

DELEGATED REPORT

Report by Mo Warsame	Date of report: 06/02/2023	Ref: 69061/FUL
Registration: 06/12/2022	LDFC: 06/01/2023	Expiry Date: 31/01/2023
Site Visit: 06/01/2023	Site Notice: N/A	Press Date: 15/12/2022
12:00:00		
Objections: 0	Con Area: POPP	Adv Type: CAAF
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Demolition and reconstruction of single storey rear extension

Location: 15 Maple Grove, Prestwich, Manchester, M25 3DQ

Description

The application relates to a detached dwelling situated at cul-de-sac residential street. The side garden is overlooked by the rear elevations of dwellings on Guest Street. The site is located to the immediate west of the Poppythorn Conservation Area.

The proposal is for the demolition and reconstruction of single storey rear extension. The single storey extension would have a mono-pitch with roof lights and project 4 metres to the rear. The proposed development would accommodate utility area and shower room and would be constructed using matching materials.

Relevant Planning History

None.

Publicity

Neighbour letters sent on 07/12/2022. No objections received.

Statutory/Non-Statutory Consultations

Conservation Officer

Pre-start Conditions

N/A

Unitary Development Plan and Policies

EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
H2/3	Extensions and Alterations
EN1/2	Townscape and Built Design
SPD6	Supplementary Planning Document 6: Alterations & Extensions
NPPF	National Planning Policy Framework

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 and impact on Poppythorn Conservation Area

As the site is located immediately adjacent to the Poppythorn Conservation Area it is necessary to consider the proposal in terms of the Town and Country Planning Listed Building and Conservation Act. In this regard proposals should either preserve or enhance the Conservation Area and in terms of policy consideration NPPF Section 16 and EN2/1 and EN2/2 of the UDP are relevant.

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.

Situated in the rear, the development would not be visible from the public arena. The proposed extension would be of minor single storey rear extension and would be set back from the side where the garden shares a boundary with the Poppythorn Conservation Area. Furthermore, it would not be visible from the public vantage routes and points from within the adjacent conservation area. The proposed materials would enable appropriate contrast and assimilation with the existing dwelling as it utilises the use of matching materials.

Moreover, the existing large garden would be largely unaffected.

Given the above, the proposal would lead to less than substantial harm to the significance of the adjacent conservation area or have any unacceptable impacts on the appearance of the host dwelling or street scene. As such the proposal would comply with the NPPF the above stated UDP policies and SPD 6.

Residential Amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

- In terms of overlooking and privacy to the rear; there are sufficient separation distance to the properties directly to the rear and to the shared boundary with the properties in the Poppythorn Conservation Area (19 Guest Road and 21 Guest Road).
- The proposed single storey extension would be slightly larger than the existing single storey extension. Furthermore, taking in to account the Larger Homes Scheme and that the adjacent neighbours have not objected the projection of 4 metres would be considered acceptable in this instance.
- There would be no new windows proposed on the side facing 13 Maple Grove and the proposed window on the opposite side would be tucked-in within the bounds of the existing building and would therefore not be visible to the properties on this side (17 Maple Grove and 19 Guest Road).
- The existing outdoor private amenity space would be unaffected.
- As there would be no increase to the number of bedrooms at the property the existing parking arrangements would be considered acceptable.

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 MP-01/01 (Rev B) 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.

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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>
MW	06/02/2023		