

DELEGATED REPORT

Report by Helen Leach	Date of report: 14/12/2020	Ref: 65921/FUL
Registration: 05/10/2020	LDfC: 14/12/2020	Expiry Date: 30/11/2020
Site Visit: 21/10/2020	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 extension at rear with decking area and conversion of garage to utility room

Location: 4 Grasmere Avenue, Whitefield, Manchester, M45 7GN

Description

The application relates to a two storey semi-detached dwelling on Grasmere Avenue. At the front of the property there is a brick driveway covering the entire front of the property. There is a single storey garage with the two storey dwelling attached to the South and East. There is a narrow passage past the side of the garage and house to the back of the property. At the rear, there is a patio at the same level as the main dwelling and steps up into a long grassed garden which is surrounded by large bushes and trees. The other side of the dwelling is attached to the neighbouring property.

There are residential properties to all boundaries and the property to the east is set back from the road, due to the widening of the road to form a turning head.

Planning permission was granted in October 2019 for the erection of a single storey extension at the rear and the conversion of the garage.

The proposed development involves the erection of a single storey extension and decking at the rear of the dwelling. The proposed extension would project 3 metres from the rear wall and would extend by 6 metres across the rear of the dwelling. The proposed extension would measure 2.6 metres to the eaves and 4 metres overall in height. The proposed extension would be constructed from brickwork and cedar timber cladding with a tile roof. The proposed decking would extend 2.02 metres from the proposed extension and would be 0.28 metres above ground level.

The plans show the conversion of the garage to a utility room. These works would be permitted development and the garage door would be retained.

Relevant Planning History

64646 - Single storey extension at rear and conversion of garage to utility room at 4 Grasmere Avenue, Whitefield. Approved with conditions - 29 October 2019.

Publicity

The neighbouring properties were notified by means of a letter on 6 October 2020. There has been no response.

The neighbouring properties were notified of revised plans on 7 December 2020. There has been no response.

Statutory/Non-Statutory Consultations

None relevant.

Pre-start Conditions - Applicant/Agent [Not relevant/has/has not] agreed with pre-start conditions

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
H2/3	Extensions and Alterations
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 - UDP Policy H2/3 and SPD 6 are relevant here and seek to achieve a high standard of design. This is to make sure the development compliments the original building, and does not have a negative impact on the appearance of the host building, neighbouring properties and the general street scene.

The proposed extension would be located at the rear of the property and would be a simple and unobtrusive design. The proposed extension would be constructed from brickwork on the gable and cedar cladding on the rear elevation with a tile roof. While the proposed cedar cladding would not match the existing dwelling, it would complement it and would be located at the rear. As such, the proposed development would not be a prominent feature in the streetscene.

The proposed decking would be located at the rear of the property and would not be visible from the streetscene. The proposed decking would be typical of a domestic garden and would be acceptable.

The garage would be converted to a utility room under permitted development and the driveway would be the only source of off-street parking. The driveway is only 4.5 metres in length which does not meet the requirements of SPD 6. However as the existing driveway would not be modified the off street parking arrangements would not change and so the parking provisions would be acceptable.

Therefore, the proposed development would be in accordance with Policies EN1/2 and H2/3 of the Bury Unitary Development Plan and SPD6.

Residential Amenity

UDP H2/3 and SPD 6 seeks to reduce the impact of developments on the residential amenity of neighbouring properties.

- The proposed development would project 3 metres from the rear of the property, which would comply with SPD6
- The proposed development would be 21 metres from the rear boundary of the property, which would be in excess of the 7 metre aspect standard required.
- The rear extension will have no windows on the gable and as such, would not impact upon the amenity of the neighbouring properties.
- The proposed decking would be 0.028 metres above the external ground level and would be level with the finished floor level in the proposed extension. The proposed elevation plan shows a fence of 1.7 metres in height, which would prevent any overlooking into the neighbouring garden.

Therefore, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring 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

DELEGATED REPORT

of this permission.

Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.

- 2 This decision relates to drawings numbered M144 160, M144 01, M144 02, M144 100 A, M144 110 A 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 with the exception of the cedar cladding.

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 Before the first occupation of the extension hereby permitted the 1.8m high glazed panel/fence panel to the decking, as shown on the approved plans, shall be fitted and obscured glazed to level 5 and be permanently retained thereafter unless otherwise approved in writing by the Local Planning Authority.

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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HL - 14/12/2020		DM - 14/12/2020	