

DELEGATED REPORT

Report by Amanda

Date of report: 30/08/2022

Ref:68643/FUL

Uhunmwagho

Registration: 06/07/2022

LDfC: 27/08/2022

Expiry Date: 31/08/2022

Site Visit:

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey extension at side

Location: 31 Hillingdon Road, Whitefield, Manchester, M45 7QQ

Description

Planning permission was recently granted at this property for a roof extension and new front porch. as well as the removal of a chimney. Whilst on the site visit at the time it was noted that there was a single storey side extension which was near completion. The applicant had started to build this structure as he was advised it would be permitted development. However, given that there is a highway to the side of the site planning permission would be required for that part of the development, hence the current application.

The application property is a previously extended two storey detached house fronting on to Hillingdon Road with Wentworth Avenue to the south side. There are garden areas to three sides and parking to the front of the property.

The single storey side extension measures 4.5m wide x 8.1m long. The roof is hipped with one rooflight to the side. The plans show that the side elevation would be 2.1m set back from the boundary with Wentworth Avenue.

Relevant Planning History

68425 - Conversion of existing flat roof to pitched roof to side extension; extension to main roof; new front porch and removal of existing chimney / chimney stack - Approve with Conditions 22/07/2022

Publicity

Neighbours notified on 05/08/2022 - No comments or objections received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions
H2/3 Extensions and Alterations

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.

The main considerations of this application are the impact of the proposal on visual and residential amenity.

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 design and finished materials of the proposed side extension would be considered as in keeping with the existing building and similar with other properties in the immediate vicinity. It would therefore remain in keeping with the existing streetscape.

SPD 6 requires extensions to be set back at least 2m from a boundary abutting a highway. As the extension is positioned 2.1m away from the side boundary it would be acceptable in

terms of SPD 6 in this instance and it would not cause any harm in terms of the appearance of the existing streetscape.

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.

Residential Amenity -

- The rear elevation is around 12m from the rear site boundary which would be sufficient in terms of SPD 6 given that the extension is single storey only.
- The side elevation is set back from the side boundary by 2.1m. As such there would be no encroachment on to the highway to the side.
- As the extension is being built on the south elevation there would be no detrimental impact on residential amenity at no.29 to the north.
- The extension is more than a sufficient distance from properties to the front of the site not to have any significant detrimental effect on residential amenity at those properties.
- The position of the extension does not impact upon existing parking arrangements within the site.

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 distances to surrounding properties.

Parking -

The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing where there is parking to the front of site and there is ample on street parking adjacent to the site.

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 This decision relates to drawings numbered DPB/DS/22/01 and DPB/DS/22/02 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.
- 2 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>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 30/08/2022			