

DELEGATED REPORT

Report by Jane Langan	Date of report: 22/09/2022	Ref: 68623/FUL
Registration: 02/08/2022	LDfC: 01/09/2022	Expiry Date: 27/09/2022
Site Visit: 17/08/2022	Site Notice: N/A	Press Date: N/A
Objections: 1	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey/single storey extension at side

Location: 8 Park Lane, Whitefield, Manchester, M45 7PB

Description

The property is a two storey detached house located on a corner plot. It has garden to the front and two parking spaces. To the side works have commenced on an extension and the property has a flat roofed dormer at the rear. To the rear the site garden borders the rear garden to 1 Park Hill Drive.

The application proposes a two/single storey extension at the side coming out 3.2m and running from the existing front to rear elevations. It would form an office and utility room at ground floor and bedroom and bathroom at first floor.

Relevant Planning History

67865 - Single storey side extension; Render to the front - AC 21/02/2022

Publicity

Surrounding neighbours were notified by letter and one response has been received from a nearby neighbour. Their concerns in summary are:-

- They have big lorries blocking the street
- Our drive is blocked for hours

Statutory/Non-Statutory Consultations

Traffic Section - No comments received.

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 two storey side extension would leave a distance from the side wall to the boundary of 2.7m at the front and 2m at the rear. This would be sufficient in order to comply with the criteria as set out in SPD6 for corner plots. It would have a pitched roof running from the main ridge forming a side gable wall. The single storey section to the front would have a hipped roof. Materials would be roof tiles to match the existing. New walls and the front elevation would be in render with the rear elevation remaining as brick.

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 not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. Amendment to the internal layout would retain 3 bedrooms. The site as existing has a drive to the front with parking for 2 vehicles which would not be affected by the proposal. The area also has public transport. The parking arrangements are then sufficient.

Residential amenity - There would be a distance in excess of 7m from the proposed first floor rear window to the boundary and the window would also be to a non habitable room. The property to the side of the proposal is located across the street and approximately 18m

away.

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 objection

Works have commenced on the approved single storey extension. Disturbance during construction work is not a planning matter. On street parking is outside of planning control.

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 001, 002, 003, 101 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	22/09/22		