD 6.

In terms of the adjoining neighbours, 50 and 50A Mountside Crescent, the proposed would project only 2.6m compliant with the guidance outlined within SPD 6 and so the 45 degree impingement line does not need to be applied in this case. Furthermore, the plans propose that all windows facing these neighbours will be obscure glazed reducing any further overlooking impact that could be caused. Given this, it would be considered acceptable.

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.

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 098/10/25/52/@A1 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 H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

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<u>Case Officer</u> CO 11/12/2025	<u>Date</u>	<u>Sign off Officer</u> DM 12/12/25	<u>Date</u>
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