

DELEGATED REPORT

Report by Jane Langan	Date of report: 27/01/2022	Ref: 67679/FUL
Registration: 18/11/2021	LDfC: 20/01/2022	Expiry Date: 13/01/2022
Site Visit: 20/12/2021	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 rear and side extension; Loft conversion with rear dormer extension; Front porch extension

Location: 11 Well Grove, Whitefield, Manchester, M45 7SQ

Description

The property is a semi detached bungalow located towards the top of a cul de sac. It has a garden and drive to the front and is extended single storey across part of the rear. To the side is a gated paved gap leading round to a fenced rear garden. The rear boundary backs on to the lengthy rear garden to 8 North View. The adjoining bungalow is No.9 and has a main window to the party wall side and is then extended single storey. To the opposite side No.13 is the unattached neighbour, also a semi detached bungalow, and which sits angled away from the site. The side gable has two windows and there is a further window to the side of a single storey rear extension.

The application includes a single storey side extension coming out 2.2m from the existing front elevation and running along 11.1m. This would extend beyond the rear elevation to meet the level of the existing single storey, 2.4m deep, to run as a single storey across the full width of the rear elevation. The existing single storey would see an increase in height of 0.75m with a new flat roof. A flat roofed rear dormer would run across the new and extended roof and projecting out a further 1.7m in depth on to the new single storey rear. The ground floor would form a store with extended kitchen and utility room and at first floor 3 bedrooms and a bathroom. To the front an open porch would be added in the form of a pitched roof canopy and a 2m deep by 1.9m wide ramp with side rails.

Relevant Planning History

None.

Publicity

Surrounding neighbours were notified by letter on 24/11/21. A further 7 day letter was sent to No.13 on 13/01/22 regarding an obscure glazed side window added to the dormer. One response has been received by a nearby neighbour their comments in summary are:-

Request conditions to be added for :-

- Hours of work and deliveries restricted
- Programme of work for completion
- Neighbour to enter into a Party Wall agreement with neighbours before work is carried out .
- Extension is shown on the boundary. How is the boundary going to be protected ? What fencing is going to be provided ?
- Confirm how scaffold is going to work.
- A CEMP should be agreed so the method of building the extension can be agreed. May include that all workers should park on number 11. Any damage to existing roads and footpaths are made good and if necessary a road cleaner will be used to stop debris

being deposited on the existing roads and creating a danger

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Unitary 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) 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 design - The proposed side extension would have a pitched roof running from the main ridge and forming a side gable wall. To the rear the single storey would be flat roofed with stone coping and the dormer flat roofed with the walls tile hung to match the main roof. The extension walls would be brick to match the existing. The rear dormer would extend on to the roof of the single storey however there would be limited, if any view, from the main street due to the position of the property and the dormer would be set in from the side edge of the roof. The porch would be in the form of a small canopy and a front ramp which would not project excessively.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

Parking - The proposal would increase the number of bedrooms from 2 to 3 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered. This can then require the proposal to provide a maximum of 2 parking spaces and the site accommodates this level of parking and which would remain following the extensions.

Residential amenity - The existing single storey at the rear to the adjoining No.9 would see an increase in height of 0.75m. It would however still project less than 3m from the rear of this neighbour. The addition of a dormer extending on to the single storey would see the part of the development as two storey. The proposed dormer has been set in from the boundary in order that it would comply with the criteria as set out in SPD6 to not encroach a 45 degree line 1m out along the shared boundary.

To the opposite side No.13 is angled away from the site and extended at the rear and the proposal would not project deeper than this property. As such the proposal would not cause any significant loss of light or overshadowing. There would be one side window to the dormer, noted to be obscure glazed. A condition is added for this to be retained as such.

There would be a distance in excess of 7m from the rear dormer windows to the boundary.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

Response to neighbour comments

Conditions for parking of the workers, hours of operation, road cleaning and completion of works are not reasonable or enforceable conditions that can be attached to a householder development.

Any issues arising with regard to noise would be dealt with via Environmental Legislation where appropriate.

A condition for the storage of materials within the site is attached.

Entering into the Party Wall Act is the responsibility of the applicant.

Issues relating to the boundary fencing and any scaffolding required are a matter between the two neighbouring parties involved.

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

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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 ZT21-196-00, ZT21-196-01, ZT21-196-02, ZT21-196-03, ZT21-196-04 received 12/01/22, ZT21-196-05 received 12/01/22, ZT21-196-06 received 26/01/22 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 Before the first occupation of the extension hereby permitted the window to the north side elevation of the dormer hereby approved shall, as noted on approved plan ZT21-196-05, be fitted with obscured glazing and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
- 4 Facilities for the storage of construction materials shall be provided within the curtilage of the site. The measures shall be retained and facilities used for the intended purpose for the duration of the construction period.
Reason. To maintain the integrity of the adopted highway and ensure adequate off street materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to UDP Policy H2/3 Extensions and Alterations.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	27/01/22	DM	27/01/2022